

THE CORPORATION OF THE TOWNSHIP OF LANGLEY**TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (OAKBROOK FOUNDATION) BYLAW 2019 NO. 5486****EXPLANATORY NOTE**

Bylaw 2019 No. 5486 rezones property located at 23400 – 44 Avenue in the rural area to Civic Intentional Zone P-1 to accommodate development of a private school. The bylaw further amends the text of the Rural RU-1 Zone to reduce the minimum parcel size provision on a site specific basis to accommodate subdivision of the undeveloped portion of the property.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (OAKBROOK FOUNDATION) BYLAW 2019 NO. 5486

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:

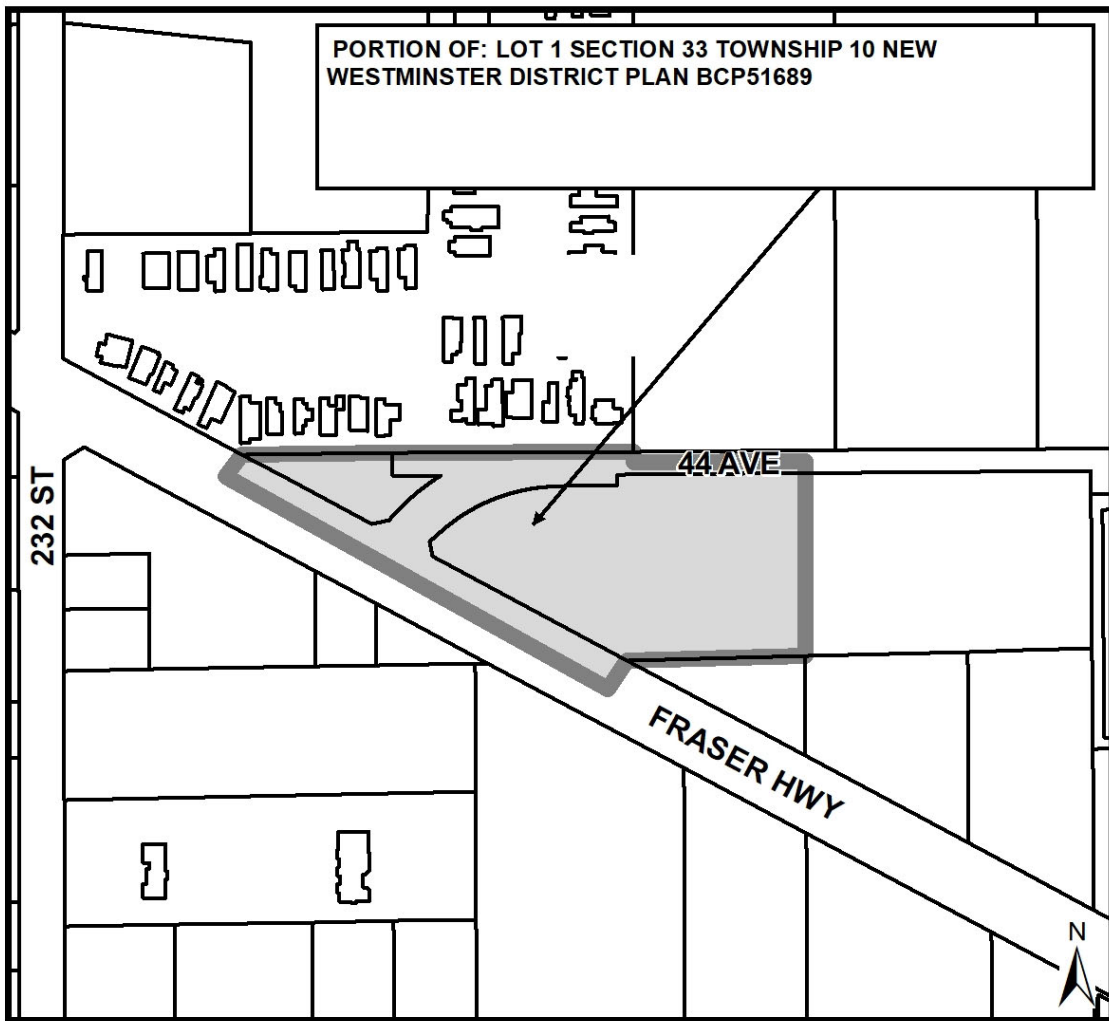
- 1. This Bylaw may be cited for all purposes as “Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Oakbrook Foundation) Bylaw 2019 No. 5486”.
- 2. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended:
 - (1) By adding to Section 110.1 – Minimum Subdivision Requirements, footnote (8) concerning minimum *lot* area in the Rural RU-1 Zone as follows:
 - (8) “on Lot 1 Section 33 Township 10 New Westminster District Plan BCP51689 the minimum *lot* area is 0.8 ha”
- 3. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended by rezoning the lands described as:

Portion of: Lot 1 Section 33 Township 10 New Westminster District Plan BCP51689
as shown delineated on Schedule “A” attached to and forming part of this Bylaw to Civic Institutional Zone P-1.

READ A FIRST TIME the	24	day of	June	, 2019
READ A SECOND TIME the	24	day of	June	, 2019
PUBLIC HEARING HELD the	08	day of	July	, 2019
READ A THIRD TIME the		day of		, 2019
ADOPTED the		day of		, 2019

_____ Mayor _____ Township Clerk

SCHEDULE 'A' BYLAW NO. 5486



THE CORPORATION OF THE TOWNSHIP OF LANGLEY

LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842

AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250

AMENDMENT (OAKBROOK FOUNDATION) BYLAW 2019 NO. 5487

EXPLANATORY NOTE

Bylaw 2019 No. 5487 amends the Rural Plan by adding provisions to the Small Farms/Country Estates designation to accommodate creation of a lot less than 1.7 ha (4.2 acres) for development of a private school at a site located at 23400 – 44 Avenue.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842

AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250

AMENDMENT (OAKBROOK FOUNDATION) BYLAW 2019 NO. 5487

A Bylaw to amend Langley Official Community Plan Bylaw 1979 No. 1842
Amendment (Rural Plan) Bylaw 1993 No. 3250

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

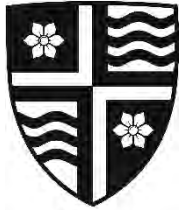
1. This Bylaw may be cited for all purposes as “Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250 Amendment (Oakbrook Foundation) Bylaw 2019 No. 5487”.
2. The “Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Rural Plan) Bylaw 1993 No. 3250” as amended is further amended by adding the following as Section 5.6.6

5.6.6 Notwithstanding Section 5.6.2, on lands described as Lot 1 Section 33 Township 10 Plan BCP51689 (not located in the ALR), the minimum lot size may be less than 1.7 ha (4.2 acres) in order to accommodate development of a small scale private school and maintain the existing rural character of the remnant portion.

READ A FIRST TIME the	24	day of	June	, 2019.
READ A SECOND TIME the	24	day of	June	, 2019.
PUBLIC HEARING HELD the	08	day of	July	, 2019.
READ A THIRD TIME the		day of		, 2019.
RECONSIDERED AND ADOPTED the		day of		, 2019.

