

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 27, 2020 - REGULAR MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: DEVELOPMENT PERMIT APPLICATION NO. 101149
(SANDHILL HOMES LTD. / 4400 BLOCK OF 222 STREET)

REPORT: 20-101
FILE: 10-31-0164

PROPOSAL:

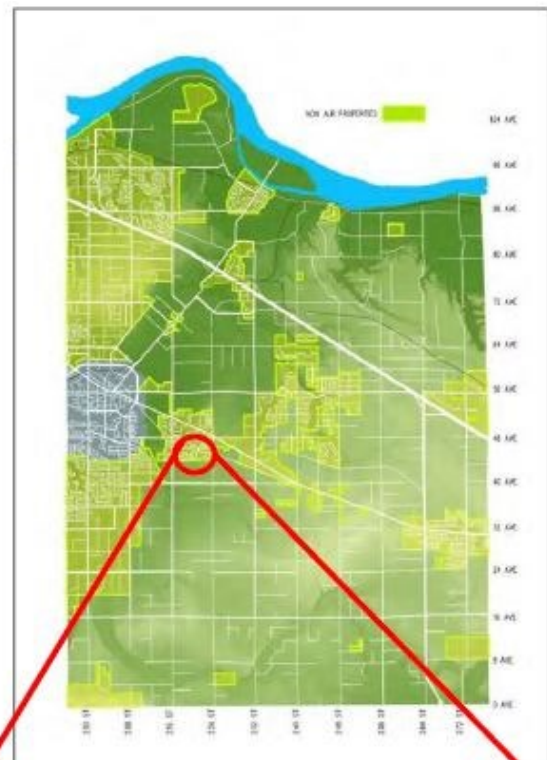
Development Permit application to modify Streamside Protection and Enhancement Development Permit Area widths and location as part of site development.

RECOMMENDATION SUMMARY:

That Council issue Development Permit No.101149 (Streamside Protection) subject to completion of five (5) conditions.

RATIONALE:

The proposal complies with the provisions of Section 4.20 of Schedule 3 ("Streamside Protection and Enhancement") of the Langley Official Community Plan Bylaw 1979 No. 1842.



RECOMMENDATIONS:

That Council issue Development Permit No. 101149 (Streamside Protection) to relocate Streamside Protection and Enhancement Development Permit Areas on site in accordance with Section 4.20 of Schedule 3 (“Development Permit Areas: Streamside Protection and Enhancement”) of the Langley Official Community Plan Bylaw 1979 No. 1842 (OCP Schedule 3), subject to the following conditions:

- a. Protection of Streamside Protection and Enhancement Development Permit Areas (SPEAs) as shown on Schedule A to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
- b. Township of Langley General Manager of Engineering and Community Development acceptance of a submission addressing information requirements outlined in Section 4.20 of Schedule 3 of Langley Official Community Plan Bylaw 1979 No.1842;
- c. Written designation of an Environmental Monitor for the project acknowledging the Environmental Monitor has the authority to stop any work(s) that, in the Environmental Monitor's opinion, have the potential to impact on SPEAs;
- d. Provision of security deposit for completion of enhancement works and three year monitoring to the acceptance of the Township of Langley General Manager of Engineering and Community Development; and
- e. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township of Langley General Manager of Engineering and Community Development.

EXECUTIVE SUMMARY:

At its Regular Evening Meeting of September 17, 2018, Council gave third reading to Rezoning Bylaw No. 5379 (Sandhill Homes Ltd) to rezone 1.74ha (4.29 ac) of land from Suburban Residential Zone SR-1 to Residential Zone R-1E to permit the subdivision of 13 fee simple single family lots.

During detailed site servicing investigations subsequent to third reading, updated watercourse classification information determined that Streamside Protection and Enhancement Development Permit Areas (SPEA) associated with a watercourse located adjacent to a portion of the southern boundary of the subject site (within the currently unconstructed portion of 44 Avenue) would be affected by the proposal to accommodate construction of 44 Avenue as part of the site development servicing prerequisites. The proponent is requesting issuance of Development Permit No. 101149 to allow for SPEAs to be modified on the subject site to accommodate the development proposal that received third reading.

