Township of Langley
Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	APRIL 27, 2026 - REGULAR MEETING	**REPORT:**	26-44
FROM:	COMMUNITY DEVELOPMENT DIVISION	**FILE:**	08-27-0073
SUBJECT:	DEVELOPMENT PERMIT APPLICATION NO. 101479 (KHELA / 19700 BLOCK OF 84 AVENUE)		

PROPOSAL:

Development Permit application to modify the Streamside Protection and Enhancement Area (SPEA) for lands in the 19700 Block of 84 Avenue to accommodate a mobile home pad and septic field.

RECOMMENDATION SUMMARY:

That Council consider Common Ground Consulting Ltd.'s Streamside Protection and Enhancement Area (SPEA) application on behalf of Harpreet Khela at 19700 Block of 84 Avenue and: a) issue Development Permit No. 101479, or b) not issue Development Permit No. 101479.

RATIONALE:

The proposal does not align with the objectives and provisions of Schedule 3 – Streamside Protection and Enhancement of the Langley Official Community Plan Bylaw No. 1842, the Willoughby Community Plan, nor the Carvolth Neighbourhood Plan. The proposed setback is inconsistent with approved setbacks to the east and west of the site on the same watercourse. In addition, developable area is available on the site to accommodate the proposed mobile home and septic tank without reducing the setback from the watercourse.

RECOMMENDATION:

That Council consider Common Ground Consulting Ltd.'s Streamside Protection and Enhancement Area (SPEA) application on behalf of Harpreet Khela at 19700 Block of 84 Avenue and adopt one of the following resolutions:

a) **That** Council issue Development Permit No. 101479.

or

b) **That** Council not issue Development Permit No. 101479.

EXECUTIVE SUMMARY:

Common Ground Consulting Ltd., on behalf of Harpreet Khela, has applied for a Streamside Development Permit to reduce the Streamside Protection and Enhancement Area (SPEA) of Latimer Creek (Class A watercourse) located on the northern portion of the subject property. The proposal requests a reduction of the setback from top of bank from 30 m (98 ft) to a setback ranging between 5 (16 ft) and 8.5 m (28 ft). The SPEA modification is requested to accommodate a 110 m^2 (1,184 ft^2) mobile home and a 260 m^2 (2,799 ft^2) footprint for a driveway and septic field. The proposed streamside area reduction is inconsistent with the objectives of the Langley Official Community Plan (OCP) Schedule 3, the "Greenbelt" and "Greenway" policies of the Willoughby

Community Plan and the “Conservation Area” policies of the Carvolth Neighbourhood Plan. The proposed setback is also inconsistent with approved setbacks to the east and west of the site on the same watercourse. In addition, developable area is available on the site to accommodate the proposed mobile home and septic tank without reducing the setback from the watercourse.

PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to proposed Development Permit No. 101479.

REFERENCE:

Owner:	Harpreet Khela 35393 Jade Drive Abbotsford, BC V3G 3B6
Agent:	Common Ground Consulting Ltd. 317, 5577 – 153A Street Surrey BC V3S 5K7
Legal Description:	Lot 5 Section 5 Township 8 New Westminster District Plan BCP17934
Location:	19700 Block of 84 Avenue
Area:	0.90 ha (2.2 ac)
Zoning:	Suburban Residential Zone SR-2
Willoughby Community Plan:	Multi-Family / Greenway / Greenbelt
Carvolth Neighbourhood Plan:	Townhouse (50 UPA), Conservation Area

BACKGROUND:

- Langley Official Community Plan Bylaw No. 1842 Schedule 3 Development Permit Areas: Streamside Protection and Enhancement (OCP Schedule 3) was designed to meet or provide greater protection for riparian areas than provincial Riparian Areas Protection Regulation (RAPR) while also providing certainty to the development community of the expected setbacks from watercourses.
- The riparian setbacks from OCP Schedule 3 have been incorporated into the Community and Neighbourhood Plans to support objectives including ecological, public health and well being, property protection, economic, recreation, archaeological and aesthetic, and stormwater and flood management.
- OCP Schedule 3 defines a watercourse classification system (i.e. Class A, Class B, Class C) based on channel type, water flow and fish presence. Each classification has an associated setback. In the case of the subject site, a Class A (red-coded) unnamed tributary to Latimer Creek flows through the northern portion of the property and requires a 30 m (98 ft) setback from top of bank.
- The Carvolth Neighbourhood Plan includes a Conservation Area land use designation encompassing watercourses (consistent with OCP Schedule 3) that include sensitive environmental areas to protect fish and wildlife habitat and mitigate impact of nearby uses. The neighbourhood plan also plans for a greenway trail along the edge of the Conservation Area to further the pedestrian connectivity goals in the neighbourhood. The trail and conservation area are achieved in the setback area defined by OCP Schedule 3.
- The subject lot was created in 2005. At time of subdivision, a restrictive covenant protecting the watercourse was required by the Department of Fisheries and Oceans Canada (DFO). A buildable area was available on the lot outside of the restrictive covenant area. In 2023, as a result of changes to DFO legislation, the applicant provided confirmation that DFO had released the watercourse protection covenant. The protection of riparian areas is therefore addressed through the Township's OCP Schedule 3.

- Given servicing availability south of Latimer Creek at the time, a no-build restrictive covenant preventing development until a servicing agreement was approved was also registered on the property.
- In August of 2021, a stop work order was issued for unauthorized vegetation clearing on a 1,843 m^2 (19,837 ft^2) portion of the site within the DFO non-disturbance area. The owner committed to a restoration plan with a three-year monitoring plan. To date, confirmation of completion of rehabilitation work or commencement of monitoring has yet to be received.

Adjacent Uses:

	Existing Use	Neighbourhood Plan Designation	Existing Zoning
North:	Latimer Creek, beyond which are commercial properties	Business Park / Conservation Area (Carvolth Neighbourhood Plan)	Carvolth Business Park Zone C-18
South:	84 Avenue, beyond which are residential properties	Single Family (4 UPA) (Latimer Neighbourhood Plan)	Suburban Residential Zone SR-2
East:	Latimer Creek dedication and residential lot with active building permits for townhouses and apartments	Townhouse (50 UPA) / Medium Density Apartment (1.9 FSR) / Conservation Area (Carvolth Neighbourhood Plan)	Comprehensive Development Zone CD-197 / Civic Institutional Zone P-1
West:	Latimer Creek and detention pond under construction	Single Family (4 UPA) / Conservation Area / Creek Greenway (Latimer Neighbourhood Plan)	Suburban Residential Zone SR-2

DISCUSSION/ANALYSIS:

Proposed Variance:

- The owner is requesting to vary the setback from the top of the bank of the watercourse from 30 m (98 ft) from top of bank to a variable setback ranging from 5 m (16 ft) to 8.5 m (28 ft) from top of bank as determined by completion of a detailed Riparian Areas Protection Regulation (RAPR) assessment.
- Figure 1 and Table 1 indicate the difference between the requirement and proposal.