_____ Mayor _____ Township Clerk

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JUNE 24, 2019 - REGULAR EVENING MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: OFFICIAL COMMUNITY PLAN AMENDMENT AND
 REZONING APPLICATION NO. 100187
 (OAKBROOK FOUNDATION / 23400 – 44 AVENUE)

REPORT: 19-104
FILE: 10-33-0091

PROPOSAL:

Application to amend the Rural Plan and to rezone a 1.2 ha (2.8 ac) portion of a 2.26 ha (5.58 ac) property located at 23400 - 44 Avenue (not within the ALR) from Rural Zone RU-1 to Civic Institutional Zone P-1 to facilitate development of a private school.

RECOMMENDATION SUMMARY:

That Council give first and second reading to Bylaw Nos. 5486 and 5487 subject to completion of five (5) development prerequisites and authorize staff to schedule the required Public Hearing.

RATIONALE:

The proposal is compatible with general goals, objectives and provisions of the Official Community Plan (OCP), Rural Plan and Township of Langley Assembly Use Locational Guidelines.



RECOMMENDATIONS:

That Council give first and second reading to Langley Official Community Plan Bylaw 1979 No. 1842 (Rural Plan) Bylaw 1993 No. 3250 Amendment (Oakbrook Foundation) Bylaw 2019 No. 5487 and Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Oakbrook Foundation) Bylaw 2019 No. 5486, rezoning a 1.2 ha (2.8 ac) portion of a 2.26 ha (5.58 ac) property located at 23400 - 44 Avenue, to Civic Institutional Zone P-1 and further amending the minimum parcel size requirements (on a site specific basis) of the Rural Zone RU-1, subject to the following development prerequisites being satisfied prior to final reading:

1. Provision of a Fraser Highway Corridor land use study to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
2. 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, to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
3. Completion of an Erosion and Sediment Control Plan in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
4. Provision of the required replacement trees and offsite landscaping being secured in accordance with the Subdivision and Development Servicing Bylaw, to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
5. Registration of restrictive covenants acceptable to the Township of Langley General Manager of Engineering and Community Development:
 - a. securing the design, construction and maintenance of an onsite infiltration and detention system; and
 - b. prohibiting access to Fraser Highway;

That Council consider that Langley Official Community Plan Bylaw 1979 No. 1842 (Rural Plan) Bylaw 1993 No. 3250 Amendment (Oakbrook Foundation) Bylaw 2019 No. 5487 is 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 Resource Management Plan, and with the consultation requirement of Official Community Plan Consultation Policy (07-160); and further

That Council authorize staff to schedule the required public hearing.

EXECUTIVE SUMMARY:

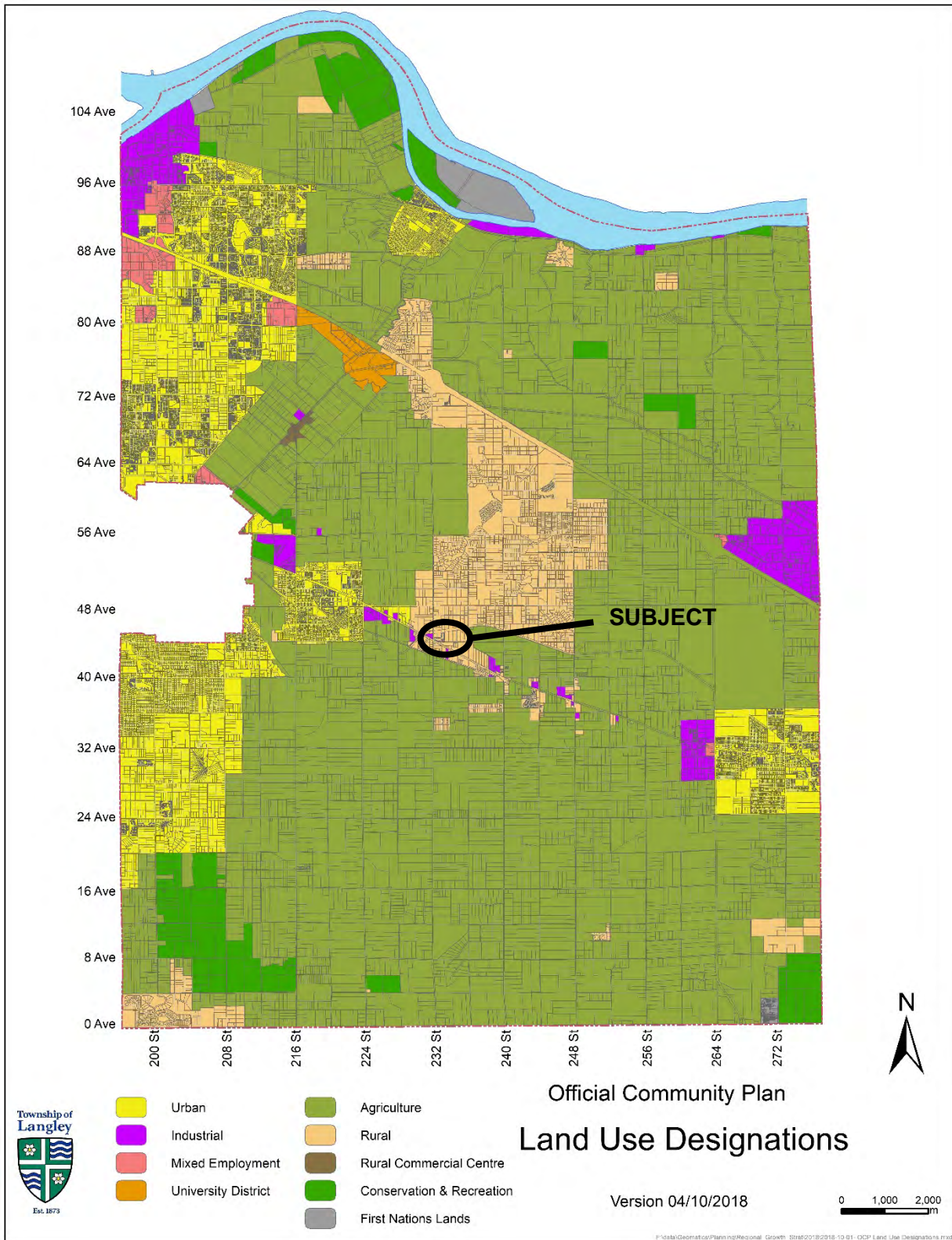
The Oakbrook Foundation indicates they purchased the subject property located at 23400 - 44 Avenue with the intent to establish a faith-based private school accommodating approximately sixty (60) children in grades K-12. The owners have applied to rezone of a portion of the subject property from Rural Zone RU-1 to Civic Institutional Zone P-1 in order to accommodate the proposed use on the west half of the property and expressed intent to sell the east half of the property to finance the development. In order to accommodate the proposed subdivision, the owners have applied to amend the minimum parcel size provision (on a site specific basis) of the Small Farms/Country Estates designation in the Rural Plan. The owners have also applied to amend the text of the Rural Zone RU-1 to accommodate subdivision of the undeveloped easterly portion at less than the minimum parcel size required by the Zoning Bylaw (0.9 ha/2.2 ac vs 1.7 ha/4.2 ac).

