

## REPORT TO MAYOR AND COUNCIL

**PRESENTED:** JULY 27, 2020 - REGULAR MEETING  
**FROM:** COMMUNITY DEVELOPMENT DIVISION  
**SUBJECT:** OFFICIAL COMMUNITY PLAN AMENDMENT AND  
 REZONING APPLICATION NO. 100184  
 (GANCHAR / 23600 - 23900 BLOCK OF 36A AVENUE)

**REPORT:** 20-96  
**FILE:** 10-28-0042

### RECOMMENDATIONS:

**That** Council repeal third reading of Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Ganchar) Bylaw 2019 No. 5527, granted on January 13, 2020;

**That** Council give third reading to the revised Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Ganchar) Bylaw 2019 No. 5527, rezoning six (6) rural residential properties located in the 23600 – 23900 blocks of 36A Avenue to Rural Zone RU-3A, subject to the provision of security for a hydrogeological study, to the acceptance of the General Manager of Engineering and Community Development; and further

**That** Council give final reading to Langley Official Community Plan Bylaw 1979 No. 1842 (Rural Plan) Bylaw 1993 No. 3250 Amendment (Ganchar) Bylaw 2019 No. 5526 and Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Ganchar) Bylaw 2019 No. 5527, rezoning six (6) rural residential properties located in the 23600 – 23900 blocks of 36A Avenue to Rural Zone RU-3A, noting that all development prerequisites have been satisfactorily completed.

### EXECUTIVE SUMMARY:

On December 2, 2019 Council granted third reading to Official Community Plan Amendment and Rezoning Application No. 100184 with the an amendment to waive the Community Amenity Fees otherwise payable in respect of the subject application.

On December 17, 2019 one of the eleven (11) subject properties withdrew from the application, thus necessitating an amendment to Rezoning Bylaw 2019 No. 5527. On January 13, 2020 Council rescinded and subsequently granted third reading to Zoning Bylaw 2019 No. 5527 rezoning ten (10) rural residential properties located in the 23600 – 23900 blocks of 36A Avenue to Rural Zone RU-3A (Attachment A).

On July 02, 2020, four (4) of the remaining ten (10) subject properties also withdrew from the application, necessitating another amendment to Rezoning Bylaw 2019 No. 5527, to reflect the actual number of properties involved. Accordingly, in order to accommodate the revised application with the proposed amendment, third reading previously granted must be rescinded; and subsequently third reading of a revised bylaw considered by Council.

Council's previous direction of exempting the application from the requirements of the Township of Langley Community Amenity Contribution (CAC) Policy will continue to be extended to this revised application, unless otherwise directed by Council. For clarity, the subject revised rezoning bylaw will not be subject to payment of CACs, consistent with Council's previous decision.

### PURPOSE:

The purpose of this report is to provide information and recommendations to Council concerning the proposed Official Community Plan Amendment and Rezoning Application.

### DISCUSSION/ANALYSIS:

On December 2, 2019 Council granted third reading to Official Community Plan Amendment and Rezoning Application No. 100184 with the following amendment:

*That the Community Amenity Fee's be waived for Official Community Plan Amendment and Rezoning Application No. 100184 (Ganchar / 23600 - 23900 Blocks of 36A Avenue).*

The application originally involved rezoning of eleven (11) properties to subdivide and create fourteen (14) fee simple lots (see Attachment A). However, due to personal circumstances, one of the properties does not wish to proceed with the rezoning process and withdrew from the application (located at 23642 – 36A Avenue). The subject rezoning bylaw was amended to reflect the removal of one property, thus necessitating rescission of third reading and subsequent reconsideration of the amendment bylaw for third reading by Council.

On January 13, 2020 Council rescinded and subsequently granted third reading to Zoning Bylaw 2019 No. 5527 rezoning ten (10) rural residential properties located in the 23600 – 23900 blocks of 36A Avenue to Rural Zone RU-3A.