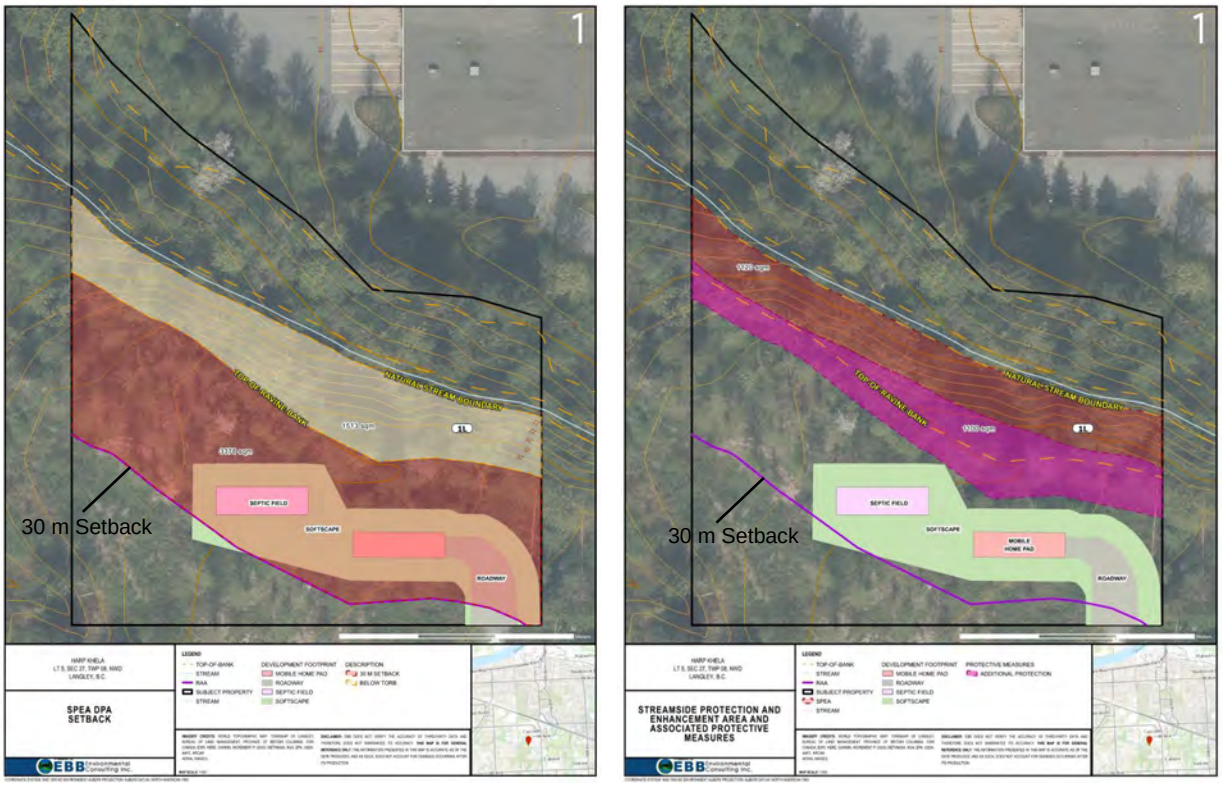


Figure 1: Required Schedule 3 setback Proposed SPEA setback

Table 1: Comparison of OCP Schedule 3 requirements and proposal

	Schedule 3 Requirement	Proposal	Change
Setback from top of bank	30 m (98 ft)	5 – 8.5 m (16 – 28 ft)	Reduced by 83 to 72%
SPEA from top of bank	3,378 m^2 (36,360 ft^2)	707 m^2 (7,610 ft^2)	Reduced by 79%
Developable area outside SPEA	654 m^2 (7,040 ft^2)	3,061 m^2 (32,948 ft^2)	Increased by 79%

- The applicant has provided confirmation from the Ministry of Water, Land and Resource Stewardship that the proposal meets the assessment and reporting criteria for the RAPR.
- Staff note that Section 4.15 of OCP Schedule 3 includes provisions that would allow for the setback to be 'flexed' to 25 m (82 ft) average. These provisions are designed to provide for refinement of the setback to achieve a more regular developable area.
- The applicant requests consideration under Section 4.16.8 of OCP Schedule 3. This section allows for lots created prior to March 27, 2006 to obtain a building permit for one principal building on the minimum amount of land to facilitate a minimum building footprint, zoning bylaw setbacks, servicing, access and other accessory buildings subject to conditions. As indicated below (Figure 2), the site provides sufficient space (approximately 654 m^2 / 7,040 ft^2) for the proposed mobile home, septic field and driveway areas to be accommodated outside of the OCP Schedule 3 setback, therefore, Section 4.16.8 is not applicable to the site.