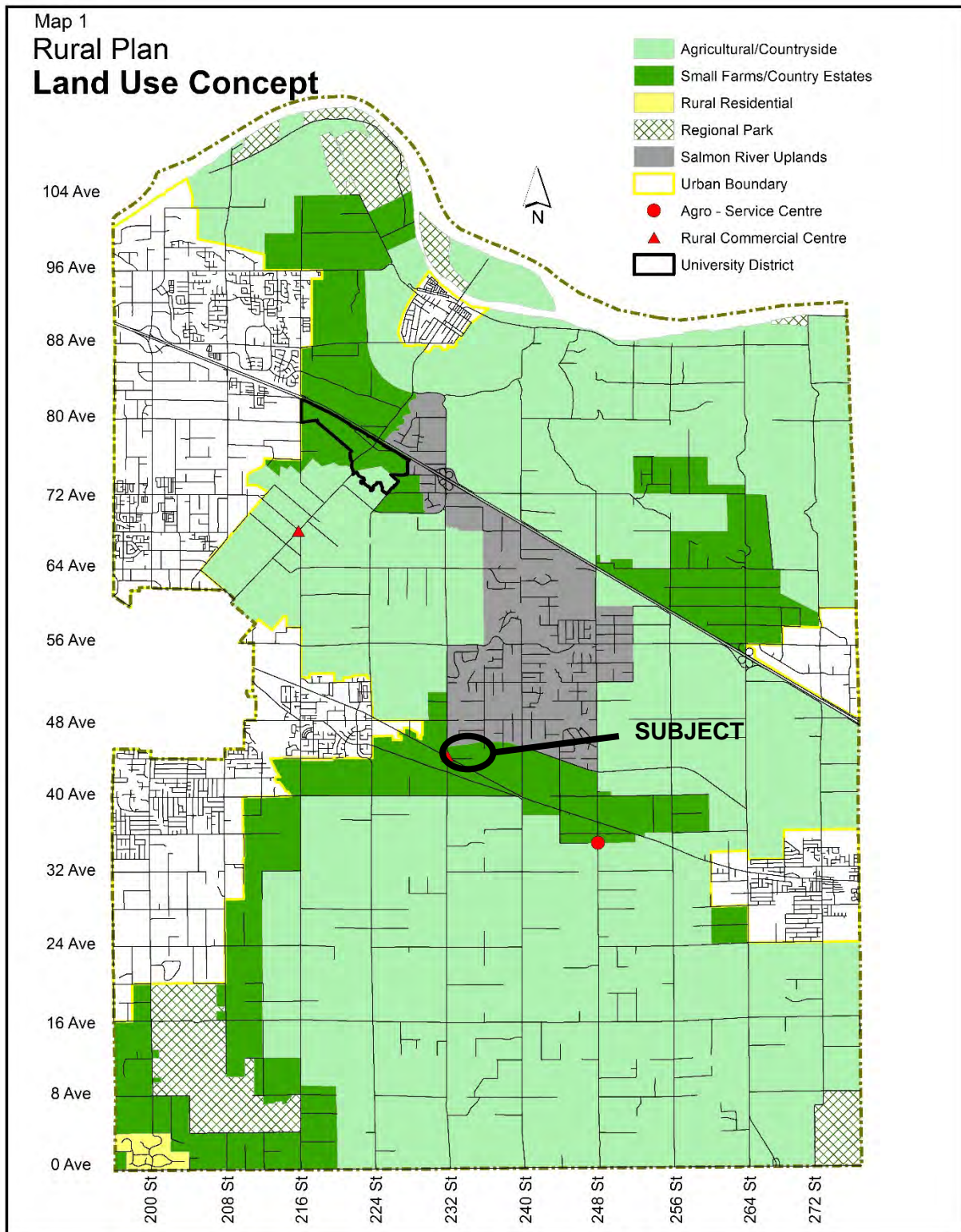
OFFICIAL COMMUNITY PLAN AMENDMENT AND
REZONING APPLICATION NO. 100187
(OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
Page 3 . . .

The site's Small Farms / Country Estates designation in the Rural Plan does not preclude the location of institutional uses on the site, subject to rezoning, although schools are generally encouraged to locate within the urban containment boundary unless serving the rural community. The Official Community Plan calls for a detailed study to be completed in order to guide future development along Fraser Highway. Should Council decide to support the subject application, a Fraser Highway Corridor planning study is noted as a prerequisite of final reading.

PURPOSE:

This report is to provide information and recommendations to Council concerning the Oakbrook Foundation rezoning application.

