



Legislation Text

File #: O19-2499, **Version:** 1

Official Community Plan Amendment and
Rezoning Application No. 100450 and
Development Permit Application Nos. 100825 and 101057
(Mitchell Latimer 73 Inc. / 7331, 7337, 7371, 7393 and
7415 - 198B Street and 7400 Block of 197 Street)
Bylaw No. 5484
Report 19-99
File CD 08-22-0071

That Council give first and second reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Mitchell Latimer 73 Inc.) Bylaw 2019 No. 5484 rezoning 7.43 ha (18.35 ac) of land located between 73A and 75 Avenues from 196 to 198B Streets to Residential Compact Lot Zones R-CL(B) and R-CL(SD) to facilitate the development of 70 single family lots, and 62 semi detached lots, subject to the following development prerequisites being satisfied 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 Southwest Phase of the Latimer Neighbourhood Plan, to the acceptance of the Township of Langley and the Langley School District;
 - b. Secure a community stormwater detention site to serve the storm catchment area to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
2. Completion of a Development Works Agreement (if required) securing off-site servicing to the Northeast Phase of the Latimer Neighbourhood Plan (as required by the Latimer Neighbourhood Plan) to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
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, to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
4. 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;
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, to the acceptance of the Township of Langley General Manager of Engineering and

Community Development;

6. Dedication and construction of a 4.5 metre wide street greenway on the east side of future 196 Street and south side of 74 Avenue and a 6.0 metre wide recreational greenway connecting the existing greenway at 73B Avenue to 74 Avenue to the acceptance of the Township of Langley General Manager of Engineering and Community Development, 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), to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
8. Registration of restrictive covenants acceptable to the Township of Langley General Manager of Engineering and Community Development:
 - a. Identifying the units (minimum 5%) required to comply with the adaptable housing requirements;
 - b. Prohibiting subdivision and development of future lots between 197 and 198B Street north of 74 Avenue adjacent to the northern property line, until all services are available;
 - c. Prohibiting the development of secondary suites within individual units zoned Residential Compact Lot Zone R-CL(SD);
 - d. Identifying the Streamside Protection and Enhancement Areas;
9. 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;
10. 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;
11. Protection of Streamside Protection and Enhancement Areas consistent with Attachment B to the acceptance of the Township, including final acceptance of the streamside restoration and enhancement plans and details, streamside fencing and signage, and security;

That Council at time of final reading of Rezoning Bylaw No. 5484 authorize issuance of Development Permit No. 100825 (form, siting and character) 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(B);
- b. Building plans being in substantial compliance with Schedules "A" through "N";
- c. On-site landscaping plans being in substantial compliance with Schedules "O" through "V", and in compliance with Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection) and the Township's Street Trees and Boulevard Plantings Policy, to the acceptance of the Township;

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. Registration of party wall and common element maintenance agreements on the title of all Residential Compact Lot R-CL(SD) zoned lots;
- c. Registration of an easement securing the required visitor parking stalls for lands zoned Residential Compact Lot R-CL(SD);
- d. On-site landscaping to be secured by letter of credit at building permit stage;
- e. Written confirmation from the owner and landscape architect or arborist that tree protection fencing identified in the tree management plan is in place; and
- f. 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. 5484 authorize the issuance of Development Permit No. 101057 (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 Township;
- b. Township 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; and further

That Council authorize staff to schedule the required Public Hearing for the rezoning bylaw in conjunction with the hearing for proposed Development Permit Nos. 100825 and 101057.

Explanation - Bylaw No. 5484

Bylaw 2019 No. 5484 rezones 7.43 ha (18.35 ac) of land at 73A and 75 Avenues from 196 to 198B Street from Suburban Residential Zone SR-2 to Residential Compact Lot Zones R-CL(B) and R-CL(SD) to accommodate 70 single family lots and 62 semi-detached lots.