

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 27, 2020 - REGULAR MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: HERITAGE ALTERATION PERMIT
 APPLICATION NO. 101182
 (FORT LANGLEY PROPERTIES LTD. / 9121 CHURCH STREET)

REPORT: 20-99
FILE: 11-33-0132

PROPOSAL:

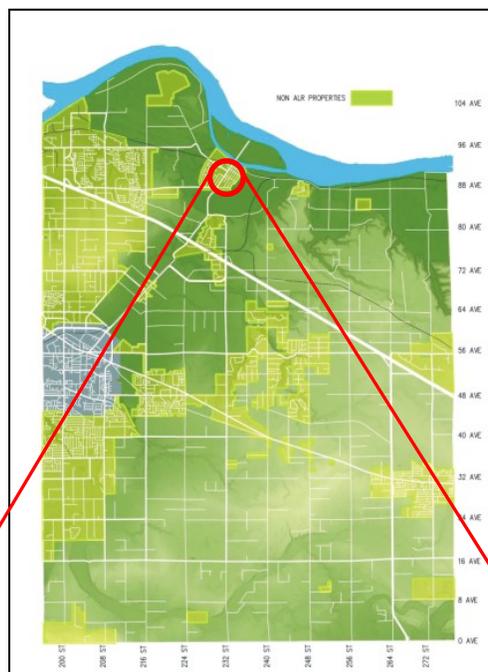
Heritage Alteration Permit application to allow demolition of an existing building at 9121 Church Street, within the Fort Langley Heritage Conservation Area.

RECOMMENDATION SUMMARY:

That Council authorize issuance of Heritage Alteration Permit No. 101182 subject to five (5) conditions, noting four (4) demolition permit conditions.

RATIONALE:

The proposal is in keeping with the requirements of the Local Government Act for making changes within a designated heritage conservation area and can be considered compatible with the Fort Langley Heritage Conservation Area policies and requirements as outlined in the Fort Langley Community Plan.



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RECOMMENDATION:

That Council authorize issuance of Heritage Alteration Permit No. 101182 for property located at 9121 Church Street to allow demolition of the existing building, subject to the following conditions:

- a. Demolition of buildings and structures as shown in Schedule "A";
- b. Restoration plans being in substantial compliance with Schedule "A" to the acceptance of the General Manager of Engineering and Community Development;
- c. Provision and maintenance of turf over the subject site in substantial compliance with Schedule "A";
- d. Retention of the existing trees on the subject site until time of Heritage Alteration Permit issuance for redevelopment of the subject site, subject to the conditions of the future Heritage Alteration Permit; and
- e. Provision of a final tree management plan incorporating tree retention, protection details, and security in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), to the acceptance of the General Manager of Engineering and Community Development.

Although not part of the heritage alteration permit requirements, the applicant is advised that prior to issuance of a building permit, the following items will need to be finalized:

- a. Disconnection of municipal services;
- b. Security of a driveway removal permit;
- c. Written confirmation from the owner and landscape architect or arborist that the tree protection fencing identified in the tree management plan is in place; and
- d. Payment of applicable administration fees.

