



REGULAR AFTERNOON MEETING OF COUNCIL

Monday, July 23, 2018 at 1:15 PM
Fraser River Presentation Theatre
4th Floor, 20338 – 65 Avenue, Langley, BC

AGENDA

A. ADOPTION AND RECEIPT OF AGENDA ITEMS

A.1 Regular Afternoon Council Meeting Agenda - July 23, 2018

Recommendation: That Council adopt the agenda and receive the agenda items of the Regular Afternoon Council meeting held July 23, 2018.

B. ADOPTION OF MINUTES

B.1 Regular Afternoon Council Meeting - July 9, 2018

Recommendation: That Council adopt the Minutes of the Regular Afternoon Council meeting held July 9, 2018.

Attachments: B.1 07_09 Regular Afternoon Minutes.pdf

C. MOTION TO RESOLVE INTO SPECIAL CLOSED MEETING

Recommendation: That Council now resolve into a Special Closed Meeting for discussion of the following items, in accordance with and as identified under Section 90 of the Community Charter:

Item A.1 - Section 90(1) (n) Consideration;
Item E.1 - Section 90(1) (e) Property;
Item E.2 - Section 90(1) (e) Property; (k) Negotiations;
Item E.3 - Section 90(1) (e) Property; (k) Negotiations;
Item E.4 - Section 90(1) (k) Negotiations;
Item E.5 - Section 90(1) (k) Negotiations;
Item E.6 - Section 90(1) (e) Property; (k) Negotiations;
Item F.1 - Section 90(1) (e) Property; (k) Negotiations;
Item F.2 - Section 90(1) (g) Legal;
Item G.1 - Section 90(1) (g) Legal; and
Item I.1 - Section 90(1) (b) Personal.

D. PRESENTATIONS**D.1 Community Input Group Task Force**

Recommendation: That Council receive the presentation by Barb Sharp, Chair, Community Input Group Task Force, regarding the findings of the Task Force.

Clerk's Note: Council requested presentation at the July 9, 2018 Regular Afternoon Council meeting.

E. DELEGATIONS**E.1 Graham Farstad
Arlington Group Planning + Architecture Inc.
File 0550-07**

Recommendation: Request by Graham Farstad, Arlington Group Planning + Architecture Inc., to appear before Council to discuss soil deposit application for property at 23433 - 44 Avenue.

Clerk's Note: Please refer to Item F.1.

Attachments: E.1 Graham Farstad.pdf

**E.2 Kasper Seitz
File 0550-07**

Recommendation: Request by Kasper Seitz, to appear before Council to discuss soil deposit application for property at 23433 - 44 Avenue.

Clerk's Note: Please refer to Item F.1.

Attachments: E.2 Kasper Seitz.pdf

**E.3 Patricia A. Desrochers
File 0550-07**

Recommendation: Request by Patricia A. Desrochers, to appear before Council to discuss soil deposit application for property at 23433 - 44 Avenue.

Clerk's Note: Please refer to Item F.1.

Attachments: E.3 Patricia A. Desrochers.pdf

**E.4 Jeff Fisher
Urban Development Institute
File 0550-07**

Recommendation: Request by Jeff Fisher, Urban Development Institute, to appear before Council to discuss the Community Amenity Contribution report.

Clerk's Note: Please refer to Item F.5.

Attachments: E.4 Jeff Fisher, Urban Development Institute.pdf

F. REPORTS TO COUNCIL

**F.1 Soil Deposit Application for
Property at 23433 - 44 Avenue
Report 18-116
File ENG SO 1820**

Recommendation: That Council direct staff to not process the soil deposition application for property located at 23433 - 44 Avenue.

Attachments: F.1 en Soil Deposit Appl.pdf

**F.2 Electric Vehicle Charging Requirements
Report 18-119
File ENG 5370-01**

Recommendation: That Council direct staff to conduct industry consultation on proposed amendments to Langley Zoning Bylaw 1987 No. 2500, to require mandatory minimum requirements for electric vehicle supply equipment in new residential construction, and bring forward an updated Bylaw to Council for consideration; and further

That Council direct staff to develop an Electric Vehicle Strategy that encompasses both community and corporate electric vehicle charging infrastructure plans, targets and policies.

Attachments: F.2 en EV Charging Requirements.pdf

**F.3 Agricultural Land Commission Application No. 100334
(Newby / 3428 and 3474 - 262 Street)
Report 18-110
File CD 10-25-0045**

Recommendation: That Council refer the application to the Agricultural Land Commission and advise that the proposed non-farm use application submitted by Colin Fry and Associates Ltd. to permit continued storage and staging of vehicles and equipment on a portion of properties located at 3474 and 3428 - 262 Street is compatible with overall objectives of the Township's Official Community Plan.

Attachments: F.3 cd Newby ALC Non-Farm.pdf

- F.4 Agricultural Land Commission
Application No. 100304
(Aplin and Martin Consultants Ltd. /
Homestar Building Corp. / Meyer / 25125 - 72 Avenue)
Report 18-121
File CD 11-23-0015**

Recommendation: That Council advise the Agricultural Land Commission that the subdivision application submitted by Aplin and Martin Consultants Ltd. on behalf of Chris Meyer and Homestar Building Corporation, for a 51 ha (126.4 ac) property located at 25125 - 72 Avenue within the Agricultural Land Reserve, complies with the minimum parcel size provisions of the Township's Rural RU-3 zoning, and request consideration based on agricultural merits.

Attachments: F.4 cd Homestar ALC.pdf

- F.5 Proposed Community Amenity
Contributions Policy
Report 18-109
File CD LSP00007**

Recommendation: That Council approve the Community Amenity Contributions Policy, presented substantially in the form provided as Attachment A to this report.

Attachments: F.5 cd Community Amenity Contributions.pdf

- F.6 Cedar Creek Estates Manufactured Home Park
Report 18-122
File CD BA000015**

Recommendation: That Council direct staff to not proceed with the bylaws to designate the Cedar Creek Estates Manufactured Home Park located at 3031 - 200 Street, from Single Family 3 to Manufactured Home Park (Bylaw 2017 No. 5320 and Bylaw 2017 No. 5327).

Attachments: F.6 cd Cedar Creek Manufactured Home Park.pdf

G. CORRESPONDENCE

In an effort to make the community aware, the following proclamation has been requested:

- G.1 United Way Day
File 0630-01**

Recommendation: That Council receive the letter from Vanessa Woznow, Marketing & Communications Strategist, United Way, requesting that September 20, 2018 be proclaimed as United Way Day.

