



EXPLANATORY MEMO

SUBDIVISION AND DEVELOPMENT SERVICING

BYLAW, No.3126,
AMENDMENT No. 1, 2023, No. 3235

PURPOSE:

The purpose of Bylaw No. 3235 is to:

- 1- Introduce amendments to the City of Langley Subdivision and Development Servicing Bylaw, No.3126 to add items for better clarity on the City's requirements when Works and Services are provided by developers; and
- 2- Update its "Equivalent Development Units" Table to reflect the new land-use designations listed in the City's 2021 Official Community Plan (OCP).

The Subdivision and Development Servicing Bylaw, No.3126 is a bylaw to regulate the subdivision and development of land.



**SUBDIVISION AND DEVELOPMENT SERVICING
BYLAW, NO.3126,
AMENDMENT NO. 1, 2023, No. 3235**

A bylaw to regulate the subdivision and development of land.

1. Title

- (1) This bylaw shall be cited as the “Subdivision and Development Servicing Bylaw, No.3126, Amendment No. 1, 2023, No. 3235”

2. Amendments

- (1) Subdivision and Development Servicing Bylaw, No.3126 is hereby amended by:

- (a) Under the Introduction Section of the Bylaw, Sub-section 8.5:

Change:

“Every *Owner* must, as a condition of the approval of a *Subdivision* or the issue of a *Building* permit, construct *Works and Services* on those portions of highway immediately adjacent to the site being subdivided or developed up to the centreline, and such *Works and Services* shall be provided in accordance with in accordance with the provisions of this Bylaw”

To:

“Every *Owner* must, as a condition of the approval of a *Subdivision* or the issue of a *Building* permit, construct *Works and Services* on those portions of highway immediately adjacent to the site being subdivided or developed up to the centreline, and such *Works and Services* shall be provided in accordance with the provisions of this Bylaw”.

- (b) Under the Introduction Section of the Bylaw, Sub-section 10.1.4:

Replace:

“Infiltration Facilities be allowed only in areas.....”

With:

“Infiltration Facilities (i.e., an Infiltration Gallery, Soil Amendment, and Pervious Pavement, as outlined in the *City’s* Design Criteria Manual) for single family residential dwellings, may be allowed only in areas.....”

- (c) Under the Introduction Section of the Bylaw, Sub-section 10.1.4, first bullet and its sub-bullets:

Replace:

“

- As a part of the *Subdivision* approval process, the *Owner* at their cost shall prepare and register a Restrictive Covenant on Title that shall require the property *Owner* of the land, with an Infiltration-based integrated rainwater management system, to:

- Periodically at all reasonable times; and
- Without notice during the times the onsite Infiltration Gallery is overflowing.

grant property access to the *City* to inspect their onsite Infiltration Facility to verify it is functioning as designed.

- Shall not add impervious materials to the subdivided lot by paving, adding onsite sheds, or any other similar impervious infrastructures without the *City's* explicitly written permission in advance.
- Require the *Owner* to maintain their onsite Infiltration Facility clean and as per the requirements outlined in the *City's Design Criteria Manual*.
- Require the *Owner* to maintain their porous asphalt driveway by “vacuum sweeping” it annually for prevention and rehabilitation of permeable surfaces of the porous driveway.
 - When the ability to infiltrate *Runoff* diminishes as more sediment is captured and retained, regular maintenance in the form of cleaning becomes increasingly important to maximize performance and extend the life of permeable pavement.
- Require the *Owner* to inform the *City Engineer* and acknowledge in writing within two working days, when they find out (through their observation, and/or an inspection by a professional or *City* staff) their onsite Infiltration Gallery is not functioning as designed and accept taking responsibility to rectify the problem at their cost within 4 weeks of the time the problem was made known to the *Owner*.
- Agree that if the *Owner* fails to fix the malfunctioning Infiltration Facility within the aforementioned time frame, the *City* at the *Owner's* expense, has the right to hire a Contractor to fix the operational problems of these infrastructures at the *Owner's* cost. The total expense for the *Owner* to pay shall include the cost of rectifying the operational problems and the *City's* related administration cost (i.e., 5% of the cost of rectifying the problems).”