*That Council repeal third reading of Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Ganchar) Bylaw 2019 No. 5527, granted on December 2, 2019; and grant third reading to the revised Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Ganchar) Bylaw 2019 No. 5527, rezoning ten (10) rural residential properties located in the 23600 – 23900 blocks of 36A Avenue to Rural Zone RU-3A, subject to provision of securities for completion of a hydrogeological study, to the acceptance of the General Manager of Engineering and Community Development, prior to Council's consideration of final reading.*

Subsequently, four (4) of the remaining ten (10) subject properties elected to withdraw from the application on July 2, 2020 thus necessitating a further amendment to Rezoning Bylaw 2019. No. 5527. Accordingly, in order to accommodate the revised application with the proposed amendment, third reading previously granted must be rescinded; and subsequently third reading of a revised bylaw considered by Council. The following table identifies the properties that withdrew from the application on July 2, 2020:

Property	Address
1	23950 – 36A Avenue
2	23958 – 36A Avenue
3	23707 – 36A Avenue
4	23727 – 36A Avenue

The application is now proposing to rezone six (6) properties in order to subdivide to create eight (8) fee simple lots (Attachment A). As no change is proposed to the Official Community Plan Amendment Bylaw 2019 No. 5526, it stands at third reading as granted on December 2, 2019.

OFFICIAL COMMUNITY PLAN AMENDMENT AND  
REZONING APPLICATION NO. 100184  
(GANCHAR / 23600 - 23900 BLOCK OF 36A AVENUE)  
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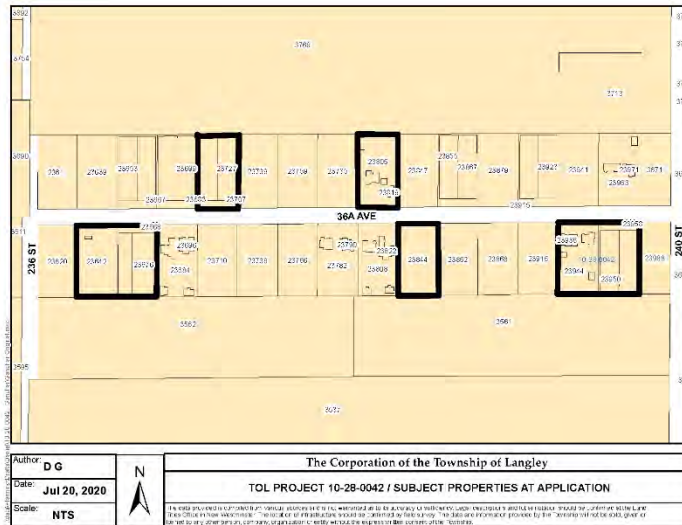
**POLICY CONSIDERATIONS:**

On July 2, 2020 four (4) additional properties withdrew from the application necessitating amendments to Rezoning Bylaw 2019 No. 5527 and reconsideration of third reading. The development prerequisites listed in the Community Development Division report to Council dated October 21, 2019, attached to the Bylaw have been satisfactorily addressed. The Public Hearing for the Bylaws was held on November 18, 2019. Accordingly, staff recommend that Council grant third reading of Rezoning Bylaw 2019 No. 5527. Further, staff recommend that Council grant final adoption of Official Community Plan Amendment Bylaw 2019 No. 5526 and Rezoning Bylaw 2019 No. 5527.

