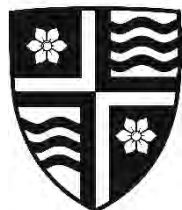


Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	JULY 24, 2023 - REGULAR MEETING	REPORT:	23-142
FROM:	COMMUNITY DEVELOPMENT DIVISION	FILE:	08-22-0087
SUBJECT:	REZONING APPLICATION NO. 100716 AND DEVELOPMENT PERMIT APPLICATION NO. 101401 AND DEVELOPMENT VARIANCE PERMIT APPLICATION NO. 100152 (1345725 BC LTD. / MCELHANNEY LTD. / 7566 – 197 STREET)		

PROPOSAL:

Application to rezone approximately 0.37 ha (0.92 ac) of land located at 7566 – 197 Street to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) with an accompanying streamside protection development permit and development variance (front lot line setback) to facilitate development of five rowhouse units, two semi-detached units and two single family lots.

RECOMMENDATION SUMMARY:

That Council give first, second and third reading to Bylaw No. 5910 subject to 11 development prerequisites being satisfied prior to final reading and that Council authorize issuance (at time of final reading of Bylaw No. 5910) of Development Variance Permit No. 100152.

RATIONALE:

The proposed development complies with the Willoughby Community Plan and Latimer Neighbourhood Plan.

RECOMMENDATIONS:

That Council give first, second and third reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (1345725 BC Ltd.) Bylaw No. 5910 rezoning approximately 0.37 ha (0.92 ac) of land located at 7566 – 197 Street to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) to facilitate development of five rowhouse units, two semi-detached units and two single family lots 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 and utility upgrades and extensions in accordance with the Township's Subdivision and Development Servicing Bylaw
2. Completion of a Development Works Agreement (if required) securing off-site servicing to the Southeast Phase of the Latimer Neighbourhood Plan (as required by the Latimer Neighbourhood Plan)
3. Provision of road dedications, widenings and necessary traffic improvements for 76 Avenue, 197 Street (including greenway), 197A Street and associated lanes in accordance with the Township's Master Transportation Plan, Subdivision and Development Servicing Bylaw and the Latimer Neighbourhood Plan
4. Provision of an enhanced sidewalk on 197 Street in accordance with the Subdivision and Development Servicing Bylaw and the Latimer Neighbourhood Plan

REZONING APPLICATION NO. 100716 AND
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5. Dedication and construction of a 4.5 m wide street greenway on the east side of 197 Street including final acceptance of the greenway landscape design plans, sidewalk/trail alignment, signage, landscape details and security
6. Dedication of Streamside Protection and Enhancement Area consistent with Attachment B including final acceptance of the streamside restoration and enhancement plans, details and security
7. Submission of an erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw
8. 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)
9. Registration of restrictive covenants acceptable to the Township:
 - a. Restricting development on the proposed R-CL(RH) and R-CL(SD) lots until a Development Permit is issued for the site
 - b. Identifying the lots/units (minimum 5% of single family lots) required in accordance with the Schedule 2 – Adaptable Housing Requirements of the Township's Official Community Plan
 - c. Prohibiting the development of secondary suites and prohibiting garages from being developed for purposes other than parking of vehicles within units zoned Residential Compact Lot Zones R-CL(RH) and R-CL(SD)
10. Compliance with the Community Amenity Contributions Policy, the Willoughby Greenway Amenity Policy and the Township's 5% Neighbourhood Park Land Acquisition Policy
11. 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

That Council at time of final reading of Rezoning Bylaw No. 5910 authorize the issuance of Development Permit No. 101401 (streamside protection), to relocate and reconstruct an on site watercourse in accordance with Section 4.20 of Schedule 3 of the Official Community Plan, subject to the following conditions:

- a. Acceptance of a submission addressing information requirements outlined in Section 4.20 of Schedule 3 of Langley Official Community Plan Bylaw 1979 No. 1842
- b. Protection of Streamside Protection and Enhancement Development Permit Areas (SPEAs) as shown on Schedule B to the acceptance of the Township
- c. 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
- d. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township
- e. Commencement of accepted streamside enhancement and restoration works within 30 days of SPEA disturbance

That Council at the time of final reading of Bylaw No. 5910 authorize the issuance of Development Variance Permit No. 100152 (siting variance) as follows:

- a. Section 401.5 (1) – Siting of Buildings and Structures of Township of Langley Zoning

REZONING APPLICATION NO. 100716 AND
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Bylaw No. 2500 is hereby varied to reduce the minimum front line setback requirement from 6 metres to 2.5 metres for the principal building on proposed Lot 8 as indicated in Schedule A.

