



REPORT TO MAYOR AND COUNCIL

PRESENTED:	APRIL 15, 2024 - REGULAR MEETING	REPORT:	24-68
FROM:	COMMUNITY DEVELOPMENT DIVISION	FILE:	08-22-0100
SUBJECT:	REZONING APPLICATION NO. 100619 (DIOGAN / HAYER / UPPAL / 7838 – 197 STREET)		

PROPOSAL:

Application to rezone a portion of a 0.8 ha (2.0 ac) site located at 7838 – 197 Street to Comprehensive Development Zone CD-190 to facilitate development of approximately 37 townhouses.

RECOMMENDATION SUMMARY:

That Council give first, second and third reading to Bylaw No. 6002 subject to nine (9) development prerequisites being satisfied prior to final reading.

RATIONALE:

The proposal aligns with the Willoughby Community Plan and Latimer Neighbourhood Plan.

RECOMMENDATION:

That Council give first, second and third reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Diogan / Hayer / Uppal) Bylaw No. 6002 rezoning a portion of a 0.8 ha (2.0 ac) site located at 7838 – 197 Street to Comprehensive Development Zone CD-190 to facilitate the development of approximately 37 townhouse units, subject to the following development prerequisites being satisfied to the acceptance of the Township prior to final reading:

1. A Servicing Agreement being entered into with the Township to secure required road, greenway, and utility upgrades and extensions in accordance with the Township's Subdivision and Development Servicing Bylaw.
2. Provision of road and trail dedications, widenings and necessary traffic improvements in accordance with the Township's Master Transportation Plan, Subdivision and Development Servicing Bylaw and the Latimer Neighbourhood Plan.
3. Registration of a reciprocal access easement over 7838, 7860 and 7894 – 197 Street for the purpose of ultimate access to the subject site.
4. Submission of an erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw.
5. 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).
6. Dedication of the Latimer Creek Streamside Protection and Enhancement Area on the eastern portion of the site including construction of a creek greenway.
7. Registration of restrictive covenants acceptable to the Township:
 - a. restricting development until a Development Permit is issued for the site

- b. prohibiting clearing of the site (with the exception of servicing access areas) 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 accepted by the Township
 - c. identifying the units (5% of townhouse units) required in accordance with the Schedule 2 – Adaptable Housing Requirements of the Township's Official Community Plan
 - d. prohibiting parking on internal strata roadways (other than in clearly identified parking spaces)
 - e. prohibiting garages from being developed for purposes other than the parking of vehicles for the townhouse units and prohibiting the development of secondary suites within individual units.
8. Compliance with the Community Amenity Contributions Policy, Willoughby Greenway Amenity Policy and 5% Neighbourhood Park Land Acquisition Policy.
 9. Payment of applicable Neighbourhood Planning Administration fees, supplemental Rezoning fees, Development Engineering and Green Infrastructure Services administration fees, Development Works Agreement (DWA) and Latecomer charges.

EXECUTIVE SUMMARY:

At the October 23, 2023 Regular Meeting, Council adopted an amendment to the Latimer Neighbourhood Plan from Single Family (8 upa) to 'Townhouse – Bonus' to accommodate future townhouse development on the east side of 197 Street from the 7700 Block to 80 Avenue. Consistent with the new land use designation, Unibuild Construction has applied on behalf of the owners to rezone a portion of the subject 0.8 ha (2.0 ac) site to Comprehensive Development Zone CD-190 to facilitate development of approximately 37 townhouses (47.9 units per hectare (uph) / 19.4 units per acre (upa)).

A delegated development permit for form and character is being processed concurrently.

As the proposed development is consistent with the overall objectives of the Willoughby Community Plan and the Latimer Neighborhood Plan, staff recommend Council consider the rezoning request subject to the completion of nine (9) development prerequisites.

PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to proposed Rezoning Bylaw No. 6002.