Clerk's Note: Policy No. 01-021 approved by Council, September 18, 2000: No vote or action to be taken on proclamation requests.

Attachments: G.1 United Way Day.pdf

H. MINUTES OF COMMITTEES

**H.1 Agricultural Advisory and Economic Enhancement Committee -
June 27, 2018
File 0540-20**

Recommendation: That Council receive the Minutes of the Agricultural Advisory and Economic Enhancement Committee meeting held June 27, 2018.

Attachments: H.1 06_27 AAEEC minutes.pdf

**H.2 Agricultural Advisory and Economic Enhancement Committee
Recommended Motion
File 0540-20**

Recommendation: That Metro Vancouver be invited to provide the "Reducing Particulate Matter Emissions" presentation to Council;

That Council direct staff to work with Metro Vancouver to help create a communication strategy that educates and informs residents in rural and agricultural areas about alternatives to open burning, and solutions and best practices;

That Council direct staff to review open burning windows and time frames; and

That Council direct staff to work with Metro Vancouver to explore other solutions and alternatives to open burning to help facilitate their end goal of improving air quality in the region.

**H.3 Agricultural Advisory and Economic Enhancement Committee
Recommended Motion
File 0540-20**

Recommendation: That Council invite the KPU Institute for Sustainable Food Systems to present their final report on the Township of Langley Food System Study, to Council.

I. OTHER BUSINESS

At the July 9, 2018 Regular Afternoon Meeting of Council, Councillor Richter provided the following Notice of Motion:

I.1 Under-eave Potlights

Recommendation: Whereas the current trend towards the installation of numerous "under-eave" potlights on new homes can be very intrusive to neighbours, especially in rural and suburban residential areas, as these lights can affect privacy and contribute to unnecessary light pollution;

Therefore be it resolved that this matter be referred to staff for a report and recommendations on how the excessive use of "under-eave" potlights can be regulated as part of the building permits process.

J. TERMINATE



REGULAR AFTERNOON MEETING OF COUNCIL

Monday, July 9, 2018 at 2:30 PM
 Fraser River Presentation Theatre
 4th Floor, 20338 – 65 Avenue, Langley, BC

MINUTES

PRESENT: Mayor J. Froese

Councillors P. Arnason, D. Davis, C. Fox, B. Long, A. Quaale, K. Richter,
 M. Sparrow and B. Whitmarsh

M. Bakken, S. Gamble, R. Seifi, K. Sinclair, and J. Winslade

W. Bauer and K. Stepto

A. ADOPTION AND RECEIPT OF AGENDA ITEMS

A.1 Regular Afternoon Council Meeting Agenda - July 9, 2018

Moved by Councillor Fox,
 Seconded by Councillor Quaale,
 That Council adopt the agenda and receive the agenda items of the
 Regular Afternoon Council meeting held July 9, 2018.
 CARRIED

B. ADOPTION OF MINUTES

B.1 Regular Afternoon Council Meeting - June 25, 2018

Moved by Councillor Arnason,
 Seconded by Councillor Fox,
 That Council adopt the Minutes of the Regular Afternoon Council meeting
 held June 25, 2018.
 CARRIED

C. MOTION TO RESOLVE INTO SPECIAL CLOSED MEETING

Moved by Councillor Whitmarsh,
 Seconded by Councillor Quaale,
 That Council now resolve into a Special Closed Meeting for discussion of
 the following items, in accordance with and as identified under Section 90
 of the Community Charter:

Item A.1 - Section 90(1) (n) Consideration;
 Item E.1 - Section 90(1) (e) Property; (k) Negotiations;
 Item E.2 - Section 90(1) (e) Property; (k) Negotiations;

Item E.3 - Section 90(1) (e) Property; (k) Negotiations;
 Item E.4 - Section 90(2) (b) Intergovernmental Relations;
 Item F.1 - Section 90(1) (e) Property;
 Item F.2 - Section 90(1) (e) Property; (k) Negotiations; and
 Item H.1 - Section 90(1) (g) Legal; Section 90(2) (b) Intergovernmental.
 CARRIED

MEETING RECESSED

The meeting recessed at 2:31pm.

MEETING RECONVENED

The meeting reconvened at 4:02pm.

D. PRESENTATIONS

E. DELEGATIONS

F. REPORTS TO COUNCIL

F.1 GVWD Amending Agreement - Jericho Reservoir

Report 18-102

File ENG 0400-65-04

Moved by Councillor Fox,
 Seconded by Councillor Davis,
 That Council authorize execution of an Amending Agreement with the Greater Vancouver Water District, presented substantially in the form provided as Attachment A to this report, in order to provide a fixed cost and payment schedule for remaining works in the Langley-Surrey Water Supply Scheme; and further

That Council direct staff to include costs and payments as outlined the Amending Agreement, in the capital budget for 2023, 2024 and 2025.

DEFERRAL

Moved by Councillor Richter,
 Seconded by councilor Arnason,
 That this motion be deferred until after staff has made a presentation to Council.

DEFEATED

Mayor Froese and Councillors Arnason, Davis, Fox, Long, Quaale, Sparrow, and Whitmarsh opposed

MAIN MOTION

The question was called on the Main Motion, and it was
 CARRIED

Councillor Richter opposed

**F.2 DCC Frontending Agreement
Vesta Properties (Latimer) Ltd.
Report 18-105
File CD 08-26-0164**

Moved by Councillor Arnason,
Seconded by Councillor Fox,
That Council authorize staff to execute the Development Cost Charges
Frontending Agreement with Vesta Properties (Latimer) Ltd., in the
substantial form of a document presented as Attachment A, for the
provision of off-site drainage infrastructure (stormwater detention facility)
for the northeast phase of the Latimer Neighbourhood Plan area.
CARRIED

Councillor Richter opposed

G. CORRESPONDENCE

Moved by Councillor Davis,
Seconded by Councillor Whitmarsh,
That Council received the correspondence, as presented.
CARRIED

**G.1 Rail Safety Week
File 0630-01**

Letter from Stephen Covey, CN, requesting the week of September 23-29,
2018 be proclaimed as Rail Safety Week.

