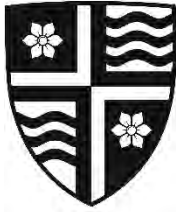


Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: NOVEMBER 14, 2022 - REGULAR MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT AND
 REZONING APPLICATION NO. 100223 AND
 DEVELOPMENT VARIANCE PERMIT NO. 100141
 (HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY /
 4491 AND 4477 – 236 STREET; AND 23535 – 44 AVENUE;
 AND LANDS IN THE 23400 BLOCK OF 44 AVENUE)

REPORT: 22-107
FILE: 10-33-0109

PROPOSAL:

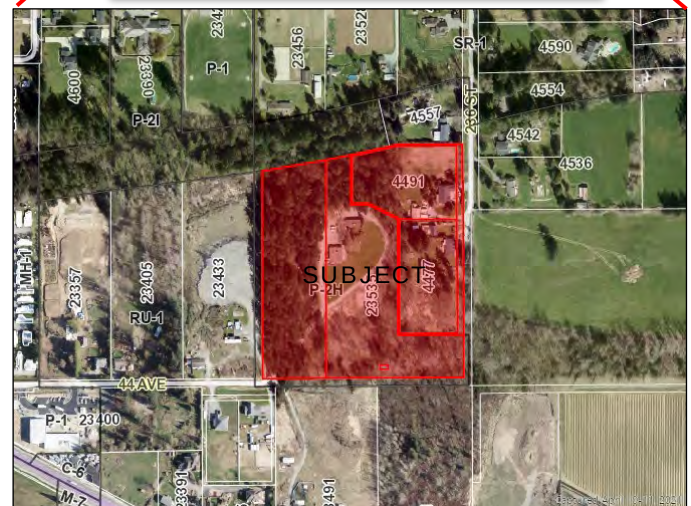
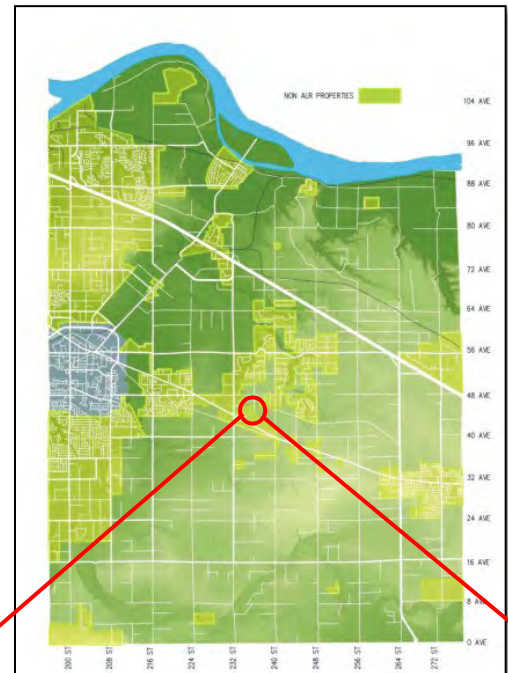
Application to amend the Rural Plan and rezone approximately 7.1 ha (17.5 ac) of land located at 4491 and 4477 – 236 Street; 23535 – 44 Avenue; and lands in the 23400 Block of 44 Avenue to Suburban Residential Zone SR-1 in order to facilitate a proposed six lot subdivision on the easterly portion of the lands and provide for potential future subdivision of the westerly portion of the lands.

RECOMMENDATION SUMMARY:

That Council grant first and second reading of Bylaws No. 5819 and 5820 subject to 10 development prerequisites being satisfied prior to final reading of Rezoning Bylaw No. 5820; that Council authorize issuance (at time of final reading of Bylaw No. 5820) of Development Variance Permit No. 100141; and further that staff be authorized to schedule the required Public Hearing should Council give the Bylaws first and second reading.

RATIONALE:

The proposed development is consistent with the overall objectives of the Township's Official Community Plan, the Rural Plan, the range of existing land uses in the area and is not located in the ALR.



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RECOMMENDATIONS:

That Council grant first and second reading of Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5819 amending the Rural Plan to permit 0.37 ha (0.92 ac) lot sizes on the subject properties; and Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5820 rezoning 7.1 ha (17.5 ac) of land located at 4491 and 4477 – 236 Street; 23535 – 44 Avenue; and lands in the 23400 Block of 44 Avenue) to Suburban Residential Zone SR-1 in order to facilitate a proposed six lot subdivision on the easterly portion of the lands and future subdivision of the westerly portion of the lands subject to the following development prerequisites being satisfied to the acceptance of the Township of Langley General Manager of Engineering and Community Development, unless noted otherwise, prior to final reading:

1. A Servicing Agreement being entered into with the Township to secure required road and utility upgrades and extensions in accordance with the Township's Subdivision and Development Servicing Bylaw;
2. Submission of an erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw;
3. Provision of road dedications, widenings, and necessary traffic improvements for 236 Street in accordance with the Township's Master Transportation Plan, Subdivision and Development Servicing Bylaw, and the Street Trees and Boulevard Plantings Policy;
4. Secure a 1.5 m wide statutory right-of-way for 236 Street along a portion of the east frontage of the subject site;
5. Secure a statutory right-of-way for the purpose of a turnaround on proposed Lot 1;
6. Provision of a final tree management plan incorporating tree retention, replacement, protection details, and security in compliance with the Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection);
7. Provision of final landscape plans and security to the acceptance of the Manager of Green Infrastructure Services;
8. Registration of restrictive covenants:
 - a. Restricting development and clearing of the westerly portion of the site (as indicated in Attachment A) until such time as a final tree management plan incorporating tree retention, replacement, protection details, and security in compliance with the Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection), is provided and accepted by the Township;
 - b. Protection of Streamside Protection and Enhancement Areas and acceptance of the streamside enhancement plans, fencing, signage, and security;
9. Compliance with the Community Amenity Contributions Policy;
10. Payment of supplemental Rezoning fees, Development Engineering and Green Infrastructure service fees, 5% Park Land Acquisition Fee, Development Works Agreement (DWA) and Latecomer charges;

That Council consider the Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5819 as consistent with the Township's Five Year Financial Plan as updated annually and with Metro Vancouver's Integrated Liquid Waste Resource Management Plan and Integrated Solid Waste and Resource Management Plan, the Housing Needs Report, and with the consultation requirement of Official Community Plan Consultation Policy (07-160);

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That Council at time of final reading of Rezoning Bylaw No. 5820 authorize issuance of Development Variance Permit No. 100141 subject to the following conditions:

- a. Section 110.1 – Subdivision Requirements of Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum lot depth requirement in the Suburban Residential Zone SR-1 from 55 m (180.4 ft) to 39.8 m (130.9 ft) for proposed Lot 1, 42.6 m (139.8 ft) for proposed Lot 2, and 49.7 m (163.1 ft) for proposed Lot 5;
- b. Section 110.1 – Subdivision Requirements of Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum lot frontage requirement in the Suburban Residential Zone SR-1 from 40 m (131.2 ft) to 37.4 m (122.7 ft) for proposed Lot 6; and further

That Council authorize staff to schedule the required Public Hearing for the Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5819 and Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5820.

EXECUTIVE SUMMARY:

Aplin & Martin Consultants Ltd., on behalf of the owners, has applied to amend the Rural Plan and the Zoning Bylaw in order to rezone the subject lands to facilitate a proposed six lot subdivision on the easterly portion of the subject site and provide for potential future subdivision of the westerly portion of the site. There are currently no plans to subdivide or make any other amendments to the status of the western portion of the site.

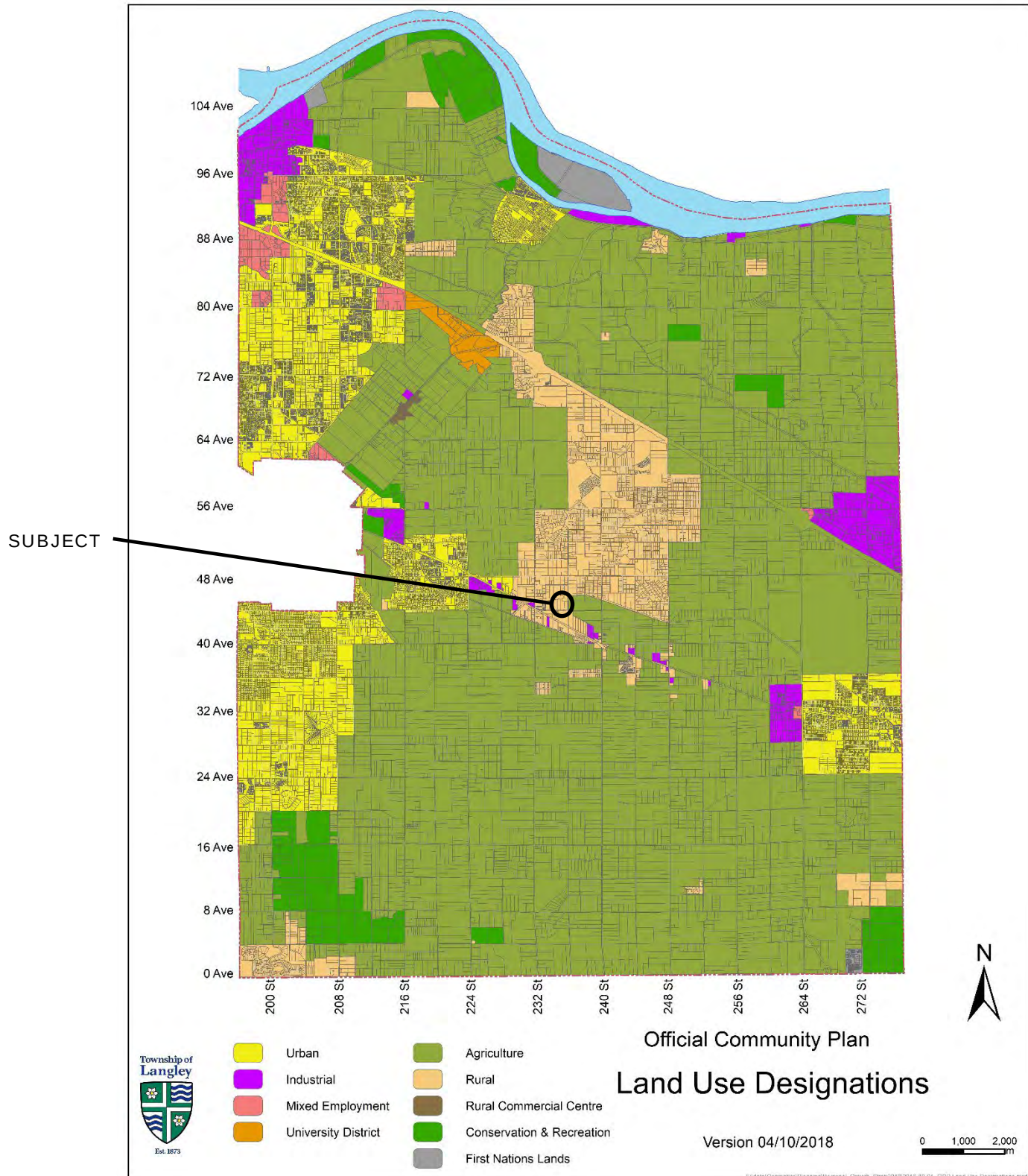
The western portion of the subject site is currently zoned Community Care Facility Zone P-2H and accommodates the Inclusion Langley Society, while the eastern portion is currently zoned Rural Zone RU-1 and accommodates two single family strata lots. The subject site is not located in the Agricultural Land Reserve and is surrounded by a range of zones, land uses and lot sizes. Within 400 m of the subject site there are institutional land uses, a mobile home park, commercial land uses, rural land uses, and suburban residential lots.

