



## MINUTES OF A PUBLIC HEARING MEETING

Monday, December 6, 2021

7:00 p.m.

Remote Video / Teleconference

- Present:
- Mayor van den Broek
  - Councillor Albrecht
  - Councillor James
  - Councillor Martin
  - Councillor Pachal
  - Councillor Storteboom
  - Councillor Wallace
- Staff Present:
- F. Cheung, Chief Administrative Officer
  - K. Hilton, Director of Recreation, Culture and Community Services
  - C. Johannsen, Director of Development Services
  - D. Leite, Director of Corporate Services
  - H. Gill, Manager of Engineering
  - A. Metalnikov, Planning Assistant
  - K. Kenney, Corporate Officer
  - P. Kusack, Deputy Corporate Officer

Mayor van den Broek began by acknowledging that the land on which we gather is the traditional unceded territory of the Katzie, Kwantlen, Matsqui and Semiahmoo First Nations

### 1. **CALL TO ORDER**

Mayor van den Broek called the Public Hearing to order.

Mayor van den Broek read a statement regarding the procedure to be followed for the Public Hearing.

The Corporate Officer advised that notification of the Public Hearing had been publicized in the following manner:

Two newspaper advertisements for the each of the bylaws was placed in the November 25<sup>th</sup> and December 2<sup>nd</sup> editions of the Langley Advance Times and notices were mailed out to owners within 100 m of the subject properties.

Notice of the Public Hearing was placed on the City's website and on the posting board on the first floor of City Hall.

No correspondence was received in relation to Bylaw 3189.

Three pieces of correspondence were received in relation to Bylaw 3191, one of which was included in the agenda and two, which were received after the agenda was published were circulated to Council via email.

Two pieces of correspondence were received in relation to Bylaw 3197, one of which was included in the agenda and the other, which was received after the agenda was published was circulated to Council via email.

## **2. BUSINESS**

### **a. Bylaw No. 3197 – Land Use Contract Discharge and Development Permit DP 12-21**

A bylaw to authorize the discharge of Land Use Contract No. 03-73 from the property located at 20785 Fraser Highway which will enable the accommodation of a 6 storey, 200-apartment unit and 1,518 m<sup>2</sup> commercial mixed-use development.

Carl Johannsen, Director of Development Services provided an overview of the purpose of the bylaw:

- proposes a six-storey mixed-use building and corner plaza at the intersection of Fraser Highway and 208 St.;
- the proposal aligns with existing C-1 zoning on the site which permits a density of up to 150 units per acre and maximum height of about 15 stories, subject to airport height limits;
- a land use contract from 1974 is registered on the title of this property, which currently only permits the existing three storey building on the site;
- in order to utilize the C-1 zoning, the land use contract must be removed; all land use contracts in the province of BC are to be removed by July 1, 2024. The proposed early discharge of this Land Use Contract will enable the applicant to seek approval of a development permit;
- applicant is undertaking a tenant relocation and assistance plan as the existing building has 24 purpose built rental units;
- the provincial Residential Tenancy Act provides the legal minimum notice requirement which is a minimum four months notice and one month compensation in rent following receipt of a demolition permit by the applicant;
- requested variances include combined storage and bike storage, multiple amenity rooms, change in accessible parking stall length, and parking variances that are consistent with those being contemplated for the new Zoning Bylaw in locations near frequent transit downtown near SkyTrain, including a reduced parking rate for a one-bedroom dwelling, small scale commercial, visitor parking, the use of shared residential visitor and commercial parking, and updated small car parking percentages;

- the building design and proposed set back variances also align with updates being considered to the C-1 Zone as part of the new Zoning Bylaw update;
- The application was reviewed by the City's Advisory Design Panel and the applicant has incorporated the ADP's recommendations with respect to building, landscaping and public realm improvements;
- The plaza design and integration with the City's right-of-way will be further refined should Council give the application third reading;
- The building is within the City's flood construction level; therefore the ground floors must be elevated from street level.

The Mayor invited the applicant to present their proposed application.

The following individuals were in attendance:

Luc Gosselin, CEO, Whitetail Homes

Gerald Minchuk, Development Manager, Whitetail Homes

Clark Kavolinas, Principal Landscape Architect, C. Kavolinas & Associates Inc.

Martin Veenhoven, Senior Project Manager, Keystone Architecture and Planning Inc.