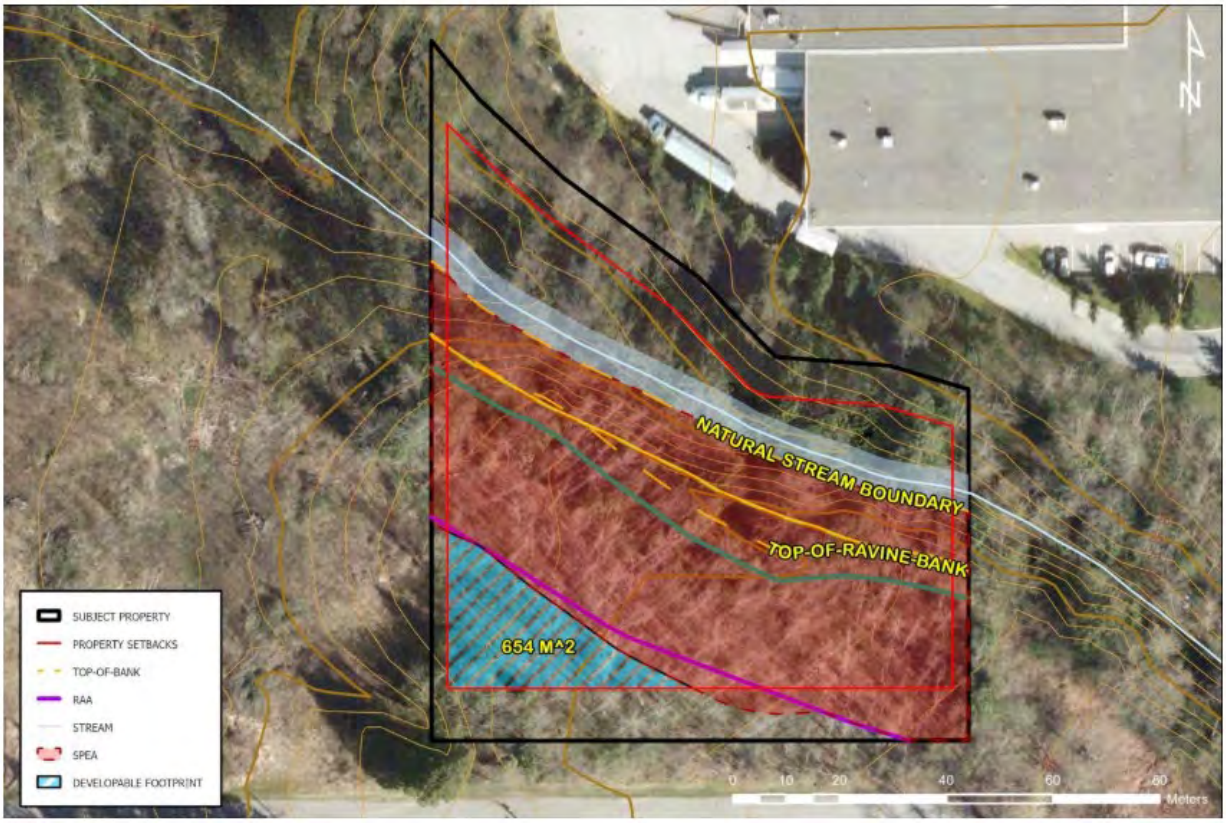


Figure 2: Development footprint - OCP Schedule 3 setback

- The proposal includes restoration and enhancement of 4,479 m^2 (48,212 ft^2) to the north and south of the watercourse within a reduced SPEA.
- Proposed enhancement measures include:
    - removal of invasive species (Himalayan blackberry) within the riparian area
    - installation of habitat structures including downed woody debris and snags within the riparian area and the channel's designed wetted width
    - monitoring and maintenance of riparian habitat by a Qualified Environmental Professional for three years following construction
- Staff note the proposal does not align with current policy context as follows:
    - inconsistency with greenway and conservation area policies in the Willoughby Community Plan and Carvolth Neighbourhood Plan
    - inconsistency with:
        - the setback established (30 m (98 ft)) with the stormwater detention facility to the west
        - Council consideration and approval of the development to the east (ranging from 25 to 52 m (82 to 170 ft) which provided SPEA in keeping with the Section 4.15 (flex provisions) of OCP Schedule 3 achieving no net loss of SPEA (see Figure 3)

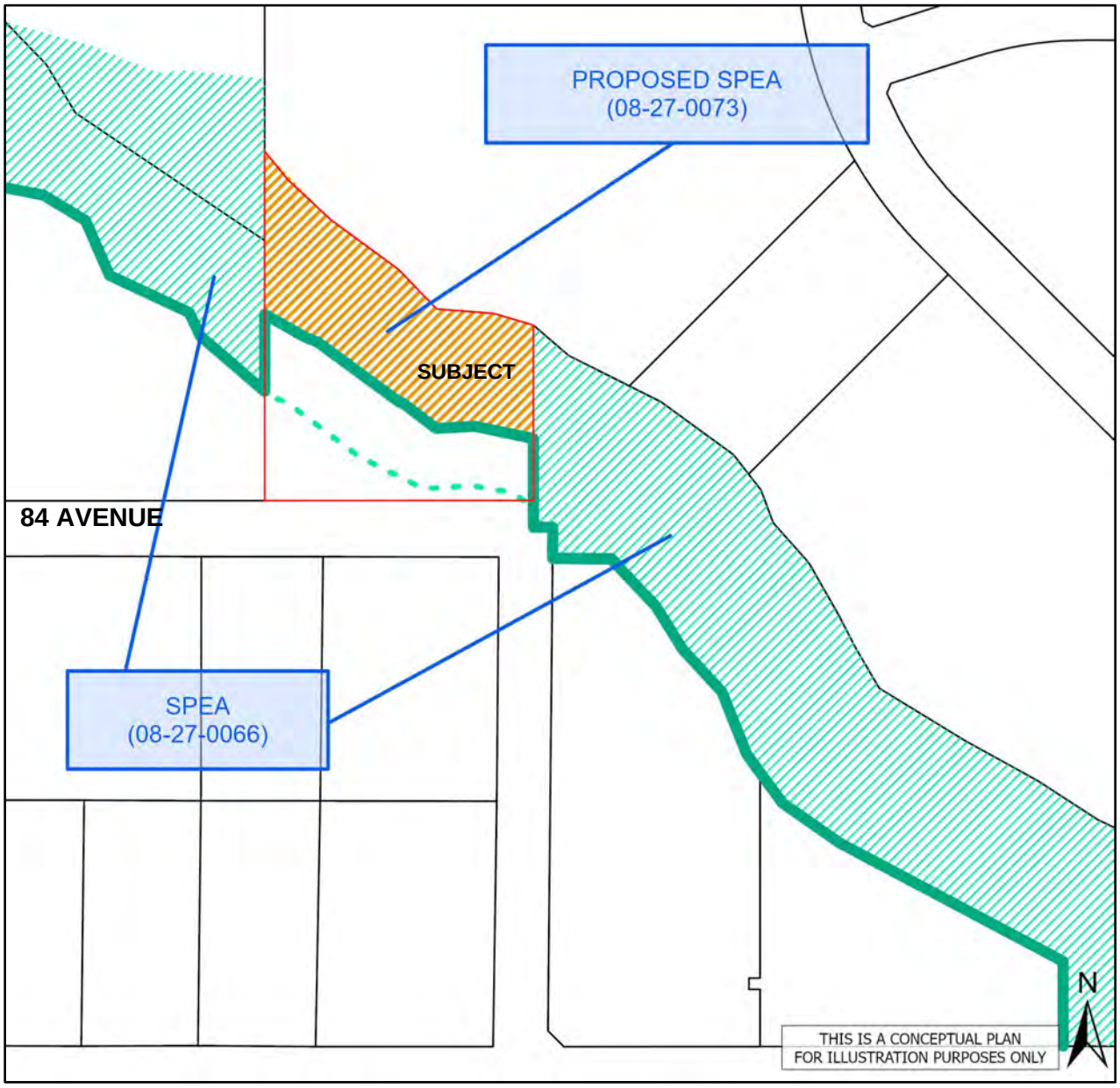


Figure 3: Proposed setback in the context of adjacent properties

- sufficient developable land exists on the lot outside of the OCP Schedule 3 SPEA to accommodate the proposed development.
- lack of demonstrated unique characteristics to support a Streamside DP and setback modification per section 4.20 of OCP Schedule 3.

- Proposed Streamside Development Permit No.101479 is attached to this report (Attachment A) for Council's consideration.

Policy Considerations:

The proposal is inconsistent with streamside protection and enhancement policies, objectives and guidelines of the OCP, Carvolth Neighbourhood Plan and with recent development approvals to the east and west. Staff recommend that Council consider issuance of Development Permit No. 101479.