H. MINUTES OF COMMITTEES

**H.1 Heritage Advisory Committee - June 6, 2018
Seniors Advisory Committee - June 20, 2018
Council Priorities Committee - June 25, 2018
Community Input Group Task Force - June 28, 2018
File 0540-20**

Moved by Councillor Fox,
Seconded by Councillor Long,
That Council adopt the Minutes from the Council Priorities Committee
meeting held June 25, 2018 and receive the Minutes of the Council
Advisory Committee and Task Force meetings as listed above.
CARRIED

**H.2 Heritage Advisory Committee Recommended Motion
File 0540-20**

Moved by Councillor Long,
Seconded by Councillor Arnason,
That Council endorse the proposed heritage evaluation framework and
criterion for assessing heritage resources consistent with the Historic
Context Statement and Thematic Framework endorsed by Council in 2017,
subject to submission of a staff report.
CARRIED

**H.3 Seniors Advisory Committee Recommended Motion
File 0540-20**

That Council review the promotion, composition, and time of the meetings
for the Seniors Advisory Committee with a view to increasing the number
of members that are seniors.

REFERRAL

Moved by Councillor Long,
Seconded by Councillor Fox,
That this motion be referred to the Council Priority Workshop in the new
term.
CARRIED

**H.4 Seniors Advisory Committee Recommended Motion
File 0540-20**

Moved by Councillor Arnason,
Seconded by Councillor Quaale,
That Council recognize the Long Range Planning and Economic
Investment & Development Departments for their efforts in launching the
Age-friendly Business Recognition Pilot Program at the Employee
Recognition Event.
CARRIED

**H.5 Council Priorities Committee Recommended Motion
File 0540-20**

Moved by Councillor Quaale,
Seconded by Councillor Whitmarsh,
That Council endorse introducing a zoning bylaw amendment providing for
a maximum of 50% of single car tandem parking units permitted per
townhouse development application.
CARRIED

Councillors Long and Richter opposed

**H.6 Community Input Group Task Force Recommended Motion
File 0540-20**

Moved by Councillor Arnason,
Seconded by Councillor Whitmarsh,
That Council forward the recommendations received from the Community
Input Group Task Force to the November 26, 2018 Council Workshop,
pursuant to the Notice of Motion adopted at the March 19, 2018 Regular
Afternoon Council meeting.

AMENDMENT

Moved by Councillor Richter,
Seconded by Councillor Arnason,
That the motion be amended to add the following:

That the Chair of the Community Input Group Task Force be invited to
make a presentation to Council prior to the October 20, 2018 Election
about the findings of the Task Force, as well as at the November 26, 2018
Council Priorities Workshop.

CARRIED

MAIN MOTION, AS AMENDED

The question was called on the Main Motion, as amended, and it was
CARRIED

I. OTHER BUSINESS

**I.1 Subdivision and Development Servicing Bylaw 2011 No. 4861
Amendment Request**

Moved by Councillor Richter,
Seconded by Councillor Arnason,
Whereas there are no current restrictions on the amount of fill that can be
brought onto lots that are subject of a development application, other than
ensuring drainage impacts have been adequately addressed, particularly
in infill areas of single family homes; and

Whereas the lack of restriction on fill affects the elevation of infill homes to
the possible detriment of surrounding properties;

Therefore be it resolved that Council direct staff to bring forward
amendments to the Subdivision and Development Servicing Bylaw 2011
No. 4861 to prevent excessive fill from being placed on new development
lots that affect the elevation and drainage of those lots and the surrounding
area.

REFERRAL

Moved by Councillor Long,
Seconded by Councillor Whitmarsh,
That this motion be referred to staff for a report.
CARRIED

Mayor Froese and Councillors Fox, Quaale, and Whitmarsh opposed

Councillor Richter provided the following Notices of Motion for consideration at the next Regular Afternoon Meeting:

I.2 Under-eave Potlights

Whereas the current trend towards the installation of numerous “under-eave” potlights on new homes can be very intrusive to neighbours, especially in rural and suburban residential areas, as these lights can affect privacy and contribute to unnecessary light pollution;

Therefore be it resolved that this matter be referred to staff for a report and recommendations on how the excessive use of “under-eave” potlights can be regulated as part of the building permits process.

I.3 Election Signs

Whereas apparently election signs for the 2018 Municipal Election can be erected starting September 4, 2018;

Whereas the nomination period for the 2018 Municipal Election does not close until 4:00pm on Friday, September 14, 2018;

Whereas this Council has made changes to the election signs placement bylaw as a result of the 2014 Municipal Election;

Whereas candidates declaring early for the 2018 Election would have a definite advantage in sign placement over those candidates declaring later in the nomination period and this is not fair;

Whereas seven weeks (September 4, 2018 to October 20, 2018) of election signs is a much longer period of time for the community to experience election signs compared to past municipal elections;

Therefore be it resolved that staff bring forward the necessary bylaw changes to restrict the erection of election signs until after the nomination period has closed or September 15, 2018 in the case of the 2018 Municipal Election.

J. TERMINATE

Moved by Councillor Davis,
Seconded by Councillor Whitmarsh,
That the meeting terminate at 5:04pm.
CARRIED

CERTIFIED CORRECT:

Mayor

Township Clerk



Delegation Request To Appear Before Township Council

I/we would like to appear as a delegation at the Council meeting on

July 23 2018

(Council meeting date requested)

at the ►

- ☒ 4:00pm Regular Afternoon Meeting
☐ 7:00pm Regular Evening Meeting

Name of delegate or organization wishing to appear

Graham Farstad, MCIP RPP

1 Topic

The topic of discussion is (be specific, provide details, and attach additional information, if required)

Address soil deposit application for 23433 - 44 Avenue on behalf of applicant.

The applicant has a comprehensive approach to mitigating project impacts including control over source material to ensure no contaminated material is accepted, limited hours of operation, very low truck volumes, environmental protection and monitoring to avoid off-site impacts, and restrict access to and egress from the site to maximize traffic safety and minimize impacts on neighbouring properties.

2 Additional Information

Purpose of presentation

- ☒ Information only ☐ Request letter of support ☐ Request funds ☐ Other

Desired resolution

Council support of soil deposition application at 23433 - 44 Avenue

Activities to date relative to the matter

Application and supporting documentation submitted to Township of Langley

3 Meeting Location

Fraser River Presentation Theatre, 4th Floor
 Township of Langley Civic Facility
 20338 - 65 Avenue, Langley, BC V2Y 3J1

Office use only

☐ Approved ☐ Declined ☐ Other

Applicant informed



Submit by Email

Township of
Langley

Est. 1873

Delegation Request To Appear Before Township Council

I/we would like to appear as a delegation at the Council meeting on

July 23-2018

(Council meeting date requested)

at the ►

☒ 4:00pm Regular Afternoon Meeting

☐ 7:00pm Regular Evening Meeting

Name of delegate or organization wishing to appear

Kasper Seitz

1 Topic

The topic of discussion is (be specific, provide details, and attach additional information, if required)

Soil deposit SO 0001820 at 23433 - 44 Avenue, applicant being Amrik Bath.