Given the overall objectives of the Rural Plan, the range of land uses in the site's surrounding context, as well as its location outside of the ALR, staff recommend Council grant first and second readings to Bylaws No. 5819 and 5820.

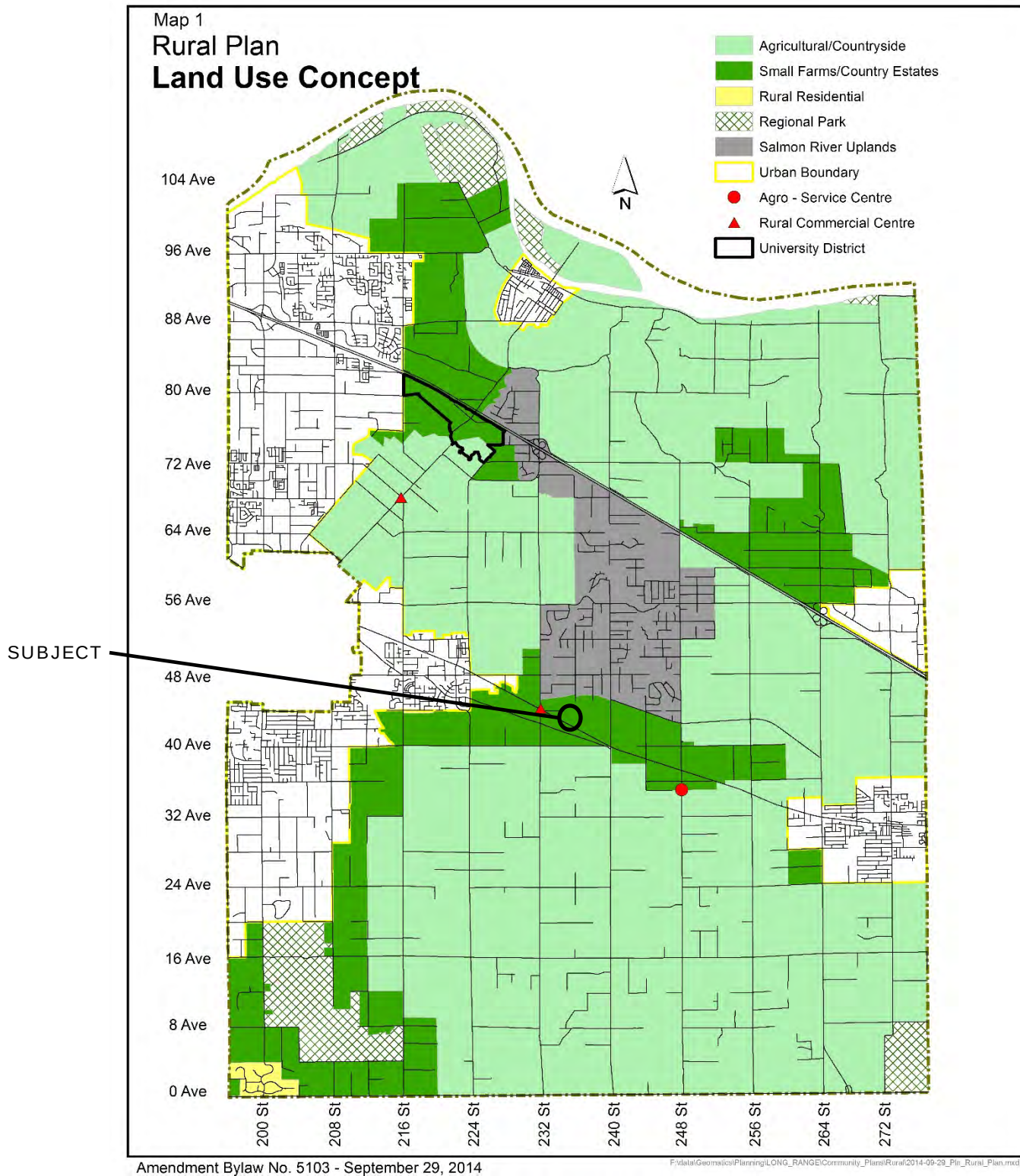
PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to proposed Rural Plan Amendment Bylaw No. 5819, Rezoning Bylaw No. 5820, and Development Variance Permit No. 100141.

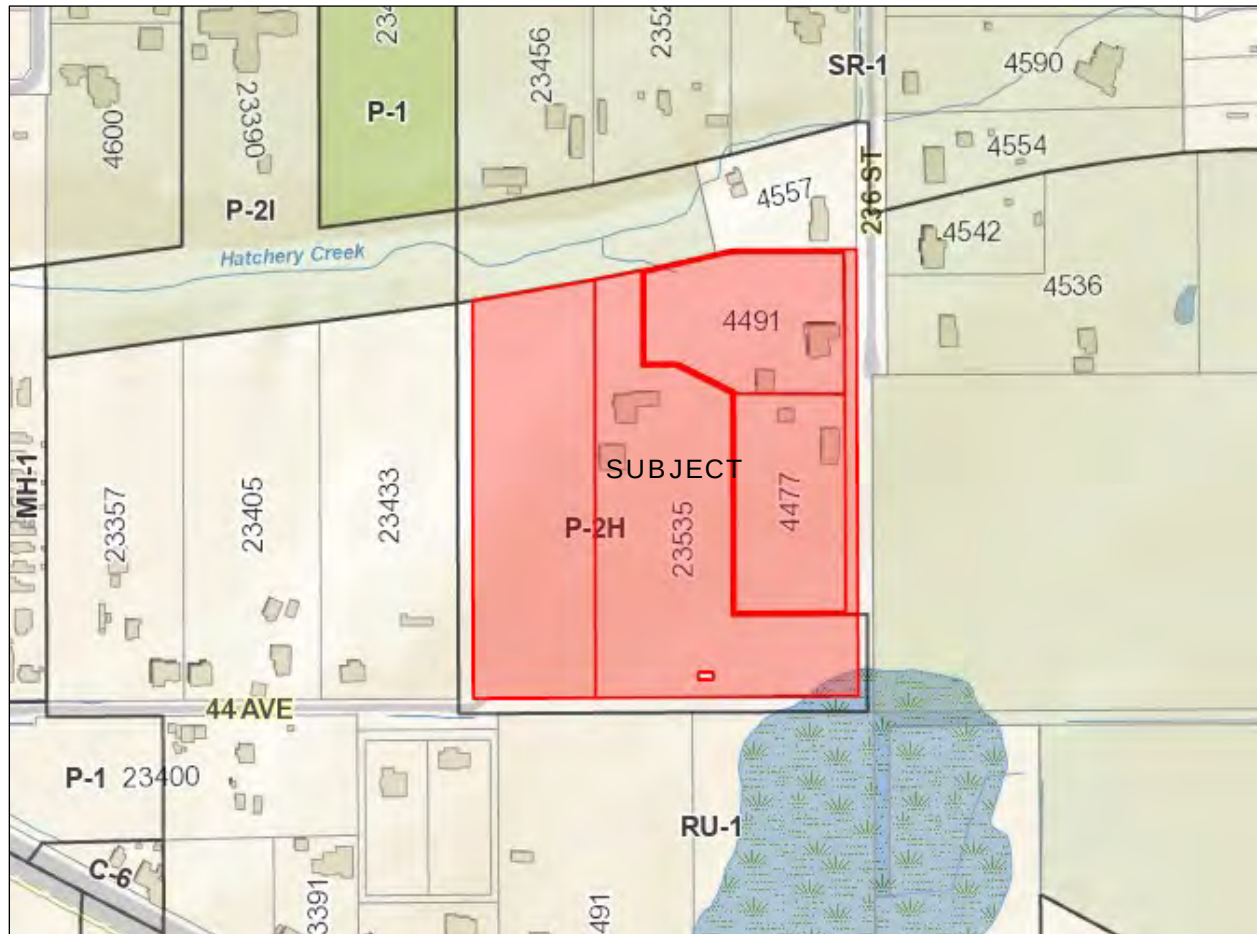
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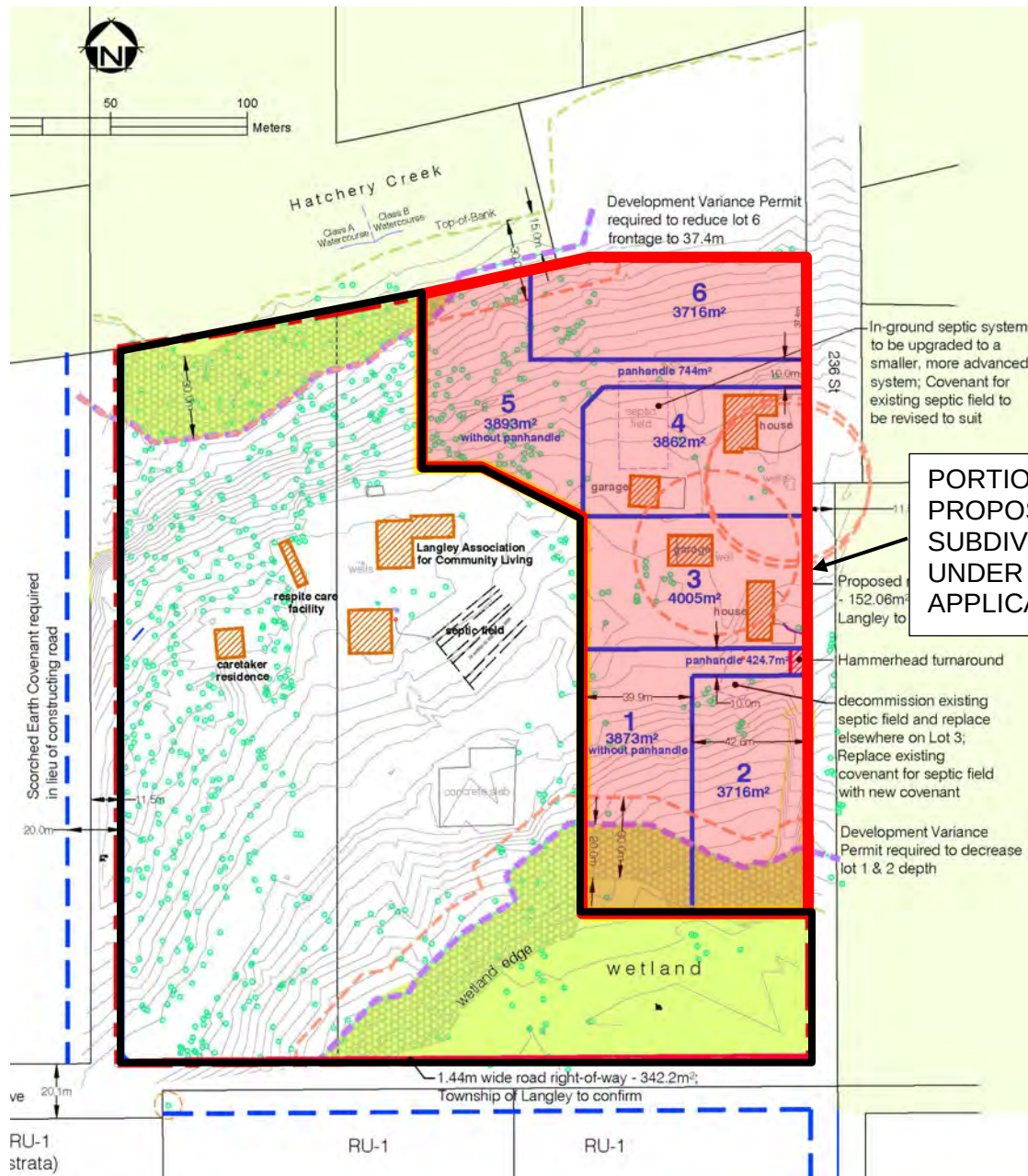


