

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JUNE 14, 2021 - REGULAR MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: REZONING APPLICATION NO. 100589
 (NEUFELD / 5759 - 240 STREET)

REPORT: 21-68
FILE: 11-09-0033

PROPOSAL:

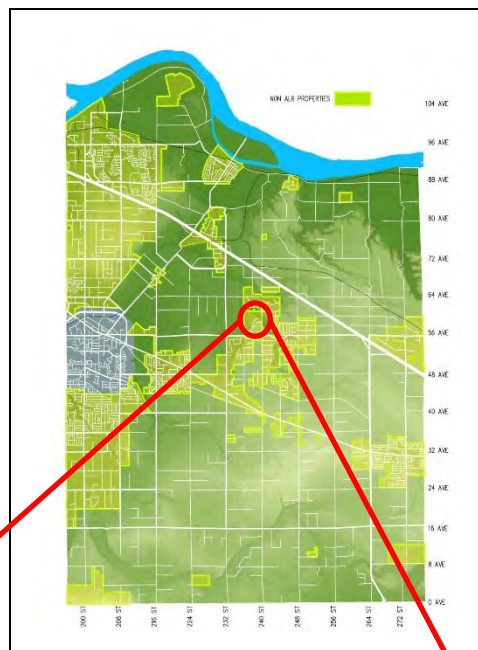
Application to rezone an 18.0 ha (44.5 ac) property located at 5759 – 240 Street to Suburban Residential Zone SR-1 to accommodate a residential development consisting of 39 rural single family lots.

RECOMMENDATION SUMMARY:

That Council give first and second reading to Bylaw No. 5717 subject to 11 development prerequisites being completed prior to final reading and that staff be authorized to proceed with the written submission opportunity.

RATIONALE:

The proposed development is compatible with the objectives of the Rural Plan.



RECOMMENDATIONS:

That Council give first and second reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Neufeld) Bylaw 2021 No. 5717 rezoning 18.0 ha (44.5 ac) of land located at 5759 – 240 Street to Suburban Residential Zone SR-1 to facilitate a development consisting of 39 rural single family lots, subject to the following development prerequisites being satisfied to the acceptance of the Township of Langley’s General Manager of Engineering and Community Development, unless otherwise noted, prior to final reading:

1. 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. Development of a storm water management plan, including the securing and transfer to the Township of a community stormwater detention facility to serve the natural catchment area;
3. Submission of geotechnical and hydrogeological reports to confirm adequacy of the lands to support the proposed land use;
4. Submission of an erosion and sediment control plan and provision of security in accordance with the Township’s Erosion and Sediment Control Bylaw;
5. Provision of road dedications, widenings, and necessary traffic improvements in accordance with the Township’s Master Transportation Plan, Subdivision and Development Servicing Bylaw;
6. Provision of a final tree management plan incorporating tree retention, replacement, protection details, and security in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection);
7. Provision of an Agricultural Land Reserve buffer;
8. Registration of restrictive covenants:
 - a. Identifying the units (minimum 5% single family lots) required to comply with the adaptable housing requirements;
 - b. For the retention and maintenance of a 15 m wide Agricultural Land Reserve buffer located along the eastern property line of the subject site;
 - c. Notifying property owners of the proximity of the ALR and of the potential for sound, odour and airborne impact from natural farm activities;
 - d. Prohibiting access to 56 Avenue;
9. Registration of an exterior design control agreement (informed by a neighbourhood character study) ensuring that building design and site development standards are of high quality and compatible with other lots and development;
10. Compliance with the Community Amenity Contributions Policy;
11. Payment of applicable supplemental Rezoning fees, Development Engineering and Green Infrastructure service fees, Development Works Agreement (DWA) and Latecomer charges, and compliance with the Township’s 5% Neighbourhood Park Land Acquisition Policy; and further

That Council authorize staff to proceed with the written submission opportunity notice prior to Council’s consideration of third reading of Rezoning Bylaw No. 5717.

EXECUTIVE SUMMARY:

Coastland Engineering and Surveying Ltd., on behalf of Houlda Neufeld, has applied to rezone an 18.0 ha (44.5 ac) property located at 5759 – 240 Street to Suburban Residential Zone SR-1 to facilitate development of 39 rural single family lots.