The application is for 9905 cubic meters of fill, 1650 truck loads. I am concerned that Council will be making a decision that would be based on questionable and credible information as well as would not have knowledge of the damage to adjacent properties created by a previous Fill Deposit by the applicant.

2 Additional Information

Purpose of presentation

☒ Information only ☐ Request letter of support ☐ Request funds ☐ Other

Desired resolution

Refuse application and require an Area impact study, Elevation surveys and Drainage P

Activities to date relative to the matter

Contact made to Township staff follwing up the mail out petition and July 12 letter

3 Meeting Location

Fraser River Presentation Theatre, 4th Floor
Township of Langley Civic Facility
20338 - 65 Avenue, Langley BC V2Y 3J1

Office use only

☐ Approved ☐ Declined ☐ Other

Applicant informed

1

see next





Delegation Request To Appear Before Township Council

I/we would like to appear as a delegation at the Council meeting on

July 23, 2018

(Council meeting date requested)

at the ►

- ☒ 4:00pm Regular Afternoon Meeting
☐ 7:00pm Regular Evening Meeting

Name of delegate or organization wishing to appear

Patricia A. Desrochers

1 Topic

The topic of discussion is (be specific, provide details, and attach additional information, if required)

To deny the soil/fill deposit application # 001820. I own the property at 23436 44th ave which is directly across from the proposed fill site at 23431 44th ave. I spoke with Josh Isaac; from the Township about the neighbour mailout results? Josh said the 80% threshold for support of the application was not met. Then yesterday, Josh reversed his statement to me and said that the applicant in fact had 70% support of the application. Addendum to follow.

2 Additional Information

Purpose of presentation

☐ Information only ☒ Request letter of support ☐ Request funds ☐ Other

Desired resolution

Deny the fill site application.

Activities to date relative to the matter

Personal visit with Josh Isaac for results & phone call to ask why neighbours results re

3 Meeting Location

Fraser River Presentation Theatre, 4th Floor
 Township of Langley Civic Facility
 20338 - 65 Avenue, Langley, BC V2Y 3J1

Office use only

☐ Approved ☐ Declined ☐ Other

Applicant informed



Submit by Email



Delegation Request To Appear Before Township Council

I/we would like to appear as a delegation at the Council meeting on

Monday, July 23

(Council meeting date requested)

at the ►

- ☒ 4:00pm Regular Afternoon Meeting
☐ 7:00pm Regular Evening Meeting

Name of delegate or organization wishing to appear

Jeff Fisher - Urban Development Institute

1 Topic

The topic of discussion is (be specific, provide details, and attach additional information, if required)

The Urban Development Institute would like to provide comments on the Community Amenity Contribution report that we understand will be presented at Council at this meeting.

2 Additional Information

Purpose of presentation

☐ Information only ☐ Request letter of support ☐ Request funds ☒ Other

Desired resolution

To provide commentary on Community Amenity Contribution Report

Activities to date relative to the matter

UDI has met with city staff several times on the Community Amenity Contribution issue

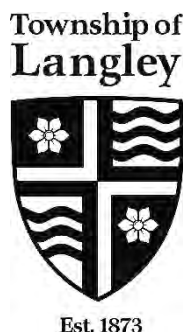
3 Meeting Location

Fraser River Presentation Theatre, 4th Floor
 Township of Langley Civic Facility
 20338 - 65 Avenue, Langley, BC V2Y 3J1

Office use only

☐ Approved ☐ Declined ☐ Other

Applicant informed



REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 23, 2018 - REGULAR AFTERNOON MEETING
FROM: ENGINEERING DIVISION
SUBJECT: SOIL DEPOSIT APPLICATION FOR
 PROPERTY AT 23433 - 44 AVENUE

REPORT: 18-116
FILE: SO 1820

RECOMMENDATION:

That Council direct staff to not process the soil deposition application for property located at 23433 - 44 Avenue.

EXECUTIVE SUMMARY:

On February 26, 2018 the Township of Langley received an application from the property owner of 23433 - 44 Avenue (Mr. Rick Bath) to deposit 9,905 m³ or approximately 1,400 single truckloads of soil for re-grading purposes of the subject property, which is not located in the ALR.

As the application volume exceeded 600m³, the Township mailed an information package and ballot papers to surrounding property owners within 1.6 kilometres of the subject property to obtain community input on the application pursuant to Council Policy No. 05-008.

The results of the mail-out and ballot process are as outlined in the table below:

Item	Total	Percentage
Number of ballots mailed out	764	100%
Number of property owners not responding	611	80%
Number of ballots received	153	20%
Number in support	103	67%
Number against	50	33%
Number of responses by owners outside ballot area	0	-

Section 9.3 of the Policy provides direction that generally applications will be supported by Council, when more than 80% of the surrounding property owners responding, support application. As the level of support for this application was less than 80%, the recommendation is that staff be directed not to process the application further. Alternatively, Council may choose to direct staff to process the application in consideration of the relatively high level of support (67%); or request additional information.

PURPOSE:

This report provides Council with information and a recommendation with respect to an application for soil deposition at 23433 - 44 Avenue; and makes recommendation with respect to Council's consideration of the application and ultimate disposition pursuant to Policy No. 05-008.

BACKGROUND/HISTORY:

The Township of Langley received an application from the property owner of 23433 - 44 Avenue (Rick Bath) to deposit 9,905 m³ of soil for re-grading purposes. Drawings for the proposed deposition were prepared by Mainland Engineering Corporation and are included as Attachment A. The attached drawings generally show filling the property with between one and two metres height of fill over an area of 12,745m² and provides for tapering the fill height to meet existing elevations at three metres from the property line.

As the volume proposed to be deposited exceeds 600m³, the Township mailed an information package and ballot to surrounding property owners to obtain community input on the proposed deposition as per Council approved Policy No. 05-008.

Pursuant to the Policy, the general public was notified by advertising the application in the local newspapers and the Township's website. The property owner also installed the required soil deposit application sign at the property.

DISCUSSION/ANALYSIS:

The property at 24333 44 Avenue is zoned RU-1 and is not located in the ALR. The application proposes to deposit 9,905 m³ or approximately 1,400 single truck loads of material. As 44 Avenue only has access to Fraser Highway, trucks would enter and exit the site via 44 Avenue to Fraser Highway, which is a designated truck route. A typical security deposit in the amount of \$49,525 (at \$5/m³) would be required to cover potential damage to municipal infrastructure such as roadways should the application be authorized by Council to proceed.

