



# ADVISORY DESIGN PANEL REPORT

To: **Advisory Design Panel**

Subject: **Development Permit Application DP 03-21  
Rezoning Application RZ 02-21  
OCP Amendment Application OCP 02-21**

From: Anton Metalnikov  
Planning Assistant II

File #: 6620.00  
Bylaw #: 3179,3180  
Doc #:

Date: July 14, 2021

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## RECOMMENDATION:

THAT this report be received for information.

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## PURPOSE OF REPORT:

To consider a rezoning and Development Permit application by Erik Hacker for a 13-unit townhouse development at 5324-5326 & 5334-5336 198 Street.

## POLICY:

The subject properties are currently zoned RS1 Single Family Residential in Zoning Bylaw No. 2100 and designated "Low-Density Residential" in the Official Community Plan (OCP) Land Use Designation Map. A new OCP is currently in development and these properties are proposed to be designated as "Low Rise Residential," with additional policy in Appendix A: Nicomekl River District Neighbourhood Plan that limits these properties to Ground Oriented Residential.

The applicant is applying to amend the OCP to this designation ahead of the adoption of the new OCP. All lands designated for multi-family residential uses are subject to a Development Permit (DP) to address building form and character. The proposed development exceeds the density permitted in the current OCP and Zoning Bylaw and requires an OCP amendment and Comprehensive Development (CD) Zone to accommodate it.

## COMMENTS/ANALYSIS:

### Background Information:

<b>Applicant:</b>	Erik Hacker
<b>Owner:</b>	1160233 B.C. LTD.
<b>Civic Addresses:</b>	5324-5326 & 5334-5336 198 Street
<b>Legal Descriptions:</b>	Strata Lots 1 & 2, Section 3, Township 8, New Westminster District, Strata Plan NW1183, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1; Strata Lots 1 & 2, Section 3, Township 8, New Westminster District, Strata Plan NW1182, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1
<b>Site Area:</b>	1,893.00 m <sup>2</sup> (0.47 acres)
<b>Number of Units:</b>	13 townhouses
<b>Residential Density:</b>	69.0 units/ha (27.8 units/acre)
<b>Gross Floor Area:</b>	2,271.69 m <sup>2</sup> (24,452.29 ft <sup>2</sup> )
<b>Floor Area Ratio:</b>	1.200
<b>Lot Coverage:</b>	43.5%
<b>Total Parking Required:</b>	29 spaces (including 1 h/c space) <i>*RM1 requirement</i>
<b>Parking Provided:</b>	
<b>Resident</b>	26 spaces
<b>Visitor</b>	<u>3 spaces</u>
<b>Total</b>	29 spaces (including 1 h/c space)
<b>Existing OCP Designation:</b>	Low-Density Residential
<b>Proposed OCP Designation:</b>	Low Rise Residential
<b>Existing Zoning:</b>	RS1 Single Family Residential
<b>Proposed Zoning:</b>	CD77 Comprehensive Development Zone
<b>Development Cost Charges:</b>	\$200,985.75 (City - \$130,527.00, GVS&DD - \$42,255.00, SD35 - \$5,973.75, TransLink - \$22,230.00)
<b>Community Amenity Contributions (CACs):</b>	\$26,000.00

## **Discussion:**

### 1. Context

The applicant is proposing to develop a 13-unit townhouse complex on the site of four former duplex units on two lots at 5324-5326 & 5334-5336 198 Street. This site is designated as Low-Density Residential in the City's current Official Community Plan (OCP). This designation generally aligns with the RM1 Multiple Residential Low Density Zone, which allows for low-density residential development of up to 62 units per hectare. On the subject site, this density would allow for an approximate maximum of 12 units.