The proponent's submission responds to Township streamside protection information requirements as outlined in Schedule 3 (“Development Permit Areas: Streamside Protection and Enhancement”) of the Langley Official Community Plan Bylaw 1979 No. 1842 (OCP Schedule 3) and, based on the opinion of the project's Qualified Environmental Professional (QEP), staff recommend Council issue of Development Permit No. 101149.

DEVELOPMENT PERMIT APPLICATION NO. 101149
 (SANDHILL HOMES LTD. / 4400 BLOCK OF 222 STREET)
 Page 3 . . .

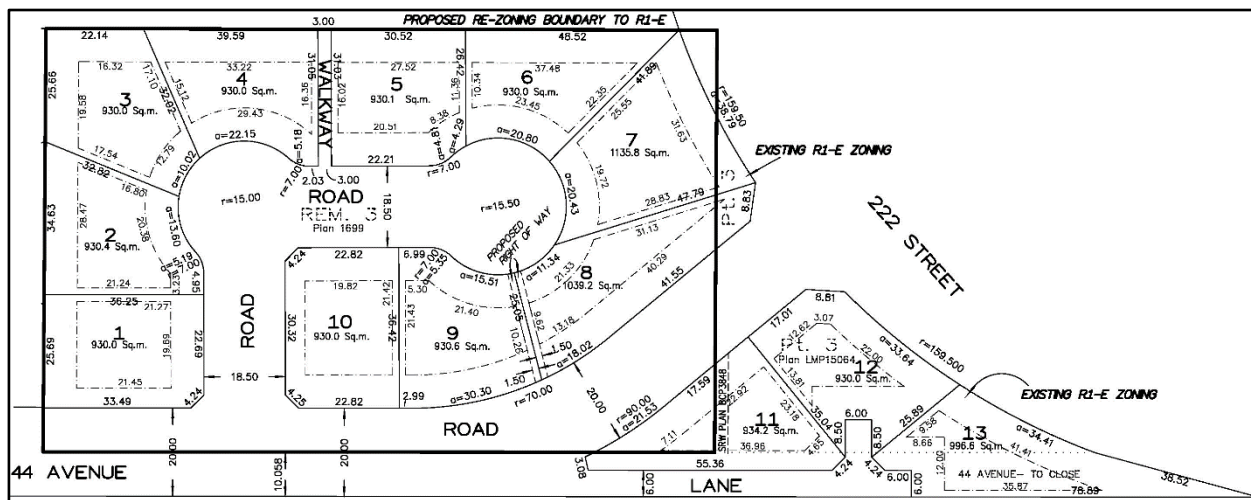
PURPOSE:

The purpose of this report is to provide information and a recommendation concerning proposed Development Permit No. 101149 (Streamside Protection) for lands located in the 4400 block of 222 Street, specifically, civic address 4467-222A Street and PID 004-585-526.

BACKGROUND/HISTORY:

OCP Schedule 3 was adopted to establish and maintain undisturbed naturally vegetated zones along watercourses. The width of these no-disturbance zones, referred to as "Streamside Protection and Enhancement Development Areas" (SPEA), follows the Township watercourse classification system (i.e. Class A, Class B, Class C) which is based on channel type, water flow and fish presence. Where a proposed SPEA width is less than the minimum width designated by OCP Schedule 3 or a neighbourhood plan, the modification must be considered through a Streamside Protection and Enhancement Development Permit (Streamside Development Permit).

At its Regular Evening Meeting of September 17, 2018, Council gave third reading to Rezoning Bylaw No. 5379 (Sandhill Homes Ltd) to rezone 1.74 ha (4.29 ac) of land from Suburban Residential Zone SR-1 to Residential Zone R-1E to permit the subdivision of 13 fee simple single family lots.



SITE PLAN

During detailed site servicing investigations subsequent to third reading, updated watercourse classification information provided by the applicant's Qualified Environmental Professional (QEP) noted a 15 m (49 ft) wide SPEA associated with a constructed Class B (yellow-coded) watercourse located adjacent to a portion of the southern boundary of the subject site (within the currently unconstructed portion of 44 Avenue). The watercourse originates at the outlet of a storm sewer pipe near the southwest corner of 4467 - 222A Street and continues west for approximately 235 m (771 ft) where it flows through another culvert and before continuing west along the south side of the constructed portion of 44 Avenue. The uppermost (easterly) 80 m (262 ft) of the watercourse is classified as Class C (green-coded). A Class C watercourse provides a drainage function only and

DEVELOPMENT PERMIT APPLICATION NO. 101149
 (SANDHILL HOMES LTD. / 4400 BLOCK OF 222 STREET)
 Page 4 . . .

does not require a SPEA. The watercourse is part of the Murray Creek drainage system and provides water, food, and nutrients to downstream fish populations.