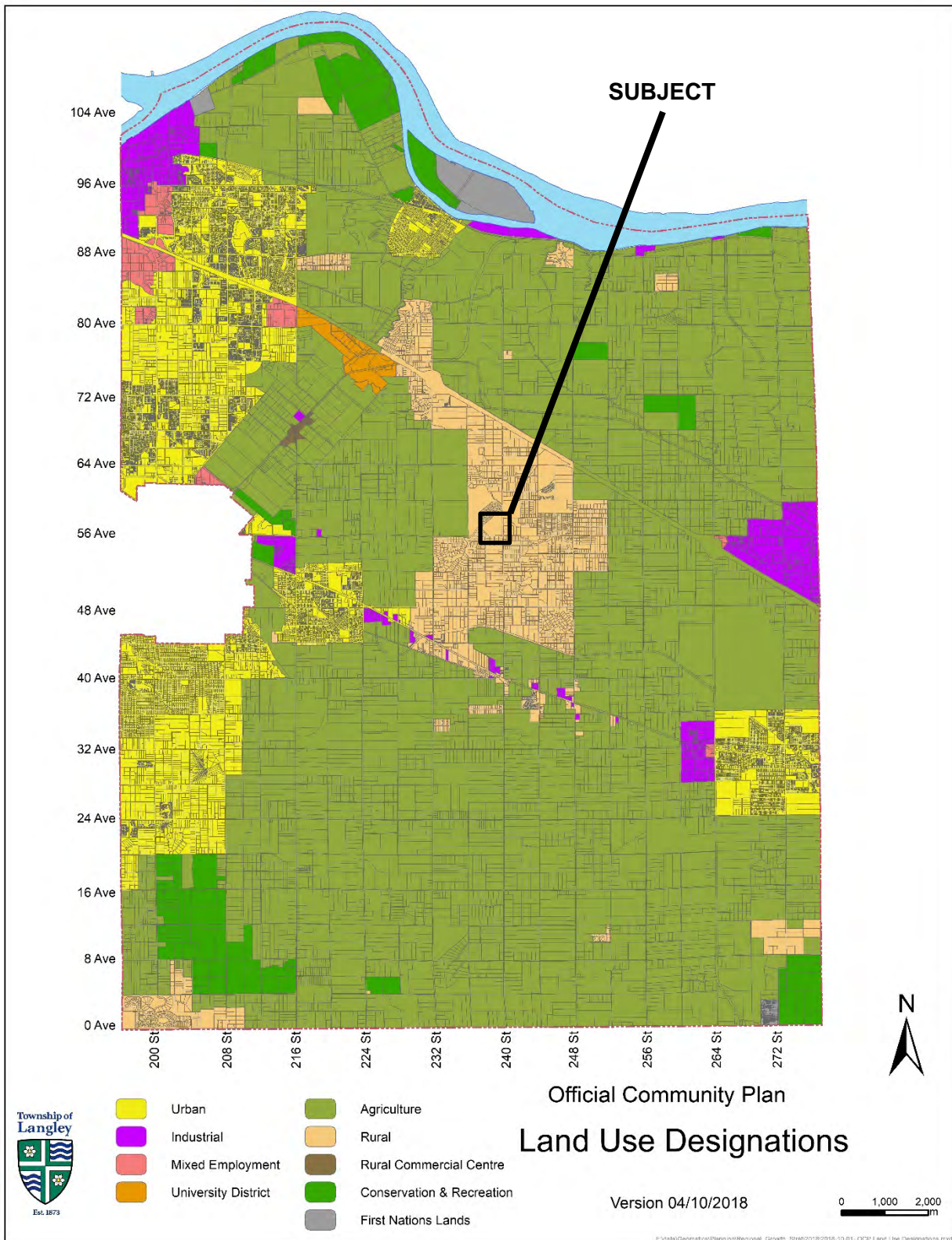
REZONING APPLICATION NO. 100589
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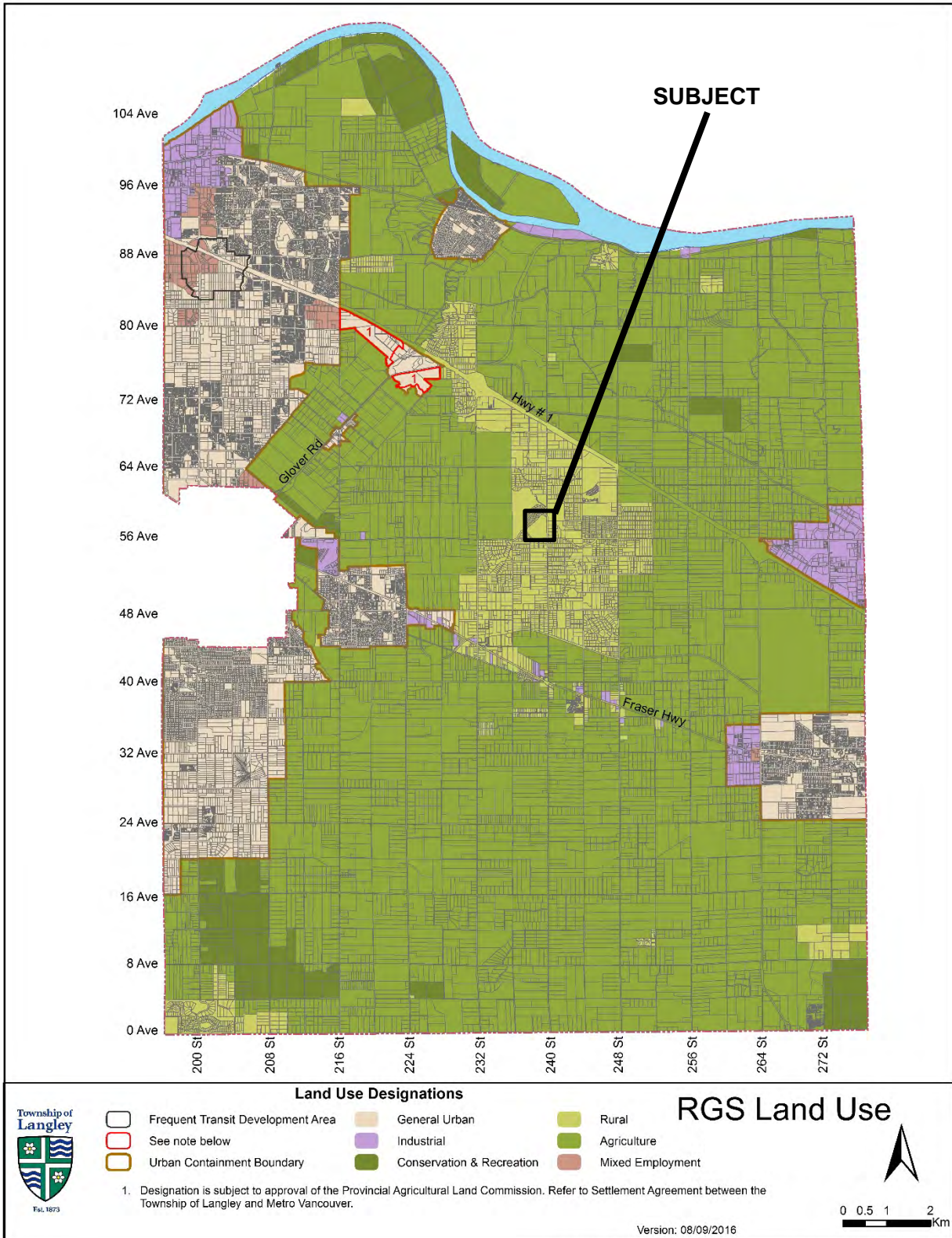
The Township's Official Community Plan (OCP) designates the subject property as Rural; a designation primarily intended to maintain the existing rural character of the area. The subject property is designated Salmon River Uplands in the Township's Rural Plan, a designation that is also intended to preserve the rural character of the area, similar to the OCP.