Tyler Tsang, Project Coordinator, Keystone Architecture & Planning

Aaron Chan, Transportation Engineer, CTS Creative Transportation Solutions

Mr. Veenhoven provided information on aspects of the application, including:

- residential and commercial parking initiatives;
- concept for the plaza space;
- concept for the building design and façade;
- landscaping.

The Mayor invited those in attendance at the electronic meeting who deemed their interest in property affected by the proposed bylaw to present their comments.

Nadine Harris, 20791 Fraser Hwy., Langley, spoke regarding the following:

- has been a resident in existing building for 22 years;
- many other residents in building are also long-term tenants;
- doesn't make sense to require these vulnerable tenants to relocate during a pandemic and rental housing crisis;
- original owner of the building kept the building well maintained until two years ago when he had to sell it; new owner hasn't maintained the building, allowing it to become rat infested;

- tenant compensation package is insulting and inadequate as it doesn't allow residents to relocate to comparable housing or adequately cover moving expenses;
- Langley is not following its Housing Needs Report with respect to providing affordable housing in the city;
- the developer's rollout of its tenant compensation and relocation plan was seriously flawed and possibly illegal; wants a new liaison.

The Mayor called a second time for speakers on Bylaw 3197.

Nadine Harris, 20791 Fraser Hwy., Langley, spoke regarding the following:

- if the Mayor were to meet the residents of the affected building, she would never let this happen without making the developer change the compensation package;
- there are terrified seniors living here;
- the developer has 10 other projects going in the city and is worth a lot of money;
- shouldn't be making sick and impoverished people move during a pandemic and when there is no affordable housing available to them; should delay this until 2023 or 2024 or give the tenants proper, decent compensation that will allow them to continue paying their rent until they can get into other housing as some only get \$1,200 to 1,400 per month;
- the developer's representative who is responsible for liaising with the residents about the tenant relocation plan didn't advise the tenants of the meetings or explain their purpose in a timely manner or appropriately;
- she opposes this project, as do her neighbours.

Barbara Punnett, 20785 Fraser Hwy. Langley, who has a business in the building, spoke regarding the following:

- asked if there will there be any low-income housing in this building;
- the businesses in the building weren't offered any compensation for leasehold improvements made by the businesses over the years, just told to move on.

Gerald Minchuk, Development Manager, Whitetail Homes advised that there is no low-income housing in this project and that compensation to commercial tenants are protected under their lease agreements which spell out their rights and privileges; accordingly, Whitetail Homes is not offering businesses compensation.

Mr. Minchuk detailed Whitetail Homes' tenant relocation plan, advising it was developed in accordance with the requirements of the City's new

OCP, and outlined the steps taken to date, providing information on the following:

- initial communication with tenants;
- information meetings held with tenants;
- development of website to provide tenants with current information;
- designation of relocation coordinator as contact person for Whitetail Homes;
- details of financial compensation provided by Whitetail Homes based on length of tenancy and the Residential Tenancy Act;
- details of additional support provided by Whitetail Homes for vulnerable tenants.

The Mayor called a third and final time for speakers on Bylaw 3197.

Nadine Harris, 20791 Fraser Hwy., Langley, spoke regarding the following:

- there were two tenants who did not receive notice of the information meetings held on October 12<sup>th</sup> and 25<sup>th</sup>; and because the notice for the October 25<sup>th</sup> meeting was only given to tenants the day before the meeting, many did not know about it;
- there are thousands of people on waiting lists for affordable rental housing;
- the compensation package isn't adequate to cover moving costs, damage deposit, and rent as most of the tenants are on disability;
- question the timing of doing this during a pandemic and low-income housing crisis;
- doubt any of the tenants can afford any of the market value units offered by Whitetail Homes.

There were no further speakers.

In response to questions from Council members, Mr. Veenhoven advised that:

- the original design for the building was maintained in order to create an urban building, define the intersection and allow the public to make use of the plaza space;
- the sound proofing measures being undertaken for the building are in accordance with current building code standards and in some cases may exceed those standards.

Mr. Carl Johannsen clarified that the City of Langley is not directing this redevelopment project; it is a private developer led project.

b. Bylaw 3189 - Zoning Bylaw Amendment No. 182 (RZ 08-21) and Development Permit DP 10-21

A bylaw to rezone properties located at 5364-5380 198 Street & 19824 54 Avenue from RS1 Single Family Residential Zone to CD79 Comprehensive Development Zone to accommodate a 30-unit townhouse development.