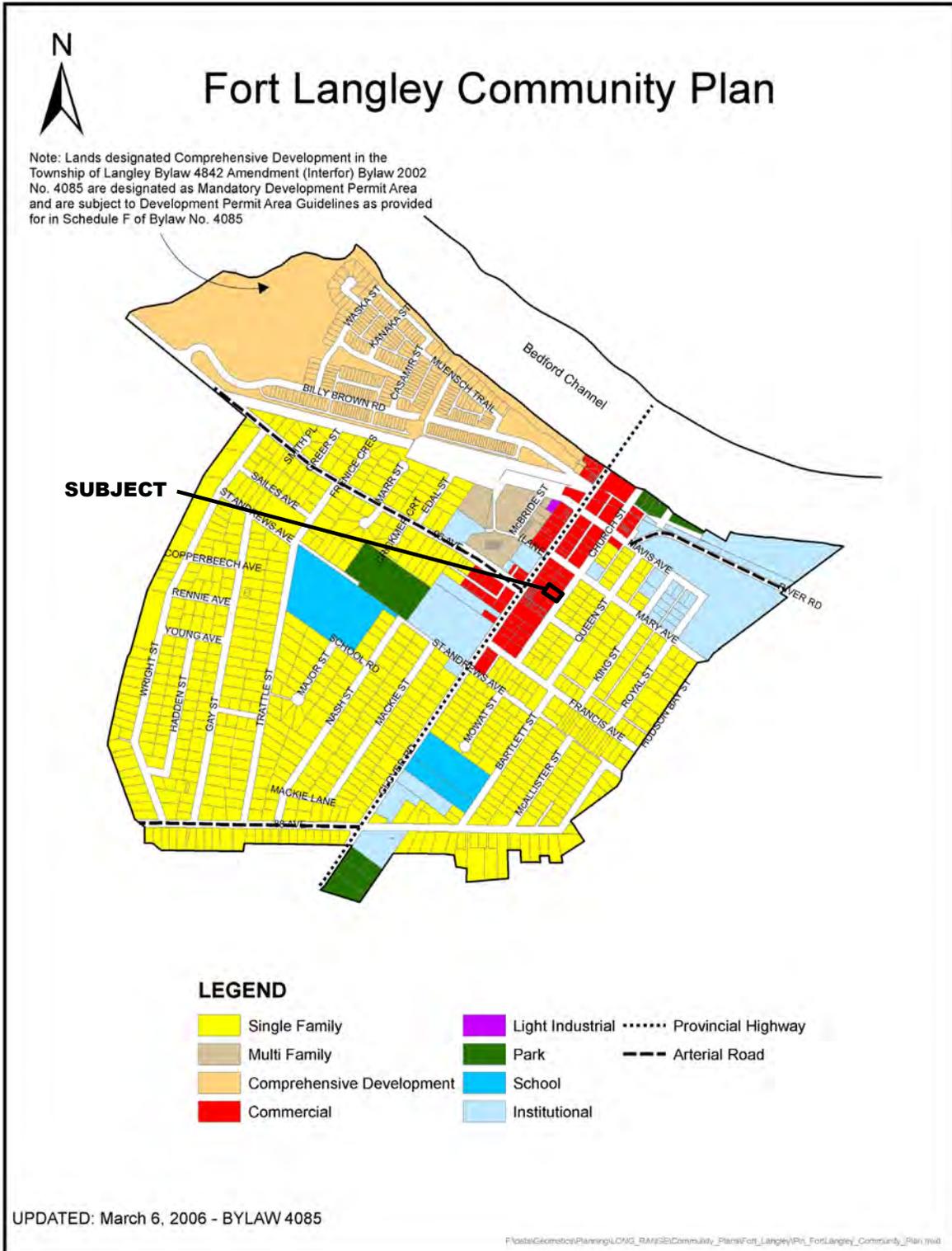
EXECUTIVE SUMMARY:

VDZ+A Consulting Inc. has applied on behalf of Fort Langley Properties Ltd. for a Heritage Alteration Permit to facilitate demolition of an existing single family dwelling at 9121 Church Street. As the subject property is located within the Fort Langley Heritage Conservation Area, Council issuance of a Heritage Alteration Permit is required to allow the demolition of the existing building.

Staff note that although demolition of existing buildings is typically advanced as a component of a redevelopment application, there is no prohibition on the removal of buildings from a heritage conservation area as long as issuance of a Heritage Alteration Permit is approved by Council. The proposed treatment of the subject lot can be viewed as compatible with the Township's land use policies and the requirements of the Heritage Conservation Area outlined in the Fort Langley Community Plan (Attachment B).

PURPOSE:

The purpose of this report is to advise and make recommendations to Council with respect to proposed Heritage Alteration Permit No. 101182 in Fort Langley.