EXECUTIVE SUMMARY:

McElhanney Ltd. has applied on behalf of the owner to develop approximately 0.37 ha (0.92 ac) of land located at 7566 – 197 Street to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) to facilitate development of five rowhouse units, two semi-detached units and two single family lots.

A delegated development permit for form and character is being processed concurrently and will be considered by the delegated official should Council elect to advance the application. A second development permit (streamside protection) is also being processed to relocate and reconstruct watercourses on site. In order to facilitate consistency in front lot line setbacks of the proposed Residential Zone R-1A lot with the Residential Compact Lot Zone R-CL(B) lots, the applicant is proposing a building setback variance on Lot 8.

As the proposal is consistent with the Willoughby Community Plan and Latimer Neighbourhood Plan, staff recommend that Council consider the rezoning request subject to the completion of 11 development prerequisites and that Council authorize issuance (at time of final reading of Bylaw No. 5910) of Development Permit No. 101401 and Development Variance Permit No. 100152.

PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to Rezoning Bylaw No. 5910, Development Permit No. 101401 and Development Variance Permit No. 100152.

REZONING APPLICATION NO. 100716 AND
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REFERENCE:

Owner:	1345725 BC Ltd. 209, 6678 – 152 Street Surrey BC V3S 7J2
Agent:	McElhanney Ltd. 2300 Central City Tower 13450 – 102 Avenue Surrey BC V3T 5X3
Legal Description:	Lot 1 Section 22 Township 8 New Westminster District Plan 82830
Location:	7566 – 197 Street
Area:	0.37 ha (0.92 ac)
Existing Zoning:	Suburban Residential Zone SR-2
Proposed Zoning:	Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH)
Willoughby Community Plan:	Residential and Multi Family
Latimer Neighbourhood Plan:	Single Family (8 units per acre (UPA)) and Rowhouse / Townhouse (22 UPA)

BACKGROUND/HISTORY:

The subject site is zoned Suburban Residential Zone SR-2 and designated Residential and Multi Family in the Willoughby Community Plan (Attachment C). The Latimer Neighbourhood Plan designates the site as Single Family (8 UPA) and Rowhouse / Townhouse (22 UPA) (Attachment D).

DISCUSSION/ANALYSIS:

- McElhanney Ltd., on behalf of the owners, has applied to rezone the site to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) to facilitate development of five rowhouse units, two semi-detached units and two single family lots (Attachment F).
- The northerly 0.19 ha (0.49 ac) portion of the site is designated Rowhouse / Townhouse (22 UPA) and the southerly 0.17 ha (0.43 ac) portion is designated Single Family (8 UPA) in the Latimer Neighbourhood Plan.
- Section 3.1.8 of the Willoughby Community Plan allows for density averaging for sites with more than one land use designation; the subject site permits 13 units with nine units proposed.

REZONING APPLICATION NO. 100716 AND
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Adjacent Uses:

	Existing Use	Latimer Neighbourhood Plan Designation	Existing Zoning
North:	76 Avenue beyond which is a residential property currently under development application (ToL Project No. 08-22-0115)	Rowhouse / Townhouse (15 UPA) and Streamside Protection and Enhancement Area	Suburban Residential Zone SR-2
South:	Single family residential properties and Streamside Protection and Enhancement Area	Single Family (8 UPA) and Streamside Protection and Enhancement Area	Residential Compact Lot Zone R-CL(B)
East:	Single family residential properties currently under construction (ToL Project No. 08-22-0105)	Single Family (8 UPA) and Rowhouse / Townhouse (22 UPA)	Residential Compact Lot Zone R-CL(SD)
West:	197 Street, beyond which are semi-detached dwellings and Streamside Protection and Enhancement Area	Single Family (8 UPA) and Streamside Protection and Enhancement Area	Residential Compact Lot Zone R-CL(SD) and Suburban Residential Zone SR-2