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ZONING BYLAW NO. 2500

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**PORTION OF SITE
 PROPOSED TO BE
 SUBDIVIDED
 UNDER CURRENT
 APPLICATION**

SITE PLAN – SUBMITTED BY APPLICANT

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REFERENCE:

Owner:	Andrew and Darlene Hewitson 4477 – 236 Street Langley BC V2Z 2S4
	Tod A. McGovern 4491 – 236 Street Langley BC V2Z 2S4
	Township of Langley 20338 – 65 Avenue Langley BC V2Y 3J1
Agent:	Aplin & Martin Consultants Ltd. 1680, 13450 – 102 Avenue Surrey BC V3T 5X3
Legal Description:	Lot 1 Section 33 Township 10 New Westminster District Plan BCP13026;
	Lot 7 Section 33 Township 10 New Westminster District Plan 12012;
	Strata Lots 1 And 2 Section 33 Township 10 New Westminster District Strata Plan BCS3612
Civic Address:	4491 and 4477 – 236 Street; 23535 – 44 Avenue; and PID 009-643-231
Area:	7.1 ha (17.5 ac)
Rural Plan: (existing)	Small Farms / Country Estates
Rural Plan: (proposed)	Small Farms / Country Estates (with site-specific text amendment to permit minimum lot sizes of 3,716 m ² (0.92 ac) on the subject properties)
Existing Zoning:	Rural Zone RU-1 and Community Care Facility Zone P-2H
Proposed Zoning:	Suburban Residential Zone SR-1

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BACKGROUND/HISTORY:

The subject lands are currently designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1 and Community Care Facility Zone P-2H. The eastern portion of the site accommodates two single family homes and accessory buildings on two strata lots while the western portion of the site accommodates the Langley Inclusion Society.

On November 4, 1996, Council denied Rezoning Application No. 96-25 (and an accompanying Rural Plan amendment) proposing to rezone the eastern portion of the subject site from Rural Zone RU-1 to Suburban Residential Zone SR-2 to accommodate subdivision of the existing parcel into two fee simple lots.

On May 25, 2009, Council approved strata title conversion application SA100679 to convert the two existing single family dwellings on the eastern portion of the subject site into two strata title lots.

The current application proposes to amend the Rural Plan and the Zoning Bylaw in order to facilitate a proposed six lot subdivision on the eastern portion of the subject site and the future subdivision of the westerly portion.

DISCUSSION/ANALYSIS:

To accommodate the proposal to subdivide the easterly portion of the subject site (currently two strata titled lots) into six fee simple lots, the applicant has proposed to amend the Rural Plan to permit lot sizes of 3,716 m² (0.92 ac) on a site specific basis and rezone the properties from Rural Zone RU-1 and Community Care Facility Zone P-2H to Suburban Residential Zone SR-1. While the proposed lots comply with the minimum lot area requirements of the proposed Suburban Residential Zone SR-1, the applicant is proposing a development variance permit to vary the minimum lot depth requirements for proposed Lots 1, 2 and 5 and lot frontage requirements of proposed Lot 6 as shown on the site plan included in this report.

The proposed plan amendment, rezoning, subdivision, and development variance permit would facilitate six fee simple lots on the easterly portion of the site (in place of the two existing single family strata titled lots) as well as rezone the two westerly properties currently utilized by the Inclusion Langley Society. The proponent indicates that the existing single family dwellings and institutional buildings would be retained as part of the proposal and further notes that the two properties utilized by the Langley Inclusion Society would not be subdivided as part of the current application.

Adjacent Uses:

North: Rural property within the ALR designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1; and Rural property not within the ALR designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1;

South: Unconstructed road dedication (44 Avenue), beyond which are properties not within the ALR designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1;

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East: 236 Street (a portion of which is unconstructed road dedication), beyond which are rural properties within the ALR designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1; and

West: Unconstructed road dedication, beyond which is rural property not within the ALR designated Small Farms / Country Estates in the Rural Plan and zoned Rural Zone RU-1.

Rural Plan Amendment:

The subject lands are currently designated Small Farms / Country Estates in the Rural Plan. Section 2.1 of the Rural Plan states “The primary goal of the Rural Plan is to enhance agricultural viability through recognition and protection of the diverse agricultural lands, preservation of larger lot sizes, creation of policies that reinforce designation of much of the land as ALR and encouragement of the agricultural industry within Langley...”

Policies for the Small Farms / Country Estates designation (Section 5.6 of the Rural Plan) indicate the following:

5.6.1 The Small Farms/Country Estates designation shall provide for agricultural uses. Some limitations on intensive agricultural uses may be considered.

5.6.2 The minimum lot size in the Small Farms/Country Estates area shall be 1.7 ha (4.2 acres), subject to the approval of the Agricultural Land Commission. Notwithstanding the minimum lot size, the Land Commission will review each application based on agricultural considerations.

Section 2.1 of the Rural Plan includes the following as a goal of the plan:

The plan recognizes the wide variety of uses currently existing in the area and is designed to accommodate continued agricultural use, expanded recreational opportunities, some additional small farms/country estates use and limited new commercial and industrial activities.

The applicant has provided the following rationale for the proposed amendment to the Rural Plan:

Further to the OCP, the Rural Plan provides more specific land uses, densities, policies, and design guidelines for rural areas. Lot sizes vary widely in the rural area due to subdivision activity prior to the adoption of the Agricultural Land Commission Act. As a result, a variety of land uses currently exist in the area. Under the Rural Plan, the subject site is designated as ‘Small Farms/Country Estates’, however, it does not fall within the Agriculture Land Reserve.

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The minimum lot size in the 'Small Farms/Country Estates' designation is 1.7 hectares (4.2 acres). As was indicated above, the proposed subdivision proposes smaller lots than the minimum lot size provision. In coherence with recent amendments to the Rural Plan, a text amendment is proposed on a site-specific basis to permit a minimum lot size less than 4.2 acres (specifically, 0.92 acres). The proposed amendment is considered consistent with the goals and objectives of the Rural Plan by continuing to support a rural residential lifestyle while also recognizing the wide range of uses currently existing in the area.

As indicated by the proponent, a range of land uses currently exist in the area. Within 400 m of the subject site there are other institutional land uses, a mobile home park, commercial land uses, rural land uses, and suburban residential lots including lot sizes less than the proposed 3,716 m² (0.92 ac).

In order to accommodate subdivision at the proposed 3716 m² (0.92 ac) minimum lot size, Bylaw No. 5819 is proposing to add a provision, on a site specific basis, to the Small Farms / Country Estate designation permitting a minimum lot size of 3716 m² (0.92 ac).

Zoning Amendment:

The subject site is currently zoned Rural Zone RU-1 and Community Care Facility Zone P-2H. Bylaw No. 5820 proposes to rezone the site to Suburban Residential Zone SR-1. While the proposed lots comply with the minimum lot area requirements of Suburban Residential Zone SR-1, the applicant is proposing a development variance permit to vary the minimum lot depth (Lots 1, 2 and 5) and frontage requirements (Lot 6) as outlined below.

Development Variance Permit:

Bylaw No. 5820 proposes to rezone the site to Suburban Residential Zone SR-1. Section 110.1 of the Zoning Bylaw requires lots zoned SR-1 to have a minimum lot area of 3,716 m² (0.92 ac), minimum frontage of 40 m (131.2 ft), and minimum lot depth of 55 m (180.4 ft). The preliminary subdivision plan provided by the applicant indicates that all of the proposed lots meet the minimum lot area, however the following variances are proposed to lot frontages and lot depths:

Proposed Lot No.	Zoning Bylaw Requirement	Proposed Variance
1	55m (180.4 ft) Depth	39.8 m (130.9 ft) Depth
2	55m (180.4 ft) Depth	42.6 m (139.8 ft) Depth
5	55m (180.4 ft) Depth	49.7 m (163.1 ft) Depth
6	40m (131.2 ft) Frontage	37.4 m (122.7 ft) Frontage

Subdivision:

The easterly portion of the site currently accommodates two strata titled single family lots. The applicant is proposing to subdivide the easterly portion of the subject site to create six fee simple lots with access from 236 Street. Given the existing configuration and improvements on the strata lots, Lots 1 and 5 are proposed to be accessed via panhandle driveways. As a condition of development, a 1.5 m (4.9 ft) statutory right-of-way is required to be registered on the westerly portion of 236 Street in order to provide a half road standard. A turnaround,

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(secured by a statutory right-of-way) is also required on proposed Lot 1. As the existing single family dwellings are strata titled, dissolving the strata will be a condition of the subdivision. Further details of the subdivision will be addressed at the subdivision stage pursuant to the requirements of the Subdivision and Development Servicing Bylaw.