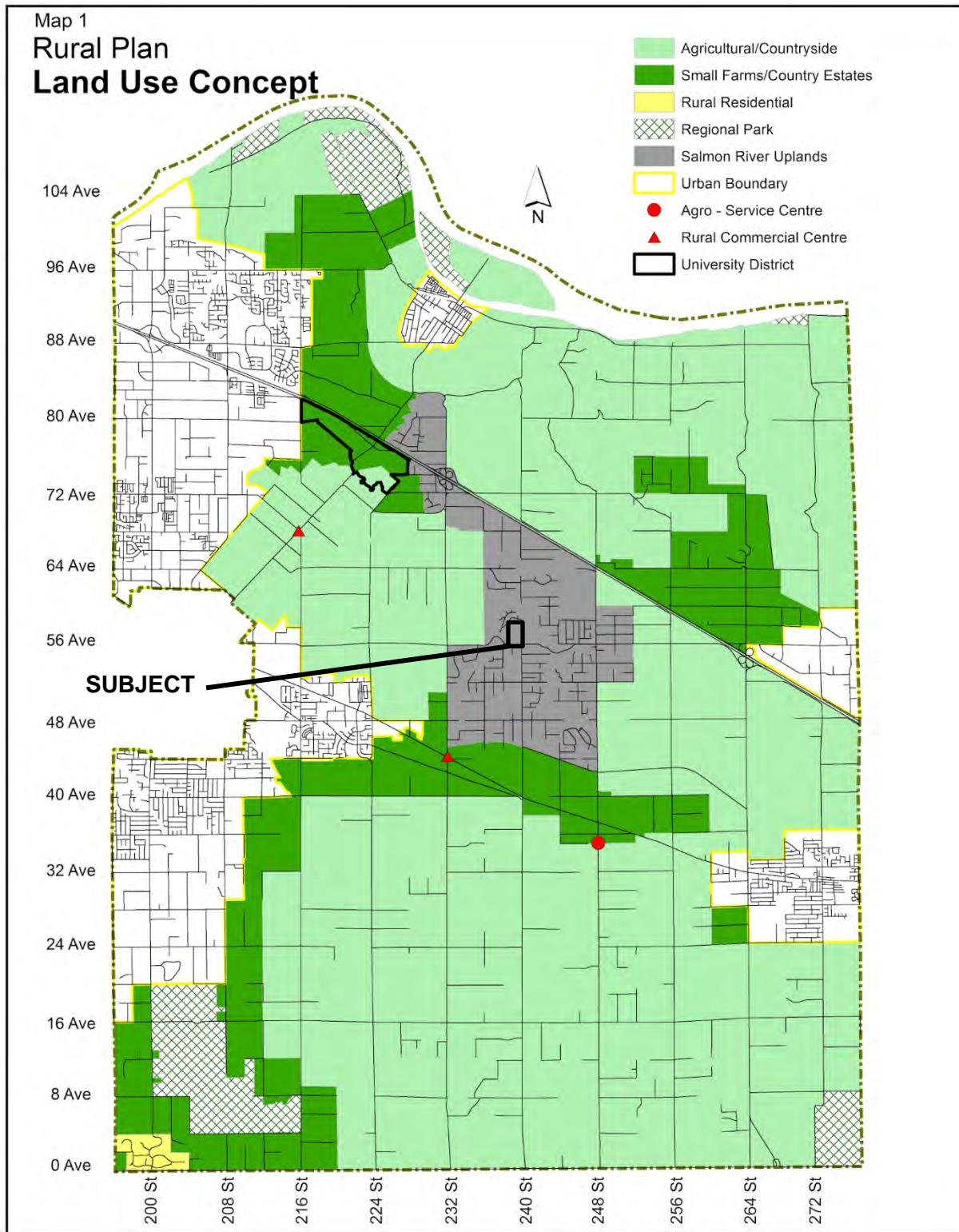
Staff recommend that Council consider the rezoning request, subject to the completion of 11 development prerequisites.

PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to Rezoning Bylaw No. 5717.

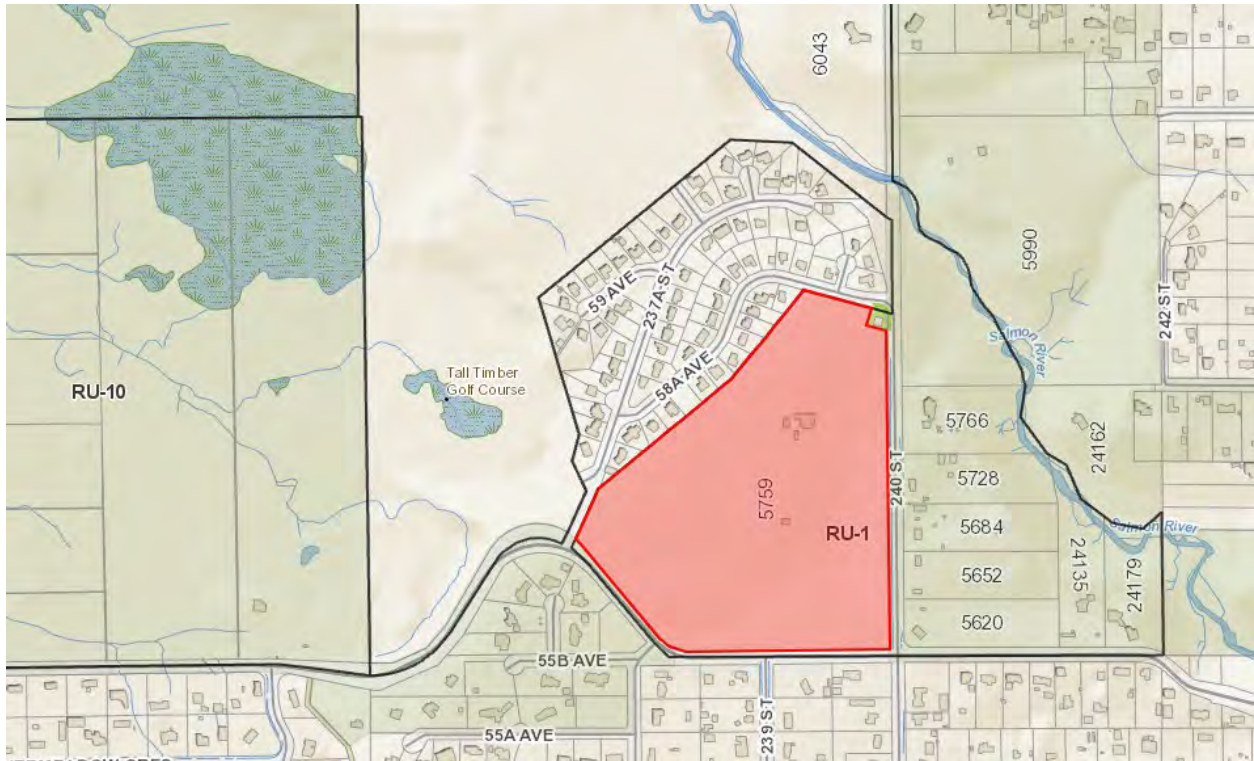






Amendment Bylaw No. 5103 - September 29, 2014

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ZONING BYLAW NO. 2500

REZONING APPLICATION NO. 100589
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PROPOSED SUBDIVISION PLAN OF LOT 1,
SECTION 9, TOWNSHIP 11, PLAN NWP67456
NEW WESTMINSTER DISTRICT

ADDRESS 5759 240 STREET



 **Coastland** #107, 19292 - 90 Avenue
 Surrey, B.C. V3S 3M2
 Phone: (604) 532-9700
 Fax: (604) 532-9701

PROJECT No: #2667
 LAYOUT-#1
 SCALE: 1:1000
 DATE: 15 NOVEMBER, 2019

Preliminary Subdivision Plan – SUBMITTED BY APPLICANT

REFERENCE:

Owners:	Houlda Neufeld 5759 – 240 Street Langley, BC V2Z 2N8
Applicant:	Proridge Homes Ltd. 208, 8078 – 128 Street Surrey, BC V3W 4E9
Agent:	Coastland Engineering and Surveying Ltd. 101, 19292 – 60 Avenue Surrey, BC V3S 3M2
Legal Description:	Lot 1 Section 9 Township 11 New Westminster District Plan 67456
Location:	5759 – 240 Street
Area:	18.0 ha (44.5 ac)
Official Community Plan:	Rural
Rural Plan:	Salmon River Uplands
Existing Zoning:	Rural Zone RU-1
Proposed Zoning:	Suburban Residential Zone SR-1
Agricultural Land Reserve:	Not in ALR

BACKGROUND / HISTORY:

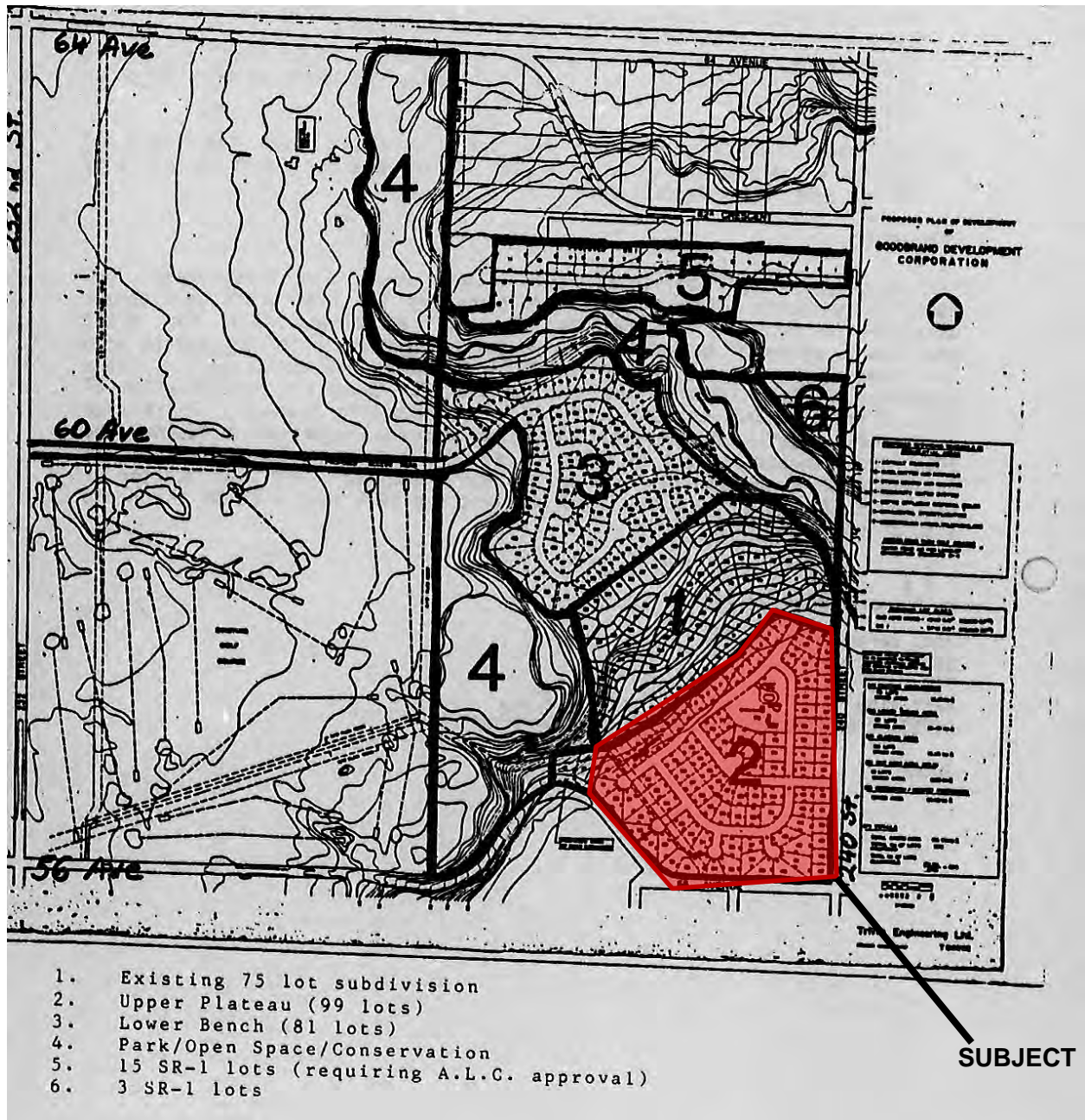
The subject property is part of the Tall Timbers neighbourhood in the Salmon River Uplands. Tall Timbers Estates (directly northwest of the subject site) was excluded from the ALR in 1977 and subdivided in 1979 and 1983 to create 76 single family lots. It is regulated by Land Use Contract 93C with underlying Suburban Residential SR-1 zoning.

The subject site was excluded from the ALR in 1986. The subject site was included as part of a previous rezoning application advanced to Council on November 17, 1986 (Rezoning Bylaw No. 2502) proposing to rezone and subdivide the site and the property to the northwest into 183 single family lots with an 1,340 m² (0.33 ac) minimum lot size.

Based on the information provided in the November 17, 1986 Report to Council, development in the Salmon River Uplands was based on a 'one acre gross density' with minimum lot size of 3,716 m² (0.92 ac) as per the Subdivision and Development Control Bylaw at the time.

On March 16, 1987 the former rezoning proposal was revised to achieve a 3,716 m² (0.92 ac) gross density by adjusting the proposal to accommodate 273 lots (99 of which were proposed on the subject site as indicated on the map included below in this report) with a minimum lot size of 1,200 m² (0.29 ac). The proposal included park and open space on a third property to the northwest (which was located in the ALR and subject to ALC approval).

Council granted first and second readings to Rezoning Bylaw No. 2502 on April 6, 1987 and denied third reading on June 1, 1987.



MARCH 16, 1987 PROPOSED LAYOUT

DISCUSSION / ANALYSIS:

Coastland Engineering and Surveying Ltd. has applied to rezone the subject property from Rural Zone RU-1 to Suburban Residential Zone SR-1 to accommodate development consisting of 39 single family lots.