To accommodate SPEA modification and relocation works with the development proposal that received third reading, the proponent is requesting issuance of Development Permit No. 101149.



WATERCOURSE CLASSIFICATIONS

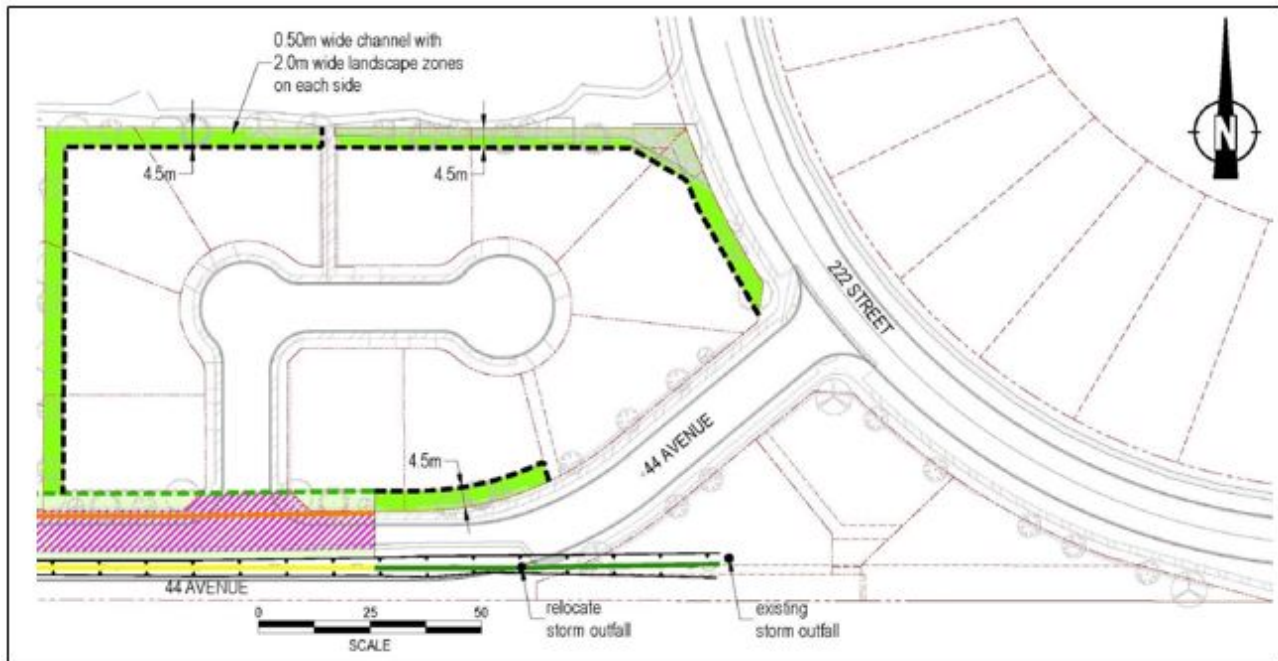
DISCUSSION/ANALYSIS:

Proposed Streamside Development Permit No. 101149 is provided as Attachment A to this report. The applicants QEP has prepared a detailed streamside assessment and the proposed SPEA modification plan (attached to this report as Schedule A of Attachment A) for Council's consideration.

The applicants SPEA modification plan proposes a 1515 m² (0.37 ac) SPEA reduction. The reduction is proposed to be offset through construction of a 4.5 m (14.7 ft) wide SPEA corridor along the eastern, northern, and western boundary of the subject site (see SPEA Proposal in this report). The proposed SPEA corridor encompasses 1353 m² (0.33 ac) and includes a bio-swale to collect site drainage and contribute base flows to downstream reaches of Murray Creek. The SPEA restoration plan (attached to this report as Schedule B of Attachment A) includes planting of native trees and shrubs and the QEP advises that tree heights range between 2.5 m (8.2 ft) and 3.0 m (9.8 ft) which exceeds the OCP Schedule 3 minimum tree height requirement of 1.5 m (4.9 ft).