The City is currently developing a new OCP, with an expected completion date of fall 2021. The draft land use plan proposed for the new OCP identifies this site as Low Rise Residential. This is further refined by Appendix A: Nicomekl River District Neighbourhood Plan, which limits the land use to Ground Oriented Residential, which would allow for townhouse development of a Floor Area Ratio (FAR) of up to 1.2, with no unit density maximums. To enable a higher density development (69 units/hectare, or 13 units on the subject site) than what is permitted in the current OCP (as noted above), the applicant has applied to amend their site's land use designation from the current High-Density Residential designation to the Low Rise Residential designation proposed in the draft OCP. The applicant held a virtual Public Information meeting on March 29, 2021 to receive public input on the application, which has been used to develop a refined proposal. This consultation is considered "early and ongoing" consultation, as typically required for OCP amendment applications.

The site is located in a neighbourhood in transition, with a variety of recently developed and under construction townhouse complexes and apartment buildings nearby to the north centred on 198 Street, and single-detached houses and duplexes in the immediate vicinity. A corner site, these properties are flanked by two roads. Vehicle access into the complex is provided through a private lane off of 53 Avenue to the south, a crosstown collector road hosting bus routes and bike lanes connecting several major north-south travel corridors. Single-detached homes are located to the south across 53 Avenue. To the west, the site is bordered by 198 Street, a collector road providing access from local roads off of it to 53 and 56 Avenues. A large public park (Brydon Park) is located on the other side of the street, which is proposed to be fronted by the unit entrances and patios of this application. To the north and east, the site is neighbored by several single-detached and duplex properties. The Ground Oriented Residential requirement in the draft Nicomekl River District Neighbourhood Plan is intended to respond to this context, by transitioning down from townhouse complexes and apartment buildings permitted in the draft

new OCP in behind (northeast) the site to Brydon Park, single-detached homes, and Nicomekl River floodplain on its other sides.

The site is located in a distinctly residential area but enjoys convenient walking connections to key amenities including:

- Brydon Park, Baldi Creek Trail, Nicomekl River trail network, Brydon Lagoon (few-minutes walk)
- Transit service on 200 Street, 56 Avenue, & 53 Avenue (5 to 10-minute walk)
- Nicomekl Elementary School (10-minute walk)
- Linwood Park (10-minute walk)
- Downtown (15-minute walk)



*Site context*

## 2. Proposed Rezoning and the Official Community Plan (OCP)

The proposed development site is currently zoned RS1 Single Family Residential and designated as Low-Density Residential in the OCP. As noted above, the City is currently developing a new OCP and is proposing to designate

the subject properties, along with the area around them, as Low Rise Residential. In addition, these properties, along with others on the east and north sides of 198 Street and 53 Avenue respectively in this block, are directed by Appendix A: Nicomekl River District Neighbourhood Plan to Ground Oriented Residential development. If the proposed land use policies for these properties is adopted by Council, it will allow the development of townhouses of up to a FAR of 1.2 and no unit density maximum. The applicant has tailored their development to this proposed designation and has applied for an OCP amendment in order to allow their application to proceed through the approval process ahead of the expected fall adoption of the new OCP.

The applicant is proposing to rezone the properties to a site-specific Comprehensive Development (CD) Zone as no existing zones adequately accommodate the types of townhouse developments envisioned in the new OCP which, on this site, would allow a slightly higher density than what is currently permitted, and enable 3-storey development as compared to the 2-storey maximum currently in place in the RM1 Multiple Residential Low Density Zone. Should the CD rezoning be adopted it is anticipated that following the adoption of the new OCP, and as part of adopting the new Zoning Bylaw, the City will rezone this site from its CD Zone to the new zone crafted to implement the Ground Oriented Residential designation.

### 3. Design

The applicant is proposing a site plan composed of a double-loaded private lane to make most efficient use of the site while enabling larger setbacks from the neighbouring properties to its sides. Moving outward from the central 8-metre-wide lane, a single townhouse block (Block 1 or west block) flanks it on its west side and fronts onto 198 Street and Brydon Park, while two separate blocks (Blocks 2 and 3, or east blocks) are proposed on the east side of the lane to accommodate the site's trapezoidal shape. The western block is separated from the sidewalk by front patios, while backyards on the eastern blocks form a buffer between them and neighbouring properties. Landscaping also separates the townhouses from the property to the north, and both blocks include units with patios on their south sides facing 53 Avenue.