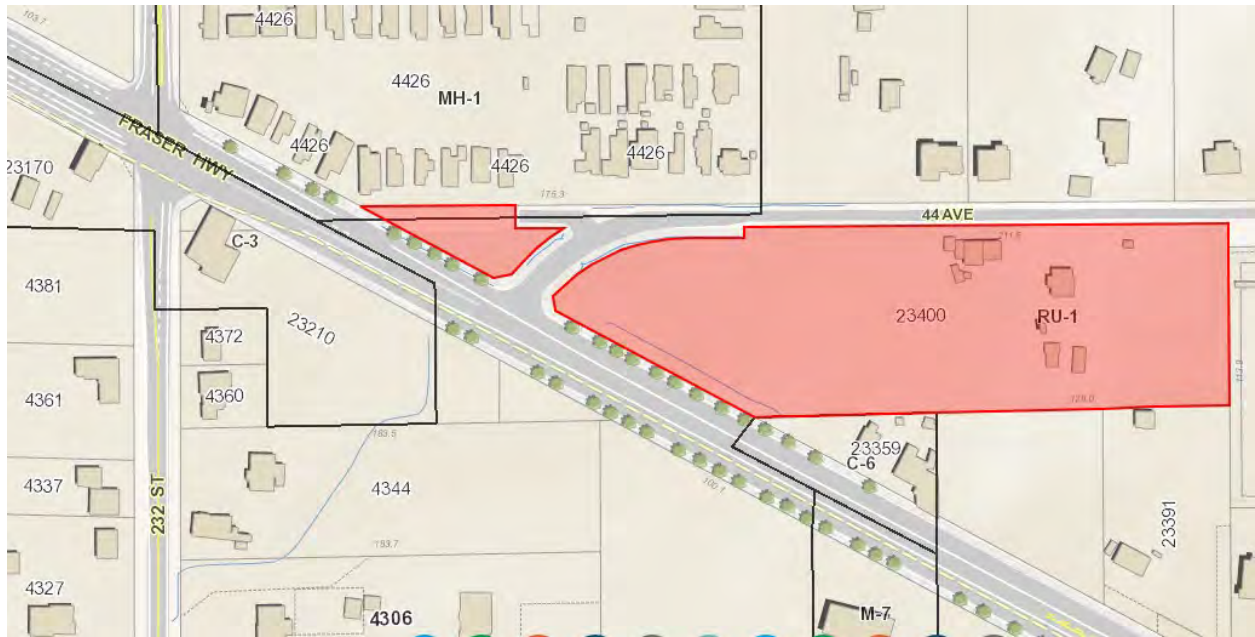




Amendment Bylaw No. 5103 - September 29, 2014

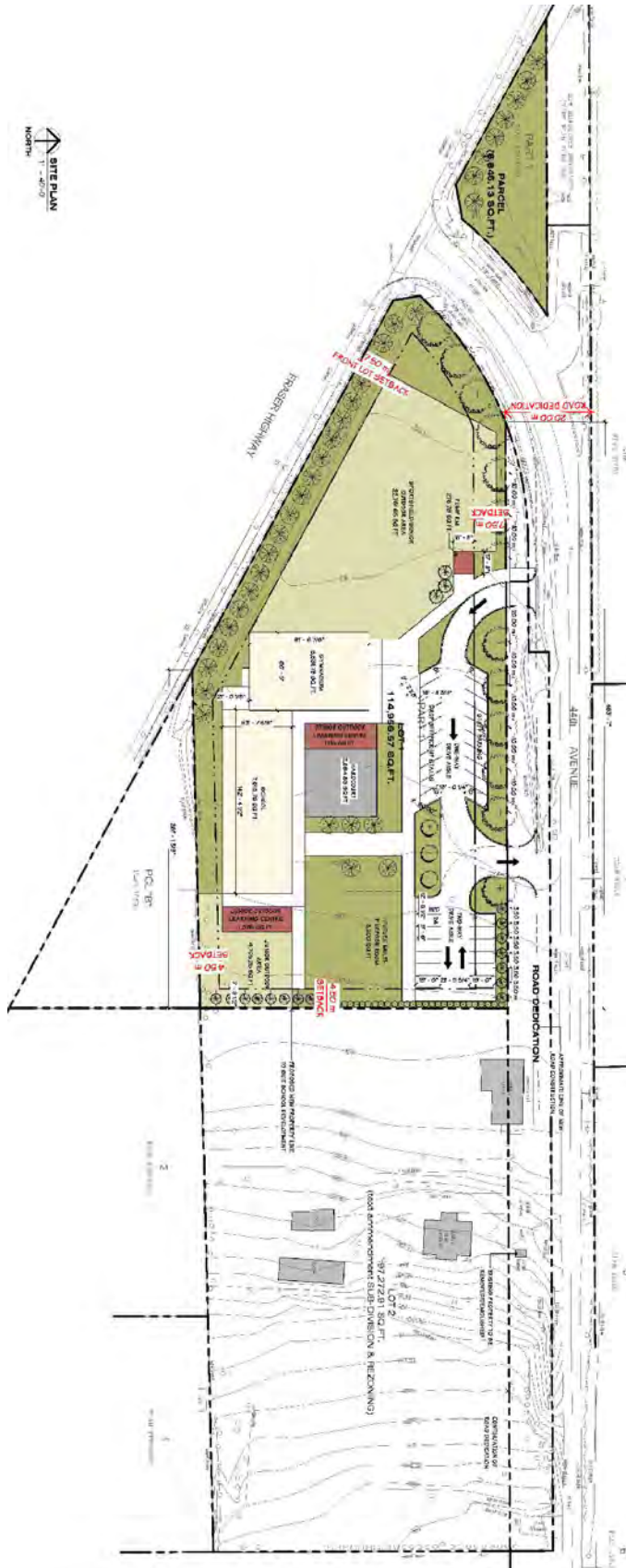
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OFFICIAL COMMUNITY PLAN AMENDMENT AND
REZONING APPLICATION NO. 100187
(OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
Page 6 . . .



ZONING BYLAW NO. 2500

OFFICIAL COMMUNITY PLAN AMENDMENT AND
REZONING APPLICATION NO. 100187
(OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
Page 7 . . .



CONCEPTUAL SITE PLAN – SUBMITTED BY APPLICANT

OFFICIAL COMMUNITY PLAN AMENDMENT AND
 REZONING APPLICATION NO. 100187
 (OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
 Page 8 . . .

Reference:

Applicant:	Giesbrecht and Company 353 PO Box 8000 Abbotsford, BC V2S 2M5
Owner:	Oakbrook Foundation 3078 – 275 Street Aldergrove, BC V4W 3L4
Legal Description:	Lot 1 Section 33 Township 10 New Westminster District Plan BCP51689
Location:	23400 – 44 Avenue
Area:	Total Area: 2.26 ha (5.58 ac) Portions to Rezone: 1.2 ha (2.8 ac) Remnant Lot to remain RU-1: 0.9 ha (2.2 ac) Road Dedication: 0.21 ha (0.52 ac)
Existing Zoning:	Rural Zone RU-1
Proposed Zoning:	Civic Institutional Zone P-1 and Rural Zone RU-1
Rural Plan:	Small Farms / Country Estates

DISCUSSION/ANALYSIS:

The subject property is located along Fraser Highway in the rural area east of 232 Street. The subject site accommodates a single family dwelling and accessory buildings on the easterly portion of the property. The applicants have purchased the property and now intend to develop the westerly portion of the site for operation of a faith based private school accommodating approximately sixty (60) children in grades K-12. The proposed school is affiliated with and intended to serve the congregation of the Christian Gospel Mission that has developed several churches throughout Langley. The Zoning Bylaw accommodates a variety of uses in the subject site's Rural RU-1 zoning but does not accommodate assembly uses such a schools. The subject rezoning application is necessary to rezone the subject site to Civic Institutional Zone P-1 to accommodate assembly uses.

The applicant also proposes to amend the text of the Rural Zone RU-1 to reduce the minimum parcel size provisions of the Zoning Bylaw (0.9 ha/2.2 ac vs 1.7 ha/4.2 ac) on a site specific basis to accommodate subdivision of the remnant easterly portion that will apply to only this location. The intent of the subdivision is to create a separate remnant lot which may be sold to help finance development of the proposed school. In order to accommodate the proposed subdivision at less than the minimum parcel size, an amendment to the Rural Plan is required as further discussed below in this report.

The property's "Small Farms / Country Estates" designation in the Township's Rural Plan is primarily intended for agricultural uses. Section 5.6.1 of the Rural Plan states:

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

The Rural Plan encourages institutional land uses to locate in the areas designated for Agro-Service Centres and Rural Commercial Centres as in Section 5.15.1 below:

"Institutional uses such as churches and community halls serving the rural population shall be encouraged to locate in the Agro-Service Centre and Rural Commercial Centres in locations with good access."

The subject property accommodates a single family dwelling and accessory buildings on the eastern portion of the property. The proposed development area on the western portion of the property is currently vacant. In 2015, the Township of Langley widened Fraser Highway along the frontage of the subject property and realigned 44 Avenue which resulted in a relatively small portion of the property being physically separated from the remainder of the site.

Adjacent Uses:

- North:** 44 Avenue, beyond which are rural residential uses zoned Rural Zone RU-1 and designated Small Farms / Country Estates in the Rural Plan, and a mobile home park (zoned Mobile Home Park Zone MH-1) and designated Rural Commercial Centre in the Rural Plan;
- South:** Fraser Highway beyond which are rural residential uses zoned Rural Zone RU-1 and designated Small Farms / Country Estates in the Rural Plan; rural residential uses zoned Rural Zone RU-1 and designated Small Farms / Country Estates in the Rural Plan;
- East:** A strata lot accommodating two (2) single-family homes, zoned Rural Zone RU-1 and designated Small Farms / Country Estates in the Rural Plan;
- West:** A commercial property (across Fraser Highway on the east side of 232 Street) accommodating the Glenwood Grocery building currently under application for a Development Permit, zoned Service Commercial Zone C-3 and designated Rural Commercial Centre in the Rural Plan

The applicant has provided a rationale letter (Attachment A) requesting consideration of rezoning a portion of the subject property from Rural Zone RU-1 to Civic Institutional Zone P-1. The rezoning will accommodate establishment and operation of a faith based private school serving approximately 60 students in a constructed to suit facility. Staff understand detailed building design has not been undertaken by the applicant at this time. Staff note that the provisions of the Local Government Act do not require Development Permits for institutional uses.