Carl Johannsen, Director of Development Services provided an overview of the purpose of the bylaw.

- the townhouses all have double garages;
- the application was reviewed by the Advisory Design Panel (ADP) and the applicant has incorporated the ADP's recommendations:
  - addition of warmer colours;
  - increased articulation of the building faces;
  - updating the roofline to reduce massing;
  - installing privacy fencing along the east property line;
  - addition of a gate at the east emergency access where it meets 54 Ave. to prevent walkthrough traffic;
- the development has an outdoor amenity space.

The Mayor invited the following applicants to present the proposed bylaw:

Harman Virk, Managing Director, Sync Properties

Rajan Dhanowa, Managing Director, Sync Properties

Denitsa Dimitrova MLA, Senior Landscape Designer, PMG Landscape Architects

Eric Poxleitner, Senior Principal Architect, Keystone Architecture and Planning Inc

Kyle Nagtegaal, Project Manager, Keystone Architecture and Planning Inc

Mr. Nagtegaal provided information on the proposed development including:

- Project data
- Context and precedent images
- Aerial view
- Transit 10-minute radius
- Site plan
- Shadow study
- Floor plans
- Streetscapes
- Exterior elevations
- Renderings
- 54<sup>th</sup> St. perspective
- 198 St. perspective

Ms. Dimitrova provided information on the landscape plan for the project.

The Mayor invited those in attendance at the meeting who deemed their interest in property affected by the proposed bylaw to present their comments.

Jason Melnick 19810 53A. Ave., Langley spoke regarding the following:

- shadow study is inadequate and disingenuous as it only shows shadow study for one day with three-time samples in the mid afternoon, showing only how the sunlight is affected on the west side of the development when all the neighbouring homes are located on the east side of the development;
- all the residential properties to the east are going to be cut off from direct sunlight for large portions of the day at numerous times throughout the year because of this multi-story development which is located metres from these properties;
- concerned the quality of life of the residents to the east of this development carries no weight in Council's decision process as the overall plan is to redevelop those properties;
- as these new townhomes bring in more tax revenue to the City, doesn't feel existing residents are respected;
- these zoning changes are enabling developers to force residents from their cul-de-sacs;
- close to paying off existing mortgage and would like to enjoy his outside space with family;
- he doesn't want to have to borrow a lot of money in order to be able to purchase something comparable to what he has now in the city;
- densification in the area has made 198 St. dangerous; now adding 30 more townhouses in this area;
- should reconsider allowing these types of encroachments which dramatically impact the properties next to them, particularly if they are residential homes;
- developers have never approached him or his neighbours with their plans even though these developments negatively impact their quality of life and could potentially prevent them from selling their homes in the future due to the resulting shadowing of the properties from the developments;
- Council should require developers to directly engage with affected property owners;
- Ill planned urban development is one of the causes of higher temperatures which we experienced this past summer; replacing large, mature trees with smaller trees does not equal same protection from the sun.

Mr. Johannsen noted that the density for this development is less than what is allowed under the new OCP.

With respect to the shadow study, he further advised that:

- the spring equinox is the standard that's used in shadow studies to assess shadowing impacts of buildings, typically on public spaces, but in this case has been used to also assess possible shadowing impacts on adjacent residential properties;
- at the December solstice the shadows are long for everything and, in the summer, they are much shorter so that's why the times of 9:00 am, Noon, and 3:00 pm are used for the equinox;
- we can assume that the shadows for the summer solstice are quite a bit shorter and in this case the townhouse building at the southeast corner of the proposal is lower than the property to the east so that's going to help to mitigate the shadowing impact at the equinox and the solstice for the property to the east;
- the applicant did hold a public information meeting before they brought in their application as part of the previous OCP amendment application.

The Mayor called a second time for speakers on Bylaw 3189.

Rhianna Reddekopp, 5313 198A street, Langley, spoke regarding the following:

- expressed thanks for having the fire gate added to the development to prevent walkthrough access to her cul-de-sac as those residents have experienced thefts already which would likely increase if there was a walkthrough;
- Appreciate less denseness of this development, will fit in better with the existing properties;
- Asked what the backyards will be comprised of given the need to minimize the heat dome effect with less heat emitting things and more heat absorbing things.