The proposal would provide an attractive design to this higher-profile local corner, with its blend of a cool-colour base and warm-colour accents relating well to the site's natural surroundings, and its pitched roofs complementing the architecture of the surrounding homes. This contrasting material and colour palette combined with street-facing doors on all external units, glazing, and thorough landscaping, sets a street-friendly character that relates well to the substantial surrounding public realm as well as to the existing development

around it. The individual units rise with the site, following the ground's natural grade as it elevates from 53 Avenue toward the north.

The façade design of all blocks is generally similar. All elevations are treated with a grey base composed of fiber cement asphalt shingles, punctuated by dark grey doors, windows, rosewood-tone fiber cement lap siding accents, and white garage doors. On the upper two storeys, white and light grey fibre cement panelled extrusions are interspersed by the same rosewood siding rising from the floor below. White cornices separate the ground floors from the upper storeys and them in turn from the asphalt roof. Generous glazing features prominently on all sides, and the southeast block (Block 2) features a balcony facing 53 Avenue, which enhances the proposal's engagement with the street.

The site benefits from a diversity of landscaping, with a variety of shrub plantings delineating the blocks from common areas both within and outside the site, and several tree species incorporated as well. This includes Magnolia and American Hornbeam trees lining 53 Avenue and 198 Street respectively, and a Maple tree centred in in the garden on the site's east complemented with Spruce trees. This garden is designed with this greenery surrounded by a river rock surface.

Patterned hardscaping also plays a prominent role in the landscape design, with brick-coloured concrete pavers used for entrance walkways and sawcut concrete used for parking spaces and other access points throughout the site. Grey hydra pressed slabs connect the 198 Street-fronting entrances to the public sidewalk, while brick-coloured slabs form the private patios. These slabs are separated with sod and granular surface respectively to accommodate stormwater runoff. A secured dog run is located in the northeast corner of the site with a bench under a trellis placed for owners to watch. The interior lane is softened with metal trellis columns between unit driveways intended to accommodate climbing vines.

The proposed design largely reflects preliminary setbacks being considered for the draft new Zoning Bylaw, including shallower (3 metre) front and exterior side setbacks, and 4.5 metre rear yard setbacks. Staff worked with the applicant to refine the design following the Public Information Meeting (PIM), including pulling the eastern townhouse blocks away from the east property line to the recommended 4.5 metre rear setback for townhouses. This 4.5 metre setback results in no shadowing of the neighbouring properties until after at least 3 pm at the equinoxes. In addition, the applicant will be installing 1.8 metre (5.9 foot) tall privacy fencing along the shared boundaries with neighbouring properties.

Staff also note that in order to accommodate more generous setbacks and an 8-metre-wide drive aisle, some parts of the buildings are slightly closer to 198 Street and 53 Avenue than 3 metres. However, nearly 75% of the 198 Street

frontage is set back 3 metres or more, with intrusions into this setback (i.e. about 0.5 metres) occurring as a result of the curved property line and internal lane. Similarly, over half of the 53 Avenue frontage is set back 3 metres or more, with intrusions beyond this (i.e. select building corners are at a 2 metre setback). This is a result of articulating the building faces to avoid flat walls and provide more visual interest for these building sides from the street, which staff support.

In total, almost 2/3 of the street-facing frontages are setback 3 metres or more. Staff are comfortable with this design given the wide rights-of-way and public realm (sidewalk and tree strip) that is in place along these streets, having Brydon Park directly across the street, as well as the future plans to widen the 198 Street public realm, by way of a 1-metre property dedication along the 198 St. frontage.

These shallower front and exterior setbacks are partially a result of design considerations (i.e. pulling the townhouse blocks further away from the northern and eastern property line to increase the length of the rear yards and reduce massing and shadowing impacts on adjacent properties), and the site's challenging shape and size. This design and property context would likely contribute to similar reduced front and exterior lot line setbacks for an application with a slightly lower unit count.