Public Consultation:

Per Policy No. 07-164, the applicant held a Public Information Meeting on July 4, 2022. In accordance with the Policy, the applicant mailed notices to the surrounding area and posted notification in the local newspaper. The results are compiled and provided as Attachment B.

Community Amenity Contributions:

Staff note that the Community Amenity Contributions (CAC) Policy is applicable to the subject residential rezoning application. The policy specifies target contribution amounts based on unit types. The applicant has reviewed the policy and has agreed to provide the current target contribution amounts specific to this development, which are \$6,808 per single family lot for a total of \$54,464.

Additionally, in October 2021 Council adopted amendments to the CAC policy relating to OCP amendments. Specifically, Items 5.2(f) and (g) of the Policy state:

(f) Where an application includes an amendment to the OCP to increase the residential density beyond that established in the OCP, the target CAC for each additional unit shall be a minimum of three (3) times the target set out in Table 1 below, per additional unit proposed.

(g) With Section 5.2 (f) as a minimum, where the form of growth is more unique; and for more substantial or complex applications proposing an amendment to the OCP, at the discretion of the Township of Langley or as directed by Council, the Township working in collaboration with the applicant, will determine a more appropriate target CAC to ensure an appropriate level of alignment with the proposed OCP amendment

As the Rural Plan does not include specific densities but rather minimum lot sizes, in response to the policy the applicant is proposing an additional \$40,848. This is calculated at two additional lots having a target contribution amount of three times the base CACs (2 x 3 x \$6,808) for a total contribution of \$95,312.

Official Community Plan Consultation Policy:

Council's Official Community Plan Consultation Policy 07-160 requires Council to consider the OCP amendment in conjunction with the financial plan, housing needs report, and any applicable waste management plan. Staff recommend that Council consider the proposed OCP amendment consistent with the Township's financial plans (both operating and capital) and Metro Vancouver's Waste Management Plans.

Servicing:

The Township's Subdivision and Development Servicing Bylaw 2019 No. 5382 designates the subject property Rural – Level 4. The minimum servicing requirement for each proposed lot is

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with well water and an onsite septic disposal system (including nitrate removal) and registration of a covenant for its location (including both primary and reserve fields), design and maintenance. Additional servicing details and requirements will be addressed at time of subdivision. Staff note a restrictive covenant prohibiting any clearing or building on the westerly portion of the site until such time as a future development application (including associated services and road improvements) is approved is a development pre-requisite of the subject application.

Tree Protection/Replacement:

The tree management plan submitted by the applicant indicates 163 significant trees exist on the easterly portion of the site proposed for subdivision under the current application and 42 are proposed for retention. In addition, staff note that in accordance with the development prerequisites, a restrictive covenant prohibiting clearing until such time as a future subdivision is approved will be registered on the westerly portion of the site. As a result, tree management plans for the westerly portion of the site, including the streamside protection and enhancement area, will be reviewed in conjunction with future development application(s) on these lands.

In accordance with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection), a total of 37 replacement trees are required in conjunction with the subdivision of the easterly portion of the lands. The applicant is proposing 28 replacement trees to be planted on the proposed lots with funds for the remaining nine replacement trees being secured for tree planting on identified public lands. Post development approximately 70 trees will be in place with cash in lieu provided for the remaining nine replacement trees. Final tree retention, protection, and replacement plans are subject to the final acceptance of the Township. This requirement has been included in the list of development prerequisites to be completed prior to final reading of the rezoning bylaw.

Environmental Considerations:

The Township's Sustainability Charter includes environmental objectives to protect and enhance rivers, streams, wildlife habitats and environmentally sensitive areas in the Township. These environmental objectives are supported by policy and guidance outlined in the Township's Environmentally Sensitive Areas Study, Wildlife Habitat Conservation Strategy, Schedule 3 of the Official Community Plan (OCP), Erosion and Sediment Control Bylaw, and Subdivision and Development Servicing Bylaw (Schedule I-Tree Protection) which promote sound environmental management practices and outline Township environmental performance expectations.

Township of Langley Official Community Plan Bylaw No. 1842 Schedule 3 Development Permit Areas: Streamside Protection and Enhancement (OCP Schedule 3) was adopted to establish and maintain undisturbed naturally vegetated zones along watercourses. The required widths of these no-disturbance zones, referred to as "Streamside Protection and Enhancement Development Areas" (SPEA), follows the Township watercourse classification system (i.e., Class A, Class B, Class C) which is based on channel type, water flow and fish presence.

A Class A watercourse (Hatchery Creek) flows north of the project site and a Class B wetland is located on the southeasterly portion of the site. OCP Schedule 3 designates a 30 m (98 ft) wide SPEA adjacent to a Class A watercourse and a 20 m (66 ft) wide SPEA adjacent to a Class B watercourse. Protection of the SPEAs in a restrictive covenant and acceptance of the streamside enhancement plans, fencing, signage, and security is a development prerequisite.

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School Sites:

School District 35 has provided comments (Attachment C) estimating that the proposed development will generate approximately three new students for Peterson Road Elementary School (located approximately 150 m northwest of the subject site) and two students for DW Poppy Secondary School (located approximately 1.2 km northeast of the site).

Parks:

The closest existing park is Brown Park located approximately 1.2 km to the northeast of the site.

Transit:

Currently, transit service is provided along Fraser Highway (approximately 500 m southwest of the subject site) via the 503 bus.

Policy Considerations:

The proposed amendment to the Rural Plan, rezoning, and development variance permit will facilitate the subdivision of the easterly portion of the subject lands into six lots and rezone the westerly portion of the subject lands to accommodate future subdivision. Given the overall objectives of the Rural Plan, the sites context in the range of surrounding land uses and that it is not located in the Agricultural Land Reserve, staff recommend Council grant first and second reading to Bylaws No. 5819 and 5820 subject to 10 development prerequisites; authorize issuance (at time of final reading of Bylaw No. 5820) of Development Variance Permit No. 100141; and that staff be authorized to schedule the required Public Hearing should Council give the Bylaws first and second reading.

Respectfully submitted,

Joel Nagtegaal
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Development Variance Permit No. 100141
ATTACHMENT B	Public Information Meeting Summary
ATTACHMENT C	School District 35 Comments

ATTACHMENT A

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Variance Permit No. 100141

This Permit is issued this _____ day of _____, 2022 to:

1. Name: Andrew and Darlene Hewitson
Address: 4477 – 236 Street
Langley BC V2Z 2S4

Name: Tod A. McGovern
Address: 4491 – 236 Street
Langley BC VZ 2S4

2. This permit applies to and only to those lands within the Municipality described as follows and to any and all buildings, structures and other development thereon:

LEGAL DESCRIPTION: Lot 1 Section 33 Township 10 New Westminster District Plan BCP13026;
Lot 7 Section 33 Township 10 New Westminster District Plan 12012;
Strata Lots 1 And 2 Section 33 Township 10 New Westminster District Strata Plan BCS3612

CIVIC ADDRESS: 4491 and 4477 – 236 Street;
23535 – 44 Avenue;
PID 009-643-231

3. This Permit is issued subject to compliance with all of the Bylaws of the Municipality of Langley applicable thereto, except as specifically varied or supplemented by this permit as follows:
 - a. Section 110.1 – Subdivision Requirements of Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum lot depth requirement in the Suburban Residential Zone SR-1 from 55 m (180.4 ft) to 39.8 m (130.9 ft) for proposed Lot 1, 42.6 m (139.8 ft) for proposed Lot 2, and 49.7 m (163.1 ft) for proposed Lot 5;
 - b. Section 110.1 – Subdivision Requirements of Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum lot frontage requirement in the Suburban Residential Zone SR-1 from 40 m (131.2 ft) to 37.4 m (122.7 ft) for proposed Lot 6.
4. The land described herein shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached as a Schedule to this Permit which shall form a part hereof.

This Permit is not a Building Permit.

All developments forming part of this Development Variance Permit shall be substantially commenced within two years after the date the Development Variance Permit is issued.

DEVELOPMENT VARIANCE PERMIT NO. 100141

(HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY / 4491 AND 4477 – 236 STREET; AND 23535 – 44 AVENUE; AND LANDS IN THE 23400 BLOCK OF 44 AVENUE)

Page 2 . . .

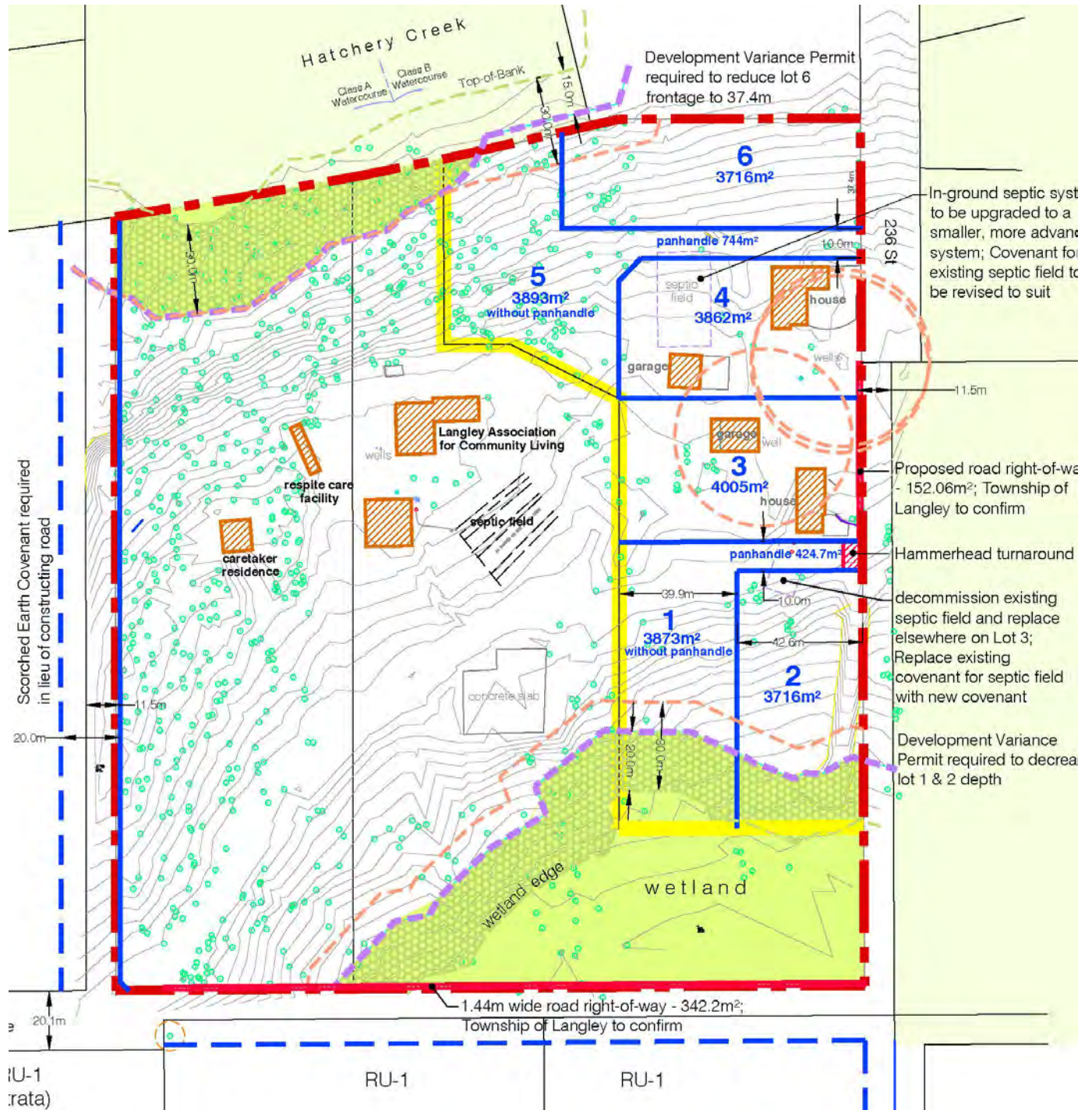
This permit shall have the force and effect of a restrictive covenant running with the land and shall come into force on the date of an authorizing resolution passed by Council.