Ms. Dimitrova advised that:

- the backyards will be comprised of concrete pavers as there is very minimal space for landscaping there;
- along the east property line there is a 1.2m high evergreen hedge but there is no option for trees there;
- because there is a wider buffer at the north and south property lines there will be evergreens and mixed shrubs covering the area there.

Mr. Johannsen advised that if the development is approved, the developer would be required to provide a tree strip and street trees along 198 St. and 54 Ave. which, as they grow, will provide shade in the summer for the buildings on the property in late afternoon and also the pavement on 198

St. which is a generator of the heat island effect. This requirement is part of the City's new Subdivision Bylaw.

The Mayor called a third and final time for speakers on Bylaw 3189.

Rhianna Reddekopp, 5313 198A street, Langley, spoke regarding the following:

- noted that the current plans of the development don't show street trees to the south and expressed concern this feature may be overlooked and questioned what guarantee the City had that they would put these in.

Ms. Dimitrova advised that the developer will be able to identify the exact locations for the street trees once the lamp standards have been installed and that street trees are installed at the last stage of the project so as not to damage other works.

Mr. Hirod Gill, Manager of Engineering further advised that the warranty for landscaping is now two years so as to eliminate the possibility of trees being planted and then dying in the next year or two.

There were no further speakers.

In response to questions from Council members, Mr. Nagtegaal advised that:

- as there is side by side parking there can't be a separate door on that side of the building to the units; however there will be signage identifying how to access the front of the units and owners can also come through the garage to accept deliveries as necessary;
- impact noise won't be as much of an issue as the units are joined side to side, not stacked; the overall design of the units will meet the building code with respect to sound transmission measures.

c. Bylaw No. 3191 – Zoning Bylaw Amendment No. 183 (RZ 09-21) and Development Permit DP 11-21

A bylaw to rezone properties located at 20120-20170 53A Avenue from RS1 Single Family Residential Zone to CD80 Comprehensive Development Zone to accommodate a 5-storey, 86-unit apartment development.

Carl Johannsen, Director of Development Services provided an overview of the purpose of the bylaw.

- The application was reviewed by the Advisory Design Pane (ADP) and the applicant has incorporated the ADP's building and landscaping recommendations into their drawings including:
  - expansion of the solarium

- addition of trees and a community garden plot
- Variances requested include:
  - combined bicycle and storage;
  - small car spaces
  - having some visitor parking spaces underground
  - residential parking based on the proposed shoulder area rates for the new Zoning Bylaw.

The Mayor invited the following applicants to present the proposed bylaw:

Bryan Smyth, Principal, Redekop Kroeker Development Inc.

Tim Kroeker, Principal, Redekop Kroeker Development Inc.

Eric Poxleitner, Senior Principal Architect, Keystone Architecture and Planning Inc.

Kyle Nagtegaal, Project Manager, Keystone Architecture and Planning Inc.

Mr. Nagtegaal, provided information on the proposed development including:

- Project data
- Context & Precedent images
- Aerial View
- Transit 10 Minute Radius
- Site Plan
- Landscape Plan
- Shadow Study
- Parkade Plan
- Floor Plans
- Streetscapes
- Exterior elevations
- Renderings

The Mayor invited those in attendance at the electronic meeting who deem their interest in property affected by the proposed bylaw to present their comments.

The Mayor called a first, second, and a third and final time for speakers on Bylaw 3191.

There were no speakers.

In response to a question from a Council member, Mr. Johannsen advised that;

- any future redevelopments to the south would be similar in structure to this development and the parkades would face each other;

- a six-metre setback from the property line to the building face would be required and, in this case, there may be the ability to have a larger setback to provide extra space facing north/south;
- the solarium has glass panelling so that it doesn't feel like a large building projection;
- staff will be mindful of maintaining the functionality of the solarium in this development when preliminary plans are submitted for the neighbouring development.

In response to questions from a Council member, Mr. Nagtegaal advised that:

- the 5.9m cubed storage measurement reflects both the storage and the bike locker;
- the developer is not looking to implement any measures with respect to impact sounds over and above what is required in the building code.

**3. MOTION TO CLOSE PUBLIC HEARING**

It was MOVED and SECONDED

THAT the Public Hearing close at 8:33 pm.

CARRIED

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Signed:

MAYOR

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Certified Correct:

CORPORATE OFFICER