Zoning Amendment:

- Bylaw No. 5910 proposes to rezone the site to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD), and R-CL(RH) to facilitate development of five rowhouse units, two semi-detached units and two single family lots.
- The project complies with the provisions of the site's proposed Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) zoning in terms of siting, site coverage, height, use and density, with the exception of the requested variance to the front setback for proposed Lot 8.
- The Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) are consistent with the site's Single Family (8 UPA) and Rowhouse / Townhouse (22 UPA) designation in the Latimer Neighbourhood Plan.

Development Permits:

- The subject site is located in Development Permit Areas 'B' – Residential (for form and character) 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 applications are being processed concurrently for consideration by a delegated staff official.

Development Permit No. 101401 (Streamside Development Permit):

- A Streamside Protection and Enhancement Development Permit is required for this project under Section 4.20 of Schedule 3 of the OCP.

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- One Class B (yellow-coded) roadside watercourse exists directly north of the property along the south side of 76 Avenue.
- To support widening of 76 Avenue, proposed works include reconstructing the Class B roadside watercourse as a new channel (with associated SPEA) in the southwest portion of the subject property.
- Watercourse construction and riparian habitat compensation associated with relocating the Class B roadside watercourse will provide a northern extension of the constructed watercourse and SPEA, along 197 Street, from the property to the south.

Development Variance Permit No. 100152 (siting):

- As required by the Latimer Neighbourhood Plan, the proposal includes less than 60% of the lots within the Single Family (8 UPA) designation to be detached residential compact lots.
- The setbacks of the Residential Zone R-1A lot (proposed Lot 8) differ from the setbacks of the proposed compact zone lot (proposed Lot 9).
- In order to facilitate a unified streetscape and achieve consistency between the setbacks of the proposed Residential Zone R-1A lot with the Residential Compact Lot Zones R-CL(B) lot, the applicant is proposing to vary the front setback for proposed Lot 8 from 6 m to 2.5 m for the principal building.
- Staff do not object to the proposed siting variance as it results in consistent siting of buildings and a more harmonious streetscape within the development.

Subdivision:

- The applicant is proposing to subdivide the subject parcel to create five rowhouse lots, two semi-detached lots and two single family lots.
- Vehicular access to the properties is proposed from a 197A Street cul-de-sac and a lane (Attachment F).

Community Amenity Contributions:

- The Community Amenity Contributions (CAC) Policy applies to the subject rezoning and specifies target contribution amounts based on unit types. Based on current rates, the CAC calculation for this proposal is as follows:

	Unit Count	Rate per unit	Total
Rowhouse / Duplex	7	\$14,400	\$100,800
Single Family	2	\$16,900	\$33,800
Total			\$134,600

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
3	0	21	21	24	45

Finalization of landscaping details has been included as a development prerequisite.

REZONING APPLICATION NO. 100716 AND
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Policy Considerations:

The proposed rezoning, development permit applications, and development variance permit application facilitates the development of five rowhouse units, two semi-detached units and two single family lots.

The proposal is consistent with the Willoughby Community Plan and Latimer Neighbourhood Plan. Staff recommend that Council give first, second and third reading to Bylaw No. 5910 subject to 11 development prerequisites.

Respectfully submitted,

Joel Nagtegaal
 DEVELOPMENT PLANNER
 for
 COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Development Permit No. 101401
ATTACHMENT B	Development Variance Permit No. 100152
ATTACHMENT C	Aerial Context Map
ATTACHMENT D	Willoughby Community Plan Map
ATTACHMENT E	Latimer Neighbourhood Plan Map
ATTACHMENT F	Zoning Bylaw No. 2500 Map
ATTACHMENT G	Conceptual Site Plan Submitted by Applicant

ATTACHMENT A

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Permit No. 101401

This Permit is issued this _____ day of _____, 2023 to:

1. NAME: 1345725 BC Ltd.

ADDRESS: 209, 6678 – 152 Street
Surrey BC V3S 7J2

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 22 Township 8 New Westminster District Plan
82830

CIVIC ADDRESS: 7566 – 197 Street

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. Acceptance of a submission addressing information requirements outlined in Section 4.20 of Schedule 3 of Langley Official Community Plan Bylaw 1979 No. 1842
- b. Protection of Streamside Protection and Enhancement Development Permit Areas (SPEAs) as shown on Schedule B to the acceptance of the Township
- c. 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
- d. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township
- e. 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 Schedule 3 (Streamside Protection and Enhancement) of the Langley Official Community Plan Bylaw 1979 No. 1842.