It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developer other than those in this Permit.

This Permit shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THIS ____ DAY OF _____, 2022

SCHEDULE A Site Plan

SCHEDULE A



August 29th , 2022

Our File: 18-1052

Township of Langley File: 10-33-0109

Township Of Langley
Building, Development, and Engineering
20338 - 65 Avenue
Langley, BC
V2Y 3J1

Attention: Victor Sunada, Project Manager, Special Projects | Engineering Division

Re: Summary of Public Information Meeting for Development Application # 10
33-0109 for 4491 / 4477 236 St. 23535 and "no address" 44 Ave, Langley

On behalf of the Township Of Langley, Aplin & Martin Consultants Ltd. hosted a Public Information Meeting (PIM) on July 4th, 2022 regarding the **Development Application # 10-33-0109 for 4491 / 4477 236 St. 23535 and "no address" 44 Ave, Langley**. Below is an overview of the event.

PIM Notifications

On June 21st, 2022, Aplin Martin mailed 111 notifications to the landowners in the neighbourhood of the subject site. Appendix 1 provides a sample of the notification. As of August 29th, 2022, no notifications came back as "return to sender".

The development of a webpage for the "Public Information Meeting" was not required by the Township Of Langley.

Newspaper Advertisement for the PIM

Aplin Martin prepared a newspaper advertisement providing details of the July 4th, 2022 PIM session about the subject site. The ad was posted in “Langley Advance Times” on June 23rd and June 30th, 2022 (Appendix 2).

Public Information Meeting

LOCATION: SouthRidge Fellowship Church (22756 48 Avenue, Langley).

DATE: Monday, July 4th, 2022.

TIME: 5:00 pm to 7:00 pm

REGISTERED ATTENDEES: 16 people (see Appendix 4 - Sign-in sheet)

PROJECT TEAM ATTENDEES:

Team Member	Company	Role
Samira Khayambashi	Aplin Martin	Project Manager
Sandi Drew	Aplin Martin	Senior Planning Designer
Mark Casidy	Aplin Martin	Senior Project Engineer
Nick McMahon	Arbortech Consulting	Senior Consulting Arborist
Ian Whyte	Envirowest	Environmental Consultant
Victor Sunada	Township of Langley	Project Manager, Special Projects
Alex Rowley	Township of Langley	Development Planner

Aplin Martin prepared 10 presentation boards that were exhibited at the PIM illustrating the following:

- Context and Connectivity
- Regulatory Authority
- Environmental Features
- Tree Management
- Proposed Development Plan
- Timeline

Appendix 3 contains the full set of presentation boards. The PIM was informal allowing attendees to peruse the presentation at their leisure. Project team members were available for discussions, answering questions, and listening to the general comments. Appendix 5 provides photos of the PIM event.

COMMENTS

Completion of comment sheets was encouraged either at the event or to be submitted after the event by mail, email, or phone. Aplin contact information was provided on the comment form, on one of the presentation boards, and on business cards. As of August 29th 2022, we received one completed comment form and spoke to one individual. Appendix 6 contains comments received.

The main concerns of these two sets of comments are summarized below:

- Increase traffic volume generated from 4 additional homes.
- Potential for multi-families living on the same lot & potential for coach houses (related to increased traffic).
- 46th Ave, being the only access route to development, that is two lanes & no sidewalks and a "traffic nightmare" also unsafe for pedestrians.
- Septic systems near Hatchery Creek and their effect on the fish habitat in the watercourse
- The impact of the development on the existing water supply with 4 additional wells
- Supportive of rezoning to SR-1 to allow 6 lot subdivision on 236 St, but not the Township lands. Township lands have distinct/ separate character more suitable for Fraser Hwy corridor plan land use.

Should you have any further questions, please contact the undersigned at 604-639-3456

Sincerely,

APLIN & MARTIN CONSULTANTS LTD



Samira Khayambashi, MCIP, RPP
Planner/ Project Manager

AR:SK:SD
Enclosures
18-1052- Summary of the Public Information Meeting

APPENDIX 1:

Notification

DEVELOPER-LED PUBLIC INFORMATION MEETING

Join us for an in-person Public Information Meeting for the **future development of a site located at 44 Ave and 236 Street.**

Please refer to the reverse side for more details.

WHEN?

**Monday, July 4, 2022
5:00 pm to 7:00 pm**

WHERE?

SouthRidge Fellowship Church
Fireside Room
22756 48 Avenue, Langley



ADDRESS LABEL
HERE

DEVELOPER-LED PUBLIC INFORMATION MEETING

WHAT IS HAPPENING?

**4491 / 4477 236 St. 23535 and
“no address” 44 Ave, Langley
Township Of Langley Development Application No:
10-33-0109**

The subject site property owners propose to amend the Official Community Plan to permit rezoning to Suburban Residential Zone SR-1 with a minimum 3716m² (40,000 ft²) lot size and subdivide the strata lot into 6 fee simple lots. The applicant is also seeking a Development Variance Permit to vary the lot dimensions of 3 proposed lots.

If you are unable to attend the meeting and are interested in learning more about this development please contact:

Aplin & Martin Consultants Ltd.

Samira Khayambashi, Planner

openhouse@aplinmartin.com | 604-597-9058



APPENDIX 2:

Newspaper Advertisement

DEVELOPER LED PUBLIC INFORMATION MEETING

For Development Application at:
**4491 / 4477 236 St., 23535 "no address" 44 Ave,
 Langley**

You are invited to attend an in-person Developer-led Public Information Meeting regarding Township of Langley Project No. 10-33-0109.



Date: Monday, July 4, 2022
Time: 5:00 pm to 7:00 pm
Location: SouthRidgeFellowship Church
Fireside Room
22756 48 Avenue, Langley

The subject site property owners propose to amend the Official Community Plan to permit rezoning to Suburban Residential Zone SR-1 with a minimum 3716m² (40,000 ft²) lot size and subdivide the strata lot into 6 fee simple lots. The applicant also is seeking a Development Variance Permit to vary the lot dimensions of 3 proposed lots.

If you are unable to attend and are interested in learning more about this development application please contact:

Samira Khayambashi, Planner
 Aplin & Martin Consultants Ltd.
 openhouse@aplinmartin.com
 604-639-3456

APPENDIX 3:

Presentation Boards

WELCOME!

THANK YOU FOR JOINING

The consultant team is here to seek your input on the proposed rezoning and residential development at:

- 23535 – 44 Avenue
- 4491 – 236 Street
- 4477 – 236 Street
- No civic address - 44 Avenue

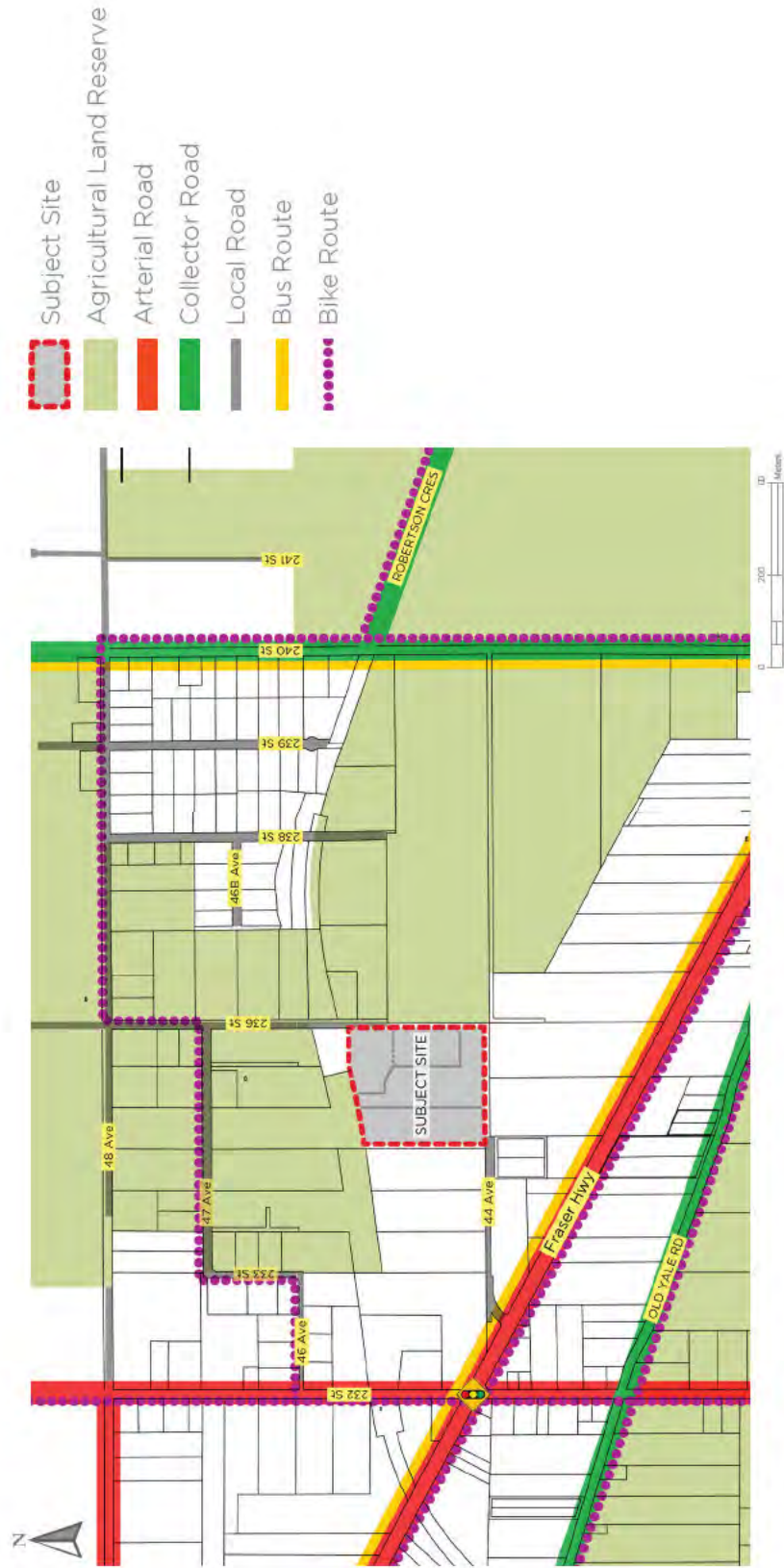
PURPOSE OF THE PUBLIC INFORMATION MEETING