REFERENCE:

Owners:	Sukhjinder Diogan and Sukhjinder Hayer 19780 – 84 Avenue Langley, BC V2Y 1Z4
	Jaspaul and Parveen Uppal 19780 – 84 Avenue Langley, BC V2Y 1T5
Agent:	Unibuild Construction Management Ltd. 202, 8433 – 132 Street Surrey, BC V3W 4N8
Legal Description:	Lot 5 Section 22 Township 8 New Westminster District Plan 70469
Location and Lot Area:	7838 – 197 Street (0.8 ha (2.0 ac))
Existing Zoning:	Suburban Residential Zone SR-2
Proposed Zoning:	Comprehensive Development Zone CD-190
Willoughby Community Plan:	Multi Family
Latimer Neighbourhood Plan:	Townhouse – Bonus

BACKGROUND/HISTORY:

- The subject site was redesignated 'Townhouse – Bonus' in the Latimer Neighbourhood Plan (NP) in October of 2023. The 'Townhouse – Bonus' designation accommodates townhouse developments at a base density of 20 uph (8 upa), with densities up to a maximum of 74 uph (30 upa) considered as part of a site specific rezoning process.

DISCUSSION/ANALYSIS:

- Unibuild Construction Management Ltd. have applied on behalf of the owners to rezone 7838 – 197 Street to Comprehensive Development Zone CD-190 to facilitate development of approximately 37 townhouses (47.9 uph /19.4 upa).

Adjacent Uses:

	Existing Use	Latimer Neighbourhood Plan Designation	Jericho Sub-Neighbourhood Plan Designation	Existing Zoning
North:	7860 – 197 Street is currently under application for approximately 46 townhouse units (TOL Project No. 08-22-0075, third reading granted March 25, 2024)	Townhouse – Bonus	N/A	SR-2

South:	7806 – 197 Street currently under application for approximately 29 townhouse units (TOL Project No. 08-22-0107)	Townhouse – Bonus	N/A	SR-2
East:	Latimer Creek, beyond which is a property with an existing single family dwelling, as well as 7787 – 200 Street which is currently under application for a plan amendment and rezoning for a seniors oriented and multi-family residential community with associated commercial space (TOL Project No. 08-22-0066)	Streamside Protection and Enhancement Areas	Low Density Apartment (1.4 FSR)	SR-2
West:	197 Street, beyond which are existing single family dwellings	Single Family (8 upa)	N/A	R-CL(A) R-CL(B)

Zoning Amendment:

- Bylaw No. 6002 proposes to rezone 7838 – 197 Street to a new Comprehensive Development Zone CD-190 to facilitate development of approximately 37 townhouse units (47.9 uph / 19.4 upa).
- The Townhouse – Bonus land use designation provides for a base density of 20 uph (8 upa) with densities up to 74 uph (30 upa) considered as part of a site specific rezoning process.
- Consistent with the Latimer NP, a condition of this rezoning includes dedication and construction of the Latimer Creek greenway along the eastern edge of the site.

Development Permit Area 'B' – Residential:

- The subject lands are located in Development Permit Area 'B' – Residential in the Willoughby Community Plan.
- Council, through Bylaw No. 5246 (Development Permit Delegation Bylaw), delegated issuance of Development Permits for residential developments without commercial or industrial components with a density equal to or less than 25 upa to a delegated staff official.
- As the proposed residential development is less than 25 upa, the associated development permit application is being processed concurrently for consideration by a delegated staff official.
- The project will be further reviewed as part of the development permit application process to ensure compliance with, including but not limited to, the following: provisions of the site's proposed CD-190 zoning in terms of siting, lot coverage, height, use and density; landscaping and age friendly amenity area requirements; fire truck turning radius requirements; and alignment with the Development Permit Area B – Residential guidelines. Staff note that the site plan is conceptual, and resolution of the above requirements may result in a change to the proposed number of units.