DEVELOPMENT PERMIT APPLICATION NO. 101149
 (SANDHILL HOMES LTD. / 4400 BLOCK OF 222 STREET)
 Page 5 . . .

The proposal requires federal government review and the applicant's QEP confirms the proposal has been submitted to Fisheries and Ocean's Canada (DFO) for review with DFO approval a condition of the subject permit.



SPEA PROPOSAL
(Provided by Applicant)

POLICY CONSIDERATIONS:

Based on the opinion of the project QEP and adherence to the conditions of this permit, staff believe the proposal is consistent with streamside protection and enhancement policies, objectives and guidelines of the Official Community Plan and staff recommend Council issue Streamside Development Permit No. 101149 as attached.

Respectfully submitted,

Rod Shead
 ENVIRONMENTAL COORDINATOR II
 for
 COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Development Permit No. 101149

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Permit No. 101149

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

1. NAME: Sandhill Homes Ltd.

ADDRESS: #228 11020 No. 5 Road
Richmond, BC, V7A 4E7

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 3 Except Part in Plan LMP8805
Section 31 Township 10
NWD Plan 1699

Portion of Lot 3 Section 31 Township 10
NWD Plan LMP15064

Unconstructed 44 Avenue

CIVIC ADDRESS: PID 004-585-526 / 4400 Block 222 Street

4467 - 222A 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. Protection of Streamside Protection and Enhancement Development Permit Areas (SPEAs) as shown on Schedule A to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
- b. Township of Langley General Manager of Engineering and Community Development acceptance of a submission addressing information requirements outlined in Section 4.20 of Schedule 3 of Langley Official Community Plan Bylaw 1979 No.1842;
- c. Written designation of an Environmental Monitor for the project acknowledging the Environmental Monitor has the authority to stop any work(s) that, in the Environmental Monitor's opinion, have the potential to impact on SPEAs;
- d. Provision of security deposit for completion of enhancement works and three year monitoring to the acceptance of the Township of Langley General Manager of Engineering and Community Development; and
- e. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township of Langley General Manager of Engineering and Community Development.

DEVELOPMENT PERMIT NO. 101149
SANDHILL HOMES LTD.
Page 2 . . .

4. The land described herein shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached as a schedule to this permit which shall form a part hereof.

This permit is not a building permit.

All developments forming part of this development permit shall be substantially commenced within two years after the date the development permit is issued.