Traditionally, schools located in the rural area are intended to serve the needs of the surrounding rural area. The applicant indicates that the proposed school facility is intended to serve the needs of the congregation located in Langley, Abbotsford and Surrey. Staff note the proposed location is adjacent to the area at 232 Street and Fraser Highway designated as Rural Commercial Centre. Similarly, the property at 23589 Old Yale Road located 500 m to the east of the subject site was rezoned in 2012 to Civic Institutional Zone P-1 (accommodating the Church in the Valley).

OFFICIAL COMMUNITY PLAN AMENDMENT AND
 REZONING APPLICATION NO. 100187
 (OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
 Page 10 . . .

The Official Community Plan, Rural Plan and Assembly Use Locational Guidelines provide policy context to inform Council's consideration of the subject rezoning application.

Official Community Plan:

The Official Community Plan (OCP) designates the subject property as Rural. According to the Rural designation, the existing rural residential character of the area shall be maintained as stated in Section 2.2.6. below:

“Areas designated as Rural are intended to maintain the existing rural residential character of the area. Rural residential development and agricultural uses are permitted in conformity with the provisions of the Rural Plan and the Zoning Bylaw, unless otherwise approved by the Agricultural Land Commission. Development at gross densities based on the current Zoning Bylaw is permitted within the Salmon River Uplands area as defined in the Rural Plan, subject to the approval of the Agricultural Land Commission where applicable.”

The OCP guides non-rural uses to the urban areas as noted in Section 2.2.7 below:

Commercial, industrial, and institutional uses are discouraged in this designation, except in conformity with the Regional Context Statement (Schedule 1) and the Rural Plan.

The need for a Fraser Highway Corridor plan is identified in Section 2.2.9 of the OCP as noted below:

Consider undertaking more detailed plans to provide a vision and appropriate policies for the Salmon River Uplands and Fraser Highway corridor areas.

The applicant has proposed to undertake and complete the study (for a portion of Fraser Highway between Murrayville and the Otter Co-Op) noted as a condition of Final Reading.

The subject property is located near the Rural Commercial Centre identified in the Rural Plan at 232 Street and Fraser Highway. The OCP envisions the Rural Commercial Centre providing retail and commercial services to the rural community as described below in Section 2.2.10:

Rural Commercial Centres are identified in the Rural Plan as Rural Commercial Centres and the Agro-Service Centre. Areas designated as Rural Commercial Centres are intended to provide retail and service commercial services for the rural area. The Agro- Service Centre is intended to provide commercial and industrial operations related to agriculture.

The OCP contemplates location of assembly uses (i.e. school) in the Rural Commercial Centre as described in Section. 2.2.12 below:

Consider assembly uses such as places of worship and schools for Rural Commercial Centres identified in the Rural Plan, with adequate services to support these uses.

Rural Plan:

The Rural Plan encourages institutional land uses to locate in the areas designated for Agro-Service Centres and Rural Commercial Centres as in Section 5.15.1 below:

“Institutional uses such as churches and community halls serving the rural population shall be encouraged to locate in the Agro-Service Centre and Rural Commercial Centres in locations with good access.”

The property is designated “Small Farms / Country Estates” in the Township’s Rural Plan, a designation primarily intended for agricultural uses. Section 5.6.1 of the Rural Plan states:

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

The applicant indicates (see Attachment A - rationale) the proposal is consistent with the context and character of the rural area as described in the Rural Plan given the relatively small scale nature of the proposed institutional use.

Assembly Use Locational Guidelines:

An “Assembly Use Locational Guideline” has been developed by the Township in order to assist in determining the best location for an assembly type use (Attachment C). The proposal meets a number of the locational criteria for assembly uses, as follows:

1. *Not in the Agricultural Reserve;*
The subject property is not located in the Agricultural Land Reserve.
2. *Not in a single family area, although may be located on the perimeter of one;*
The subject property is located in an area that contains rural residential, commercial and industrial uses.
3. *In an area where an adequate traffic circulation system exists;*
The property is fronting the north side of Fraser Highway.
4. *On a collector or arterial street as opposed to a local residential street;*
The property fronts Fraser Highway, an arterial roadway.
5. *In an area where full municipal services are provided, or such other level of service deemed acceptable to the Manager of Development Engineering;*
Sanitary sewer services exist to the subject site. Verification of adequacy of the on-site water supply is required.
6. *Be provided with adequate off-street parking;*
The proposed 25 parking stalls of off-street parking provided vs. 19 stalls required meets the Zoning Bylaw requirements.

Proposed Development:

In support of the rezoning application, a preliminary site layout has been provided (on page 7 of this report). Landscape and architectural plans have not been submitted at this time. The site plan proposes an approximate 707 m² (7,614 ft²) school building to accommodate approximately 60 students. A 513 m² (5,532 ft²) gymnasium and 26 m² (276 ft²) pump house building are also indicated on the site plan. An outdoor playing field is indicated on the western portion of the site plan. No specific use for the 0.12 ha (0.3 ac) ‘hooked’ portion of property has been indicated at

this time (proposed to be rezoned to Civic Institutional P-1). Based on the intent provided to date, the proposed development's siting, height, lot coverage and parking comply with the Civic Institutional (P-1) zoning proposed for the site. The applicant proposes to subdivide, rezone and develop the westerly half of the property only. As the remnant easterly portion does not achieve the minimum parcel size provision of the Rural RU-1 Zone, the applicant further proposes to amend the text of the RU-1 zone (on a site specific basis) to accommodate subdivision and less than the minimum parcel size.

Proposed Rural Plan Amendment:

The subject property is designated Small Farms / Country Estates in the Rural Plan, which anticipates a 1.7 ha (4.2 ac) minimum parcel size, consistent with the site's Rural RU-1 zoning and Section 5.6.2 of the Rural Plan as illustrated below:

The minimum lot size in the Small Farms / Country Estates area shall be 1.7 ha (4.2 ac), 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.

In order to accommodate the proposed subdivision at less than the required 1.7 ha (4.2 ac) minimum parcel size (per Section 5.6.2 above), Bylaw 2019 No. 5487 is proposing to add a provision, on a site specific basis, to the Small Farms / Country Estate designation - enabling subdivision of the subject property at less than the required minimum.

Proposed Zoning:

The subject site is currently zoned Rural Zone RU-1. Bylaw 2019 No. 5486 proposes to rezone a 1.2 ha (2.8 ac) portion of the subject property to Civic Institutional Zone P-1 to accommodate the proposed development. The proposed development complies with the provisions of the site's proposed zoning with respect to siting, site coverage, parking, height and use.

Bylaw 2019 No. 5486 further proposes to amend the text of the RU-1 zone, on a site-specific basis, to accommodate subdivision at less than the minimum parcel size requirement (0.9 ha/2.2 ac vs 1.7 ha/4.2 ac) to permit creation of the proposed 0.9 ha (2.2 ac) remainder parcel. The proposed zoning amendment is consistent with the provisions of the proposed Rural Plan amendment as described in this report above.