Community Amenity Contributions:

- The Community Amenity Contributions (CAC) Policy applies to the subject rezoning and specifies target contribution amounts based on unit types.
- Section 5.2.g of the CAC Policy outlines where an application includes an increase in the residential density beyond that established in the plan, an additional \$20,000 per townhouse unit is applicable.
- The applicant's proposal results in a potential additional 22 units beyond the base 20 uph (8 upa) density in the plan.
- Based on current rates, the CAC calculation for the proposal is as follows:

	Unit Count	Rate per unit	Total
Townhouses	37	\$14,400	\$532,800
Additional Contribution	22	\$20,000	\$440,000
Total			\$972,800

Tree Protection / Replacement:

The applicant has submitted preliminary tree management plans indicating the following:

Significant Trees on Site	Significant Trees Retained	Replacement Trees Required	Replacement Trees Provided	Street Trees Provided	Total Trees Post Development
0	0	36	36	6	42

Detailed Tree Management and Landscape Plans will be provided and reviewed in conjunction with the development permit.

Policy Considerations:

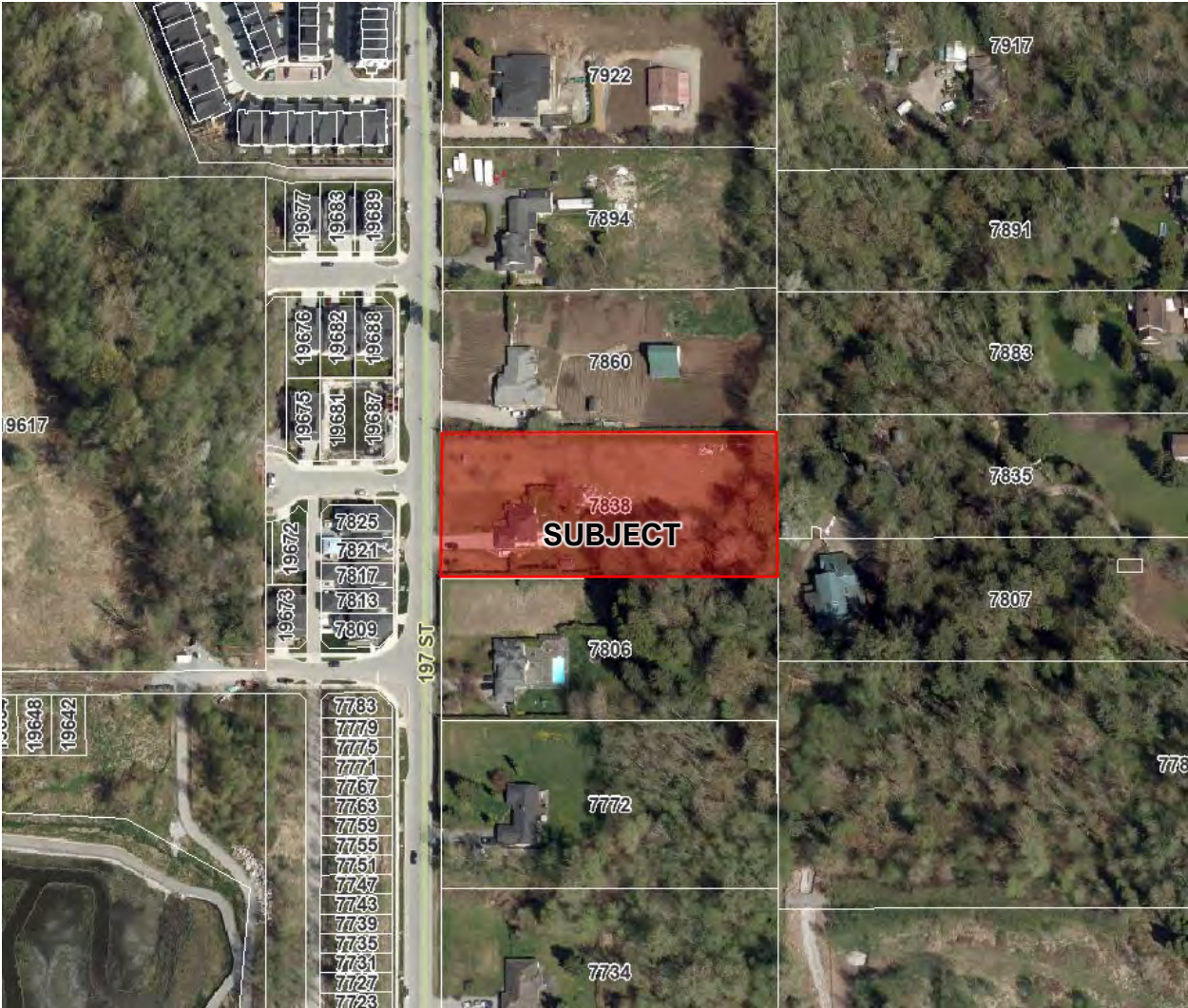
The proposed rezoning application will facilitate development of approximately 37 townhouse units on property located at 7838 – 197 Street. The proposal is consistent with the Willoughby Community Plan and the Latimer Neighbourhood Plan. Staff recommend that Council give first, second and third reading to Bylaw No. 6002 (subject to nine (9) development prerequisites).