With:

“

- As a part of their *Building* permit application, the *Owner* of the land with an Infiltration Facility, shall prepare and register a Restrictive Covenant on Title at their cost, that shall require them:
 - To grant property access to the *City* to inspect their onsite Infiltration Facility to verify it is functioning as designed periodically at all reasonable times and without notice during the times the onsite Infiltration Facility is overflowing.
 - Not to add impervious materials to the subdivided lot by paving, adding onsite sheds, or any other similar impervious infrastructures without the *City's* explicitly written permission in advance.
 - To maintain their onsite Infiltration Facility clean and as per the requirements outlined in the *City's Design Criteria Manual*.
 - To maintain their porous asphalt driveway by "vacuum sweeping" it annually for prevention and rehabilitation of permeable surfaces of the porous driveway.
 - When the ability to infiltrate *Runoff* diminishes as more sediment is captured and retained, regular maintenance in the form of cleaning becomes increasingly important to maximize performance and extend the life of permeable pavement.
 - To inform the *City Engineer* and acknowledge in writing within two working days, when they find out (through their observation, and/or an inspection by a professional or *City* staff) their onsite Infiltration Gallery is not functioning as designed and accept taking responsibility to rectify the problem at their cost within 4 weeks of the time the problem was made known to the *Owner*.
 - To agree that if the *Owner* fails to fix the malfunctioning Infiltration Facility within the aforementioned time frame, the *City* at the *Owner's* expense, has the right to hire a Contractor to fix the operational problems of these infrastructures at the *Owner's* cost. The total expense for the *Owner* to pay shall include the cost of rectifying the operational problems and the *City's* related administration cost (i.e., 5% of the cost of rectifying the problems)."

(d) Under the Introduction Section of the Bylaw, Sub-section 10.4:

Add:

"10.4.5 Pad Mounted Transformers (PMTs) servicing developments are to be located on private properties with their maintenance access road locating within the property.

- All transformers shall be wrapped upon installation by the *Developer*."

(e) Under the Schedule A of the Bylaw, third paragraph:

Remove:

“The following outlines *Servicing Agreement* timing:

- 1- *Subdivision Application*: After the time *Preliminary Layout Approval* (PLA) is issued.
- 2- *Development* and rezoning applications: When Council issues the third bylaw reading, and prior to bylaw adoption and *Development* permit issuance.”

- (f) Under the Schedule A of the Bylaw, fifth paragraph:

Replace:

“Once the *Servicing Agreement* is signed and all securities are submitted by the *Developer* and acceptable to the *City*, then the *City Engineer* will advise the Development Services Department that the Engineering requirements have been satisfied and the *Developer* can proceed with the construction.

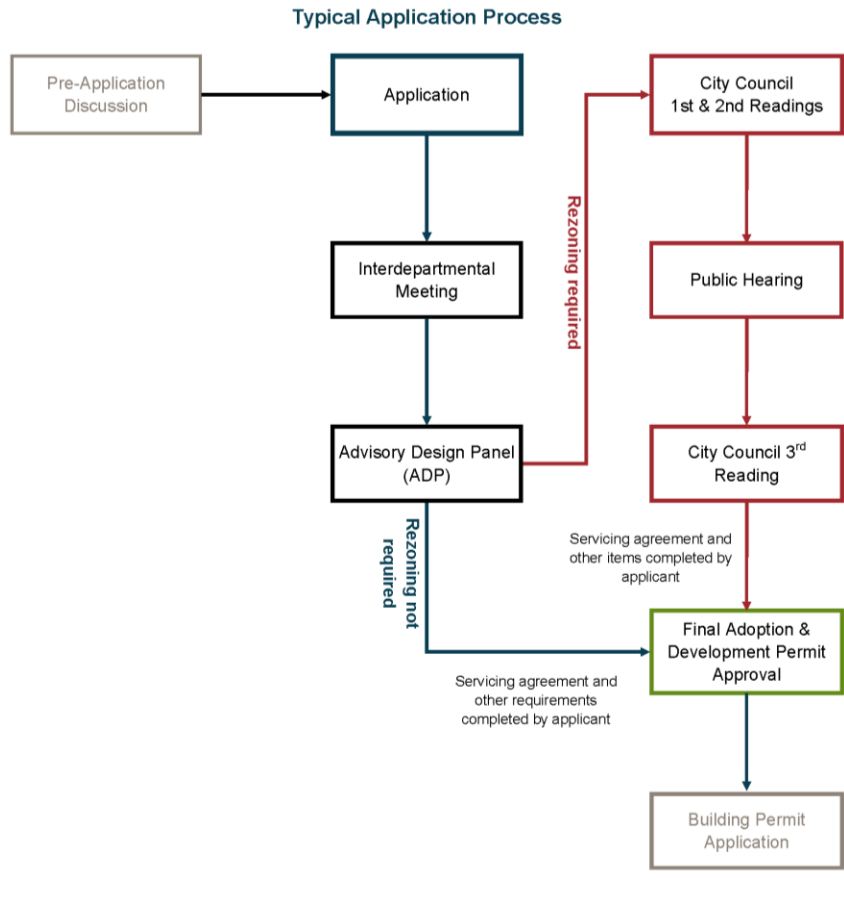
Certificate of *Substantial Completion* will be issued when all the offsite construction *Works and Services* have passed the final site inspection by the *City* inspector. Then, when appropriate:

- Final *Subdivision* approval will be issued by the *Approving Officer*; and/or
- For Rezoning and *Development* application, Final Adoption (fourth reading) will be issued by Council.”