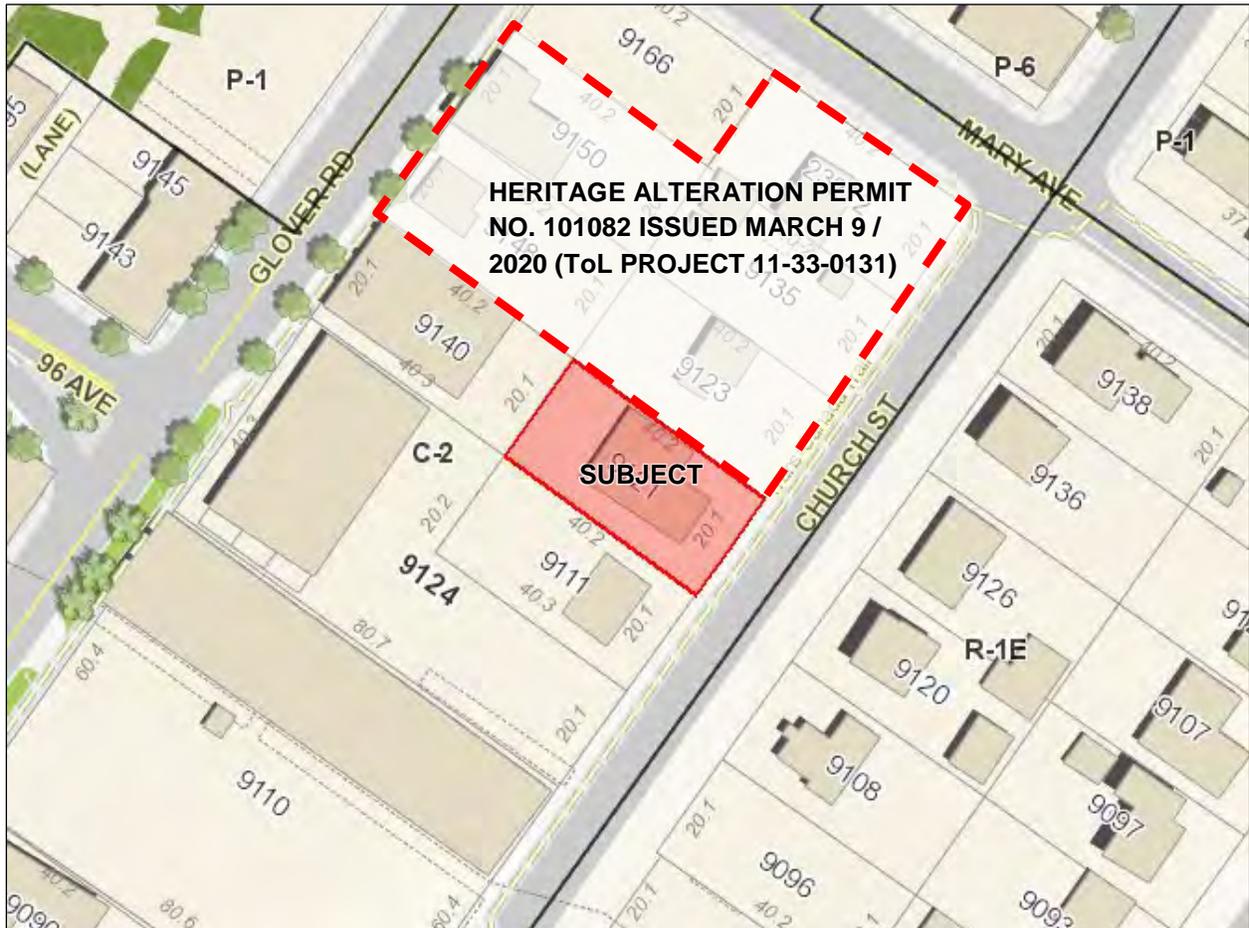


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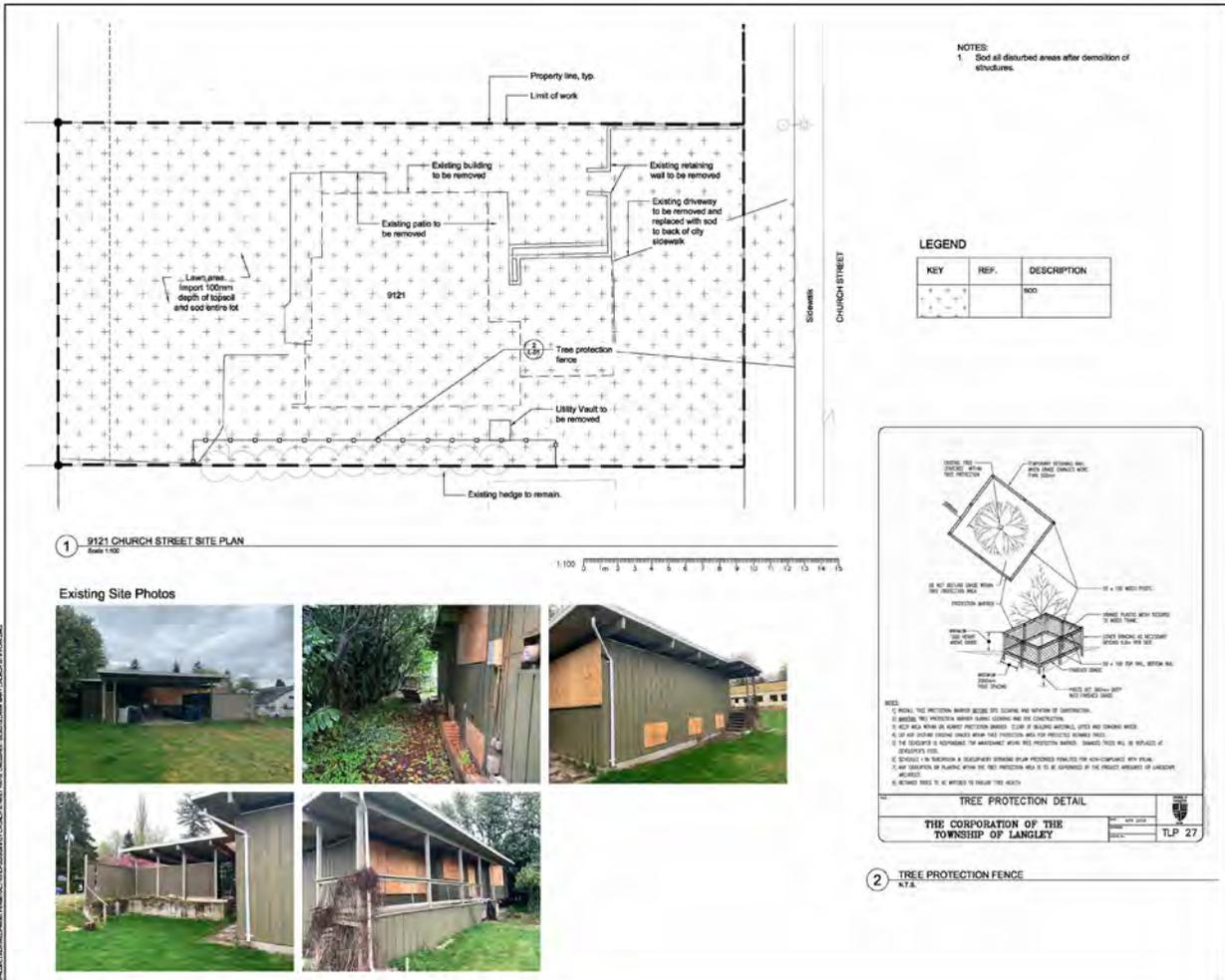
ZONING BYLAW NO. 2500

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CONTEXT MAP – SITE OF PREVIOUSLY ISSUED HERITAGE ALTERATION PERMIT (HAP 101082)

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SITE PLAN – SUBMITTED BY APPLICANT

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REFERENCE:

Owner:	Fort Langley Properties Ltd. 205 – 1231 Pacific Boulevard Vancouver BC V6Z 0E2
Agent:	VDZ+A Consulting Inc. 102 – 9181 Church Street Fort Langley BC V1M 2R8
Legal Description:	Lot 9 Block 3 District Lot 19 Group 2 New Westminster District Plan 736
Civic Address:	9121 Church Street
Area:	809 m ² (0.2 ac)
Fort Langley Community Plan:	Commercial
Existing Zoning:	Community Commercial Zone C-2