- Introduce the development project
- Share technical information about the subject site
- Seek ideas / comments



Township of Langley File #: 10.33-0109
Site Area: 7.1 Hectares / 17.6 Acres

CONTEXT AND CONNECTIVITY



REGULATORY AUTHORITY

OFFICIAL COMMUNITY PLAN



LAND USE DESIGNATION

- Rural
- Agriculture
- Industrial

RURAL PLAN

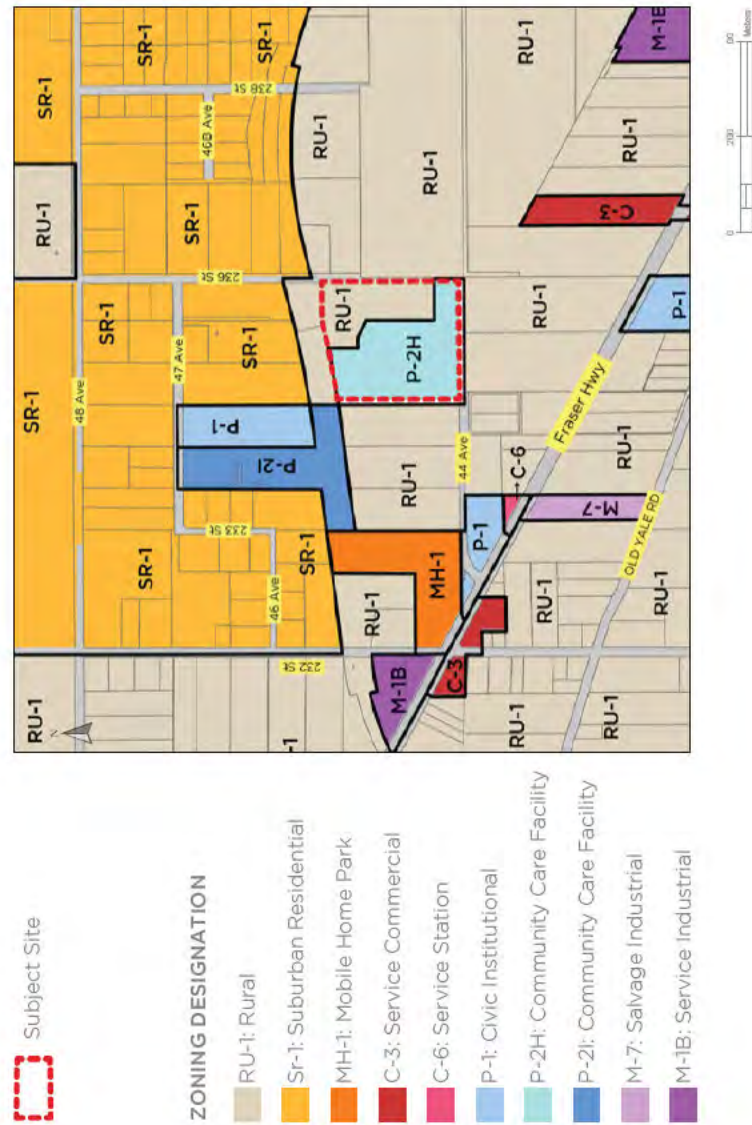


LAND USE DESIGNATION

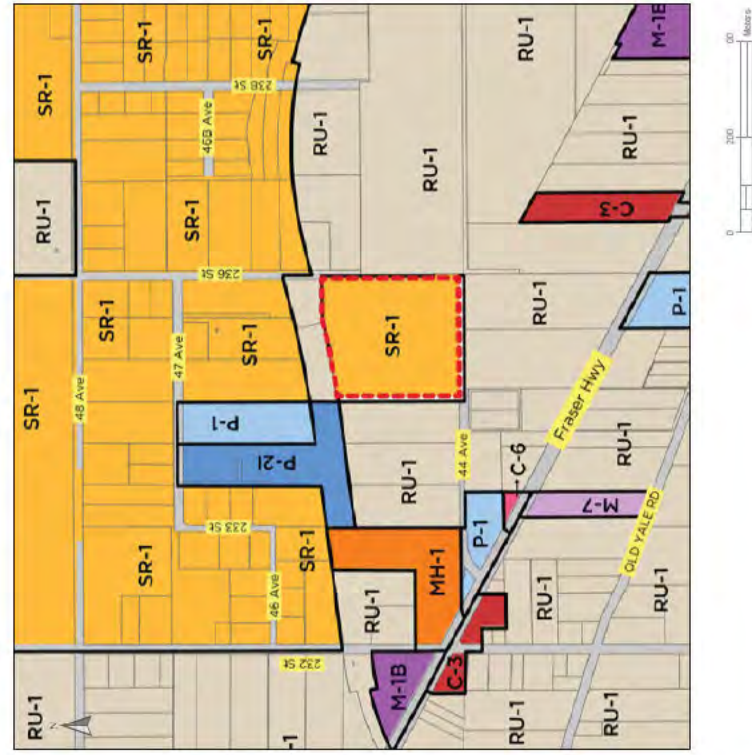
- Small Farms / Country Estates
- Salmon River Uplands
- Agricultural / Countryside

REGULATORY AUTHORITY

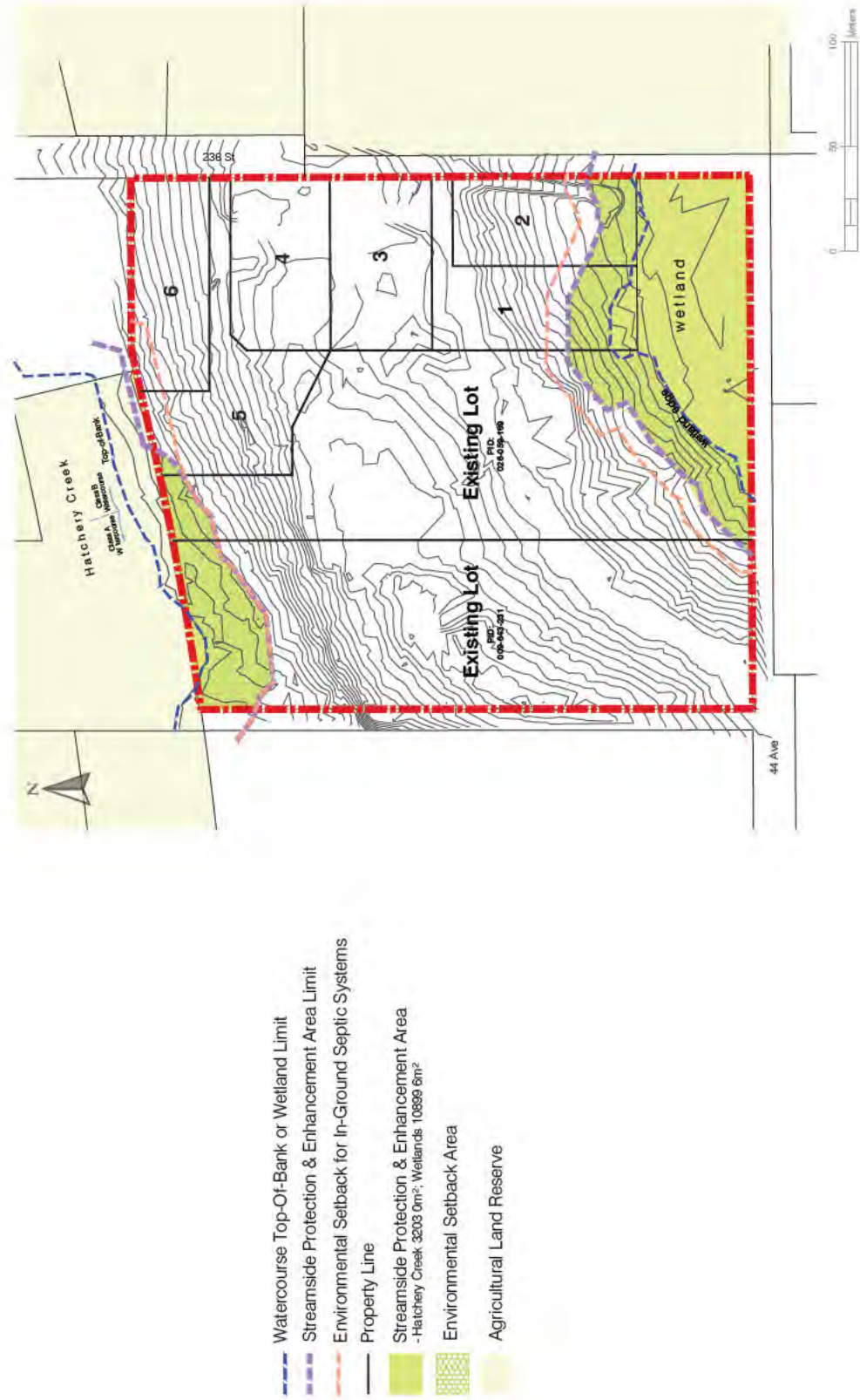
EXISTING ZONING



PROPOSED ZONING



ENVIRONMENTAL FEATURES



TREE MANAGEMENT

LEGEND-TREE RETENTION:

- TAGGED TREES:**
(see arborist report and details herein for further details)
- deciduous ARBORIST TAG NUMBER or ID REFERENCE**
(see tree inventory and assessment file)
- XXX**
deciduous SURVEY TAG NUMBER or ID REFERENCE
(if applicable)
- approx.**
deciduous APPROXIMATE LOCATION (in an unobscured line)
if a canopy is to be removed, recommend that the tree be
occasionally located before design is finalized
- deciduous RETENTION line**
(protection measure as specified)