With:

“Once the *Servicing Agreement* is signed and all securities are submitted by the *Developer* and acceptable to the *City*, then the *City Engineer* will advise the Development Services Department that the Engineering requirements have been satisfied.

The flowchart below illustrates when a *Servicing Agreement*, during a typical application process, is signed.



- (g) Under the Schedule B of the Bylaw, Sub-section 7.1.2.7:

Replace:

“Final grade at the time of completion shall be prepared by the builder and shall be 450 mm below finished grade within the boundaries of the lot or pursuant to a phased lot grading plan accepted by the *City Engineer*. A 450 mm of *Amended Soil* shall be placed by the builder or the *Developer* prior to the final inspection of the *Building* permit, as per requirements set in the *City’s Design Criteria Manual*.”

With:

Final grade at the time of completion shall be prepared by the *Developer* and shall be 450 mm below finished grade within the boundaries of the lot or pursuant to a phased lot grading plan accepted by the *City Engineer*. A 450 mm of *Amended Soil* shall be placed by the builder or the *Developer* prior to the final inspection of the *Building* permit, as per requirements set in the *City’s Design Criteria Manual*.”.

- (h) Under the Schedule B of the Bylaw, Sub-section 8.2:

Replace:

“No single-family *Building* permit application will be received until a Certificate of *Substantial Completion* for the required *Works and Services* under the *Servicing Agreement* has been issued by the *City Engineer*”

With:

“No single-family *Building* permit will be issued until a Certificate of *Substantial Completion* for the required *Works and Services* under the *Servicing Agreement* has been issued by the *City Engineer*.”

- (i) Under the Schedule B of the Bylaw, Section 14,

Replace:

OCP Land-use Designations	EDU per Hectare	PE per EDU¹
Agriculture	-	
Civic Centre	21	2.14
Ground Oriented	27	2.11
Historic Downtown Core	38	3.43
Industrial	6	2.41
Low Rise Residential	86	1.75
Mid Rise Residential	124	1.24
Mixed Employment	5	3.52
Mixed Use	61	1.76
Parks and Open Space	2	1.20
Service Commercial	13	1.76
Suburban	14	2.68
Transit-Oriented Core	62	3.58
Transit-Oriented Residential	115	1.82
University District	15	8.79
Urban Residential	14	3.05

Notes: (1) Population Equivalents (PE) that includes residential population plus employment population, where applicable.

With:

OCP Land-use Designations	Description ¹	EDU ² /Ha	PE ³ /Ha
Suburban Residential	<p>Single detached homes with lower density setting.</p> <ul style="list-style-type: none"> May have 1 secondary suite or 1 garden suite <p>Minimum Lot size: 557 m²</p> <p>Use:</p> <ul style="list-style-type: none"> Residential (predominantly at South Langley) 	13.2	49.3
Urban Residential	<p>Single Detached homes with secondary units</p> <ul style="list-style-type: none"> Small lot subdivisions <p>Density:</p> <ul style="list-style-type: none"> Minimum lot size: 350 m² with 12 m frontage width (1 secondary suite is allowed) Minimum lot size of 600 m² and a minimum 20 m frontage width (1 secondary suite and 1 detached garden suite are allowed) <p>Uses:</p> <ul style="list-style-type: none"> Residential, Live/Work 	24.0	90.0
Ground Oriented	<p>Townhouses, Row homes, Duplexes, Triplexes, and Fourplexes</p> <ul style="list-style-type: none"> Middle housing options adjacent to future frequent transit routes and great park amenities <p>Density:</p> <ul style="list-style-type: none"> FAR⁴: up to 1.2 <p>Uses:</p> <ul style="list-style-type: none"> Multi-unit Residential Accessory Commercial Live/Work 	57.7	216.4
Low Rise Residential	<p>Multi-storey buildings between 3-6 storeys</p> <ul style="list-style-type: none"> Mix of low-rise and townhouse residential areas oriented towards the Nicomekl floodplain. <p>Density:</p> <ul style="list-style-type: none"> FAR: 1.4 - 2.1 <p>Use:</p> <ul style="list-style-type: none"> Multi-unit Residential 	107.5	402.9
Mid Rise Residential	Multi-storey buildings up to 12 storeys	176.0	659.7