DISCUSSION / ANALYSIS:

VDZ+A Consulting Inc. has applied on behalf of Fort Langley Properties Ltd. for a Heritage Alteration Permit for property at 9121 Church Street to authorize the demolition of an existing building. As the subject property is located in the Fort Langley Heritage Conservation Area, Council issuance of a Heritage Alteration Permit is required. Staff note that Heritage Alteration Permit No. 101082 to facilitate demolition of buildings on properties to the north was issued on March 9, 2020 (ToL Project No. 11-33-0131) as shown on the context map included in this report.

The existing single family dwelling proposed for removal is a one-storey contemporary structure built in 1962, approximately 136.4 m² (1,468.2 ft²) in size. Photos of the dwelling are shown in the site plan submitted by the applicant included in this report. Although the property is located in the Fort Langley Heritage Conservation Area, the existing dwelling is not of heritage interest and has never been considered for inclusion on the Township's Heritage Inventory.

Adjacent Uses:

North:	Properties zoned Community Commercial Zone C-2, designated Commercial in the Fort Langley Community Plan and currently being restored to green space under ToL Project No. 11-33-0131;
South:	Property zoned Community Commercial Zone C-2, designated Commercial in the Fort Langley Community Plan and occupied by Fellowship Pacific Ministry Centre;
East:	Church Street, beyond which are lots zoned Residential Zone R-1E occupied by single family houses; and
West:	Properties zoned Community Commercial Zone C-2, designated Commercial in the Fort Langley Community Plan occupied by a commercial building and a mixed-use building.

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Heritage Alteration Permit:

The subject property is located in the Fort Langley Heritage Conservation Area. In accordance with the requirements of the Local Government Act for designated heritage areas, a Heritage Alteration Permit is required to authorize the proposed demolitions. The agent's letter of intent is included as Attachment C to this report and provides the following rationale for demolition of the buildings:

"Fort Langley Properties would like to proceed with the removal of the derelict residential building as outlined within the application. The building in question is no longer in livable conditions..."

The owner would like to remove the building in question and restore the areas to turf. This property was not previously included in the HAP application for 9217 Glover Rd. and 23272 Mary Ave. but is now being considered part of the larger effort to remove buildings from contiguous properties owned by Fort Langley Properties Ltd. The intention after demolition is to return the property to open lawn space, consistent with the previous HAP submission for adjacent properties."

Additional information provided by the agent indicates that:

"In addition – this letter is to confirm that all landscape and tree replacement requirements associated with this site will be handled as part of the ongoing HAP/DP process for the adjacent lots. The subject property is included in that HAP/DP process and is currently being prepared for resubmission."

In the interim, the lot will be graded to ensure positive drainage, and will be sodded. The sodded area will be maintained by the proponent in a neat fashion. When complete – this phase of the HAP will result in an open, groomed lawn space."

The purpose of the Fort Langley Heritage Conservation Area is "to protect the heritage character of downtown Fort Langley." The guidelines that must be addressed to achieve this goal focus primarily on built infill, but also look for changes "that blend harmoniously with the historic elements of the streetscape." The subject Heritage Alteration Permit is for replacement of the subject building with lawn as an interim step toward the redevelopment of the subject site in the future, and can be viewed as compatible with the guidelines. Requirements pertaining to the built form and character of the proposed future infill for the subject site will be addressed at the time of future development application. Staff note that there is a current Heritage Alteration Permit application, including the subject site, for redevelopment.

Should the Heritage Alteration Permit be approved by Council, the applicant is required to secure demolition permits through the Township's Permit, Licence and Inspection Services Department.

Staff note that although addressing the demolition of existing buildings as a component of a redevelopment application provides the most certainty for a community, there is currently no prohibition on the removal of buildings from a heritage conservation area as long as a Heritage Alteration Permit is obtained.

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Public Consultation:

Following standard practice for applications in the Fort Langley commercial district, the application was referred to the Fort Langley Community Association (FLCA) and the Fort Langley Business Improvement Association (FLBIA) for comments. The responses from the FLCA and FLBIA are included as Attachments D and E to this report.