Respectfully submitted,

Alex Rowley
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

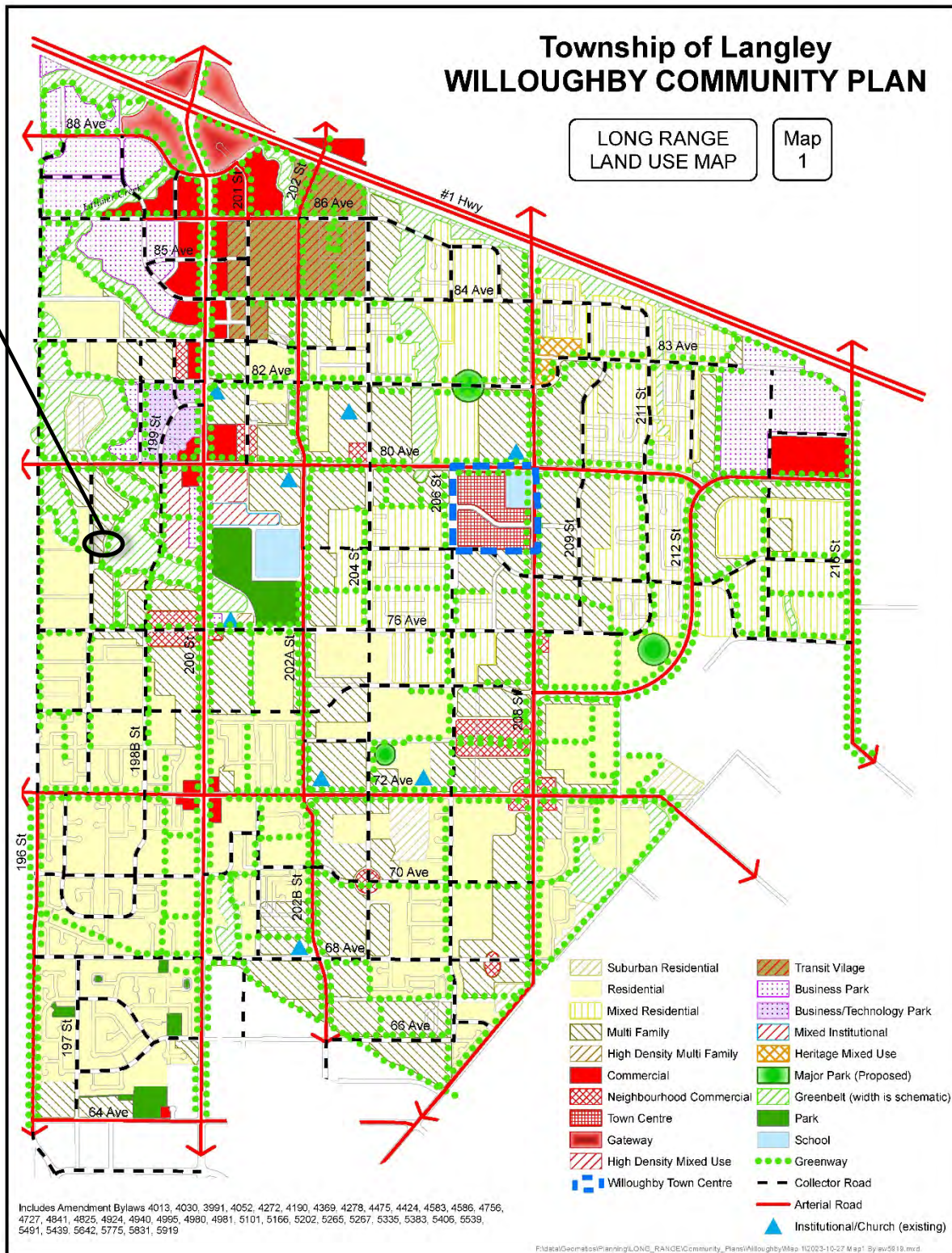
ATTACHMENT A Maps and Graphics

ATTACHMENT A



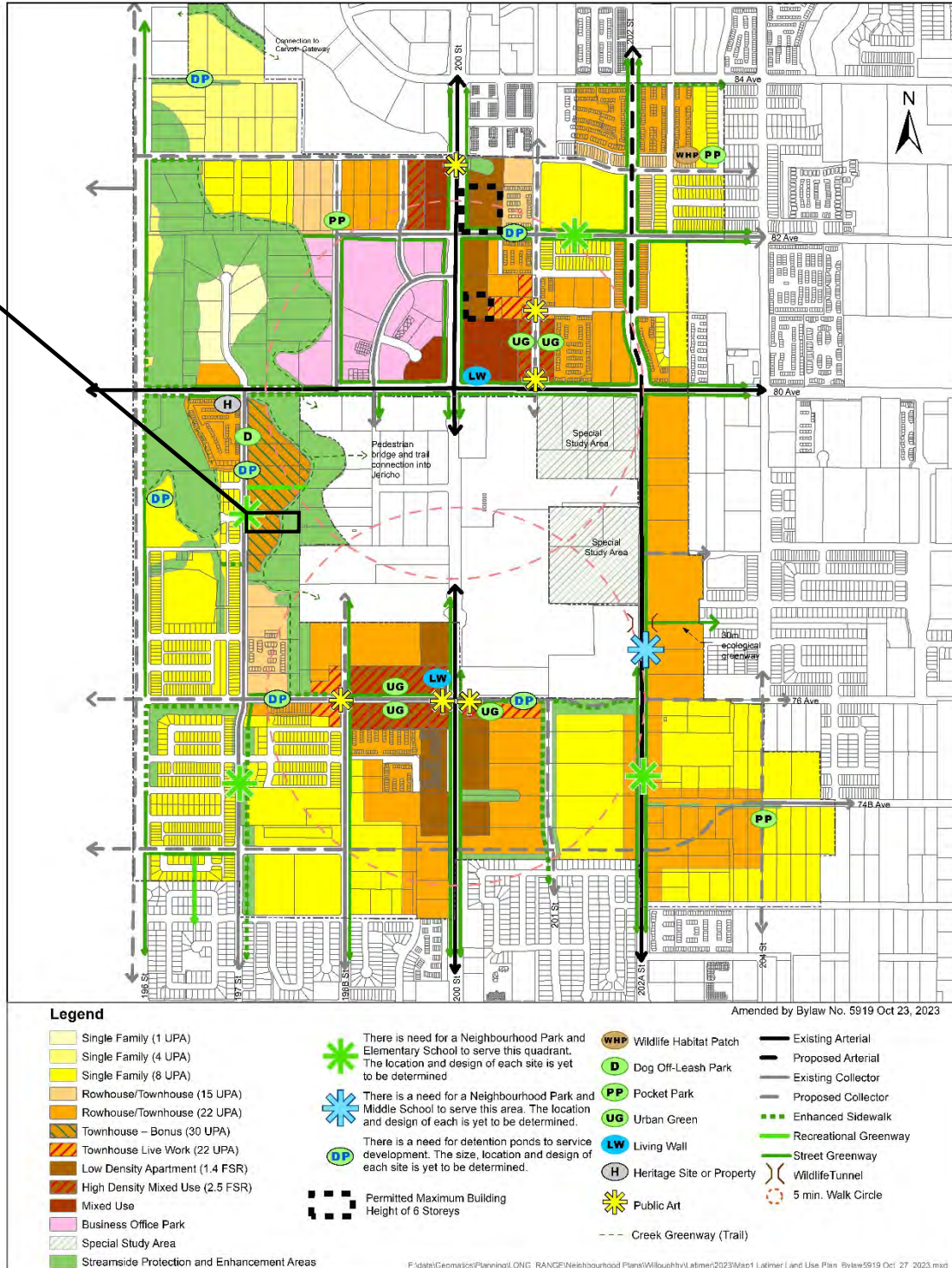