OCP Land-use Designations	Description ¹	EDU ² /Ha	PE ³ /Ha
	<ul style="list-style-type: none"> Medium Density residential areas serving as transition from Transit Oriented neighbourhood towards lower building heights in the Nicomekl River Neighbourhood Plan <p>Density:</p> <ul style="list-style-type: none"> FAR: 2.1-3.5 <p>Use:</p> <ul style="list-style-type: none"> Multi-unit Residential 		
Civic Centre	<p>Multi-storey Buildings up to 15 storeys</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: Up to 5.0 <p>Uses:</p> <ul style="list-style-type: none"> Mixed Use: Institutional, Commercial, Residential, or Institutional 	223.9	839.6
Historic Downtown Core	<p>Multi-storey Buildings typically up to 8 storeys with up to 4 storeys fronting Fraser Highway</p> <p>Density:</p> <ul style="list-style-type: none"> 2.5 - 3.5 FAR <p>Use:</p> <ul style="list-style-type: none"> Mixed Use (Residential & Commercial) 	135.9	509.4
Industrial	<p>A range of local or regional industrial employment use with buildings up to 6 storeys</p> <p>Density:</p> <ul style="list-style-type: none"> Variable FAR <p>Uses:</p> <ul style="list-style-type: none"> Industrial Accessory Residential Accessory Commercial 	14.4	54.0
Mixed Employment	<p>Multi-storey Buildings up to 6 storeys</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: Up to 3.0 <p>Uses:</p> <ul style="list-style-type: none"> Light Industrial, Commercial, or Accessory Caretaker Dwelling Units 	38.7	145.0

OCP Land-use Designations	Description ¹	EDU ² /Ha	PE ³ /Ha
Mixed Use	<p>Multi-storey Buildings typically up to 12 storeys with up to 4 storeys fronting Fraser Highway</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: 2.5 – 3.5 <p>Uses:</p> <ul style="list-style-type: none"> Mixed Use (Residential & Commercial) 	167.0	626.1
Service Commercial	<p>Regional retail and commercial services with limited office and industrial uses on the Langley Bypass</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: Up to 0.5 <p>Uses:</p> <ul style="list-style-type: none"> Commercial, and/or Light Industrial 	13.3	50.0
Transit-Oriented Core	<p>Multi-storey Buildings up to 15 storeys</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: 3.0 - 5.5 <p>Uses:</p> <ul style="list-style-type: none"> Mixed Use: Residential & Commercial, Multi-unit Residential, or Commercial 	253.2	949.2
Transit-Oriented Residential	<p>High density residential area with limited ground level commercial close to Skytrain stations</p> <p>Density:</p> <ul style="list-style-type: none"> FAR: 2.5-4.5 <p>Uses:</p> <ul style="list-style-type: none"> Mixed Use: Residential & Commercial, or Multi-unit Residential 	205.3	769.7
University District	<p>Mixed use higher education campus with related residential and commercial uses. Multi-storey buildings up to 8 storeys</p> <p>Density:</p> <ul style="list-style-type: none"> FAR throughout the site: up to 3.5 FAR at Glover Road frontage: up to 4.0 <p>Uses:</p> <ul style="list-style-type: none"> Mixed Use (Institutional, Residential, Commercial) Multi-unit Residential 	31.2	117.0

OCP Land-use Designations	Description ¹	EDU ² /Ha	PE ³ /Ha
	<ul style="list-style-type: none"> Tourist Accommodation 		
Parks and Open Space	With Washroom only	0.4	1.4
	With School	3.3	12.5
	With Recreation Facility	6.0	22.5
	With Care-taker Building	0.8	3.0
	With Small-scale Commercial & Institutional use such as Café, museum, etc.	24.0	90.0
Agriculture	At Kwantlen Polytechnic University (KPU) Land	15.6	58.5
	Other Areas	0.0	0.0

Notes:

1. Refer to City of Langley OCP Bylaw (2021) for more detailed descriptions on land-use designations.
2. EDU: Equivalent Development Unit
3. PE: Population Equivalent (includes residential population plus employment population, where applicable)
4. FAR: Floor Area Ratio

(j) Under the Schedule C of the Bylaw, Sub-section 6.2.8:

Replace:

“Geotechnical reports for cuts and fills greater than 1.5 metres in depth and slopes greater than 30%.”

To

“Geotechnical reports for cuts and fills greater than 1.5 metres in depth and slopes greater than 20%.”

3. **Severability**

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

READ A FIRST, SECOND AND THIRD TIME this sixth day of March, 2023.

ADOPTED this -- day of --, 2023.

MAYOR

CORPORATE OFFICER