Heritage Review:

The application was provided to the Fort Langley Heritage Review Panel for comment on July 3. The panel was unanimous in having no concerns regarding the application.

Tree Protection:

The applicant indicates that there are no existing significant trees on the subject site and has indicated that they intend to retain the existing hedge along the south property line until such time as a redevelopment application is made. A condition of the subject Heritage Alteration Permit is provision of a Tree Management Plan incorporating tree retention, protection details, and security in compliance with Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection). At time of future application for the construction of new buildings on the subject site, the proponent will be required to comply with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) including the provision of replacement trees.

Servicing and Access:

At time of demolition permit, the applicant will be required to disconnect existing municipal services at the main in accordance with industry standards. When the proponent applies for redevelopment of the site, full urban services in accordance with the Township's Subdivision and Development Servicing Bylaw will be required.

POLICY CONSIDERATIONS:

The site is designated Commercial in the Fort Langley Community Plan, zoned Community Commercial Zone C-2 and located in the Fort Langley Heritage Conservation Area. Staff note that addressing the demolition as a component of an application to redevelop the property would provide the most certainty for the community but that Township policies do not prohibit the removal of buildings. The proposed treatment of the space can be viewed as compatible with the Township's land use policies and the Heritage Conservation Area requirements outlined in the Fort Langley Community Plan (Attachment B). Staff note the Township is not requiring the subject site to be available for public use minimizing any liability. Staff recommend that Council consider issuance of the Heritage Alteration Permit for demolition of the building on the basis of the applicant's proposed interim treatment of the land and commitment to maintain the site to the level described in this report and in accordance with all applicable community standards related to the maintenance of all property in the Township.

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Staff have notified the surrounding property owners that this Heritage Alteration Permit is being considered at this meeting, and they may submit written input regarding the matter should they deem it necessary.

Respectfully submitted,

Joel Nagtegaal
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Development Permit No.101182
ATTACHMENT B	Excerpt from Fort Langley Community Plan – Heritage Conservation Area
ATTACHMENT C	Applicant’s Letter of Intent
ATTACHMENT D	Letter From the Fort Langley Community Association
ATTACHMENT E	Letter From the Fort Langley Business Improvement Association

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Heritage Alteration Permit No. 101182

This Permit is issued this _____ day of _____, 2020 to:

1. Name: Fort Langley Properties Ltd.

Address: 205 – 1231 Pacific Boulevard
Vancouver BC V6Z 0E2

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 9 Block 3 District Lot 19 Group 2 New Westminster District
Plan 736

CIVIC ADDRESS: 9121 Church 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. Demolition of buildings and structures as shown in Schedule “A”;
- b. Restoration plans being in substantial compliance with Schedule “A” to the acceptance of the General Manager of Engineering and Community Development;
- c. Provision and maintenance of turf over the subject site in substantial compliance with Schedule “A”;
- d. Retention of the existing trees on the subject site until time of Heritage Alteration Permit issuance for redevelopment of the subject site, subject to the conditions of the future Heritage Alteration Permit; and
- e. Provision of a final tree management plan incorporating tree retention, protection details, and security in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), to the acceptance of the General Manager of Engineering and Community Development.

Although not part of the Heritage Alteration Permit requirements, the applicant is advised that prior to issuance of a building permit the following items will need to be finalized:

- a. Disconnection of municipal services;
- b. Security of a driveway removal permit;
- c. Written confirmation from the owner and landscape architect or arborist that the tree protection fencing identified in the tree management plan is in place; and
- d. Payment of applicable administration fees.

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.

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All developments forming part of this Heritage Alteration Permit shall be substantially commenced within two years after the date the Heritage Alteration 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 _____, 2020.

Attachments:

SCHEDULE A Site Plan

Prior to the preparation of this Community Plan, the regional road network indicated a future diversion of River Road immediately east of the Fort to climb the face of the cliff on the eastern edge of the community and join 88th Avenue at Hudson Bay Street. This diversion had been considered desirable to divert truck traffic from the downtown core of Fort Langley.

