



To: Mayor and Council
From: Joe Erceg
Manager, Development Applications
Date: July 7, 2003
File: RZ 03-234414

RE: **COUNCIL REFERRAL FOR ADDITIONAL INFORMATION FOR THE REZONING APPLICATION AT 7931 MCLENNAN AVENUE FROM AGRICULTURAL DISTRICT (AG1) TO SINGLE FAMILY HOUSING DISTRICT, SUBDIVISION AREA F (R1/F)**

On June 23, 2003, City Council gave First Reading to Official Community Plan Amendment Bylaw 7536 and Zoning Amendment Bylaw 7537. Prior to the July 21, 2003 Public Hearing, Council requested that the following information be submitted:

- i. The reasons given by the Agricultural Land Commission for approving the subdivision of the 910 m² lot at 7931 McLennan Avenue;
- ii. The history of the 4-lot subdivision directly across the street from 7931 McLennan Avenue; and
- iii. The composition of Council in 1991 when second and third reading were given to the bylaws to rezone 7931 McLennan Avenue for subdivision to two lots.

Agricultural Land Commission Decision

The Agricultural Land Commission first considered the application on April 11, 2001. The subdivision plan originally created a 910 m² lot at the north end of the site to accommodate the existing house. At that time, the Commission refused the application on the grounds that the subdivision would place further development pressures on the lands to the north and raise expectations for similar subdivisions.

On June 29, 2001, the Commission reconsidered the application based on the submission of a revised subdivision proposal showing the proposed 910 m² lot on the south side of the property. The 2,680 m² remainder of the property would be located on the north side of the lot, accommodating the existing house. This subdivision layout is the same one proposed in the current rezoning application.

The Commission felt that the revised subdivision proposal provided a more logical lot layout that would limit impacts on adjacent, and potential agricultural, lands to the north. It also appeared that the revised proposal would not provide any additional servicing impacts on the area. Therefore, the Commission approved the subdivision.

History of Subdivision at 7938 McLennan Avenue

The property at 7938 McLennan Avenue is located directly across the street from the subject property. It was the subject of earlier subdivision. The chronology of this property's subdivision is outlined as follows:

- 1955 - A local improvement petition was initiated by Elizabeth Johnston (west side of McLennan Avenue) and Melvin & Emma MacMorran (east side of McLennan Avenue). McLennan Avenue was constructed under a local improvement bylaw using funds from this petition.
- 1971 - Mrs. MacMorran reconfigured the 3 lots she originally owned into 4 new lots, one of which was an L-shaped lot fronting onto McLennan Avenue and Blundell Road (see **Attachment 1**). The lots were zoned "Agricultural District" under Zoning Bylaw No. 1430.
- 1980 - Mrs. MacMorran applied to subdivide the L-shaped lot into 2 parcels (SD 80-091). The Planning Department rejected this subdivision application because it would have created an unserviced lot on McLennan Avenue.
- 1980-81 - The MacMorrans appealed to the Planning Committee and Public Works & Services Committee. Council approved the Committee's recommendation that the Approving Officer be authorized to approve the MacMorran's subdivision proposal, subject to Mrs. MacMorran entering into a development agreement to extend the existing road, water and drainage approximately 7.01 m (23 ft.) northward to a standard similar to the existing services and which is acceptable to the Municipal Engineer.
 - Mrs. MacMorran applied for a development agreement (SD 81-029) with respect to the extension of the services and roadway along McLennan Avenue.
- 1981-87 - Mrs. MacMorran did not proceed with the proposed subdivision (SD 80-091) or development agreement (SD 81-029) because the cost of extending McLennan Avenue was considered too onerous at the time.
- 1988 - Council reconfirmed its decision to allow the MacMorrans' subdivision application and development agreement.
 - A two lot subdivision (see **Attachment 2**) was registered in the Land Title Office, creating 7938 McLennan Avenue (0.25 ha/0.63 ac. in area) and 10451 Blundell Road (0.20 ha/0.50 ac. in area). The lots were zoned "Agricultural District" under Zoning Bylaw No. 1430.

The MacMorran subdivision differs from the current Dha application in several ways:

- i. The MacMorran subdivision was approved prior to the adoption of Subdivision Bylaw No. 5428 (adopted 1990) and the current Subdivision Bylaw No. 6530 (adopted in 1996) which requires the construction of full municipal services across the full frontage of a property being subdivided.
- ii. The MacMorran subdivision was approved prior to the adoption of the McLennan Area Plan in May 1987 which designates the area for "Agriculture" and promotes the policy of retaining lands in the Agricultural Land Reserve with a goal to preserve agricultural lands and minimize urban/rural conflicts.
- iii. The MacMorran subdivision was completed prior to the adoption of Zoning and Development Bylaw No. 5300 in April 1989 which zones agricultural lands as AG1 (Agricultural District) with a 2 ha (4.9 ac.) minimum parcel size.

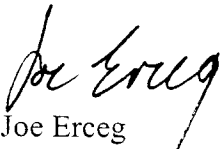
Composition of Council in 1991

On February 18, 1991, Council gave second and third reading to Official Community Plan Amendment Bylaw 5652 and Zoning Amendment Bylaw 5653 for the rezoning and subdivision of 7931 McLennan Avenue. During this time, the composition of Council was as follows:

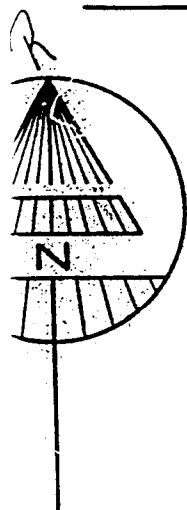
Mayor Greg Halsey-Brandt
Ald. Don Cummings
Ald. Ron Dickson
Ald. Bob McMath
Ald. Corisande Percival-Smith
Ald. Doug Sandberg
Ald. Bob Simpson
Ald. Harold Steves
Ald. Evelina Vaupotic

When Bylaws 5652 and 5653 were given second and third readings, Mayor Halsey-Brandt and Ald. Steves were opposed.