Adjacent Uses:

- North: A residential subdivision (Tall Timbers Estates) accommodating single family lots, regulated by Land Use Contract 93C, zoned Suburban Residential Zone SR-1, designated Salmon River Uplands in the Rural Plan and not located within the ALR;
- South: 56 Avenue, beyond which are single family lots zoned Suburban Residential Zone SR-1, designated Salmon River Uplands in the Rural Plan and not located within the ALR;
- East: 240 Street, beyond which are single family lots zoned Rural Zone RU-1, designated Salmon River Uplands in the Rural Plan and located within the ALR. A 15.8 ha (39 ac) site currently under application (TOL Project 11-10-0079) proposing to subdivide into single family lots, zoned Rural Zone RU-1 and Suburban Residential Zone SR-1, designated Salmon River Uplands in the Rural Plan and located within the ALR;
- West: 56 Avenue, beyond which single family lots subdivided in 2015 by TOL Project 11-09-0025, zoned Suburban Residential Zone SR-1, designated Salmon River Uplands in the Rural Plan and located within the ALR. Unopened road dedication for 237A Street, beyond which is a 43 ha (107 ac) property currently under application (TOL Project 11-09-0034) proposing rezoning / subdivision of 44 single family lots, zoned Rural Zone RU-1, designated Salmon River Uplands in the Rural Plan and not located within the ALR.

Policy Review:

Official Community Plan:

The Official Community Plan (OCP) designates the subject property as Rural; a designation primarily intended to maintain the existing rural character of the area as identified in the below excerpt:

2.2.6. 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 goes on to identify the need for further policy development to guide land use in the Salmon River Uplands as illustrated below:

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

Rural Plan:

The subject property is designated Salmon River Uplands in the Rural Plan, a designation intended to preserve the rural character of the area. Like the OCP, the Rural Plan identifies the need for a future detailed land use plan to guide growth in the neighbourhood as per the below excerpt:

5.7.1 The Salmon River Uplands shall be maintained for rural residential and agricultural uses. A more detailed plan will be prepared setting out policies for future growth, subdivision and agriculture in this area.

Metro Vancouver Regional Growth Strategy:

The Metro Vancouver Regional Growth Strategy (RGS) designates the subject property as Rural as per the below excerpt:

Rural areas are intended to protect the existing character of rural communities, landscapes and environmental qualities. Land uses include low density residential development, small scale commercial, industrial, and institutional uses, and agricultural uses that do not require the provision of urban services such as sewer or transit. Rural areas are not intended as future urban development areas, and generally will not have access to regional sewer services.

The proposed Suburban Residential SR-1 zoning with a 0.37 ha (0.92 ac) minimum lot size is consistent with the above noted policy context from the OCP, Rural Plan and RGS.

Density:

The subject site is approximately 18.0 ha (44.5 ac) in size. The applicant proposes to subdivide the property into 39 single family lots with an average lot size of 4,047 m² (1 ac) and a minimum lot size of 3,716 m² (0.92 ac) (as accommodated by the proposed SR-1 zoning). The proposed gross density equates to 2.2 units per hectare (0.88 units per acre) (2.4 units per hectare (0.97 units per acre) net of the proposed road dedications).

Zoning Amendment:

Bylaw No. 5717 proposes to rezone the subject property from Rural Zone RU-1 to Suburban Residential Zone SR-1.

Subdivision:

The preliminary subdivision plan submitted in support of the rezoning application proposes 39 single family lots. Of the 39 proposed lots, 19 will have frontages on 56 Avenue, 240 Street and 58A Avenue. The remaining 20 proposed lots have frontages on new local roads 57 Avenue, 58 Avenue and 238 Street. Access to all of the lots, other than the two (2) lots fronting 58A Avenue is proposed via new local road connection to 240 Street, independent of the established neighbourhood to the north, minimizing potential traffic impacts on the existing neighbourhood.

An exterior design control agreement is a prerequisite to final reading of Bylaw No. 5717. Details of the subdivision will be addressed at the subdivision stage pursuant to the requirements of the Subdivision and Development Servicing Bylaw.

Community Amenity Contributions:

Staff note that the Community Amenity Contributions (CAC) Policy (adopted by Council on July 23, 2018 and subsequently revised on April 15, 2019 and November 18, 2019) is applicable to the subject residential rezoning application. The Policy specifies target contribution amounts based on unit types. The applicant has reviewed the Policy and has agreed to provide the current target contribution amounts specific to this development, which are \$6,808 per single family lot for a total amount of \$265,512.

Public Information Meeting:

Policy 07-164 requires the subject application hold a Public Information Meeting prior to proceeding to Council. Staff note that due to the COVID-19 pandemic and consistent with the Public Health Officer's orders, Council has temporarily suspended the requirement for a Public Information Meeting until June 28, 2021.