Access and Parking:

The site is accessed via frontage along 44 Avenue as indicated on the site plan. Fraser Highway is an arterial roadway and therefore direct access is not accommodated. The Zoning Bylaw requires educational uses to provide one (1) parking space per employee and one (1) space per five (5) students, plus a designated pick up and drop off area. The site plan indicates that up to seven (7) employees are anticipated to operate the facility and a capacity of approximately 60 students. The site plan indicates a total of 25 parking spaces to be provided, exceeding the Zoning Bylaw requirements of 19 spaces. The applicant proposes to provide an additional ten (10) parking spaces in front of the primary building to accommodate pick up and drop off.

Official Community Plan Consultation Policy:

As the proposed rezoning to accommodate institutional uses does not include any residential units, the School District was not consulted as part of this application. Staff recommends that Council consider the consultation completed consistent with the requirements of the Official Community Plan Consultation Policy (07-160).

Council's Official Community Plan Consultation Policy also requires Council to consider the OCP amendment in conjunction with the financial plan 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.

Public Consultation:

In accordance with the Developer Held Public Information Meeting (PIM) Policy No. 07-164, the applicant held a PIM on May 21, 2019 from 5:30 pm to 7:30 pm at the Church in the Valley. According to the applicant's summary of the PIM, 13 people signed in at the PIM, and ten (10) comment forms were received following the PIM. The applicant indicates that a majority of the feedback received was from residents of the adjacent mobile home park and concerning traffic generation. Staff note the proposed development is adjacent to an arterial roadway (with scheduled bus service). The applicant indicates their operational model utilizes vanpooling as the primary transportation mode rather than students/parents driving in low occupancy vehicles. The applicant's summary of the PIM is included as Attachment B to this report.

Servicing:

Sanitary sewer service is available fronting the subject site. As a condition of final reading, the proponent is required to extend the sanitary sewer main along the 44 Avenue frontage and confirm the adequacy of the existing onsite water supply to accommodate the intended use, including fire suppression sprinklers is required. The applicant will also be required to widen 44 Avenue along the property frontage and reconstruct the western portion to an urban standard along the development portion of the property frontage in accordance with the Subdivision and Development Servicing Bylaw. Prior to final reading of the proposed rezoning bylaw, the applicant is required to enter into a Servicing Agreement to secure works and services including construction of road works, tree replacement, stormwater management plan, geotechnical report and utility upgrades and/or extensions to the acceptance of the Township. The applicant will also be required to provide erosion and sediment control measures in accordance with the Erosion and Sediment Control Bylaw to the acceptance of the Township

Landscaping:

Onsite landscaping meeting the requirements of the Zoning Bylaw will be addressed at the time of Building Permit. Offsite landscaping and security including provision of boulevard plantings and street trees is required in accordance with the Subdivision and Development Servicing Bylaw and noted as a condition of final reading.

Tree Protection and Replacement:

The applicant indicates there are no significant trees on the developable portion of the subject property. The applicant will be required to provide sixty six (66) replacement trees in compliance with the Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection), noted as a condition of rezoning.

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 Township of Langley Official Community Plan, Erosion and Sediment Control Bylaw, and Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) which promote

OFFICIAL COMMUNITY PLAN AMENDMENT AND
REZONING APPLICATION NO. 100187
(OAKBROOK FOUNDATION / 23400 – 44 AVENUE)
Page 14 . . .

sound environmental management practices and outline Township environmental performance expectations. Full urban services exist to the subject site. The provision of storm water management and sediment control measures and compliance with the Township’s Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) satisfies the objectives of the Sustainability Charter.

POLICY CONSIDERATIONS:

The proposed Rural Plan amendment and rezoning of a portion of the subject property from Rural Zone RU-1 to Civic Institutional Zone P-1 to allow development of the proposed faith based private school is compatible with the provisions of the Official Community Plan, Rural Plan and Assembly Use Locational Guidelines. The proposed location near other institutional and commercial uses fronting an arterial roadway accomplishes many of the objectives of the Township’s Assembly Use Locational Guidelines (Attachment C). Staff recommend that Council give first and second reading to Rural Plan Amendment Bylaw No. 5487 and Rezoning Bylaw No. 5486 and authorize staff to schedule the required public hearing.

Respectfully submitted,

Daniel Graham
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

- ATTACHMENT A Applicant Rationale Letter
- ATTACHMENT B Public Information Meeting Summary
- ATTACHMENT C Township Assembly Use Locational Guidelines

March 21, 2019

PLG File: 18-1759

Daniel Graham
Township of Langley
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Langley, BC
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info@pacificlandgroup.ca

Dear Mr. Graham,

RE: Planning Rationale for Development Application 10-33-0091 (Oakwood Foundation,
23400 44 Avenue)

This letter provides a planning rationale for the proposed rezoning and subdivision application 10-33-0091 at 23400 44 Avenue, Langley (“subject property”). The development application will allow for a private school (institutional/assembly use) to be located on a portion of the subject property. The remainder portion of the property is proposed to be subdivided for future residential use.

Site Context

The subject property is a 5.6 acre (2.2 hectare) lot located at the intersection of Fraser Highway and 44 Avenue. The property is a hooked lot with a 0.3 acre parcel north of 44 Avenue. The subject property is designated “Rural” in Metro Vancouver’s Regional Growth Strategy (RGS), Metro 2040 and “Rural” in Township of Langley’s Official Community Plan (OCP). The Rural Plan designates the subject property as “Small Farms/Country Estates”. The property is zoned Rural-One Zone (RU-1).

The subject property is situated in a generally residential area, with a mobile home park to the north, RU-1 lots to the north, east and south, and Fraser Highway and an auto repair shop to the south. There is a single family dwelling on the subject property along with several accessory buildings.

Proposal and Rationale

Private School / Assembly Use in the P-1 Zone

As part of Application 10-33-0091, a rezoning from the current RU-1 to a Civic Institutional Zone (P-1) is proposed to permit a private school (considered as an assembly use in the zone¹). This is to allow an existing school (Dogwood Independent School) in Abbotsford to relocate and rebuild a new facility on the subject site. The 0.3 hooked parcel north of 44 Avenue and the 2.7

¹ Assembly Use is defined in Township of Langley’s zoning bylaw as: “a use providing for the assembly of persons for religious, cultural, or educational purposes. Excludes boarding and residential uses with the exception of one single family dwelling unit.”

acre portion of the site are proposed to be rezoned to P-1 to allow for the assembly use. The remainder portion of the subject property will be subdivided and remain in the RU-1 zone (discussed below). Please note that the 0.3 acre hooked parcel may be used as overflow parking and/or landscaped. This portion can be contemplated for future consolidation with the lot to the north at the time of redevelopment of the mobile home park.

A main school building and a gymnasium with approximately 1,300 m² of total floor area are proposed to be situated facing Fraser Highway, with the remainder of the school lands used for outdoor facilities and parking. The private school will employ approximately 8 full time staff members and provide instruction for approximately 50 students. Students generally come from the Langley/Surrey area along with students who carpool from Abbotsford. Approximately 17 to 20 vehicles are expected for drop-off/pick-up of students. It should be noted that the start time for instruction varies depending on grade.

The proposed institutional/assembly use is considered to be consistent with the Rural designation in the RGS and OCP, as well as consistent with the general intent of the Rural Plan. In the RGS, the Rural designation is intended to maintain and protect the existing character of rural communities. Land uses include low density residential development, small scale commercial, industrial, and institutional uses. The intent of the Rural designation in the OCP is to also maintain the existing rural residential character of the area (Section 2.2.6). Commercial, industrial and institutional uses are generally discouraged in the Rural designation of the OCP, except when in conformity with the Regional Context Statement and the Rural Plan.

