



Legislation Text

File #: O19-2536, **Version:** 1

Rezoning Application No. 100584 and
Development Permit Application No. 101006
(Mitchell Group / Between 198A and 200 Streets and
86 and 88 Avenues)

Bylaw No. 5494

Report 19-112

File CD 08-27-0062

8:55pm

That Council give first and second reading to Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Mitchell Group) Bylaw 2019 No. 5494, rezoning 5.67 ha (14.01 ac) of land located between 198A and 200 Streets and 86 and 88 Avenues, to Comprehensive Development Zone CD-138, to facilitate development of a 264 room hotel with banquet / conference facility and two (2) eleven (11) storey office buildings, 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. 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;
2. Completion of an erosion and sediment control plan and provision of security in accordance with the Erosion and Sediment Control Bylaw;
3. 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 Carvolth Neighbourhood Plan;
4. Dedication and construction of a 4.5 metre wide street greenway on the north side of 86 Avenue and south side of 88 Avenue, and
11.5 metre average street greenway on the west side of 200 Street, and 3 metre wide trails on the north and south side of the watercourse, including final acceptance of the greenway landscape design plans, sidewalk/trail alignment, signage, landscape details and security;
5. Design and construction of a 0.19 ha (0.47 ac) plaza on the south side of 88 Avenue, including final acceptance of plaza landscape design plans, signage, landscape details and security;
6. 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;
7. Completion of works in restrictive covenant CA3045672 to the acceptance of the Department of

Fisheries and Oceans including discharge of the restrictive covenant prior to transfer of the lands to the Township;

8. 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);
9. Demolition of house and accessory buildings at
19881 - 86 Avenue;
10. Provision of written confirmation from the owner of
8615 - 200 Street (Chevron) that the proposed amendments to the site plan are supported including security of related access easements;
11. Registration of a restrictive covenant restricting access to the site from 200 Street to right in only as shown on the site plan;
12. Registration of easements:
 - a. Securing shared parking between the proposed lots as per the rationale for the parking variance;
 - b. Securing shared use of the proposed driveways by proposed lots 1 and 2;
 - c. Securing shared access to the common underground parkade for lots 1, 2 and 3.
13. Registration of statutory rights of way:
 - a. Securing public access to the plaza south of 88 Avenue,
 - b. Securing public access to 199 Street, and
 - c. For the stormwater outfall from the subject site to the watercourse.
14. Security of final approval from the Ministry of Transportation and Infrastructure which may include provision of a Traffic Impact Study, and final approval of off-site landscape design and driveway to the site from 200 Street by the Ministry of Transportation and Infrastructure;
15. Compliance with the Carvolth Greenway Amenity Zoning Policy No. 07-227;
16. Payment of applicable Neighbourhood Planning Administration fees, supplemental Rezoning fees, Site Servicing Review fee and ISDC review fee;

That Council at time of final reading of Rezoning Bylaw No. 5494 authorize issuance of Development Permit No. 101006 subject to the following conditions:

- a. Building plans being in substantial compliance with Schedules "A" through "N";
- b. 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;
- c. All signage being in compliance with the Township's Sign Bylaw and Schedules "I" through "L" with the exception of the following variances:

- i. Section 8.1.2 of the Township's Sign Bylaw 2012 No. 4927 being varied to permit a maximum fascia and projecting sign area of 26.28 square metres (283 square feet) for signs B3, B6, B7 and B8 combined on the office building as shown in Schedule "L";
- ii. Section 8.1.5 of the Township's Sign Bylaw 2012 No. 4927 being varied to permit a maximum of six non-accessory tenant sign panels on proposed lot 1 (hotel lot) to a maximum total size of 10.6 square metres (114 square feet) as indicated for signs C1 and C4 in Schedule "L";
- d. Rooftop mechanical equipment to be screened from view by compatible architectural treatments in compliance with Schedules "M" through "N";
- e. All refuse areas to be located underground, with the exception of staging areas, and screened to the acceptance of the Township.
- f. Section 107.3 of the Township's Zoning Bylaw No. 2500 being varied to reduce the required number of parking spaces for proposed lot 1 (hotel lot) from 415 to 177 parking spaces and for proposed lot 3 (office 2 lot) from 689 to 642 parking spaces.

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 No. 101109;
- b. Landscaping and boulevard treatment 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. Provision of an exterior lighting impact plan prepared by an electrical engineer in compliance with the provisions of the Township's Exterior Lighting Impact Policy to the acceptance of the Township;
- e. Preparation of a CPTED (Crime Prevention Through Environmental Design) report to the acceptance of the Township and incorporation of its recommendations into the final development design;
- f. 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; and
- g. 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 rezoning bylaw in conjunction with the hearing for proposed Development Permit No. 101006; and further,

That Council consider authorizing the applicant to proceed with clearing and excavation of the subject site following third reading, should such be granted, and in advance of final reading of Bylaw

No. 5494 and issuance of Development Permit No. 101006 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 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. Provision of confirmation that any on-site groundwater wells have been decommissioned in accordance with provincial requirements;
7. 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;
8. Provision of Traffic Management Plan and security to the acceptance of the Township of Langley General Manager of Engineering and Community Development;
9. 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 related bylaw and issuance of Development Permit are completely at applicant's risk and expense and in no way fetter Council's discretion in dealing with the rezoning and Development Permit applications; and
10. Provision of a security bond to the acceptance of the Township of Langley General Manager of Engineering and Community Development.

Explanation - Bylaw No. 5494

Bylaw 2019 No. 5494 rezones rezoning 5.67 ha (14.01 ac) of land located between 198A and 200 Streets and 86 and 88 Avenues, to Comprehensive Development Zone CD-138 to facilitate development of a 264 room hotel with banquet / conference facility and two (2) eleven (11) storey office buildings.