Adaptable Housing:

In accordance with Section 3.1.9 of the Township's Official Community Plan, a minimum of 5% of the units in the development shall provide adaptable housing. Council has chosen to implement this provision through the adoption and implementation of the Adaptable Housing Requirements in Schedule 2 of the Official Community Plan. In total two (2) adaptable units are required in the development in compliance with the Official Community Plan.

Tree Protection / Replacement:

The tree management plan submitted by the applicant indicates that 6,281 significant trees exist on the subject site, with 2,198 proposed for retention.

In accordance with the Township's Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), no replacement trees are required. Post development approximately 2,198 trees will be in place on the subject site. Final tree retention, protection, and replacement plans are subject to the final acceptance of the Township. This requirement has been included in the list of development prerequisites to be completed prior to final reading of the rezoning bylaw.

Landscape:

A 15 m (49 ft) wide buffer is proposed along the eastern property line in accordance with the Ministry of Agriculture guidelines to provide a buffer to the properties across 240 Street in the ALR. The buffer consists of a retained mature stand of conifer trees, that will be supplemented with evergreen and deciduous shrubs. The existing white rail fence is proposed to be retained. A split rail fence will separate the ALR buffer from the proposed residential yards. The provision of the buffer and registration of a restrictive covenant are noted as a condition of rezoning.

Servicing:

Prior to final reading the applicant will be required to enter into a Servicing Agreement to secure servicing works such as road works, a stormwater detention facility for the catchment area, a stormwater management plan and utility upgrades and/or extensions in accordance with the Subdivision and Development Servicing Bylaw to the acceptance of the Township.

Extension of municipal water will be required in order to meet the site's Service Level 3 – Special Urban designation. The applicant proposes to incorporate upgrades to the existing pedestrian walkway connection between 237A Street and 56 Avenue to be secured through the servicing agreement.

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.

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 OCP, Erosion and Sediment Control Bylaw, and Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) which promote sound environmental management practices and outline Township environmental performance expectations.

The provision of stormwater 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.

School Sites:

School District 35 has provided comments (Attachment A) and anticipates that the overall development will generate approximately 20 new students for Peterson Road Elementary (located approximately 2.1 km south of the site) and 11 new students for D.W. Poppy Secondary School (located approximately 875 m south of the site).

Parks:

Brown Park, which is equipped with playing fields, is located in the 5100 block of 240 Street (approximately 1 km to the south of the subject site).

Transit:

Transit service is currently provided along Fraser Highway (approximately 3.3 km from the subject site) via the 503 bus.

Policy Considerations:

The proposed rezoning will facilitate subdivision of the existing property into 39 single family lots. The proposed rezoning is compatible with the objectives of the Official Community Plan, Rural Plan and Metro Vancouver Regional Growth Strategy and with the proposed Suburban Residential SR-1 zoning.

Staff recommend that Council give first and second reading to Bylaw No. 5717 subject to 11 development prerequisites and authorize staff to schedule the written submission opportunity.

Respectfully submitted,

Daniel Graham
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT

ATTACHMENT A

27 May 2021

Daniel Graham
Development Planner
Township of Langley
20338 65 Avenue
Langley, BC V2Y 3J1

Re: Development Application Project 11-09-0033 / NEUFELD

CIVIC: 5759 - 240 Street

LEGAL: Lot 1 Section 9 Township 11 NWD Plan 67456

We have reviewed the above proposal.

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

Type of Housing	Number of Units	Elementary K-7	Secondary 8-12
Single Family Units	36	20	11

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

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

Please advise if you need any other information.

Yours sincerely,

Brian Iseli, CPA, CMA
Secretary Treasurer

THE CORPORATION OF THE TOWNSHIP OF LANGLEY
TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (NEUFELD) BYLAW 2021 NO. 5717

EXPLANATORY NOTE

Bylaw 2021 No. 5717 rezones the property located at 5759 – 240 Street from Rural Zone RU-1 to Suburban Residential Zone SR-1 to accommodate fee simple subdivision of 39 single family lots.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500

AMENDMENT (NEUFELD) BYLAW 2021 NO. 5717

Bylaw to amend the 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 (Neufeld) Bylaw 2021 No. 5717”.
2. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended by rezoning the lands described as:

Lot 1 Section 9 Township 11 New Westminster District Plan 67456

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

READ A FIRST TIME the	day of	, 2021
READ A SECOND TIME the	day of	, 2021
NOTICE WAS ADVERTISED the	day of	, 2021
READ A THIRD TIME the	day of	, 2021
ADOPTED the	day of	, 2021

_____ Mayor _____ Township Clerk

SCHEDULE 'A' BYLAW NO. 5717