The Small Farms/Country Estates designation in the Rural Plan does not specifically refer to Institutional uses. Policies pertaining to Institutional Uses are specified in Section 5.15 of the Rural Plan which states,

“Institutional uses such as churches and community halls serving the rural population shall be encouraged to locate in the Agro-Service Centre and Rural Commercial Centres in locations with good access” (Section 5.15.1).

The subject property is located immediately east of a Rural Commercial Centre identified at 232 Street and Fraser Highway and has safe access to and from Fraser Highway and 44 Avenue. It should be noted that rezoning approvals for a church located at 23589 Old Yale Road to the southeast was granted within the same land use designations as the subject property.

Given the small-scale nature of the private school, the proposed P-1 zone is considered to meet the intent of the policies at the regional and local levels.

Subdivision and RU-1 Zone

As noted above, the remainder eastern 2.5 acres of the subject property is proposed to be subdivided but not rezoned (i.e., remain zoned as RU-1). Section 110 of the Zoning Bylaw defines the minimum subdivision requirements and requires a minimum lot area of 1.7 hectares (4.2 acres) for a RU-1 Zone. As such, the eastern 2.5 acre lot will be below the minimum lot size and cannot receive the Approving Officer's approval if the lot does not meet the zoning bylaw.

As the Township would prefer not to rezone the entire subject property to P-1 if the proposed school use is contained on a portion of the property, a subdivision of the remainder would be required. In order to allow for the subdivision to proceed without changing the current RU-1 zone, an interim solution is a text amendment to either Section 110 (Subdivision Requirements in the Administration Section) or Section 201.10 (subdivision requirements in the RU-1 Zone) of the Zoning Bylaw to specifically permit the area of the remainder parcel at the time of subdivision.

As this is an interim solution to maintain the intent of the RU-1 Zone, the Township may require the removal of all existing structures in the remainder parcel. A supporting restrictive covenant can then be placed on the remainder 2.5 acre parcel to prohibit new structures or buildings until a rezoning application is approved. Future rezoning of this remainder parcel can also trigger the removal of the text amendment provision proposed above.

Summary

Based on the above review, the proposed private school (assembly use) is considered suitable for the subject property and the policy context. The limited number of students and staff attending the working at the school is in keeping with the rural character of the area.

With respect to the proposed subdivision for the remainder east parcel, the text amendment to the subdivision requirements of the RU-1 zone provides an interim solution that allows the subdivision to proceed with conditions to prevent changing the intent of the RU-1 Zone.

We trust this clarifies the intent of the rezoning and subdivision application for the subject property. Should you have questions or require further clarification, please do not hesitate to contact the undersigned at 604-501-1624.

Sincere Regards,

Pacific Land Resource Group



Oleg Verbenkov, MCIP, RPP
Principal

ATTACHMENT B

Giesbrecht & Company
 #353 PO Box 8000
 Abbotsford, BC V2S 2M5

May 28, 2019

Township of Langley
 20338 – 65 Avenue
 Langley, BC V2Y 3J1

Attention: Daniel Graham, Planner

Re: **ToL's** application number 10-33-0091 at 23400 44th Avenue
Public Information Meeting (PIM) Summary

Daniel,

The Public Information Meeting for the One School Global private school project was held at Church in the Valley on Tuesday, May 21, 2019 from 5:30 to 7:30 pm. 116 neighbours were notified by mail and two advertisements were made in the Langley Advance Times on May 10th & 15th, 2019. The invitation is also attached. 13 persons attended the Public Information Meeting and signed in. Both the sign-in sheet and the comment sheets have been included for your records.

Per the ten attached comment sheets, fifty percent of the residents who attended and left **comments were fully in “Support” of the project, while thirty percent were “Somewhat Opposed” or “Opposed”. The remainder were neither listed as in support nor opposed. These results were** similar to the discussions being had with the neighbours who attended the Public Information Meeting. We are able to say that the majority of attendees expressed support for the project or were neutral. Nevertheless, in order to be a good neighbour, we asked all attendees for feedback and these comments included the following:

- A number of residents expressed concerns about the volume of traffic along 44th Avenue upon completion of the project. We responded that the number of vehicles visiting the site would be limited due to the preference of families to carpool their children to the school, as well as the use of vans to transport students from Abbotsford. We also mentioned that we would explore the possibility of undertaking a traffic study for the immediate area.
- In line with their concerns about traffic volume, residents voiced their desire to see 44th Avenue upgraded in order to accommodate the mild increase in traffic. This will be addressed by the applicant being required by the Township to upgrade the road as a condition to approval. A suggestion was some form of traffic control at the intersection of 44th Avenue and Fraser Highway, as well as the potential for expansion of 44th Avenue to the East to allow for another route to and from the school. Other residents raised the issue of an entrance to the school off of Fraser Highway.
- Another concern involving traffic was the potential for school staff or students to use the narrow lanes to travel through West Courts manufactured home park to the North of the school. While this concern will be mitigated by the fact that students and staff will be

travelling from areas which necessitate the use of Fraser Highway as their main route of travel, we are open to exploring further possibilities for how this concern might be mitigated, by, as one example, to including a traffic egress/exit strategy **in the school's** operational protocols to make sure no one uses the private mobile home park driveway as a shortcut.

- Other concerns expressed by neighbours included issues surrounding the use of well-water on the site and the effects this would have on the aquifer, the loss of views due to the school buildings, and noise. To address the aquifer issue, we replied that the school fire suppression design calls for a holding tank on site in order to lessen the burden on the aquifer in the short term, while also committing to hooking-up to municipal water sources once they are extended East along Fraser Highway in the future.
- In regard to the building height, we replied that the school building itself will be limited to an interior height of 10 feet, while the gymnasium will be limited to an interior height of 16 feet. The entire school structure has been set back as close to Fraser Highway as permissible, in order to limit the negative effects on the views of the residents in West Courts.
- Finally, noise concerns will be mitigated by the fact that the playing field and outdoor playing areas have been placed to the South and East of the site, as far away as possible from the residents of West Courts.
- Many residents expressed their opinions that having children in proximity to seniors could be beneficial, while others were again concerned about the potential of noise.

Important: The applicant, of their own volition, will be conducting a traffic study to identify any potential practical solutions to the concerns identified by the PIM attendees.

I trust this is the relevant information that you require at this time. If you should require more **information, please don't hesitate to reach out and I will be happy to provide what is necessary.**

All the best,

Michael Pratt

Project Manager
Giesbrecht & Co.

QUESTIONNAIRE | COMMENT SHEET

Public Information Meeting for Proposed Private School
Township of Langley Project 10-33-0091

Tuesday, May 21, 2019 (5:30 to 7:30 pm)
Church in the Valley (23589 Old Yale Road, Langley BC)

Name: FOIPPA s.22(1)
Residential Address: [REDACTED] LANGLEY
Email/Phone: [REDACTED]

Before this project is advanced to Township of Langley Council for their consideration, we would like to gather your input on the proposed private school and playing field.

With respect to the proposed rezoning that will result in the construction of a small private school with a gymnasium and playing field, do you:

SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

① 44th AVE. A LOT OF WORK & UPGRADING.
TRAFFIC GOING WEST ON FRASER NEEDS TO SLOW
DOWN SOONER. RIGHT HAND TURN ON 232 OFF
OF FRASER SHOULD HAVE NO ^{RIGHT} TURN ON A RED LIGHT.