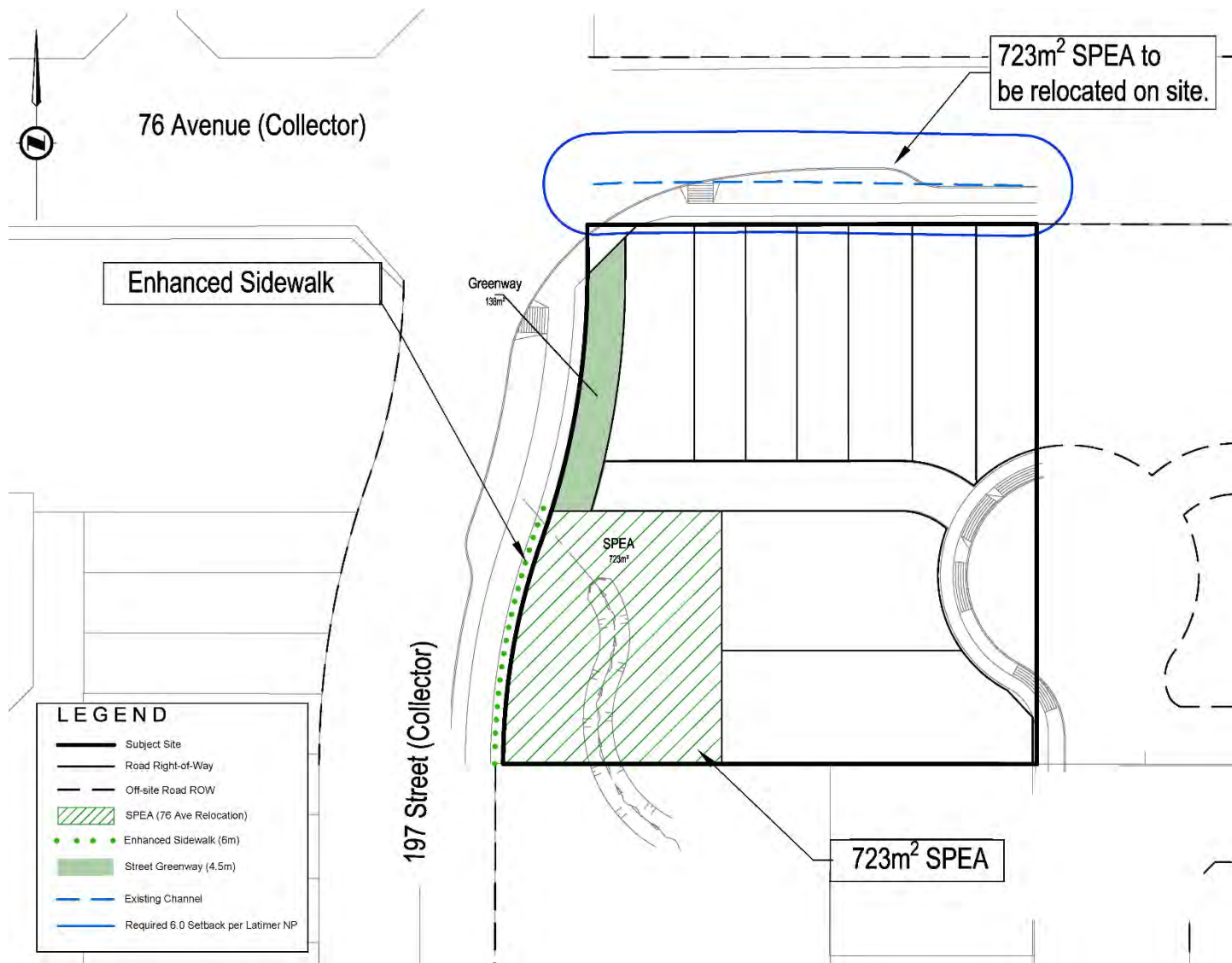
It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developer other than those in this permit.