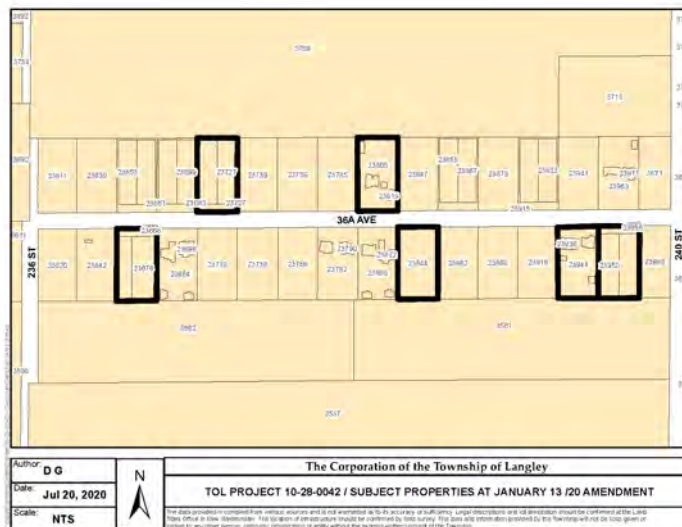
Respectfully submitted,

Daniel Graham  
DEVELOPMENT PLANNER  
for  
COMMUNITY DEVELOPMENT DIVISION

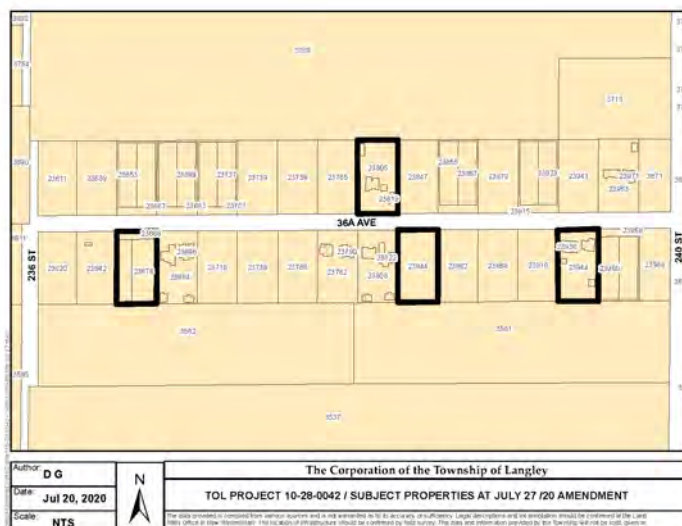
ATTACHMENT A      Map of Subject Properties



**SUBJECT PROPERTIES  
AT APPLICATION  
STAGE**



**SUBJECT PROPERTIES  
AT JANUARY 13 / 20  
AMENDMENT**



**SUBJECT PROPERTIES  
AT JULY 27 / 20  
AMENDMENT**

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY**

**LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842**

**AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250**

**AMENDMENT (GANCHAR) BYLAW 2019 NO. 5526**

**EXPLANATORY NOTE**

Bylaw 2019 No. 5526 amends the Rural Plan by adding a provision to the Agricultural/ Countryside designation to provide for future rezoning to accommodate subdivision of each of the thirty-two (32) - one (1) acre fee simple lots created under NWD Plan 19218 into two lots for an area located outside the Agricultural Land Reserve on 36A Avenue between 236 and 240 Streets.

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY**

**LANGLEY OFFICIAL COMMUNITY PLAN BYLAW 1979 NO. 1842**

**AMENDMENT (RURAL PLAN) BYLAW 1993 NO. 3250**

**AMENDMENT (GANCHAR) BYLAW 2019 NO. 5526**

A Bylaw to amend Township of 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 (Ganchar) Bylaw 2019 No. 5526”.
2. “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 5.5.6:

Rezoning of properties to enable fee simple subdivision of lands on 36A Avenue  
between 236 Street and 240 Street may be considered provided:

- The lots are not located within the Agricultural Land Reserve;
- Only one additional lot is created from each existing fee simple lot surveyed on NWD Plan 19218;
- Only one single family dwelling per lot is permitted;
- Provision of a hydrogeological study to assess the impact of additional demand on local ground water resources, to the acceptance of the General Manager of Engineering and Community Development shall be resolved prior to Council’s consideration of a zoning bylaw amendment.

READ A FIRST TIME the	21	day of	October	, 2019.
READ A SECOND TIME the	21	day of	October	, 2019.
PUBLIC HEARING HELD the	18	day of	November	, 2019.
READ A THIRD TIME the	02	day of	December	, 2019.
ADOPTED the		day of		, 2019.

\_\_\_\_\_ Mayor \_\_\_\_\_ Township Clerk

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY**

**TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500**

**AMENDMENT (GANCHAR) BYLAW 2019 NO. 5527**

**EXPLANATORY NOTE**

Bylaw 2019 No. 5527 rezones six (6) properties located on 36A Avenue west of 240 Street to Rural Zone RU-3A to accommodate fee simple subdivision.