The proposed private access lane design also enables the possibility of connecting this lane to a potential future redevelopment application located to the north, with the intent of enabling vehicular access through to 54 Avenue (to both the potential future redevelopment and this application). This could also enable the possible option of making the current proposed vehicular access to 53 Avenue become pedestrian-only. The applicant will be expected to ensure there is reciprocal access agreement in place to potentially facilitate this option in the future, prior to adoption of the proposed rezoning.

Sustainability is incorporated into the proposal through gravel-separated pavers facilitating rainwater infiltration, using recycled materials in construction and establishing a construction recycling plan, using drought-tolerant and non-water dependent landscaping, and installing a Level II EV charger in each unit garage.

Pedestrian access is provided into the units from the internal lane as well as from 198 Street on the western block. Vehicle parking is accommodated through two enclosed garage spaces in each unit and three outdoor visitor spaces, one of which is accessible. All units have three bedrooms and ground-level patios, and range in size from 168 m<sup>2</sup> (1,812 ft<sup>2</sup>) to 198 m<sup>2</sup> (2,136 ft<sup>2</sup>).

#### 4. CPTED

The applicant's proposal benefited from a comprehensive Crime Prevention Through Environmental Design (CPTED) review by a qualified consultant whose recommendations were incorporated into the plans.

#### 5. Summary

The proposed development is consistent with the City's proposed new OCP and Development Permit Area guidelines for this area and presents an attractive design providing family-oriented housing in close proximity to parks and trails, the transit system, and Nicomekl Elementary School.

#### **Engineering Requirements:**

**Additional design changes may be required upon further investigation, site inspections and receipt of other supporting reports and documents. All work to be done to the City of Langley Specifications & MMCD Standards.**

These requirements have been issued to reflect the application for development for a proposed **13 Unit Townhome Development located at 5324-36 198 St.**

*These requirements may be subject to change upon receipt of a development application.*

The City's Zoning Bylaw, 1996, #2100 has requirements concerning landscaping for buffer zonings, parking and loading areas, and garbage and recycling containers, all of which applies to this design.

#### A) The developer is responsible for the following work which shall be designed by a Professional Engineer:

1. A Qualified Environmental Professional (QEP) or a Professional Engineer with experience in Erosion and Sediment Control monitoring must be engaged to implement erosion and sediment control in accordance with the City of Langley Watercourse Protection Bylaw #3152, as amended.
2. A storm water management plan for the site is required. Rainwater detention measures used on site shall limit the release rate to pre-development levels to mitigate flooding and environmental impacts as detailed in the Subdivision and Development Bylaw. All calculations shall be based on the updated IDF data for Surrey Kwantlen Park (1962-2013) with 20% added to the tabulated data to account for climate change. A safety factor of 20% shall be added to the calculated storage volume. Pre-development release rates shall *not* include climate change effect.