Should Council elect to direct staff to further process the application, a drainage assessment would be required. The site currently drains to the northwest and the proposed soil deposit, as proposed based on the application, maintains this drainage pattern.

As per the information package, the deadline for property owners to respond to the mail out was June 20, 2018. Staff note that this is the first soil deposit application that has completed the balloting phase, pursuant to Council Policy.

The results of the mail-out are as follows:

Item	Total	Percentage
Number of ballots mailed out	764	
Number of property owners who did not respond	611	80%
Number of ballots received	153	20%
Number in favour	103	67%
Number against	50	33%
Number of responses received by owners not of surrounding property owners	0	

Upon consideration of the application, Section 9 of the Policy provides guidance that Council may consider the following outcomes for applications on non-ALR lands:

- A resolution that the application be further processed under the Bylaw.
- A resolution that the application not be further processed under the Bylaw.
- A resolution that the applicant, Township staff, or other specified person(s) be invited to provide further submissions with respect to the application.

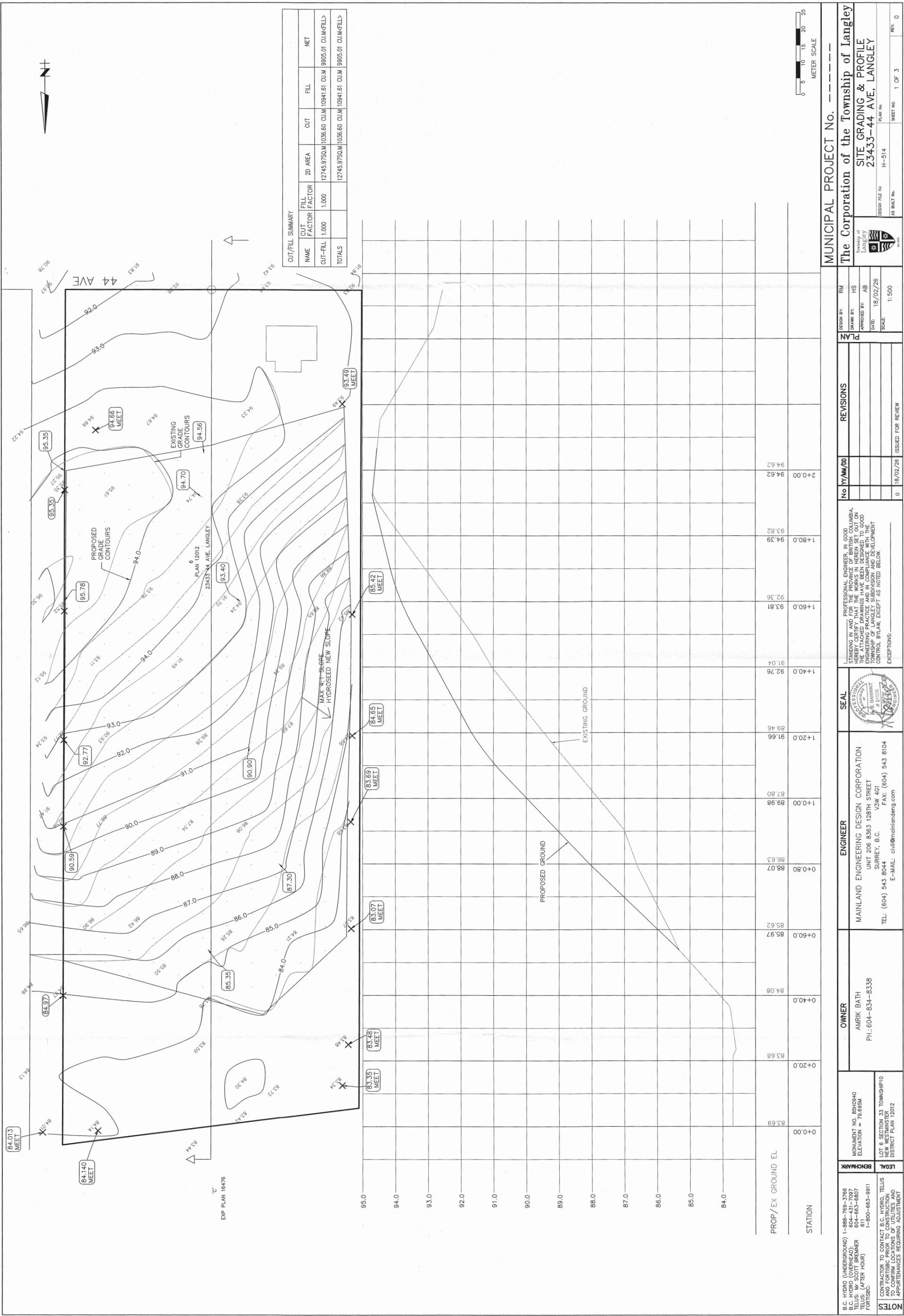
SO 1820 SOIL DEPOSIT APPLICATION FOR
9,905 CUBIC METRES AT 23433 - 44 AVENUE (NON-ALR)
Page 3 . . .

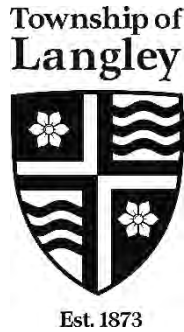
Additionally section 9.3 of the Policy provides direction that generally applications will be supported when more than 80% of the surrounding property owners who voted, voted in favour of the application. As the level of support for this application was less than 80%, recommendation is that this application not be processed further. Alternatively, Council may wish to direct staff to continue with this application in consideration of the relatively high level of support (67%).

Respectfully submitted,

Richard Welfing
MANAGER, ENGINEERING SERVICES
for
ENGINEERING DIVISION

Attachment A Site plans prepared by Mainland Engineering





REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 23, 2018 - REGULAR AFTERNOON MEETING
FROM: ENGINEERING DIVISION
SUBJECT: ELECTRIC VEHICLE CHARGING REQUIREMENTS

REPORT: 18-119
FILE: 5370-01

RECOMMENDATIONS:

That Council direct staff to conduct industry consultation on proposed amendments to Langley Zoning Bylaw 1987 No. 2500, to require mandatory minimum requirements for electric vehicle supply equipment in new residential construction, and bring forward an updated Bylaw to Council for consideration; and further

That Council direct staff to develop an Electric Vehicle Strategy that encompasses both community and corporate electric vehicle charging infrastructure plans, targets and policies.

