



Legislation Details (With Text)

File #: O19-2605 **Version:** 1 **Name:**
Type: Report **Status:** Third Reading
File created: 7/17/2019 **In control:** Township Council
On agenda: 7/22/2019 **Final action:**
Title: Official Community Plan Amendment and
Rezoning Application No. 100160 and
Development Permit Application Nos. 100971,
101091 and 101092
(Mitchell Latimer 80 / 197 Inc. / 19648 and
19678 - 80 Avenue and 7661 - 197 Street)
Bylaw No. 5491
Bylaw No. 5492
Report 19-127
File CD 08-22-0083 / 0091

Sponsors:

Indexes:

Code sections:

Attachments: 1. F.3 cd Mitchell Grp Ph 2.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|------------------|--------------------------------|--------|
| 7/22/2019 | 1 | Township Council | Given first and second reading | |

Official Community Plan Amendment and
Rezoning Application No. 100160 and
Development Permit Application Nos. 100971,
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(Mitchell Latimer 80 / 197 Inc. / 19648 and
19678 - 80 Avenue and 7661 - 197 Street)
Bylaw No. 5491
Bylaw No. 5492
Report 19-127
File CD 08-22-0083 / 0091

7:30pm approximately

That Council give first and second reading to Langley Official Community Plan Bylaw 1979 No. 1842
Amendment (Willoughby Community Plan) Bylaw No. 1988 No. 3800 Amendment

(Latimer Neighbourhood Plan) Bylaw 2015 No. 5101 Amendment (Mitchell Latimer 80 / 197 Inc.) Bylaw 2019
No. 5491 and Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Mitchell Latimer 80 / 197 Inc.)
Bylaw 2019 No. 5492, rezoning 7.78 ha (19.23 ac) of land located between 76 and 80 Avenues from 196 to

197 Streets, to Residential Compact Lot Zones R-CL(A), R-CL(B), R-CL(SD) and Comprehensive Development Zone CD-131, to facilitate the development of 21 single family lots, 38 semi-detached lots and 106 townhouse units, subject to the following development prerequisites being satisfied to the acceptance of the Township of Langley General Manager of Engineering and Community Development, unless otherwise noted prior to final reading:

1. In accordance with the Latimer Neighbourhood Plan requirements:
 - a. Secure a joint elementary school and neighbourhood park site including road dedications and construction of all associated works and services in the Northwest Phase of the Latimer Neighbourhood Plan;
 - b. Secure a community stormwater detention site to serve the storm catchment area;
2. Completion of a Development Works Agreement (if required) securing off-site servicing to the Northwest Phase of the Latimer Neighbourhood Plan (as required by the Latimer Neighbourhood Plan);
3. 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;
4. Completion of an erosion and sediment control plan and provision of security in accordance with the 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 and the Latimer Neighbourhood Plan;
6. Dedication and construction of a 4.5 metre wide street greenway on the south side of 80 Avenue, including final acceptance of the greenway landscape design plans, sidewalk/trail alignment, signage, landscape details and security;
7. 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);
8. Registration of a cross access easement in favour of the Rizun Heritage Residence property over the proposed Townhouse site;
9. Registration of restrictive covenants:
 - a. Prohibiting parking on internal strata roadways (other than in clearly identified parking spaces);
 - b. Prohibiting garages from being developed for purposes other than the parking of vehicles, and prohibiting the development of secondary suites within individual units (for townhouse, and semi-detached units);
 - c. Identifying the units (minimum 5%) required to comply with the adaptable housing requirements;
 - d. Prohibiting development of the semi-detached units until a Development Permit is issued for the lots proposed to be zoned R-CL(SD);
 - e. Identifying the Streamside Protection and Enhancement Areas;
 - f. Prohibiting clearing of the R-CL(A) and R-CL(SD) lots (with the exception of servicing areas) until such time as 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), is accepted

by the Township;

10. Council adoption of a Heritage Revitalization Agreement Authorization Bylaw with respect to restoration and relocation of the Rizun Heritage Residence;
11. Compliance with the Community Amenity Contributions Policy (including Council adoption of a Phased Development Agreement, as needed) and the requirements of the Latimer Amenity Zoning Policy including payment of applicable Latimer amenity fee;
12. Payment of applicable Neighbourhood Planning Administration fees, supplemental Rezoning fees, Site Servicing Review fee, ISDC review fee, Development Works Agreement (DWA) and Latecomer charges, and compliance with the Township's 5% Neighbourhood Park Land Acquisition Policy;
13. Dedication of Streamside Protection and Enhancement Areas, including final acceptance of the streamside restoration and enhancement plans and details, streamside fencing and signage, and security;