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 ____, 2023.

Attachments:

SCHEDULE A Required and Proposed Streamside Protection Area

SCHEDULE A

ATTACHMENT B

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Variance Permit No. 100152

This Permit is issued this _____ day of _____, 2023 to:

1. NAME: 1345725 BC Ltd.

ADDRESS: 209, 6678 – 152 Street
Surrey BC V3S 7J2

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 22 Township 8 New Westminster District Plan
82830

CIVIC ADDRESS: 7566 – 197 Street

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 401.5 (1) – Siting of Buildings and Structures of Township of Langley Zoning Bylaw No. 2500 is hereby varied to reduce the minimum front line setback requirement from 6 metres to 2.5 metres for the principal building on proposed Lot 8 as indicated in Schedule A.

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.

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 _____, 2023.

Attachments:

SCHEDULE A Site Plan



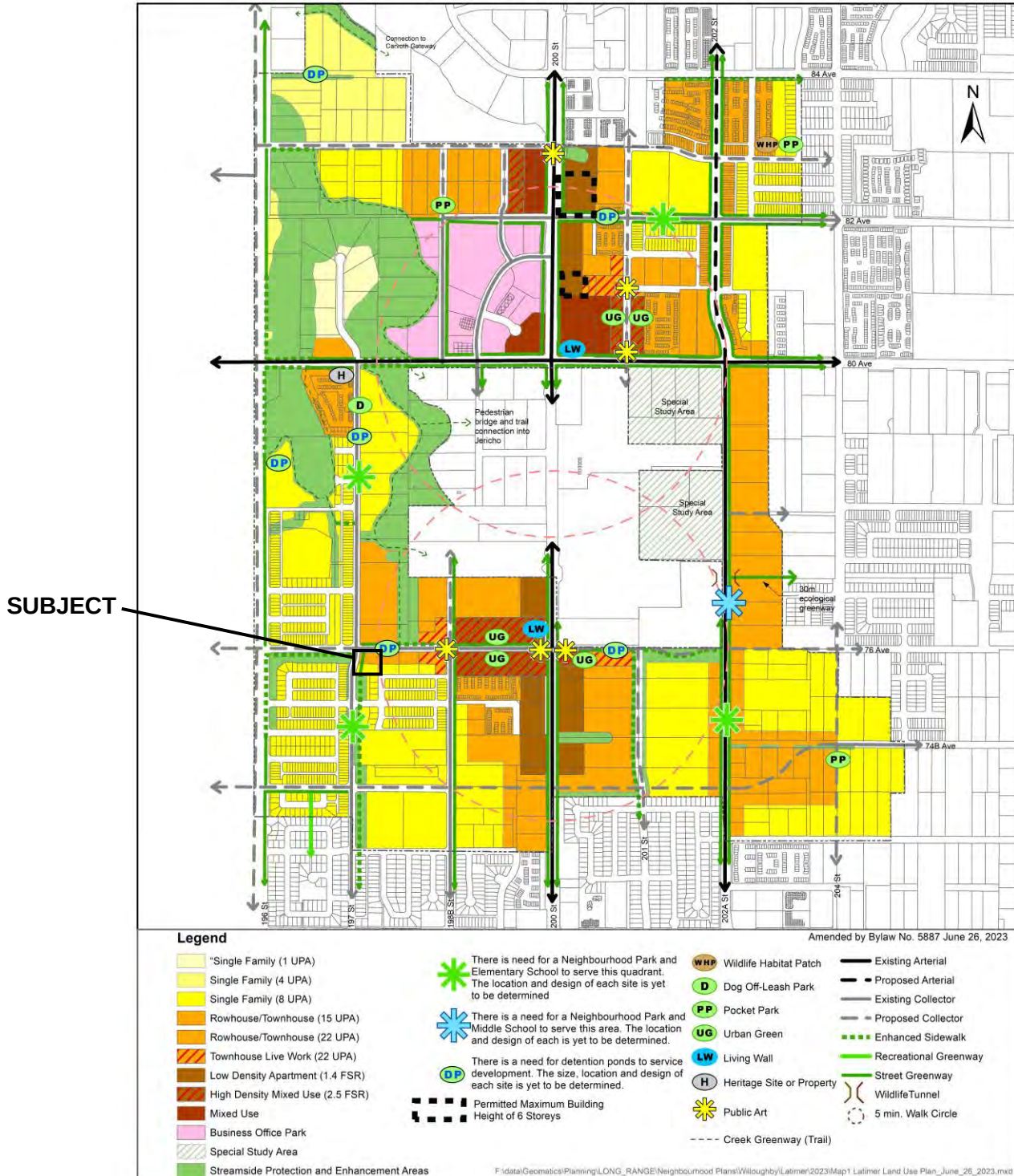
ATTACHMENT C



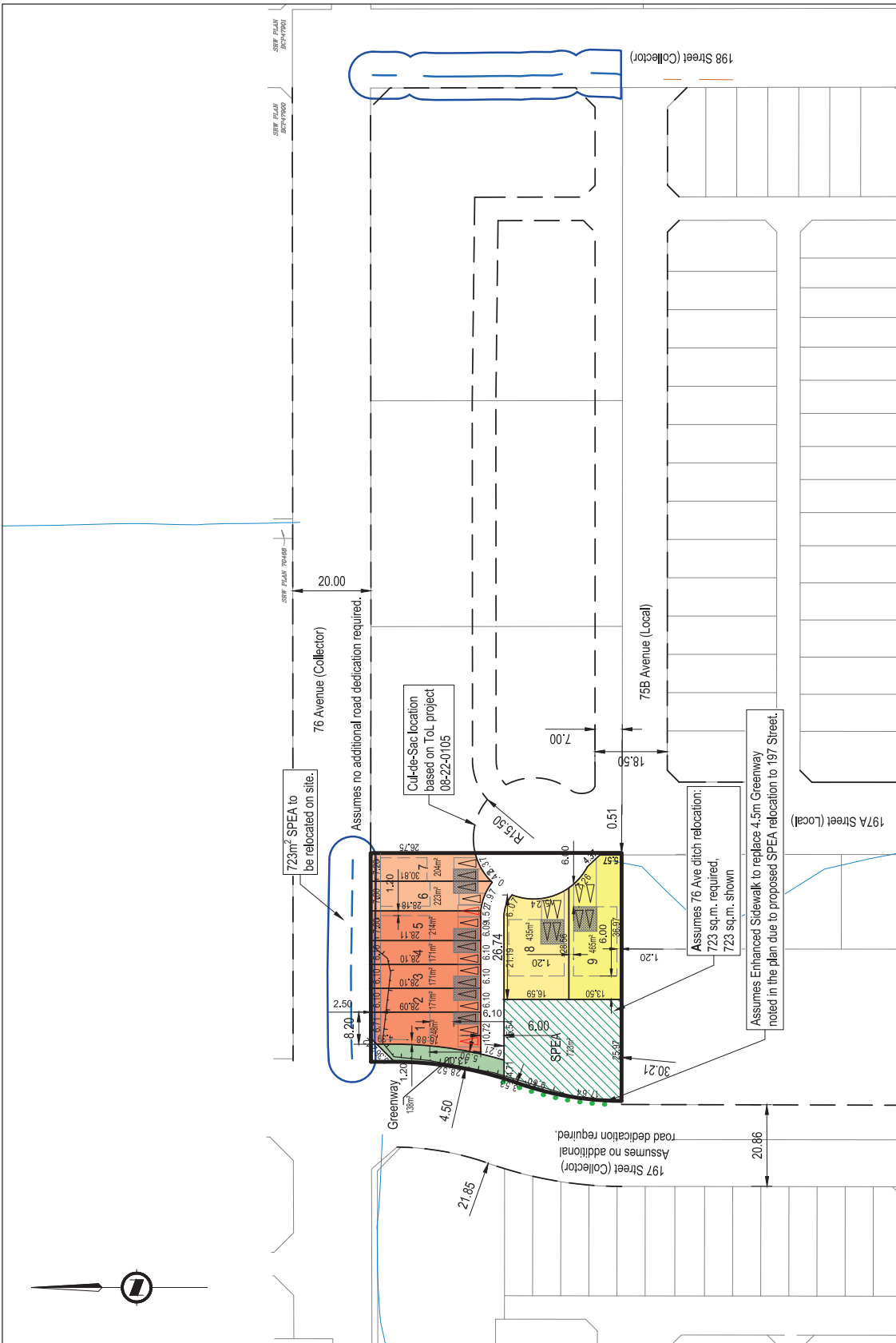
AERIAL CONTEXT MAP



Map 1 - Latimer Land Use Plan







NOTES

- Ditch locations and classifications subject to review and confirmation by Township of Langley.
 - Proposed SPEA along 197 St frontage assumes relocation of 76 Ave ditch; subject to review and approval.
 - Proposed over-dedication along 197 Street, 6m multi-use pathway per Township direction falls within 197 St frontage.