Bylaws 5652 and 5653 were considered for final adoption on April 22, 1991. They were defeated, opposed by Mayor Halsey-Brandt, Ald. Cummings, Ald. Dickson, Ald. McMath, Ald. Percival-Smith, Ald. Simpson and Ald. Steves.


Joe Erceg
Manager, Development Applications

JE:jl



McLENNAN ROAD

N 0° 17' 30" W

McLENNAN

McNAIR ROAD

McNAIR

66

67

GENERAL CURRIE

48'a'

47'a'

PLAN

1149

41'b'

42'b'

S 89° 59' 30" E

302.63

41'c'

42'c'

East

75.67 75.67 75.67

103

41'd'

100

101

102

41'e'

42'e'

BLUNDELL

East

LEGEND

Scale 1 inch = 100 feet.

Bearings are astronomic derived from Plan

- oip Indicates old iron post found.
- op Indicates old wood post found
- ip Indicates iron post set.
- alp Indicates old aluminium post found

MAJ 81-029

R88-7609

**SUBDIVISION PLAN OF PART OF LOT 103 OF SECTION 14,
BLOCK 4 NORTH, RANGE 6 WEST, N.W.D. PLAN 39556**
B.C.G.S. 926.015

11-320.R10.17.29.M1+M7

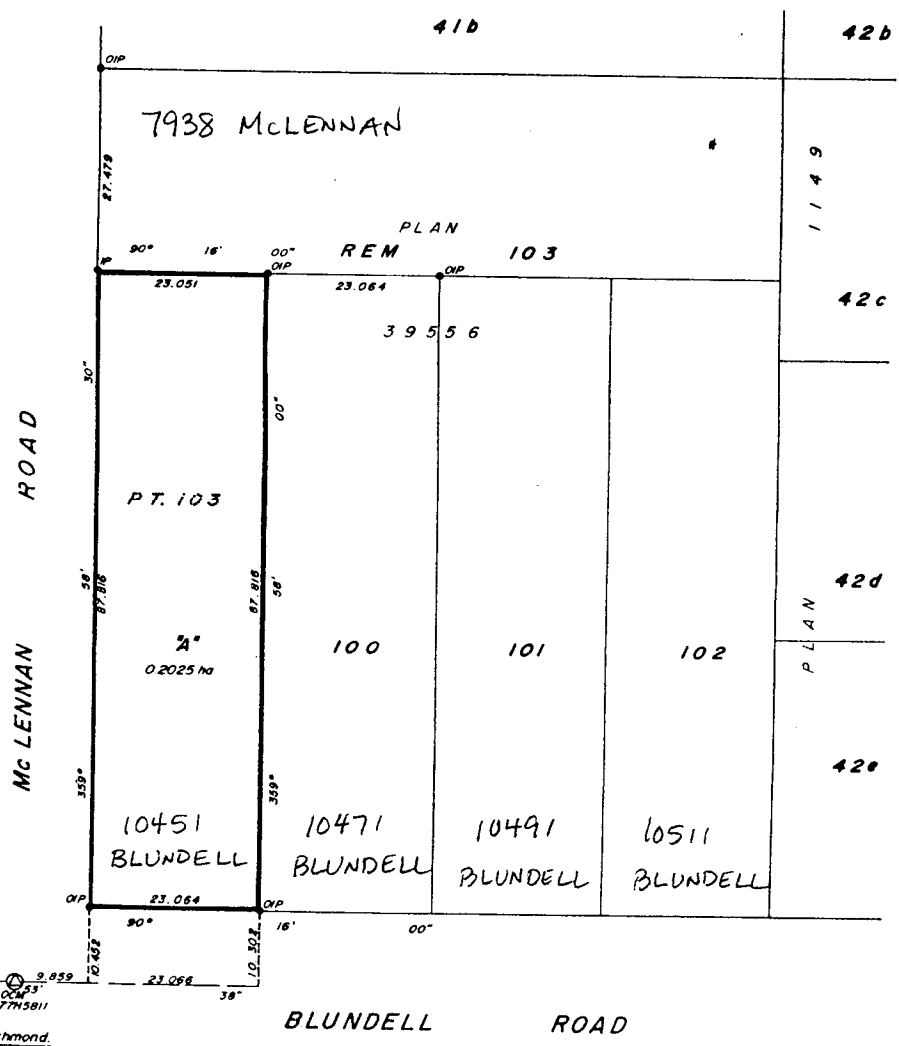
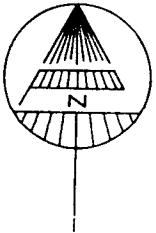
PLAN 79759
REF. N° AB236596

Deposited in the Land Title Office
at New Westminster B.C.
This 9 day of Nov 1988

E. J. Power
Assistant Deputy Registrar

Approved under the Land Title Act
this 9 day of November 1988

R. L. Ham
Approving Officer
The Corporation of the Township
of Richmond
Director of Planning



B. DeLorenzo
Owner

M. J. ...
Owner

E. ...
Witness as to both

...
Occupation of witness

3551 Richmond Ave
Address of witness

THE LONDON LIFE
INSURANCE COMPANY

M. ...
Authorized signatory

...
Authorized signatory

OCM 7744961 416.409 89° 02' 53" OCM 7743811 2.859 23.058 38° 10.402 10.502

Integrated Survey Area N°18 Richmond.
This plan shows ground level measured distances.
Prior to computation of UTM co-ordinates, multiply
by combined factor 0.9996014

LEGEND
All dimensions are metric