Respectfully submitted,

Teresa Hanson
MANAGER, DEVELOPMENT PLANNING
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Development Permit No. 101479
ATTACHMENT B Maps and Graphics

ATTACHMENT A

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Permit No. 101479

This Permit is issued this _____ day of _____, 2026 to:

1. NAME: Harpreet Khela

   ADDRESS: 35393 Jade Drive
   Abbotsford, BC V3G 3B6

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 5 Section 27 Township 8 New Westminster District Plan BCP17934

   CIVIC ADDRESS: 19700 Block of 84 Avenue

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. Township acceptance of a submission addressing information requirements outlined in Section 4.16.8 or 4.20 of Schedule 3 of Langley Official Community Plan Bylaw 1979 No. 1842.
   b. Registration of a restrictive covenant and installation of fencing protecting the Streamside Protection and Enhancement Area (SPEA) as shown on Schedule “B” to the acceptance of the Township.
   c. Security for and completion of streamside enhancement and restoration works and monitoring program as described in Riparian Restoration and Enhancement Plan prepared by EBB Environmental Consulting Inc. for Harp Khela August 2025.
   d. Written designation of an Environmental Monitor for the project acknowledging the Environmental Monitor has the authority to stop any work(s) that, in the Environmental Monitor's opinion, have the potential to impact on SPEAs.
   e. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township.
   f. Commencement of accepted streamside enhancement and restoration works within 30 days of SPEA disturbance.

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 permit shall be substantially commenced within two years after the date the development permit is issued.

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.

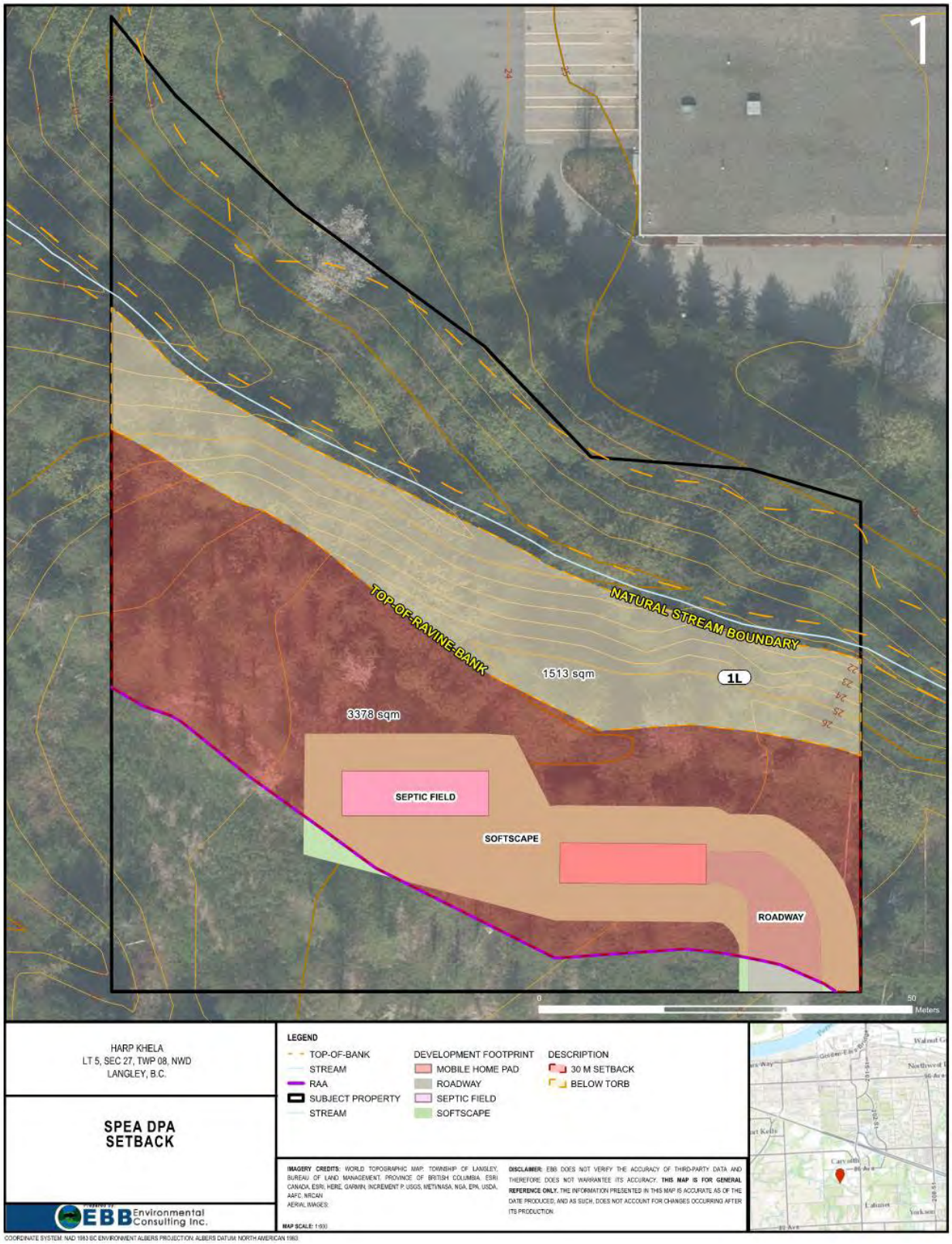
This permit shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THIS____DAY OF_____, 2026.

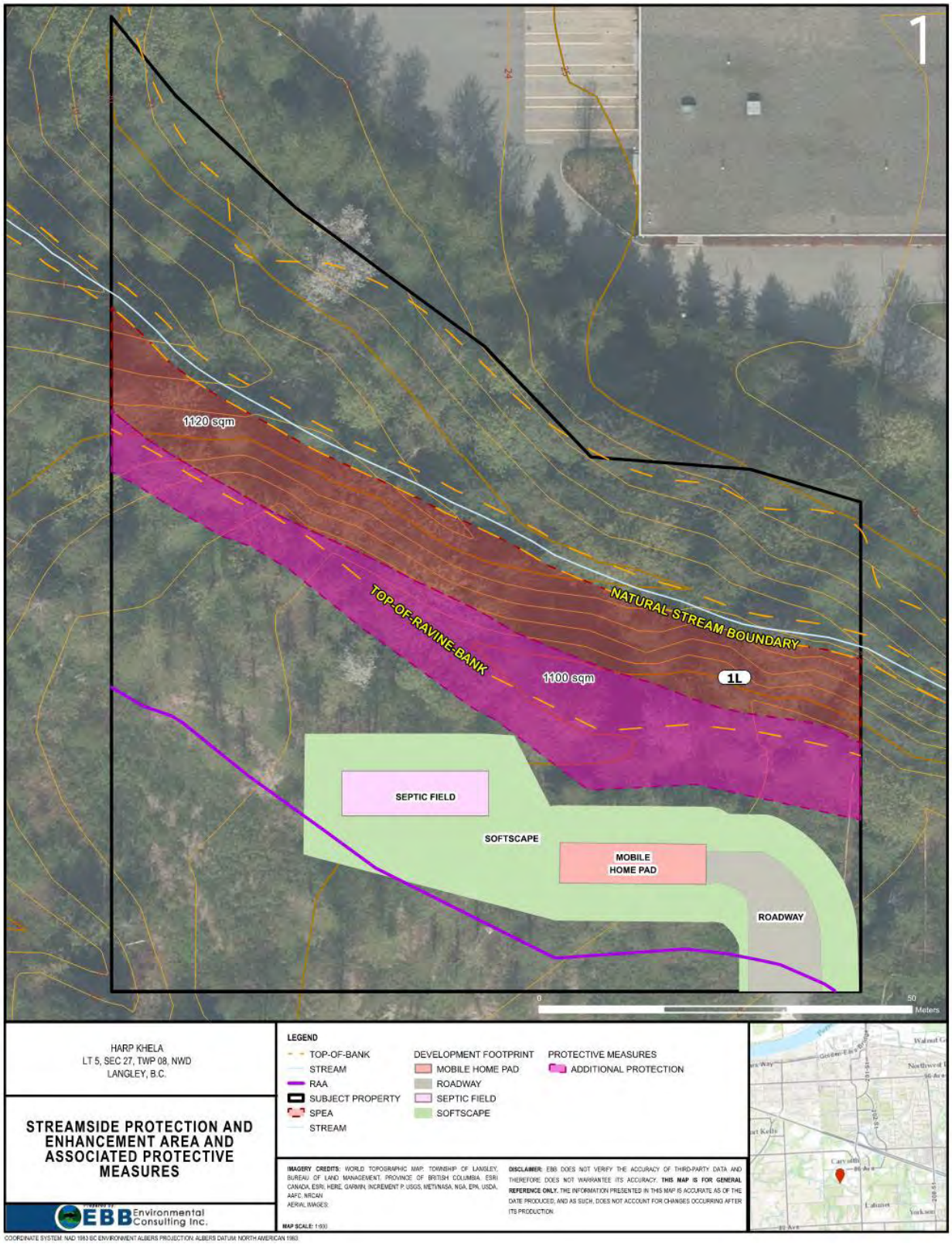
Attachments:

SCHEDULE A	Required Streamside Protection Area
SCHEDULE B	Proposed Streamside Protection Area

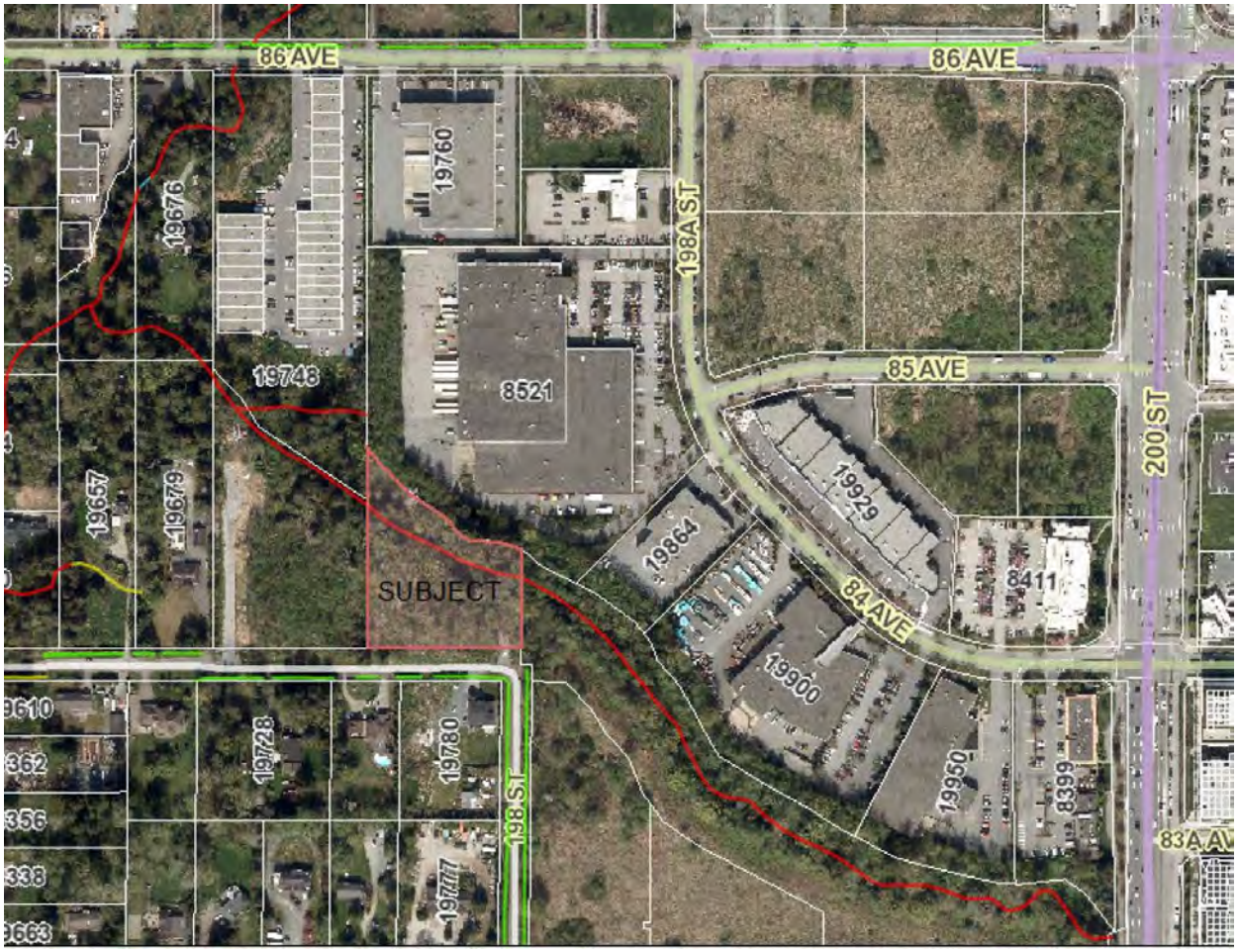
SCHEDULE A: REQUIRED STREAMSIDE PROTECTION AREA