3. All existing services shall be capped at the main by the City, at the Developer's expense prior to applying for a Demolition permit.
4. New water, sanitary and storm sewer service connections are required. The Developer's engineer will determine the appropriate main tie-in locations and size the connections for the necessary capacity. All service design calculations shall be submitted in spreadsheet format and shall include all formulas for review by the City.
5. SMA4181 will require re-alignment designed by the Developer's consultant and installed by the Developer's contractor at the Developer's expense.
6. The capacity of the existing water and sanitary sewer mains shall be assessed through hydraulic modeling performed by the City's hydraulic modeling consultant at the Developer's expense. At the Developer's expense, the City's hydraulic modeling consultant shall conduct a fire hydrant flow test to be used in the City's water modeling to determine if the existing water network is adequate for fire flows (based on architectural data supplied by the Developer's Architect). Upgrading of the existing watermain(s) may be necessary to achieve the necessary pressure and flows to conform to Fire Underwriters Survey (FUS) "Water Supply for a Public Fire Protection, a Guide to Recommended Practice, 1995." Any upgrades required to service the site shall be designed by the Developer's consultant and installed at the Developer's expense.
7. The Consulting Engineer shall demonstrate that all downstream storm sewer infrastructures for a distance of up to 1.0 km are capable of conveying the projected 5-year runoff flows created by the proposed Subdivision/Development within the catchment area and under the ultimate land use (OCP) conditions.
8. Additional C71P fire hydrants may be required to meet bylaw and firefighting requirements. Hydrant locations must be approved by the City of Langley Fire Rescue Service.
9. 198 St. shall be designed to the City's new SS-R04 standard (modified). The Developer's consultant shall contact Engineering Services to obtain the City's road cross-section design standards and modification details.
10. A property dedication of 1m will be required along the 198 St. frontage and 0.5m along the 53 St. frontage of the proposed development. A 4m corner truncation at 198 St. and 53 Ave. will be required.
11. New sidewalk, barrier curb, gutter will be required along the entire project frontage, complete with boulevard trees and a planting strip. The Developer's consultant shall contact Engineering Services to obtain City's Landscaping design standards prior to hiring a professional to prepare boulevard trees and a planting strip plan.
12. If the proposed development will generate more than 30 additional peak direction trips (inbound and outbound) to or from the site during the peak hour, then a basic traffic impact assessment (TIA) will be required; between 30 and 40 trips – reduced scope TIA; 50 and greater trips – TIA. Prior to

- hiring a traffic engineering consultant, the Developer shall contact Engineering Services Division for the required scope of work.
13. The condition of the existing pavement along the proposed project's entire frontage shall be assessed by a geotechnical engineer. Pavements shall be adequate for an expected road life of 20 years under the expected traffic conditions for the class of road. Road construction and asphalt overlay designs shall be based on the analysis of the results of Benkelman Beam tests and test holes carried out on the existing road which is to be upgraded. If the pavement is inadequate, it shall be remediated at the Developer's expense.
  14. The site layout shall be designed by a civil engineer to ensure that the parking and access layout meets minimum design standards, including setbacks from property lines. Appropriate turning templates should be used to prove parking stalls and drive-aisles are accessible by the design vehicle.
  15. Existing and proposed street lighting along the entire project frontage shall be reviewed by a qualified lighting consultant to ensure street lighting and lighting levels meet current City of Langley standards. Any required upgrades will be completed by the Developer's contractor at the Developer's expense.
  16. Eliminate the existing overhead BC Hydro/telecommunication infrastructure along the development's entire frontage by undergrounding.

**B) The developer is required to deposit the following bonding and fees:**

1. The City would require a Security Deposit based on the estimated construction costs of installing civil works, as approved by the Director of Engineering, Parks and Environment.
2. The City would require inspection and administration fees in accordance to the Subdivision Bylaw based on a percentage of the estimated construction costs. (See Schedule A – General Requirement - GR5.1 for details).
3. A deposit for a storm, sanitary and water connection is required, which will be determined after detailed civil engineering drawings are submitted, sealed by a Professional Engineer.
4. The City would require a \$40,000 bond for the installation of a water meter to current standards.
5. Permanent pavement restoration of all pavement cuts, all associated deposits and fees shall be as per the City of Langley's pavement cut policy# CO-57 by the developer's contractor at the developer's expense (if applicable).

NOTE: Deposits for utility services or connections are estimates only. The actual cost incurred for the work will be charged. The City will provide the developer with an estimate of connections costs, and the Developer will declare in writing that the estimate is acceptable.