## THE CORPORATION OF THE TOWNSHIP OF LANGLEY

### TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500 AMENDMENT (GANCHAR) BYLAW 2019 NO. 5527

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 (Ganchar) Bylaw 2019 No. 5527”.
2. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended:
  - (1) By adding to the “Table of Contents” and to Section 104.1 – Zones the words “Rural Zone RU-3A”
  - (2) By adding to Section 110 after the words “RU-3” the words “RU-3A – 0.17 ha”
  - (3) By adding after Section 203 “Rural Zone RU-3” the following as Section 203A “Rural Zone RU-3A”

#### 203A **RURAL ZONE RU-3A**

##### **Uses Permitted**

203A.1 In the RU-3A Zone only the following *uses* are permitted and all other *uses* are prohibited:

- 1) *accessory buildings and uses*
- 2) *accessory home occupations* subject to Section 104.3
- 3) *residential uses* subject to Section 203A.2
- 4) *hobby beekeeping* subject to Section 104.18

##### **Residential Uses**

203A.2 No more than one *single family dwelling* is permitted on any one *lot*.

##### **Lot Coverage**

- 203A.3
- 1) *Buildings and structures* shall not cover more than 33% of the *lot area*.
  - 2) *Accessory buildings and structures* shall not exceed a total of 100 m<sup>2</sup> of ground floor *building area*.

##### **Siting of Buildings and Structures**

- 203A.4
- 1) Except as provided for in Sections 104.4 and 105.1 2), no principal *building* or *structure* shall be sited less than:
    - a) 9.75 metres from a *front lot line*;
    - b) 7.5 metres from a *rear lot line*;
    - c) 3.0 metres from a *side lot line*<sup>(1)</sup>; and
    - d) 7.5 metres where the *side lot line* abuts a *flanking street*.



<sup>1</sup> notwithstanding Section 203A.4(1)(c) where a lot is being created by *subdivision*, the Approving Officer may consider a reduction where a *building or structure* was constructed prior to September 30, 2019.

- 2) Except as provided for in Sections 104.4, 104.15 and 105.1 2), no *accessory building or structure* shall be sited less than:
  - a) 9.75 metres from a *front lot line*;
  - b) 1.5 metres from a *rear lot line* except that where a through *lot* fronts onto 2 *streets* the setback shall be the same as for the front yard setback for the principal *building*;
  - c) 1.5 metres from a *side lot line*; and
  - d) 4.5 metres where the *side lot line* abuts a *flanking street*.

### **Height of Buildings and Structures**

203A.5 Except as provided for in Section 104.5

- 1) The *height* of a *single family dwelling* shall not exceed 9 metres.
- 2) The *height* of all other *buildings and structures* shall not exceed 9 metres or 2 *storeys*, whichever is lesser.

### **Parking and Loading**

203A.6 Parking and loading shall be provided in accordance with Section 107.

### **Subdivision Requirements**

- 203A.7 1) All *lots* created by *subdivision* shall comply with Section 110 of this Bylaw and the Subdivision and Development Servicing Bylaw 2019 No. 5382 as amended.
- 2) Notwithstanding Section 203A.7(1), any fee simple lot in existence as of September 30, 2019 shall not be subdivided to create more than two lots.

### **Landscaping, Screening and Fencing**

203A.8 Landscaping areas, landscaping screens and fencing shall comply with Section 111.

- Lots 9 and 23 Section 28 Township 10  
New Westminster District Plan 19218
- Strata Lots 1 and 2 and common property  
Section 28 Township 10 New Westminster  
District Strata Plan EPS1357
- Strata Lots 1 and 2 and common property  
Section 28 Township 10 New Westminster  
District Strata Plan EPS3896

READ A FIRST TIME the	21	day of	October	, 2019.
READ A SECOND TIME the	21	day of	October	, 2019.
PUBLIC HEARING HELD the	18	day of	November	, 2019.
READ A THIRD TIME the	13	day of	January	, 2020.
ADOPTED the		day of		, 2020.

Mayor \_\_\_\_\_ Township Clerk \_\_\_\_\_

# SCHEDULE 'A' BYLAW NO. 5527