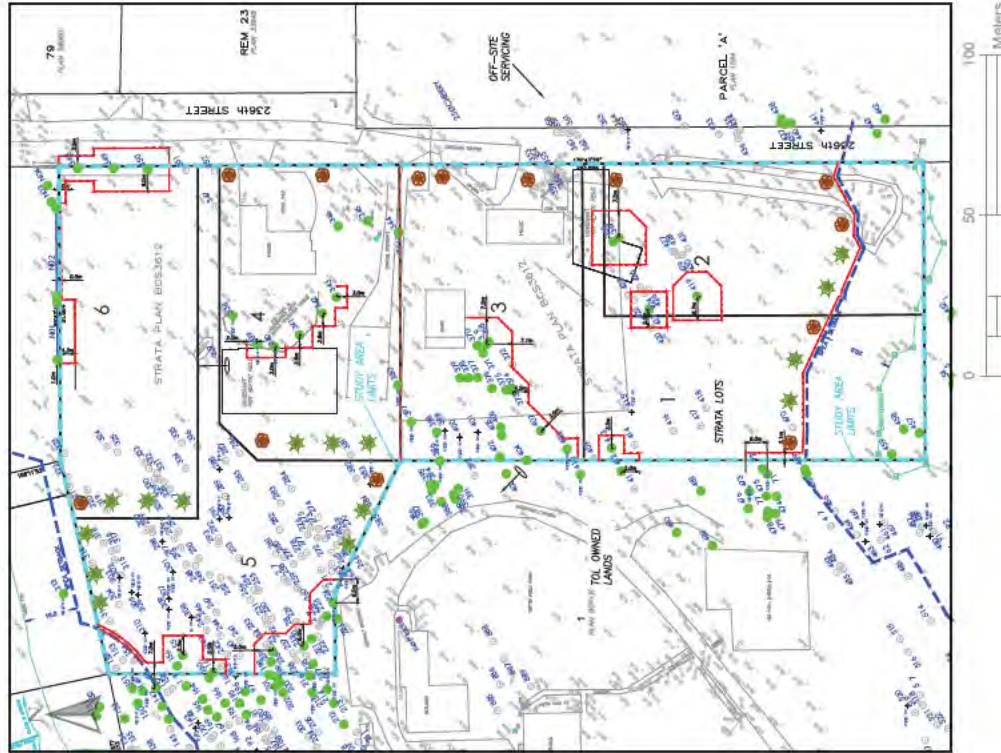
LEGEND-TREE PROTECTION:

- Tree Inventory Lines (TIL) are mapped in a City GIS and are not detailed below
 - At tree protection setbacks are determined from the arborist report
 - From the reference property line or site features as applicable
 - The protection should be installed prior to further construction to provide a safe
 - Supervisors with a time-limited non-penalty fines if a TIL is not installed
 - Temporary tree barriers to demarcation points may be applicable, but will be
 - superseded after consultation with the final border alignment as specified.
- deciduous CROWN PROTECTION ZONE - CPT**
(exclusion zone - no aerial encroachment of buildings, vehicles, canopies, etc)
- deciduous ROOT PROTECTION ZONE - RPT**
(minimum diameter for TREE PROTECTION BARBERS and root collar protection)

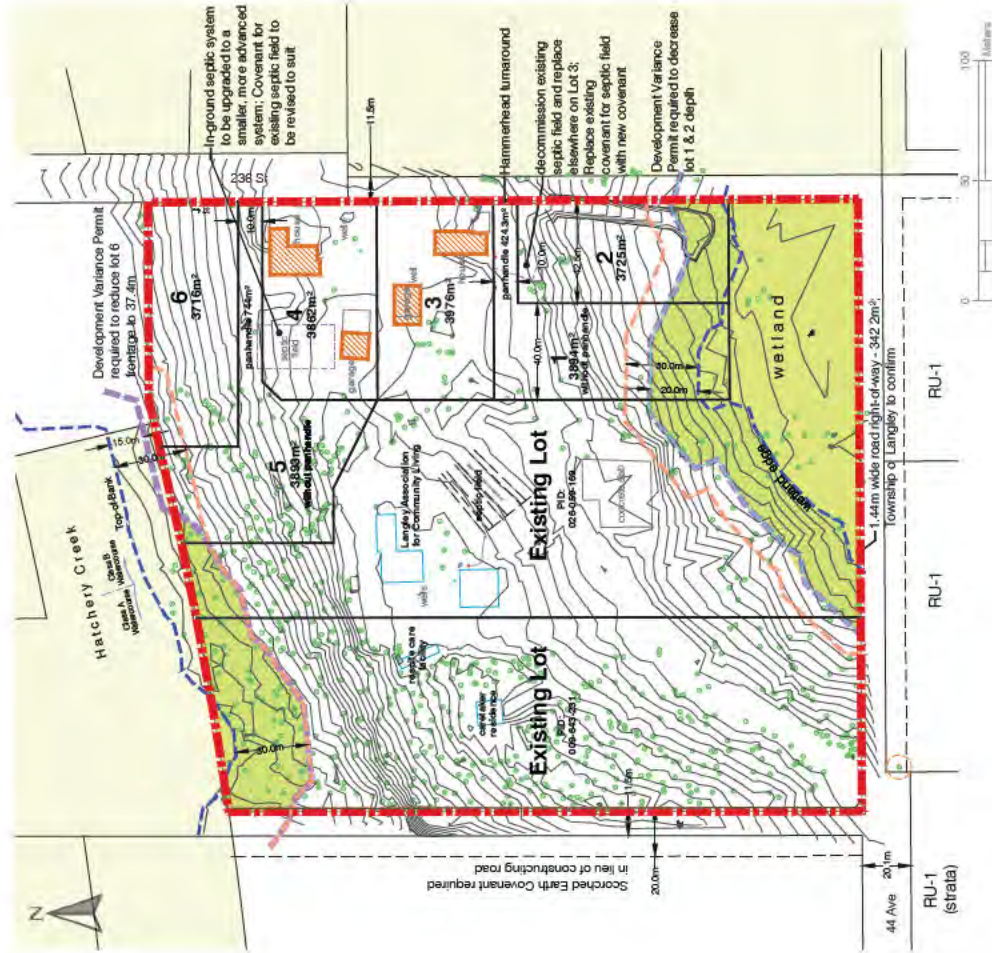
LEGEND-REPLACEMENT TREE PLANTING:

- REPLACEMENT TREE** (see plant list for species options)
to be planted to current BCSLA/BC/LNA specification:
- deciduous CONIFEROUS SPECIES
- deciduous DECIDUOUS SPECIES

SUMMARY OF SIGNIFICANT TREES IDENTIFIED, RETAINED, REMOVED & REPLACED			
1.	Number of Significant Trees identified on developable site (from Tree Survey)	Evergreen 153	Deciduous 43
2.	Number of Significant Trees to be removed	147	
3.	Net number of Significant Trees to be retained and protected (1 minus 2)	49	
4.	Number of Replacement Trees required	a) minus 20.4 b) 20.4	
5.	Total number of Retained or Replacement Trees (3 + 4)	69.4	
6.	Number of Replacement Trees to be planted off-site	28	
7.	Number of Replacement Trees to be planted on-site	41.8	
8.	Proposed locations for replacement trees planted off-site	N/A	
9.	Number of Retained and Replacement Trees divided by 4 of Residential Units (where applicable)	11.5	
10.	Estimate of Number of Significant Trees in non-disturbance environmental areas above the top of bank	0	
11.	Number of Street Trees to be planted (estimate)	0	
12.	Total number of Trees in place following Development (5 + 10). This excludes significant trees located in environmental areas and designated buffers	0	



PROPOSED DEVELOPMENT PLAN

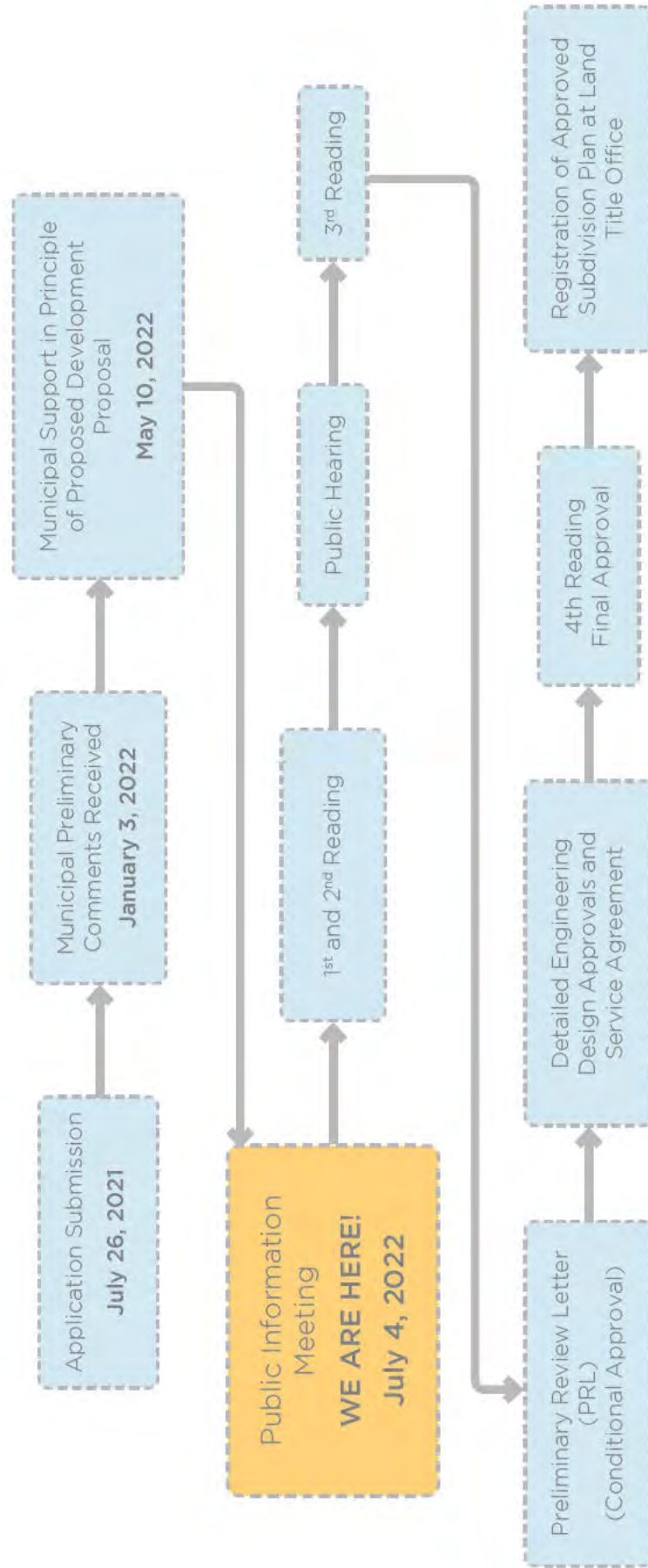


- Watercourse Top-Of-Bank or Wetland Limit
- Streamside Protection & Enhancement Area Limit
- Environmental Setback for In-Ground Septic Systems
- Property Line
- Structure Remaining Within 6 Lot Subdivision
- Streamside Protection & Enhancement Area
- Hatchery Creek 3203 0m²; Wetlands 10899 6m²
- Environmental Setback Area
- Agricultural Land Reserve

- Lots will have in ground septic systems and water wells
- Location of the septic fields and water wells to be determined

TIMELINE

DEVELOPMENT REVIEW AND APPROVALS PROCESS



TELL US YOUR IDEAS

USE THE STICKY NOTES TO ADD YOUR COMMENTS AND QUESTIONS



THANK YOU FOR ATTENDING!