**C) The developer is required to adhere to the following conditions:**

1. Undergrounding of hydro, telephone and cable services to the development site is required, complete with underground or at-grade transformer.
2. All survey costs and registration of documents with the Land Titles Office are the responsibility of the developer/owner.
3. A water meter is required to be installed on private property, preferably in the mechanical room, in accordance to the City's current water meter specifications at the developer's cost.
4. An approved backflow prevention assembly must be installed on the domestic water connection immediately upon entering the building to provide premise isolation.
5. A *Stormceptor* or equivalent oil separator is required to treat site surface drainage.
6. A complete set of as-built drawings, service record cards, a completed tangible capital asset form (TCA) and a completed pavement cut form (final) all sealed by a Professional Engineer shall be submitted to the City within 60 days of the substantial completion date. Digital drawing files in *.pdf* and *.dwg* formats shall also be submitted. All the drawing submissions shall:
  - a. Use City's General Note Sheet and Title Block; and
  - b. Closely follow the format and sequence outlined in the City's "Drawing Specifications" that will be provided to the Developer's Consulting Engineer.
7. The selection, location and spacing of street trees and landscaping shall follow the City's "Specifications and Standards for Landscaping" and are subject to the approval of the Director of Engineering, Parks & Environment.
8. Stormwater run-off generated on the site shall not impact adjacent properties, or roadways.
9. A dedicated on-site loading zone shall be provided by the developer.
10. Any PMT and associated maintenance access servicing the project shall be located on site.
11. Garbage and recycling enclosures shall accommodate on the site and be designed to meet Metro Vancouver's "Technical Specifications for Recycling and Garbage Amenities in Multi-family and Commercial Developments - June 2015 Update."

**Fire Department Comments:**

Fire department access for the whole project was reviewed to ensure adequate access was provided for Fire Rescue vehicles and personnel. Fire extinguishers in common rooms such as the electrical room and inclusion in the lockbox program will be evaluated during the Building Permit stage. Building Code requirements relating to water availability, progressively installed standpipe and

sprinkler systems, installation of fire doors, and other fire-mitigating strategies will be enforced in the construction stage of the project. A 24/7 Fire Watch will also be required from the commencement of wood-frame construction through to full activation of the buildings' fire protection systems.

**Advisory Design Panel:**

In accordance with Development Application Procedures Bylaw No. 2488, the subject Zoning Bylaw amendment and Development Permit application will be reviewed by the Advisory Design Panel (ADP) at the July 21, 2021 meeting.

According to the Council-approved ADP Terms of Reference, the ADP is to provide form and character and urban design-related advice and recommendations for Council's consideration. ADP recommendations will be presented to Council through the ADP meeting minutes and, if applicable, through an additional City staff report, prior to Council consideration of the proposed Zoning Bylaw amendment and Development Permit Applications.

A copy of the ADP minutes will be presented to Langley City Council at a future Regular Council meeting.

**BUDGET IMPLICATIONS:**

In accordance with Bylaw No. 2482, the proposed development would contribute \$130,527.00 to City Development Cost Charge accounts and \$26,000.00 in Community Amenity Contributions.

Prepared by:



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Anton Metalnikov  
Planning Assistant II

Concurrence:



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Roy M. Beddow, RPP, MCIP  
Deputy Director of Development Services

To: Advisory Design Panel

Date: July 14, 2021

Subject: Development Permit Application DP 03-21, Rezoning Application RZ 02-21, & OCP  
Amendment Application OCP 02-21

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Concurrence:



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Carl Johannsen, RPP, MCIP  
Director of Development Services

Concurrence:



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Rick Bomhof, P.Eng.  
Director of Engineering, Parks &  
Environment

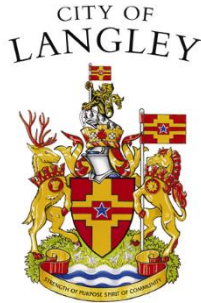
*Attachments*

Concurrence:



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Scott Kennedy, Deputy Fire Chief



# DEVELOPMENT PERMIT APPLICATION DP 03-21 REZONING APPLICATION RZ 02-21 OCP AMENDMENT APPLICATION OCP 02-21

**Civic Addresses:** 5324-5326 & 5334-5336 198 Street  
**Legal Description:** Strata Lots 1 & 2, Section 3, Township 8, New Westminster District, Strata Plan NW1183, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1; Strata Lots 1 & 2, Section 3, Township 8, New Westminster District, Strata Plan NW1182, together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

**Applicant:** Erik Hacker  
**Owner:** 1160233 B.C. LTD.