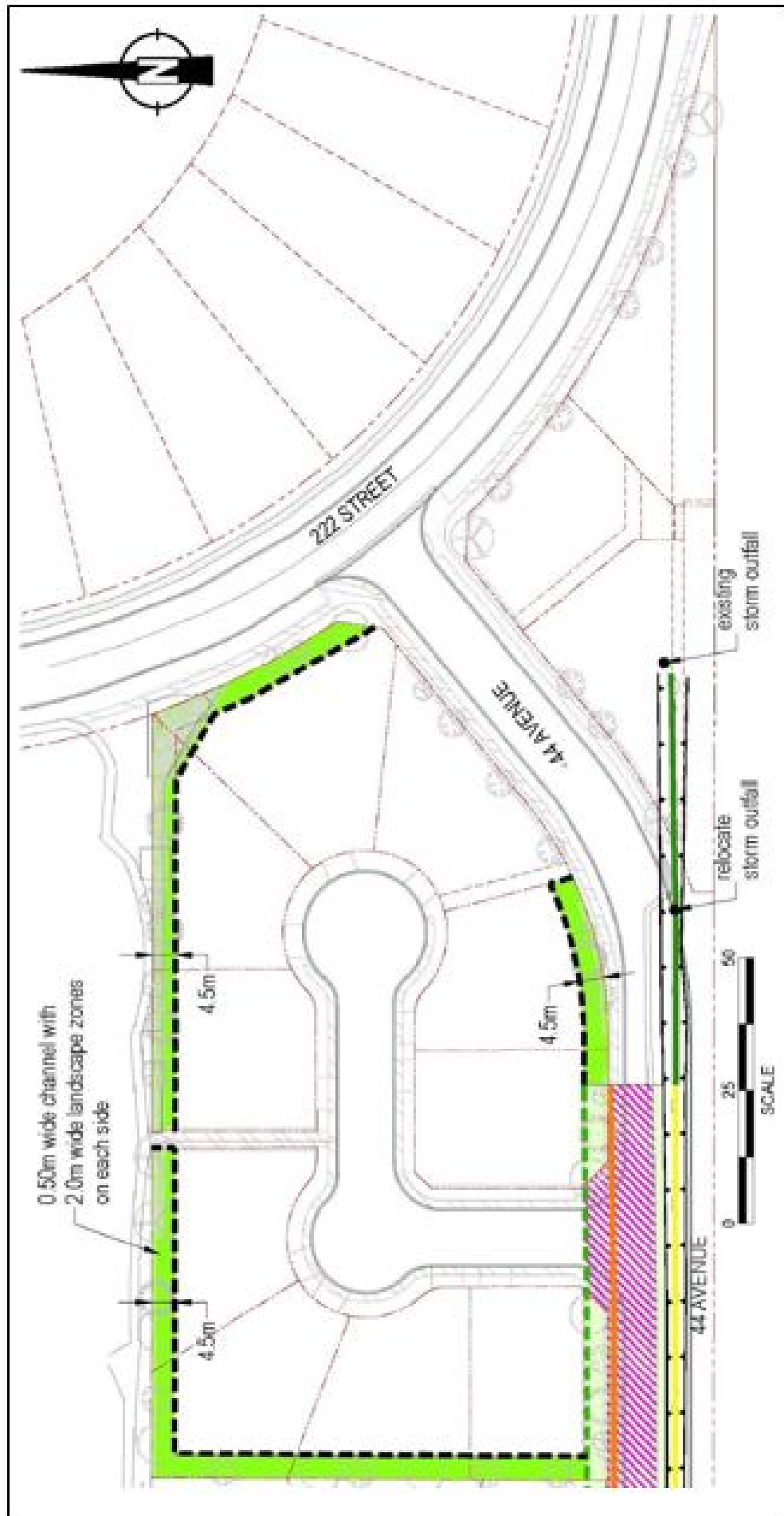
This permit shall have the force and effect of a restrictive covenant running with the land and shall come into force on the date of an authorizing resolution passed by Council.

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.

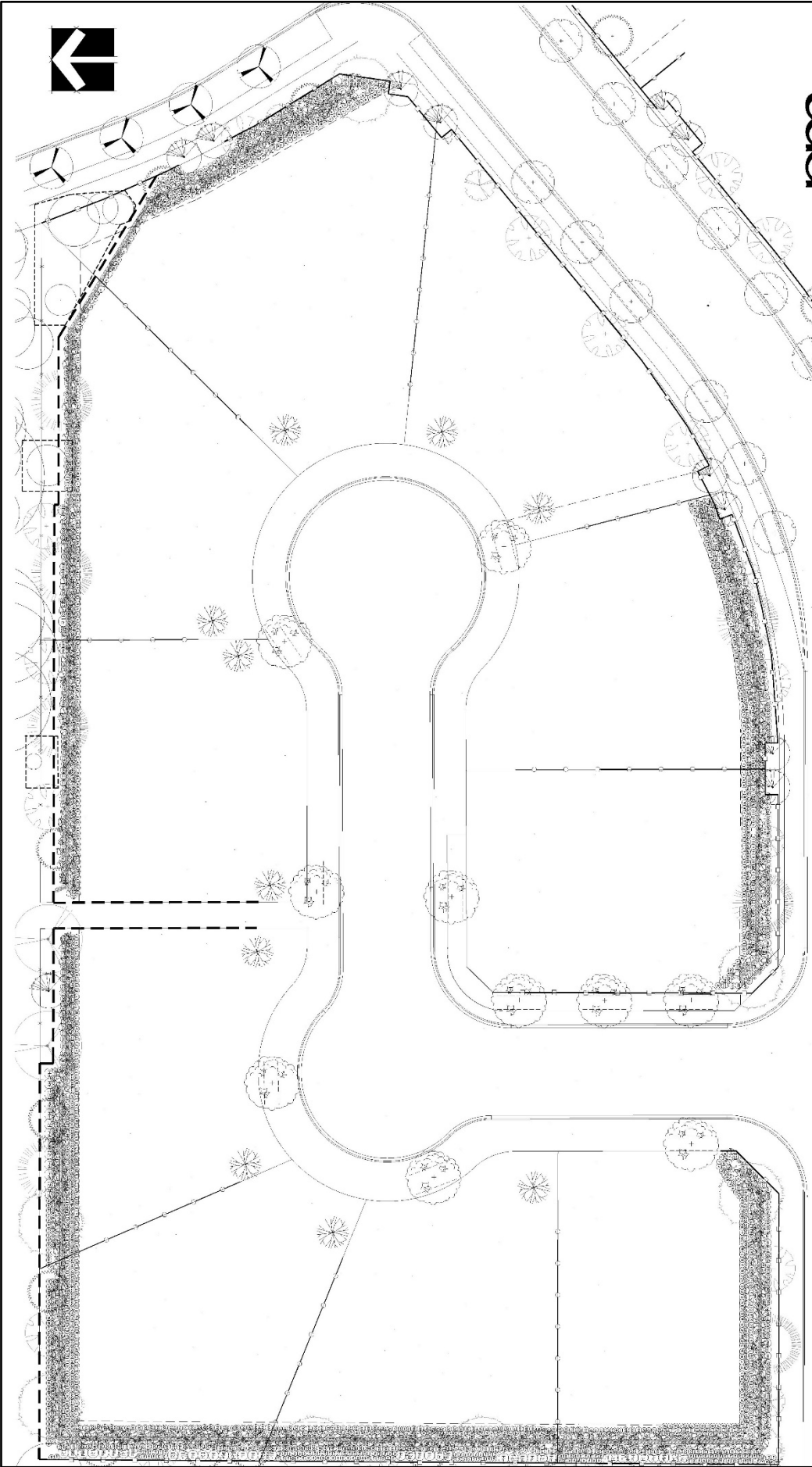
This permit shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THIS ____ DAY OF _____,
2020.