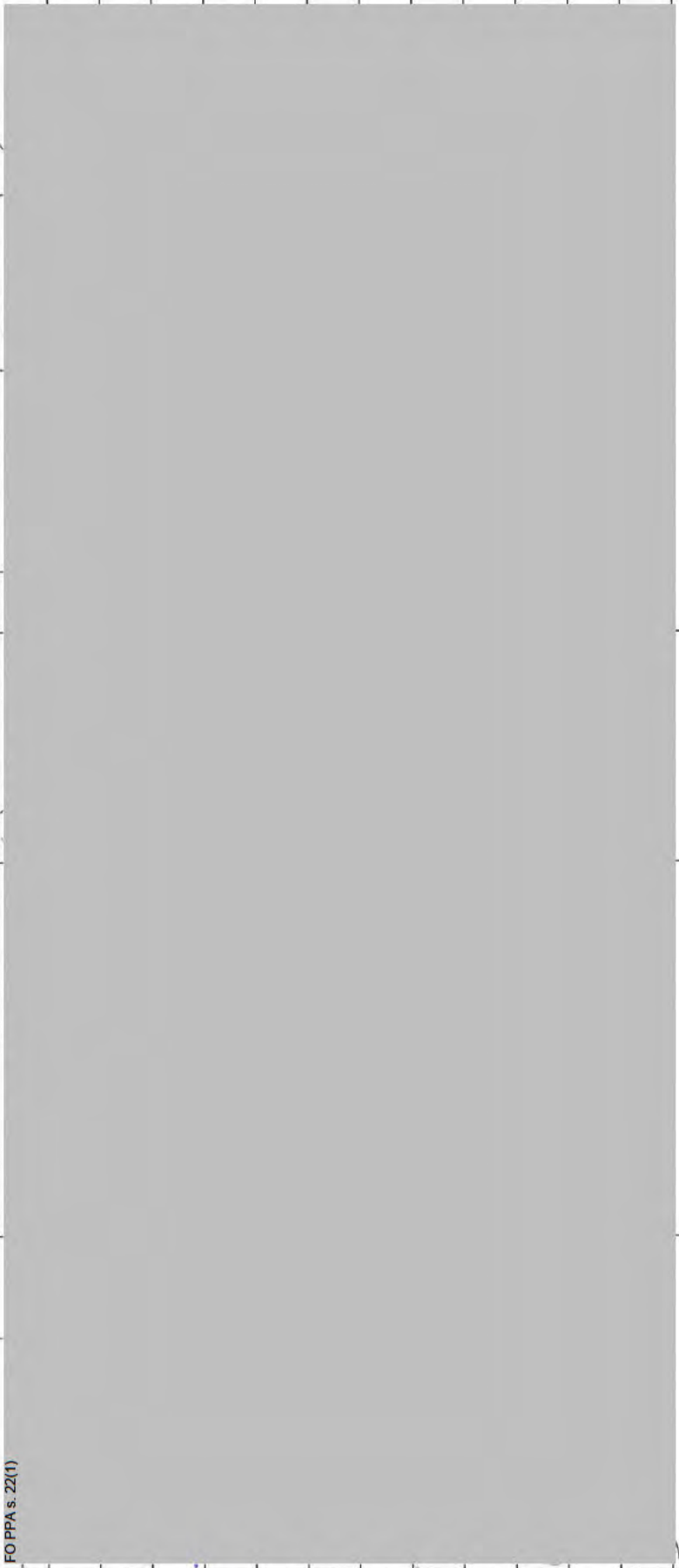
We encourage you to submit your
comments and questions.

CONTACT:

Aplin Martin Consultants Ltd.
Samira Khayambashi, Planner
openhouse@aplinmartin.com
Phone: 604-597-9058
Fax: 604-597-9061

APPENDIX 4:

Sign-in Sheet

Public Information Meeting July 4th, 2022 Development Application at: 4491 / 4477 236 St, 23535 and "no address" 44 ave, Langley						
Name:	Address:	Phone:	Email:			
FOIPA s. 22(1) 						

APPENDIX 5:

Photos of the event



Attendance Photo-1



Attendance Photo-2



Attendance Photo-3



Attendance Photo-4



Attendance Photo-5

APPENDIX 6:

Comment Sheets

COMMENTS

Public Information Meeting

July 4th, 2022

Development Application at: 4491 / 4477 236 St, 23535
and "no address" 44 ave, Langley

Supportive of the rezone and proposed development
of the lots off 236th street.

Not supportive of Township lands being rezoned.
These properties are accessed off 44th Ave and
have a distinct and separate character from
those along 236th. These lands are more a
part of Fraser Hwy corridor and should be
planned accordingly.

Please drop off your comment sheet in the comment box or:

- Email: openhouse@aplinmartin.com
- Fax: 604-597-9061

Thank you for your input. Your opinions are important to us and will guide us in our decision making as we progress through the design process of this project.

Name:

FOIPPA s. 22(1)

Address:

Phone:

Email:

A&M file: 18-1052
Township file: 10-33-0109

12 July 2022

Telephone conversation with [FOIPPA s. 22(1)] (28 minutes) on proposed development
Phone [FOIPPA s. 22(1)]
[FOIPPA s. 22(1)], Langley [FOIPPA s. 22(1)]

Main concerns:

- Increase traffic volume generated from 4 additional homes
 - o Potential for multi-families living on the same lot & potential for coach houses (related to increased traffic)
 - o 46th Ave, being only access route to development, is two lanes & no side-walks and a “traffic nightmare” & unsafe for pedestrians
- Septic systems near Hatchery Creek – concerned about the fish in the watercourse
- Impact to existing water supply with 4 additional wells

ATTACHMENT C

10 January, 2022

Joel Nagtegaal
Development Planner
Township of Langley
20338 65 Avenue
Langley, BC V2Y 3J1

Re: Development Application Project 10-33-0109 / TOWNSHIP/HEWITSON/MCGOVERN

CIVIC: 23500 Block of 44 Avenue and 4491 & 4477 236 Street

LEGAL: Lot 1, Plan BCP13026, Lot 7, Plan 12012, Strata Lots 1 & 2, Strata Plan BCS3612; All of Section 33, Township 10, NWD

We have reviewed the above proposal.

We calculate the approximate number of students generated by this proposal will be as follows:

Type of Housing	Number of Units	Elementary K-7	Secondary 8-12
Single Family Units	6	3	2

Given the current school catchments this development would impact Peterson Road Elementary School, and D.W. Poppy Secondary School. As you know, while the Langley School District is not responsible for the amount or pace of development we work closely with the Township of Langley in order to advocate to the Ministry of Education for the development of joint sites to benefit our students.

We make every effort to keep students in their catchment schools, but if there is insufficient space in the catchment school we will find them a space at another school in the district.

Please advise if you need any other information.

Yours sincerely,

Brian Iseli, CPA, CMA
Secretary Treasurer

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY
LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842
AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250
AMENDMENT (HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY) BYLAW NO. 5819**

EXPLANATORY NOTE

Bylaw No. 5819 amends the Rural Plan by adding provisions to the “Small Farms / Country Estates” designation to accommodate creation of lot sizes less than 1.7 ha (4.2 acres) on a site specific basis at 4491 and 4477 – 236 Street; and 23535 – 44 Avenue and PID 009-643-231.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY
LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842
AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250
AMENDMENT (HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY) BYLAW NO. 5819

A Bylaw to amend the Rural Plan Bylaw 1993 No. 3250

The Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250 Amendment (Hewitson / Mcgovern / Township of Langley) Bylaw No. 5819
2. The “Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250” as amended is further amended by adding the following Section 5.6.7 after Section 5.6.6

Notwithstanding Section 5.6.2, on lands described as Lot 1 Section 33 Township 10 New Westminster District Plan BCP13026, Lot 7 Section 33 Township 10 New Westminster District Plan 12012, and Strata Lots 1 And 2 Section 33 Township 10 New Westminster District Strata Plan BCS3612 (not located in the ALR) the minimum lot size may be 3,716 m² (0.92 acres).

READ A FIRST TIME the	day of	, 2022
READ A SECOND TIME the	day of	, 2022
PUBLIC HEARING HELD the	day of	, 2022
READ A THIRD TIME the	day of	, 2022
ADOPTED the	day of	, 2022

_____ Mayor _____ Township Clerk

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500

AMENDMENT (HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY) BYLAW NO. 5820

EXPLANATORY NOTE

Bylaw No. 5820 rezones 7.1 ha (17.5 ac) of land at 4491 and 4477 – 236 Street; and 23535 – 44 Avenue and PID 009-643-231 from Rural Zone RU-1 and Community Care Facility Zone P-2H to Suburban Residential Zone SR-1.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500

AMENDMENT (HEWITSON / MCGOVERN / TOWNSHIP OF LANGLEY) BYLAW NO. 5820

A Bylaw to amend Township of Langley Zoning Bylaw 1987 No. 2500

The Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Hewitson / McGovern / Township of Langley) Bylaw No. 5820".
2. The "Township of Langley Zoning Bylaw 1987 No. 2500" as amended is further amended by rezoning the lands described as:

Lot 1 Section 33 Township 10 New Westminster District Plan BCP13026;

Lot 7 Section 33 Township 10 New Westminster District Plan 12012; and

Strata Lots 1 And 2 Section 33 Township 10 New Westminster District Strata Plan BCS3612

As shown delineated on Schedule "A" attached to and forming part of this Bylaw to Suburban Residential Zone SR-1.

READ A FIRST TIME the	day of	, 2022.
READ A SECOND TIME the	day of	, 2022.
PUBLIC HEARING HELD the	day of	, 2022.
READ A THIRD TIME the	day of	, 2022.
ADOPTED the	day of	, 2022.

_____	Mayor	_____	Township Clerk
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SCHEDULE 'A' BYLAW NO. 5820