SCHEDULE B: PROPOSED STREAMSIDE PROTECTION AREA

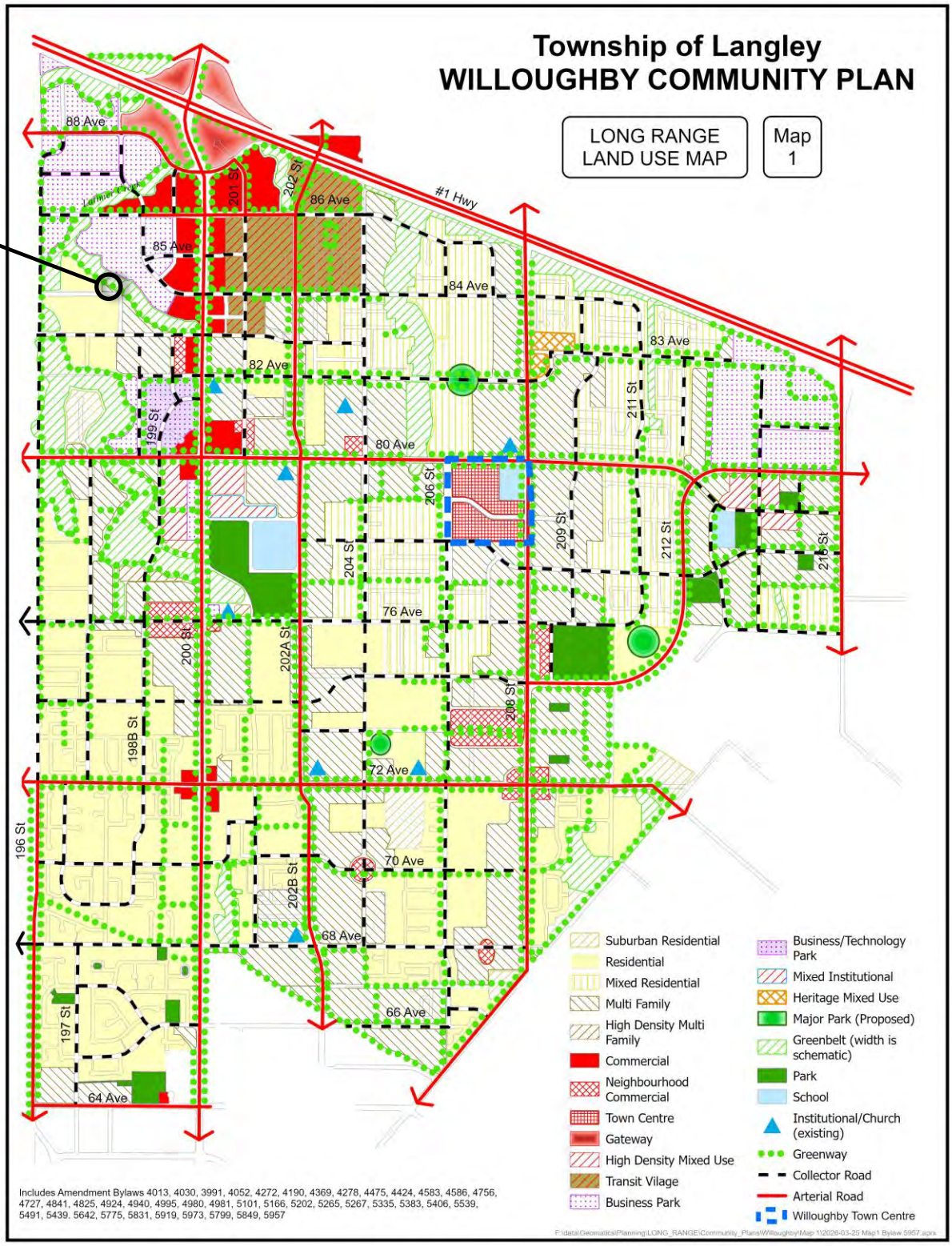


ATTACHMENT B

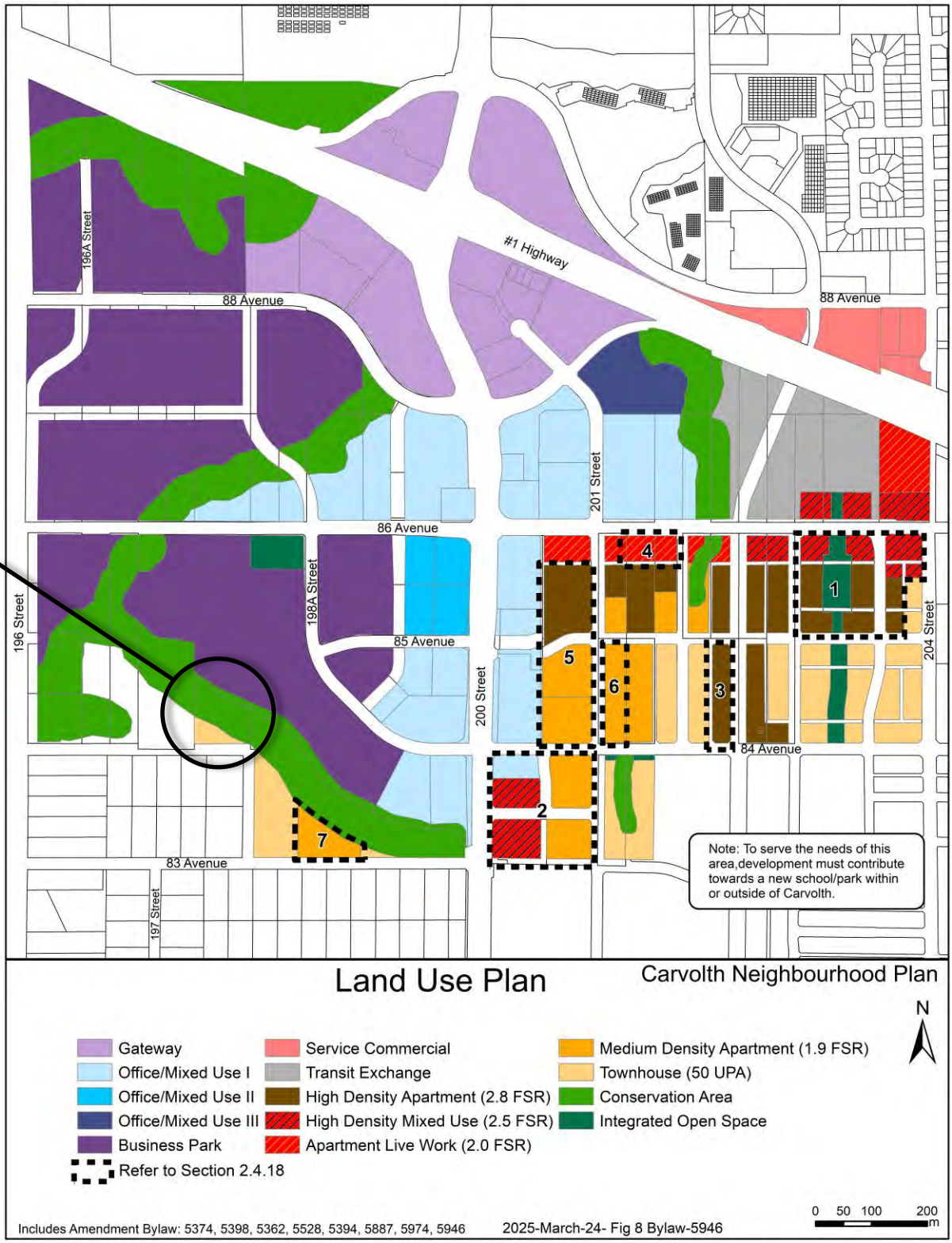


AERIAL CONTEXT MAP

SUBJECT

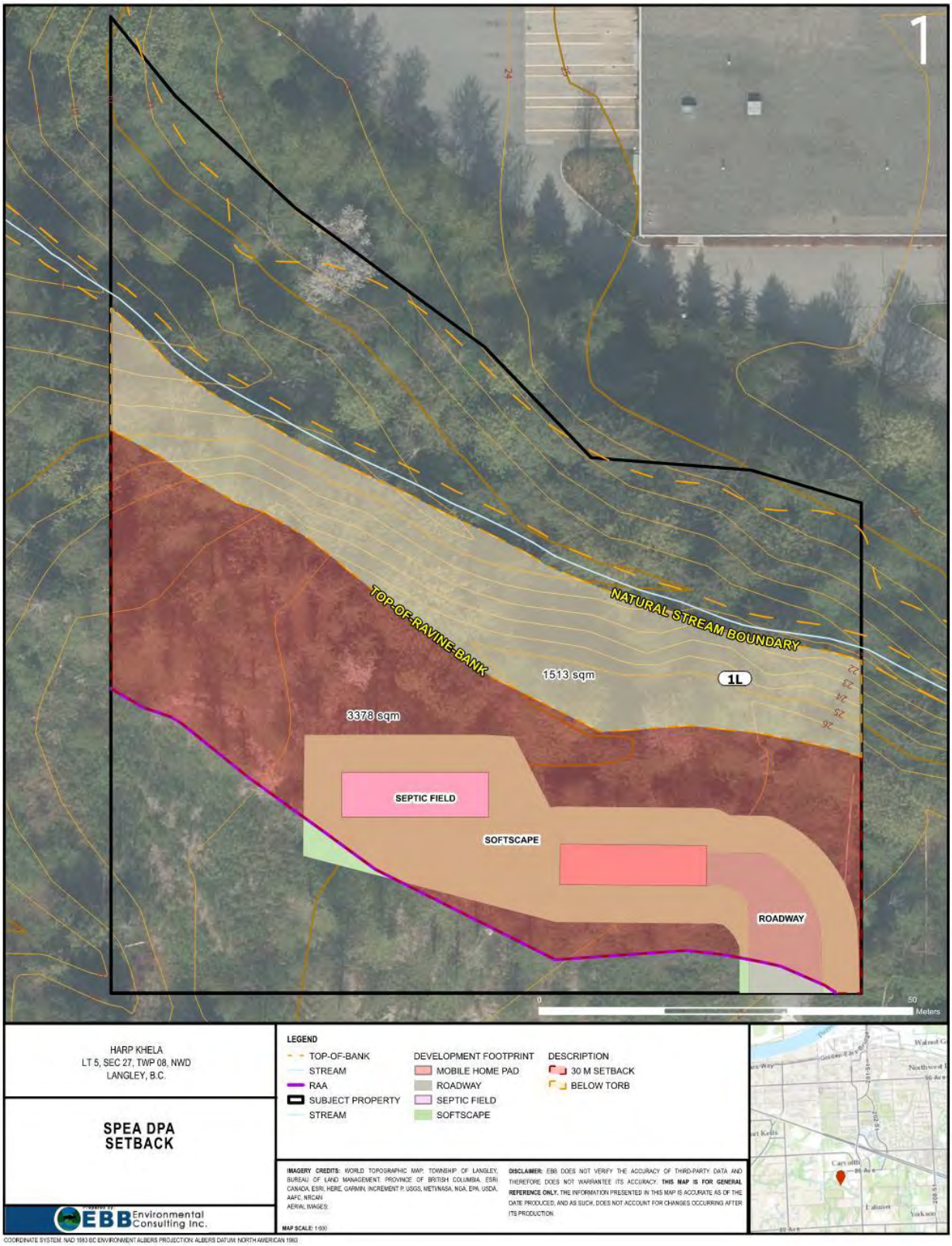

Township of Langley
WILLOUGHBY COMMUNITY PLAN
LONG RANGE LAND USE MAP
Map 1
#1 Hwy
88 Ave
86 Ave
85 Ave
84 Ave
83 Ave
82 Ave
80 Ave
76 Ave
72 Ave
70 Ave
68 Ave
66 Ave
64 Ave
196 St
197 St
198B St
199 St
200 St
201 St
202 St
202A St
202B St
204 St
206 St
208 St
209 St
211 St
212 St
216 St
Suburban Residential
Residential
Mixed Residential
Multi Family
High Density Multi Family
Commercial
Neighbourhood Commercial
Town Centre
Gateway
High Density Mixed Use
Transit Vilage
Business Park
Business/Technology Park
Mixed Institutional
Heritage Mixed Use
Major Park (Proposed)
Greenbelt (width is schematic)
Park
School
Institutional/Church (existing)
Greenway
Collector Road
Arterial Road
Willoughby Town Centre
Includes Amendment Bylaws 4013, 4030, 3991, 4052, 4272, 4190, 4369, 4278, 4475, 4424, 4583, 4586, 4756, 4727, 4841, 4825, 4924, 4940, 4995, 4980, 4981, 5101, 5166, 5202, 5265, 5267, 5335, 5383, 5406, 5539, 5491, 5439. 5642, 5775, 5831, 5919, 5973, 5799, 5849, 5957