EXECUTIVE SUMMARY:

In February 2018, Council directed staff to conduct research into practices of other jurisdictions and bring forward a report with a draft bylaw for Council's consideration with respect to provision of electric vehicle (EV) charging infrastructure as part of new residential developments.

Staff formed an internal working group with representation from Development Planning, Permit, Licence and Inspection Services, and Strategic Initiatives Departments to consider the provision of requiring EV charging infrastructure in new residential developments.

A draft bylaw for EV charging infrastructure in new residential developments has been prepared for Council's consideration. The draft bylaw amendment proposes changes to Section 107.3 Parking and Loading Requirements of Zoning Bylaw No. 2500. Staff propose that an energized outlet capable of providing level 2 charging or higher be required for one (1) parking space per dwelling unit in most residential uses. The amendment also proposes that Seniors' housing, community care facilities, and educational facilities where residential accommodations are provided on site will require energized outlets for a minimum of 20% of all parking spaces used by occupants or residents of dwelling units.

Adoption of an EV charging requirement in new residential construction directly supports the Township's policies, plans and commitments to the BC Climate Action Charter, Sustainability Charter, Green Communities Act, and the recent energy and climate updates to the OCP.

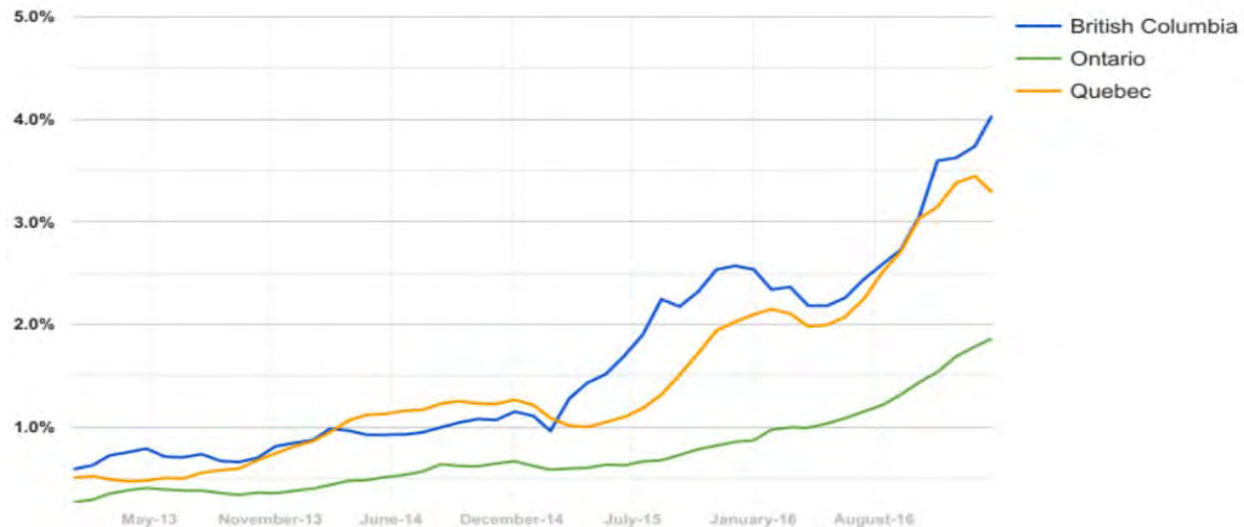
PURPOSE:

The purpose of this report is to obtain Council direction to pursue industry consultation on the proposed EV charging infrastructure requirements for new residential developments, and, to develop an Electric Vehicle Strategy to establish a framework to support a community-wide transition to electric vehicles.

BACKGROUND/HISTORY:

British Columbia has one of the highest electric vehicle adoption rates in North America. Anticipated growth in the EV sector creates a need to facilitate and encourage the development of a consistent and accessible network of EV charging infrastructure to users at home, at work, and in public spaces. In a recent report written by the Pembina Institute, it is estimated that in 20 years one in every three vehicles in BC will be electric. Figure 1 illustrates that as of June 2017, EVs comprised over 4% of passenger cars sold in BC.

Figure 1: EVs as a percent of passenger car sales in Canadian provinces (FleetCarma)



Vehicles represent over 55% of the Township's community emissions profile. Policies that facilitate the adoption of zero emission vehicles, like electric cars, can make a significant impact in the fight against climate change. A major challenge for adoption of these vehicles is ensuring that owners can access charging infrastructure. Adoption of an EV charging requirement in new residential development would support EV adoption and increase market penetration of EVs.

The Township's Sustainability Charter has several goals supporting expansion of electric vehicle supply equipment across the community. Some of these goals are as follows:

- To make innovative green investments in infrastructure;
- To provide safe and affordable transportation infrastructure;
- To promote energy efficiency in new and retrofitted buildings; and
- To provide leadership for sustainability practice and innovation.

The Township's Official Community Plan (OCP) Bylaw No. 5000 contains provisions relating to energy and climate action. A number of policies in the OCP are directly related to electric vehicles and charging stations expansion:

- Policy 3.16.8 suggests supporting the development of and increased access to reduced carbon fuel options such as natural gas, hydrogen, biofuels and electricity;
- Policy 3.16.15 suggests assessing interest in electric, hybrid, or alternative-fuel vehicles, and considering key locations for refueling/charging stations to meet demand; and
- Policy 3.16.16 suggests integrating support for electric vehicle charging infrastructure into relevant municipal development policies.

At the 2015 UBCM convention, Township Council brought forward a resolution to add a green opt-in provision in the BC Building Code specifying mandatory minimum requirements for electric vehicle charging infrastructure in new construction of single and multi-family dwelling units (Attachment B). This resolution was defeated. The resolution, along with other local government inquiries, led the Province to release a publication entitled “Changes for Local Governments Under Section 5 of the Building Act.” In this publication, the Province indicates that EV Charging Infrastructure requirements are outside the scope of the *Building Act* and can therefore be regulated by local governments to the extent they have authority to do so.

The Township has made significant efforts to improve the availability of public charging stations in the community. In 2013, the Township successfully deployed its first wave of electric vehicle charging stations. Six level 2 stations were deployed in strategic areas across the community to offer complimentary charging for residents and to serve Township staff and fleet electric vehicles. In 2016/2017 the Township added two additional level 2 stations to its municipally-owned EV charging network. In the last year, these level 2 charging stations have dispensed over 40 MWh of electricity to EVs, which is the equivalent of 20,000L of gasoline or \$30,000 in fuel costs to drivers. The alternate clean fuel has resulted in the avoidance of over 40,000 kg of greenhouse gas emissions from entering the atmosphere.