 - 197 St along frontage exists at 21.85 m width; off-site 197 St dedication to the south of the site exists at 20.8m width.
 - 6m greenway per Latimer neighbourhood plan.
- Site within Latimer Neighbourhood Plan; split designated Single Family Residential 3 and Rowhouse/Townhouse B.
- Reference layout to east from Alvin Martin (February 2022)
- Channel width and setback area subject to review and confirmation by Township of Langley

LEGEND

- Subject Site
- Road Right-of-Way
- Off-site Road ROW
- SPEA (76 Ave Relocation)
- R-CL(SD)
- R-CL(RH)
- R-CL(B) Front
- R-1A Front
- Enhanced Sidewalk (6m)
- Street Greenway (4.5m)
- Building Setbacks
- Garage
 - Double: 6.1m x 5.8m
 - Single: 6.1m x 2.5m
- Outdoor Parking Pad
- Visitor's Parking Pad

SITE STATISTICS

PID	Address	Yield (units)	9
014-752-788	7566 197 Street		
		RES 3	TH B
		Gross Developable (ac.)	0.427
		Below Top of Bank	0.004
		Net Developable (ac.)	0.423
		Units Permitted	23
		Units Proposed	2
			7
			9

DRAFT - FOR DISCUSSION ONLY

DATE	#	REVISION	INITIAL
2022.02.23	0	Drawing created	VS
2022.08.03	1	Call-out location matched to east	VS
2022.01.17	2	Dimensions added - 1st comment response	VS

SKETCH 2
Latimer Neighbourhood
7566 197 st
Township of Langley, BC

DATE: January 17, 2023
PREPARED FOR: Deol
SCALE: 1:1000 @ A1 17"
M/E PROJECT: 2111-0599
MUN. PROJECT:

G.1
McElhenny
Suite 2301 4505 - 102 Avenue