That Council consider that Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Willoughby Community Plan) Bylaw

No. 1988 No. 3800 Amendment (Latimer Neighbourhood Plan) Bylaw 2015 No. 5101 Amendment (Mitchell Latimer 80 / 197 Inc.) Bylaw 2019 No. 5491, 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);

That Council at time of final reading of Rezoning Bylaw No. 5492 authorize issuance of Development Permit No. 100971 (single family lots) subject to the following conditions:

- a. An exterior design control agreement shall be entered into for all lands zoned Residential Compact Lot Zone R-CL(A) and R-CL(B);
- b. On-site landscaping plans being in substantial compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection) and the Township's Street Trees and Boulevard Plantings Policy;

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

- a. Issuance of an Energy Conservation and GHG Emissions Reduction Development Permit;
- b. On-site landscaping to be secured by letter of credit at building permit stage;
- c. Written confirmation from the owner and landscape architect or arborist that tree protection fencing identified in the tree management plan is in place; and
- d. Payment of supplemental development permit application fees, Development Cost Charges, and building permit administration fees;

That Council at time of final reading of Rezoning Bylaw No. 5492 authorize the issuance of Development Permit No. 101091 (streamside protection), to relocate and reconstruct on-site watercourses in accordance with Section 4.20 of Schedule 3 of the Official Community Plan, 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 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; and
- d. Obtainment of relevant senior government environmental regulatory agency approvals and/or submission of notifications and provisions of copies of approval/submissions to the Township;

That Council at time of final reading of Rezoning Bylaw No. 5492 authorize issuance of Development Permit No. 101092 (townhouse units) subject to the following conditions:

- a. Building plans being in substantial compliance with Schedules "A" through "CC";
- b. On-site landscaping plans being in substantial compliance with Schedules "DD" through "FF", and in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection) and the Township's Street Trees and Boulevard Plantings Policy;

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

- a. Issuance of an Energy Conservation and GHG Emissions Reduction Development Permit;
- b. On-site landscaping to be secured by letter of credit at building permit stage;
- c. Written confirmation from the owner and landscape architect or arborist that tree protection fencing identified in the tree management plan is in place;
- d. Submission of a site specific on-site servicing and stormwater management plan in accordance with the Subdivision and Development Servicing Bylaw and an erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township;
- e. Payment of supplemental development permit application fees, Development Cost Charges, and building permit administration fees;

That Council authorize staff to schedule the required Public Hearing for the Community / Neighbourhood Plan

amendment bylaw and rezoning bylaw in conjunction with the hearing for proposed Development Permit Nos. 100971, 101091, and 101092; and further

That Council authorize the applicant to proceed with the preparation of the proposed community stormwater detention site following third reading, should such be granted, and in advance of final reading of Bylaw No. 5492 or Bylaw No. 5484 (ToL Project

No. 08-22-0071) subject to the following conditions:

1. Provision of a final tree management plan incorporating tree retention, tree replacement and tree protection details, and security in compliance with the Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
2. Fencing of Streamside Protection and Enhancement Development Permit Area boundary;
3. Completion of an erosion and sediment control plan and provision of security 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 a shoring plan, if required, to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
5. Provision of Water Sustainability Act approvals to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
6. Within 48 hours of land clearing activity, provision of confirmation from a Qualified Environmental Professional that land clearing can proceed in accordance with provincial and federal legislation respecting migratory birds and bird nesting;
7. Provision of Traffic Management Plan and security to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
8. Confirmation by the applicant, to the acceptance of the Township of Langley General Manager of Engineering and Community Development, that works undertaken prior to final reading of the bylaw is completely at applicant's risk and expense and in no way fetter Council's discretion in dealing with the rezoning application; and
9. Provision of a security bond to the acceptance of the Township of Langley General Manager of Engineering and Community Development.

Explanation - Bylaw No. 5491

Bylaw 2019 No. 5491 amends the Willoughby Community Plan and Latimer Neighbourhood Plan to allow a townhouse and single family development on lands located at 19648 and 19678 - 80 Avenue and 7661 - 197 Street.

Explanation - Bylaw No. 5492

Bylaw 2019 No. 5492 rezones 7.78 ha (19.23 ac) of land located at 19648 and 19678 - 80 Avenue and 7661 - 197 Street from Suburban Residential Zone SR-2 to Residential Compact Lots Zone R-CL(A), R-CL(B), R-CL (SD), and Comprehensive Development Zone CD-131 to accommodate 21 single family lots, 38 semi-detached units, and 106 townhouses.