In addition to operating level 2 stations, the Township also became home to one of the Province’s first electric vehicle DC Fast Charger (DCFC) stations at the Langley Events Centre (LEC). This station can fully charge an EV in less than 30 minutes and is part of the Province’s “green highway” across BC. This initiative was funded by the Province, managed by BC Hydro, and the charging station is now operated by the Township of Langley. Due to its high use, BC Hydro is considering adding an additional DCFC at the LEC.




Over the last year, in support of corporate efforts to adopt alternative fuel vehicles, the Township added two fully electric vehicles to its fleet in the place of conventional gasoline powered vehicles.

DISCUSSION/ANALYSIS:

Access to home charging is essential for EV drivers as it is the most convenient and reliable option to charge. EV charging can be installed for relatively low cost at time of construction as opposed to subsequent retrofitting of existing buildings.

There are different levels of EV charging. Due to the larger battery sizes of emerging EV models, it is believed that level 1 charging is an insufficient level of charging. Level 2 charging is widely considered to be the most appropriate level of charging for at home use. Table 1 below describes the three levels of EV charging.

Table 1: EV Charging Levels

Level 1	Level 2	Level 3 - DCFC
120V Same as a regular house plug	240V Requires a dedicated circuit (same as a clothes dryer)	200-500V
8-12 hours for a full charge	3-8 hours for a full charge	15-40 minutes for a full charge
		

Jurisdictional Review

Table 2 summarizes current EV charging requirements of other local governments in the Metro Vancouver Region. Other jurisdictions not listed below, City of Surrey, Fraser Valley Regional District, etc. are also in the process of examining EV charging requirements for new developments.

Table 2: Review of other municipal EV charging requirements

	Single family, duplex	Multi-family	Commercial
Richmond	100% of residential stalls (Level 2)	100% of residential stalls (Level 2)	None
Port Coquitlam	"Roughed in" charging infrastructure (Level 2) for 100% of units	"Roughed in" charging infrastructure (Level 2) for 100% of units	"Roughed in" charging infrastructure (Level 2) for 100% of units
Burnaby	100% of residential stalls (Level 2)	100% of residential stalls (Level 2)	None
Vancouver	100% of homes (Level 2)	100% of stalls (Level 2)	10% of stalls (Level 2)
North Vancouver (City)	Capacity for 100% of spaces (Level 2)	20% of stalls (Level 2); capacity for remaining 80%	None
North Vancouver (District)	None	20% of stalls (Level 1); conduit for 100%	10% of stalls (Level 2)

Proposed Draft Zoning Bylaw Amendment

A draft amendment to Zoning Bylaw 1987 No. 2500 is provided as Attachment A to this report. Further refinements to the bylaw will be considered following consultation with industry stakeholders. Staff propose that an energized outlet capable of providing level 2 charging or higher will be required for 1 parking space per dwelling unit in most residential uses. Seniors' housing, community care facilities, and educational facilities where residential accommodations are provided on site will require energized outlets for a minimum of 20% of all parking spaces used by occupants or residents of dwelling units.

EV charging requirements would become effective for building permits issued six months after the adoption date of the bylaw. A six month grace period has been drafted into the bylaw language in order to accommodate in-stream building applications that may have more difficulty adjusting the design of their parking areas or electrical components. EV charging requirements are not applicable to permits for replacement mobile homes, but will be applicable to permits for mobile homes in new mobile home parks.

Industry Costs

The installation of a fully energized outlet at time of new construction is much more cost effective than retrofitting EV charging infrastructure into existing buildings. A number of costing studies have been conducted by other local governments to realize the potential cost increases for developers to provide EV charging infrastructure in multi-family buildings, townhomes and single-family homes.

Costs for multi-family buildings will range from \$1500-\$2500 per stall to deploy an energized outlet capable of level 2 charging. Costs depend on the size of the building and therefore size of the electrical system required, building layout, and number of units. Staff have consulted with a current builder who has been voluntarily installing energized outlets for EV charging in multi-family buildings in the Township for over five years. This builder spends an additional \$2000/unit.

Costs for townhomes and single-family homes will range from \$500-\$2000 per stall to deploy an energized outlet capable of level 2 charging. Costs depend on the size of the building and size of the electrical system required, building layout, and number of units. These building archetypes require 2 to 2.3 parking spaces per dwelling unit, the draft EV requirement bylaw suggests only requiring an energized outlet for 1 parking space per dwelling unit.

EV Energy Management Systems

The Township can also work with industry to explore the application of energy management systems in multi-family developments to help further reduce the costs of EV infrastructure. Recently, there have been changes in the Canadian and BC Electric Codes that now enable EV Energy Management Systems. EV Energy Management Systems refers to technology that services and controls the rate and timing of EV charging. The advancement of these technologies allow multiple EVs to charge simultaneously on one dedicated electrical circuit. The application of these technologies will be useful for EV charging requirements in multi-family buildings, as they will significantly reduce the costs of providing EV charging infrastructure as they reduce the size of the building electrical systems that must be installed.

Staffing Resources

The adoption of an EV charging bylaw for new residential construction will be administered with current staffing levels in the Permit, Licence, and Inspection Services (PLI) and Development Planning departments.

Industry Consultation

Should Council support the report recommendations, staff would conduct consultation with local industry and stakeholders on the proposed draft bylaw amendment and future EV considerations and return to Council with an updated Zoning Bylaw 1987 No. 2500 for Council's consideration.

FUTURE CONSIDERATIONS:

EV Strategy

The integration of EV infrastructure into a community requires an understanding of the building archetypes, existing EV charging networks, EV adoption rates, resident charging needs and policy options. Should Council support the report recommendations, staff would develop an EV Strategy that encompasses both community and corporate electric vehicle charging infrastructure plans, targets and policies for Council's consideration.

A review of EV infrastructure needs to be conducted to ensure the Township can appropriately support the transition to electric vehicles in the community.

EV Charging in Commercial and Industrial Applications

Access to workplace charging is also essential to EV uptake. Currently, very few local governments have requirements for EV charging infrastructure in commercial and industrial buildings as it is more complex compared to residential development. The private sector also faces more challenges in providing EV chargers under the BC Utilities Commission (BCUC) compared to local governments.