SCHEDULE A	SPEA Proposal
SCHEDULE B	SPEA Enhancement Plan



F.8
SCHEDULE B



pmg
LANDSCAPE
ARCHITECTS
Suite C100 - 4188 Still Creek Drive
Langley, BC V4A 2G5
P: 604.294.0011 | F: 604.294.0022

RESIDENTIAL DEVELOPMENT
44TH AVENUE & 222ND STREET
LANGLEY
TOL #10-31-0164
DRAWING TITLE:
BIOSWALE PLAN
WEST

DATE: 15 NOV 10
SCALE: 1:200
DRAWN: C.G.
DESIGN: C.G.
CHKD: PCM
DRAWING NUMBER:
L5
OF 8

PLANT SCHEDULE - BIOSWALE			PING PROJECT NUMBER:	
KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTED SIZE / REMARKS
TREE				
7	7	ACER CIRCINATUM	VINE MAPLE	2.5M HT, B&B, 3 STEM CLUMP
12	7	CORNUS NUTTALLII	PACIFIC DOGWOOD	6.0CM CAL, B&B
10	10	CRATAEGUS DOUGLASII	BLACK HAWTHORN	5.0CM CAL, B&B
5	5	THUJA PLICATA 'EXCELSA'	WESTERN RED CEDAR	3.0M HT, B&B
SHRUB				
218	218	TSUGA HETEROPHYLLA	WESTERN HEMLOCK	3.0M HT, B&B
221	221	CORNUS SERICEA 'FLAVIRAMEA'	YELLOWtwig DOGWOOD	#3 POT, 80CM
145	145	CORNUS SERICEA KELSEYI	DWARF RED OSIER DOGWOOD	#2 POT, 50CM
37	37	MAHONIA NERVOSA	DWARF OREGON GRAPE	#1 POT, 20CM
23	23	PHILADELPHUS LEWISII	LEWIS' MOCK ORANGE	#3 POT, 60CM
206	206	ROSA GYNOCEARPA	RED FLOWERING CURRANT	#3 POT, 80CM
212	212	SYMPHORICARPOS ALBUS	BALDHIP ROSE	#2 POT, 40CM
180	180	VACCINIUM OVATUM	SNOWBERRY	#3 POT, 50CM
GRASS				
220	220	JUNCUS EFFUSUS	COMMON RUSH	#1 POT
217	217	SCIRPUS MICROCARPUS	SHORT-FRUITEDBULL RUSH	#1 POT
GC				
255	255	GAULTHERIA SHALLOM	SALAL	#1 POT, 20CM
17	17	POLYSTICHUM MUNITUM	WESTERN SWORD FERN	#1 POT, 20CM