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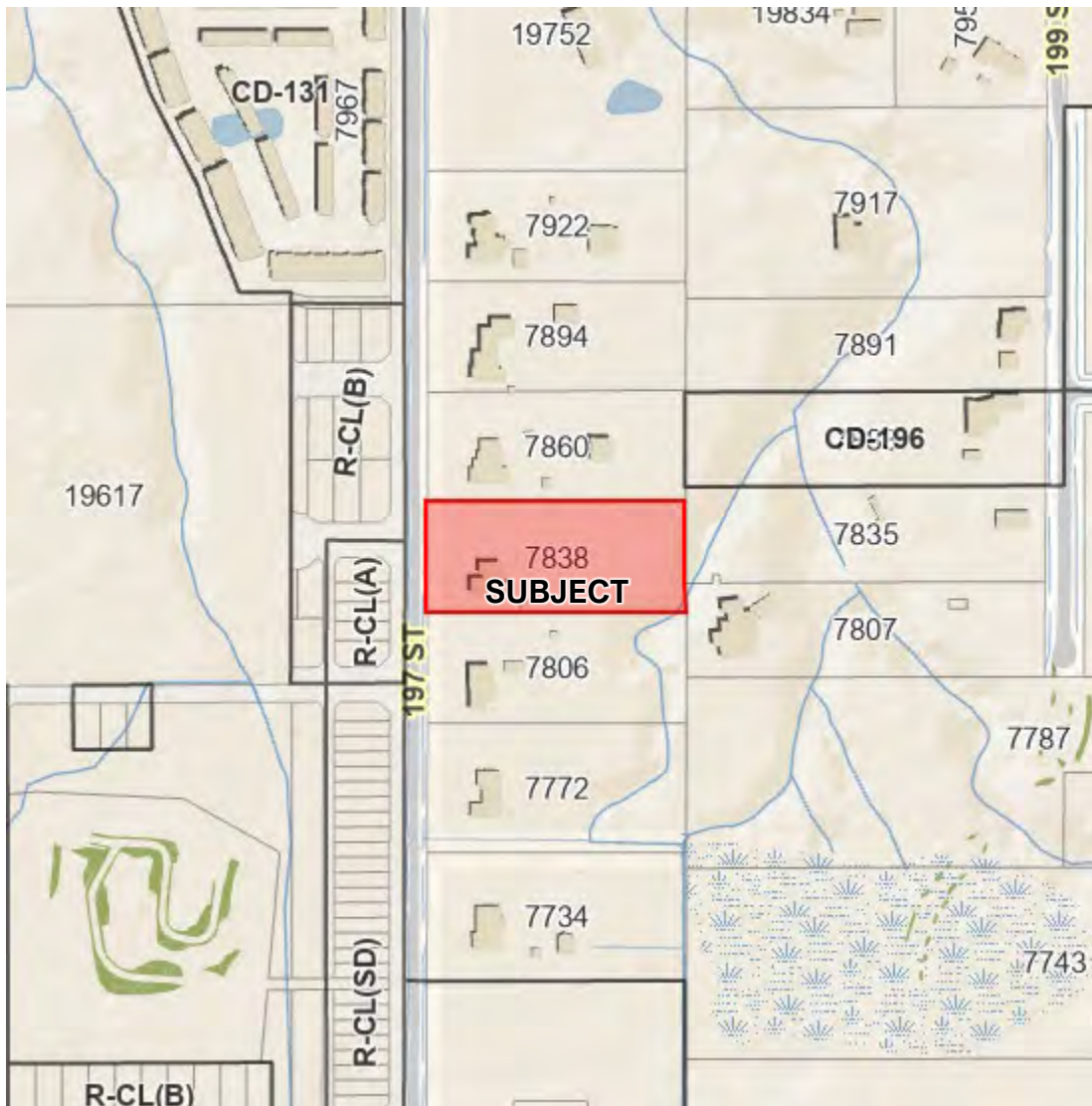
SUBJECT