The cost of this diversion was estimated at approximately \$2,000,000 for construction costs only. Land acquisition and the cost of underpasses to provide continuity of existing farm access roads would have been additional. Furthermore, the diversion would have placed truck traffic on 88th Avenue between Hudson Bay Street and Glover Road, which is currently a quiet residential area. It was considered that the costs and impact of construction of the diversion route would not have been justified by the benefits it would have achieved. Consequently, the future link has not been shown on the Major Road Map (2).

A more cost effective approach to limiting the gravel truck traffic on Mavis Avenue and Glover Road is for the Township of Langley to insert clauses in new gravel pit development permits to prohibit the use of River Road by gravel trucks from new pits.

5. IMPLEMENTATION

5.1 HERITAGE CONSERVATION AREA

#3204
93/03/05

The area shown on Map 4 is designated a heritage conservation area under Section 945 (c) of the Municipal Act for the protection of municipal heritage sites.

As noted previously in this plan, heritage is a very important element in the community. Fort Langley was the first settlement in the Township and one of the earliest towns in B.C. as well as its first capital. Fort Langley's heritage significance is enhanced by several buildings of heritage interest in the heritage conservation area, including two that have been designated as heritage sites.

The purpose of heritage conservation area designation is to protect the heritage character of downtown Fort Langley. This will be accomplished by encouraging new development and alterations that complement and enhance buildings with heritage value and the heritage character of the area.

General building design guidelines are as follows:

- a) historic buildings should be renovated and restored in a manner appropriate to their individual period and style and, whenever possible, original forms, materials and details should be uncovered or left in place and preserved;
- b) new construction and infill projects should be designed to blend harmoniously with historic elements of the streetscape; and
- c) decorative styles which are out of place with the architectural evolution of Fort Langley should be avoided.

#3710
97/12/01

New signs that are not covered by a heritage alteration permit require a permit under the Sign Bylaw and must conform to the general building design guidelines.

#5063
14/04/28

A heritage alteration permit is not required for:

- a) façade improvements (any reconstruction or improvements including new siding, doors, windows, cornices or awnings or canopies to an elevation of an existing building) or signage that is in conformity with the general building design guidelines;
- b) minor additions that are less than 50m² (538 ft²) in floor area, do not front a road (other than a lane) and are in conformity with the general building design guidelines; or

- c) minor additions that are less than 50m² (538 ft²) in floor area, do not front a road (other than a lane) and are constructed in a similar style and of similar materials as the existing building.

The Fort Langley Building Façade Design Guidelines are non-binding policy guidelines for the Fort Langley Heritage Conservation Area. They are not part of the Fort Langley Community Plan and may be amended or repealed by Council resolution.

5.2 PROVINCIAL GOVERNMENT FUNDING

Fort Langley is already recognized by the Provincial government as a tourist destination. The fact that Fort Langley's downtown area serves out-of-town visitors as well as local residents may entitle the community to consideration for funding of future programs and projects. At present, improvements to Glover Road, funded by the Ministry of Transportation and Highways and by the Township of Langley have responded to design objectives for Glover Road, especially with respect to the pedestrian environment.

As Fort Langley continues to improve its visitor and community amenities, its role as a Provincial tourist destination will be enhanced. Dialogue with Provincial agencies should be continued with an eye to obtaining funding which is appropriate to community objectives.

5.3 HERITAGE AREA FUNDING

The Heritage Canada Foundation administers the Main Street Program for the revitalization of downtown commercial areas with significant heritage resources within them. The Program is currently in its second phase, which follows after an initial period which focused on demonstration projects such as Nelson, B.C. The current phase provides training, technical services, and consultant support to downtown revitalization efforts sponsored by the local community.

The costs of participation in the Main Street Program are probably beyond the resources available to a community of the small sized of Fort Langley, particularly under current economic conditions. Nevertheless, consideration should be given to the potential of using programs administered by the Heritage Canada Foundation in the future and use should be made of the literature generated by the Foundation from its experience with both the demonstration projects and the current program.