SUBJECT

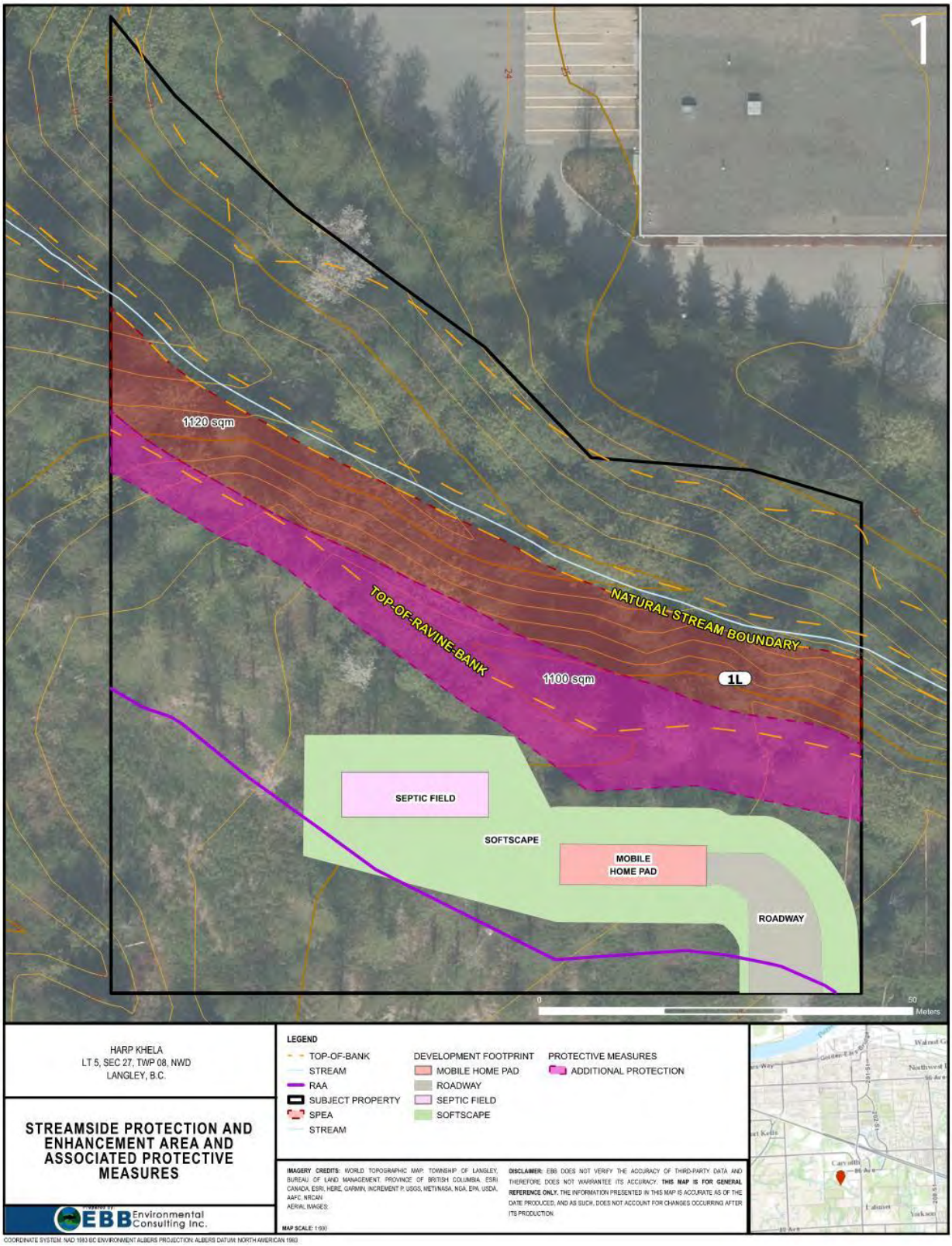

196A Street
#1 Highway
88 Avenue
88 Avenue
201 Street
86 Avenue
196 Street
198A Street
85 Avenue
200 Street
204 Street
84 Avenue
83 Avenue
197 Street
1
2
3
4
5
6
7
Note: To serve the needs of this area,development must contribute towards a new school/park within or outside of Carvolth.
Land Use Plan
Carvolth Neighbourhood Plan
N
Gateway
Office/Mixed Use I
Office/Mixed Use II
Office/Mixed Use III
Business Park
Refer to Section 2.4.18
Service Commercial
Transit Exchange
High Density Apartment (2.8 FSR)
High Density Mixed Use (2.5 FSR)
Apartment Live Work (2.0 FSR)
Medium Density Apartment (1.9 FSR)
Townhouse (50 UPA)
Conservation Area
Integrated Open Space
0 50 100 200
m
Includes Amendment Bylaw: 5374, 5398, 5362, 5528, 5394, 5887, 5974, 5946
2025-March-24- Fig 8 Bylaw-5946



ZONING BYLAW NO. 2500



REQUIRED SCHEDULE 3 SETBACK – SUBMITTED BY APPLICANT



SITE PLAN: PROPOSED SPEA SETBACK – SUBMITTED BY APPLICANT



Figure 5. Residual developable footprint following the application of the 30 m SPEDPA setback and applicable lot setbacks.

RESULTING DEVELOPMENT FOOTPRINT FROM SCHEDULE 3 SETBACK – SUBMITTED BY APPLICANT

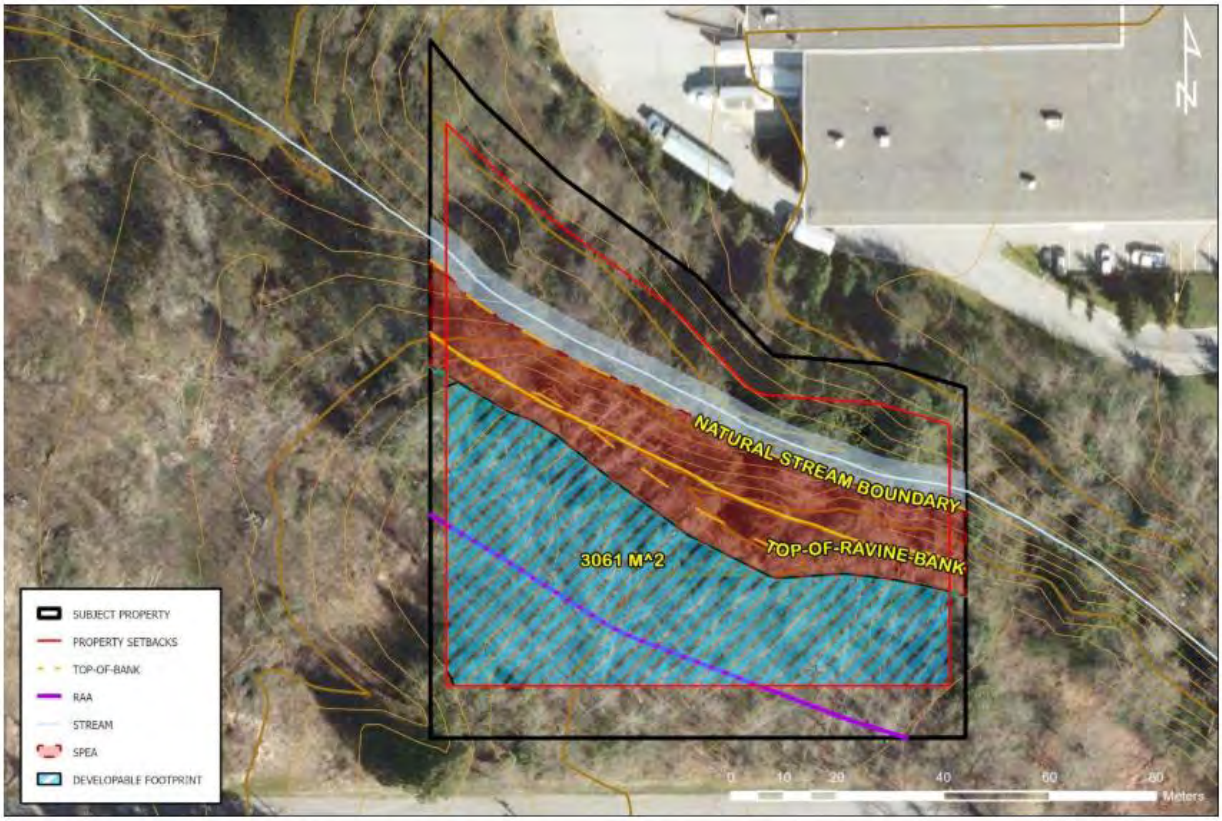


Figure 6. Residual developable footprint with the application of the RAPR SPEA setbacks and additional 5.0 m riparian reserve.

RESULTING DEVELOPMENT FOOTPRINT FROM PROPOSED VARIANCE TO SCHEDULE 3 SETBACK – SUBMITTED BY APPLICANT