Map 1 - Latimer Land Use Plan

SUBJECT





ZONING BYLAW NO. 2500



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THE CORPORATION OF THE TOWNSHIP OF LANGLEY

**TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (DIOGAN / HAYER / UPPAL) BYLAW NO. 6002**

EXPLANATORY NOTE

Bylaw No. 6002 rezones a portion of a 0.8 ha (2.0 ac) site located at 7838 – 197 Street from Suburban Residential Zone SR-2 to Comprehensive Development Zone CD-190 to accommodate approximately 37 townhouse units.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500 AMENDMENT (DIOGAN / HAYER / UPPAL) BYLAW NO. 6002

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 (Diogan / Hayer / Uppal) Bylaw No. 6002".
2. The "Township of Langley Zoning Bylaw 1987 No. 2500" as amended is further amended by:
 - a. Adding to the Table of Contents and Section 104.1 – Zones the words "Comprehensive Development Zone CD-190" after the words "Comprehensive Development Zone CD-189"
 - b. Adding to Section 110.1 after the words "CD-189" the words "CD-190 – 2024 m²"
 - c. Adding after Section 1089 "Comprehensive Development Zone CD-189" the following as Section 1090 "Comprehensive Development Zone CD-190"

1090 **COMPREHENSIVE DEVELOPMENT ZONE CD-190**

Uses Permitted

- 1090.1 In the CD-190 Zone only the following *uses* are permitted and all other *uses* are prohibited:
- 1) *accessory buildings and uses*
 - 2) *accessory home occupations* subject to Section 104.3
 - 3) *townhouses*

Density

- 1090.2 The density permitted shall be no greater than 74 units per hectare (30 units per acre).

Lot Coverage

- 1090.3 The maximum permitted lot coverage of *buildings* and *structures* shall not exceed 50% of the lot area.

Siting of Buildings and Structures

- 1090.4 Siting of *buildings* and *structures* shall be in accordance with the provisions of a Development Permit.

Height of Buildings and Structures

1090.5 The *height of buildings and structures* shall not exceed three (3) storeys.

Parking and Loading

1090.6 Parking and loading shall be provided in accordance with Section 107 and be in accordance with the provisions of the Development Permit.

Subdivision Requirements

1090.7 All *lots* created by *subdivision* shall comply with Section 110 of this Bylaw and the Subdivision and Development Servicing Bylaw 2019 No. 5382 as amended.

Landscaping, Screening and Fencing

1090.8 Landscaping areas, landscaping screens and fencing shall be provided in accordance with the provisions of a Development Permit.

Age Friendly Amenity

1090.9 *Age-Friendly Amenity areas* shall be provided in accordance with Section 111.5 and in accordance with the Development Permit.

Development Permit Requirements

1090.10 An application for a Development Permit shall be submitted to Council for its consideration prior to issuance of a Building Permit.

3. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended by rezoning the lands described as:

Lot 5 Section 22 Township 8 New Westminster District Plan 70469

as shown delineated on Schedule “A” attached to and forming part of this Bylaw to Comprehensive Development Zone CD-190.

NOTICE WAS ADVERTISED the	4, 11	day of	April	, 2024
READ A FIRST TIME the		day of		, 2024.
READ A SECOND TIME the		day of		, 2024.
READ A THIRD TIME the		day of		, 2024.
ADOPTED the		day of		, 2024.

_____	Mayor	_____	Township Clerk
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SCHEDULE 'A' BYLAW NO. 6002