5.4 LIAISON WITH ENVIRONMENT CANADA, PARKS

Fort Langley National Historic Park and the community of Fort Langley will both benefit from efforts made to promote increased, appropriate tourist activities. The current jointly funded marketing study will lead to a coordinated marketing strategy for both the Federal ministry and the Township to follow. Continued liaison and coordination of plans and programs by each group will benefit the objectives of the community.

5.5 DEVELOPMENT PERMIT AREA

The area shown on Map 4 is designated a mandatory Development Permit area under Section 919.1 of the Local Government Act. Prior to issuance of a building permit, a Development Permit must be approved by Council. Developments within the Development Permit area must be developed in a manner sympathetic with the Heritage Conservation Area guidelines contained in Section 5.1 and be compatible with adjacent development and uses.



29 April 2020

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

Attn: Teresa Hansen

RE: LETTER OF INTENT FOR HAP FOR THE PURPOSE OF DEMOLITION 9121 CHURCH ST. FORT LANGLEY

Dear Ms. Hansen

Fort Langley Properties would like to proceed with the removal of the derelict residential building as outlined within the application. The building in question is no longer in livable conditions. I am acting as agent for the owner to complete this permitting process.

The owner would like to remove the building in question and restore the areas to turf. This property was not previously included in the HAP application for 9217 Glover rd. and 23272 Mary ave. but is now being considered part of the larger effort to remove buildings from contiguous properties owned by Fort Langley properties Ltd. The intention after demolition is to return to property to open lawn space, consistent with the previous HAP submission for adjacent properties.

If you have any questions or concerns please contact me directly : 604.546.0920

Sincerely,

Mark van der Zalm | RLA
Principal Landscape Architect



Fort Langley Community Association

ATTACHMENT D

P.O. Box 642 Fort Langley B.C. V1M 2S1

info@fortlangleycommunity.com

July 17, 2020

Joel Nagtegaal

Re: Development Application Project No. 11-33-0132 / Fort Langley Properties Ltd.

Thank you for the opportunity to comment on this application. From what we have received from our membership there is no opposition to having the building removed however concerns are being voiced is the absence of any future development:

'I don't think Council should be granting demolition permits for buildings inside the Heritage Conservation Area without a development plan in to Council for what is going to be built there in its place and I don't mean more temporary greenspace that is just a placeholder until the real development plan is unveiled after all the buildings are gone.'

"If there are no development plans why is a demolition permit being requested? Is there a requirement that there must be a development plan before a permit for demolition is approved? The letter states in the subject: Development Application, so there must be a plan! When I looked on line this is what I found: *Development_Activity_Status:Folder_Type, ALR APPLICATION ... The Applicant proposes to amend the Rural Plan and rezone property from Service ... The site is zoned Residential Zone R-1E and located in the Fort Langley ... A Development Permit has been submitted for Phase 1 of the project, which ... 11-33-0132. What is Phase 1?"*

"I would like to see the property demolished as outlined in the application. My concern is not with the derelict property. The building is an eyesore, it serves no purpose and does not add anything of substance to the community. My concerns will come later when the proposals for what will be built on the vacant property will come in. While this is a private property, as a resident of Fort Langley (not someone in the outskirts or a fan of FL), I would certainly appreciate input in what happens to such a vital area of the town centre."

"It should definitely come down. If it is zoned commercial then it should be so. Not old enough to be considered a heritage home."

Again thank you for the opportunity to respond
 Andy Schildhorn
 President
 Fort Langley Community Association

From: [Fort Langley BIA](#)
To: [Joel Nagtegaal](#)
Subject: [EXTERNAL] Re: Development Application Project No. 11-33-0132 / Fort Langley Properties Ltd.
Date: Thursday, July 16, 2020 6:43:02 PM
Attachments: [image005.png](#)

Hi Joel,

Thank you for your e-mail.

With regards to a timeline for the response, the Fort Langley BIA Board will not be providing formal feedback at this time with respect to requirements to be imposed as conditions of this application.

However, after discussion among our board members, we are unanimously in favour of the demolition.

Thank you and please do not hesitate to reach out if you require any more information.

Kendra Kay