18 004 596 0357 • P.O. Box 59100
V6N 1S8 BC Canada T0T 3G3

THIS DRAWING IS THE PROPERTY OF MCELHENNY CONSULTING INC. (MCI) AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF MCI. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY FINANCIAL PRODUCT OR SERVICE. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500

AMENDMENT (1345725 BC LTD.) BYLAW NO. 5910

EXPLANATORY NOTE

Bylaw No. 5910 rezones 0.37 ha (0.92 ac) of land located at 7566 – 197 Street to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH) to facilitate development of five rowhouse units, two semi-detached units and two single family lots.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (1345725 BC LTD.) BYLAW NO. 5910

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 (1345725 Ltd.) Bylaw No. 5910”.
- 2. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended by rezoning the lands described as:

Lot 1 Section 22 Township 8 New Westminster District Plan 82830

As shown delineated on Schedule “A” attached to and forming part of this Bylaw to Residential Zone R-1A and Residential Compact Lot Zones R-CL(B), R-CL(SD) and R-CL(RH).

NOTICE WAS ADVERTISED	13, 20	day of	July	, 2023
READ A FIRST TIME the		day of		, 2023
READ A SECOND TIME the		day of		, 2023
READ A THIRD TIME the		day of		, 2023
ADOPTED the		day of		, 2023

_____	Mayor	_____	Township Clerk
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SCHEDULE 'A' BYLAW NO. 5910