#1 IS MOST IMPORTANT
THE BIG QUESTION IS WHY CAN'T THERE A DRIVEWAY
INTO THE SCHOOL OFF OF FRASER. GOING RIGHT.

Thank you very much for attending our Public Information Meeting!

If you have any other questions or comments regarding the project, please don't hesitate to email at michael@giesbrechtandcompany.com

THANKS FOR ASKING.

QUESTIONNAIRE | COMMENT SHEET

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FOIPPA s.22(1)

Name:

Residential Address:

FOIPPA s.22(1)

Email/Phone:

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With respect to the proposed rezoning that will result in the construction of a small private school with a gymnasium and playing field, do you:

SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

please email me a picture of
the site.
Thanks.

Thank you very much for attending our Public Information Meeting!

If you have any other questions or comments regarding the project, please don't hesitate to email at michael@giesbrechtandcompany.com

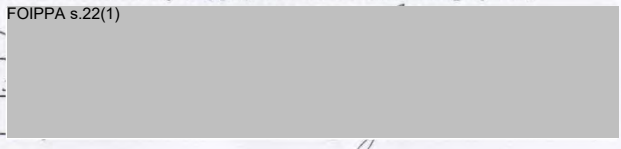
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SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

*questionable
just me!*

Please provide any additional comments below:

*I will have more to say as I am better informed.
Please! Remember! We are Seniors! We
don't react to change well.*

Gently-gently - - -

Thank you very much for attending our Public Information Meeting!

QUESTIONNAIRE | COMMENT SHEET

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SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

ROAD DOWN EAST EDGE OF PROPERTY
TO JOIN UP WITH PAVED HWYWAY

ELIMINATE ROAD ACCESS ON WEST
SIDE SO PROPERTY CAN BE JOINED.

Thank you very much for attending our Public Information Meeting!

If you have any other questions or comments regarding the project, please don't hesitate to email at michael@giesbrechtandcompany.com

QUESTIONNAIRE | COMMENT SHEET

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SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

- water (aquifer/city-water)
- noise
- exhaust
- parking on the road illegally

Thank you very much for attending our Public Information Meeting!

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SUPPORT SOMEWHAT SUPPORT NEUTRAL **SOMEWHAT OPPOSE** OPPOS

Please provide any additional comments below:

Worried about traffic flows into our park

Water uses

Thank you very much for attending our Public Information Meeting!

If you have any other questions or comments regarding the project, please don't hesitate

QUESTIONNAIRE | COMMENT SHEET

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SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

- ① TRAFFIC CONTROL ON FRASER HIGHWAY?
 - ② TO ESTABLISH PARKING @ 44th & FRASER HIGHWAY
 - ③ TO WIDEN 44th —
-
-
-
-
-
-

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SUPPORT SOMEWHAT SUPPORT NEUTRAL SOMEWHAT OPPOSE OPPOSE

Please provide any additional comments below:

HH¹⁶ NEEDS MEGA LAND GRADING
TRAFFIC NEEDS BE ROUTING FOR BIGGEST CORNING
FROM ABBOTS FORD - ENTRANCE FROM EAST TO WEST

Thank you very much for attending our Public Information Meeting!

If you have any other questions or comments regarding the project, please don't hesitate to email at michael@giesbrechtandcompany.com

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Please provide any additional comments below:

Thank you very much for attending our Public Information Meeting!

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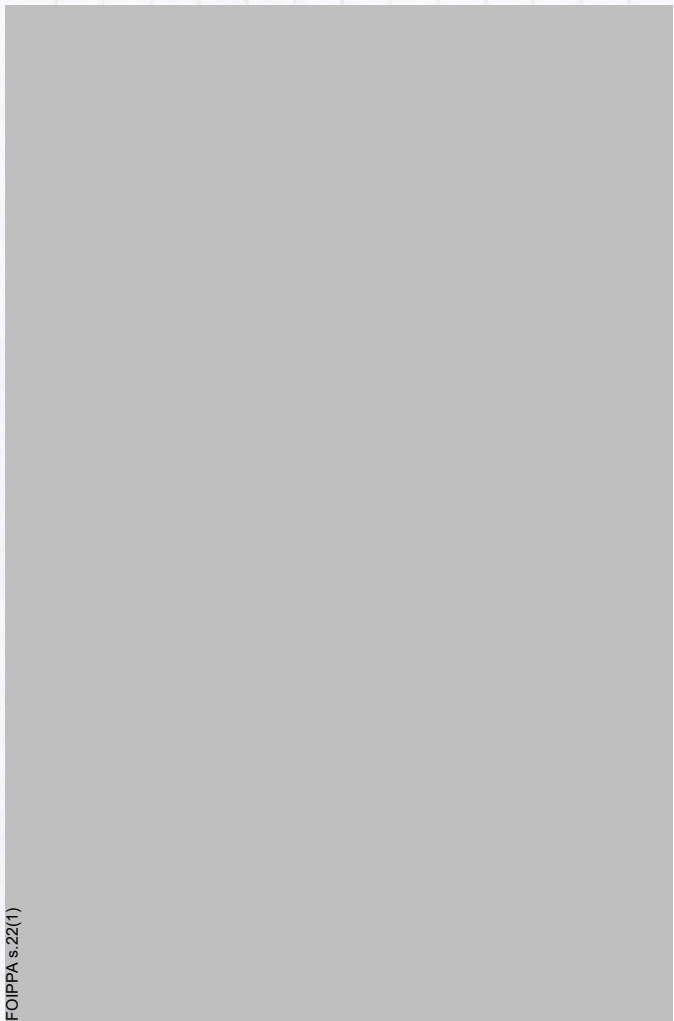
Please provide any additional comments below:

- Improvements to 44th Ave needed
- concerned about increased traffic
- why can't there be an entrance to the school from Fra
~~_____~~

Thank you very much for attending our Public Information Meeting!

SIGN-IN SHEET – PUBLIC INFORMATION MEETING – 23400 44 AVE, LANGLEY

NO.	RESIDENT NAME	RESIDENTIAL ADDRESS
1	FOIPPA s.22(1)	
2		
3		
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Assembly Use

Township of
Langley

Est. 1873

LOCATIONAL GUIDELINES

An “Assembly use” may be considered on a site (subject to rezoning to P-I Civic Institutional Zone) where all of the following locational criteria have been satisfied;

- in a designated ‘urban’ area in the Official Community Plan;
- not in the Agricultural Land Reserve;
- in a Community Plan area (where one exists) deemed suitable for *ASSEMBLY USE*;
- not in a single family area, although may be located on the perimeter of one;
- in an area where an adequate traffic circulation system exists;
- on a collector or arterial street as opposed to a local residential street;
- in an area where full municipal services are provided, or such other level of service deemed acceptable to the Manager of Development Engineering;
- be provided with adequate off-street parking; and
- have sufficient water supply and pressure available to satisfy fire department requirements including the need for the building to be “sprinklered” to bylaw requirements.

“ASSEMBLY USE”

means a use providing for the assembly of persons for religious, cultural, or educational purposes. Excludes boarding and residential uses with the exception of one dwelling unit.



20338 - 65 Avenue
Langley, BC V2Y 3J1
Phone: 604.533.6034
Fax: 604.533.6110