Private businesses operating EV chargers are not able to sell electricity for a fee without an exemption or approval from the BCUC. Local governments do not face these same limitations; this disincentivizes the private sector from installing EV chargers as their cost recovery and positive return on investment is not met. There is currently a BCUC inquiry into the regulation of electric vehicle charging service. The BCUC's independent inquiry will explore the potential regulatory issues, including the level of regulation necessary (if any) in the EV charging stations market, the rates for EV charging service, and any other matters that should be considered by

the BCUC. If the BCUC begins to allow private businesses to recover costs from EV charging infrastructure, widespread EV infrastructure deployment will be realized.

Further review and stakeholder consultation is required prior to advancing specific policies regarding EV infrastructure requirements in the commercial/industrial sector.

EV Charging in Public Applications

Public charging can help fill in the day-to-day needs of EV drivers, and contribute to the widespread adoption of EVs. The Township's municipally-owned EV charging network is extensively used by the public but still requires expansion to all areas of the community. Through the EV Strategy staff will review the Township's role in this service area including fees for charging, possible partnerships, cost considerations and network expansion.

Township Fleet

As part of the Strategic Energy Management Plan, adopted by Council in 2016, the Township has established sustainable fleet objectives, including: converting 50% of the passenger fleet to EVs by 2026. To ensure these targets are realized, staff would include a fleet review as part of the EV Strategy.

Respectfully submitted,

Tess Rouse
Community Energy Manager
for
ENGINEERING DIVISION

This report has been prepared in consultation with the following listed departments.

CONCURRENCES	
Division / Department	Name
Community Development Division	R. Knall & R. Baker

ATTACHMENT A Draft Amendment to Langley Zoning Bylaw 1987 No. 2500
ATTACHMENT B UBCM Resolution: Charging Infrastructure for Electric Vehicles

**THE CORPORATION OF THE TOWNSHIP OF LANGLEY
TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (ELECTRIC VEHICLE CHARGING)
BYLAW 2018 NO. _____**

EXPLANATORY NOTE

Bylaw 2018 No. _____ amends the Zoning Bylaw by incorporating provisions related to electric vehicle charging for residential uses.

DRAFT

THE CORPORATION OF THE TOWNSHIP OF LANGLEY
TOWNSHIP OF LANGLEY ZONING BYLAW 1987 NO. 2500
AMENDMENT (ELECTRIC VEHICLE CHARGING)
BYLAW 2018 NO. _____

A Bylaw to amend Township of Langley Zoning Bylaw 1987 No. 2500

WHEREAS it is deemed necessary and desirable to amend “Township of Langley Zoning Bylaw 1987 No. 2500” as amended;

NOW THEREFORE, the Municipal Council of the Corporation of the Township of Langley, in Open Meeting Assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Township of Langley Zoning Bylaw 1987 No. 2500 Amendment (Electric Vehicle Charging) Bylaw 2018 No. _____.”
2. The “Township of Langley Zoning Bylaw 1987 No. 2500” as amended is further amended

(1) By amending “Section 102 – Definitions” by inserting the following definitions

“**EV (ELECTRIC VEHICLE)**” means a *vehicle* that uses electricity for propulsion, and can use an external source of electricity to charge the *vehicle*’s batteries.

“**ELECTRIC VEHICLE ENERGY MANAGEMENT SYSTEM**” means a system to control *electric vehicle* supply equipment electrical loads comprised of monitor(s), communications equipment, controller(s), timer(s) and other applicable devices.

“**ELECTRIC VEHICLE SUPPLY EQUIPMENT**” means a complete assembly consisting of conductors, connectors, devices, apparatus, and fittings installed specifically for the purpose of power transfer and information exchange between a branch electric circuit and an *electric vehicle*.

“**ENERGIZED OUTLET**” means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment.

“**LEVEL 2 CHARGING**” means a Level 2 electric *vehicle* charging level as defined by SAE International’s J1772 standard.

(2) By amending “Section 107.3 – Required Off Street Parking Spaces” by adding the following text after the first paragraph, immediately before the table of uses and parking requirements:

Parking spaces with *EV* charging requirements, excluding visitor parking spaces, shall feature an *energized outlet* capable of providing *Level 2 Charging* or higher to the parking space.

Where an *electric vehicle energy management system* is implemented, the General Manager of Engineering and Community Development may specify a

minimum performance standard to ensure a sufficient rate of *electric vehicle* charging.

Parking spaces with *EV* charging requirements shall have *energized outlets* labelled for their intended use for *electric vehicle* charging.

- (3) By adding a column headed "EV CHARGING REQUIREMENTS" to the right of the column headed "PARKING REQUIREMENTS" in Section 107.3 a) Residential Uses and in Section 107.3 b) Institutional Uses
- (4) By inserting in Section 107.3 a) the words "1 space per dwelling unit" in the column headed "EV CHARGING REQUIREMENTS" for:
 - i) *single family dwellings, two family dwellings, mobile homes, mobile homes as temporary accessory dwellings*
 - ii) *townhouses*
 - iii) *apartments*
 - iv) *dwelling units* as part of a commercial or industrial *building*
- (5) By inserting in Section 107.3 a) the words "A minimum of 20% of all parking spaces used by occupants or residents of *dwelling units*" in the column headed "EV CHARGING REQUIREMENTS" for:
 - v) *seniors' housing*
- (6) By inserting in Section 107.3 b) the words "A minimum of 20% of all parking spaces used by occupants or residents of *dwelling units*" in the column headed "EV CHARGING REQUIREMENTS" for:
 - ii) *community care facilities* excluding *seniors' housing*
- (7) By inserting in Section 107.3 b) the words "Where residential accommodations are provided on site, a minimum of 20% of all parking stalls used by occupants or residents of *dwelling units*" in the column headed "EV CHARGING REQUIREMENTS" for:
 - iii) *educational uses*: kindergartens, elementary schools and *group children's day care*, secondary schools and other higher education
- (8) By inserting in Section 107.3 a) the words "Not Applicable" in the column headed "EV CHARGING REQUIREMENTS" for:
 - vi) *accessory home occupation*
- (9) By inserting in Section 107.3 b) the words "Not Applicable" in the column headed "EV CHARGING REQUIREMENTS" for:
 - i) *assembly uses*, excluding *educational uses*

Bylaw No. _____
Page 3

- iv) government institutional *buildings*
- v) recreational *uses* and facilities including commercial recreational *uses*

3. This bylaw is to come into force and take effect on _____ (bylaw adoption date). Complete and valid building permit applications, submitted prior to the date of adoption of this bylaw are exempt from the EV Charging Requirements provisions in Section 107.3 provided that the building permit is issued by _____ (6 months after bylaw adoption date).

READ A FIRST TIME the	day of	, 2018.
READ A SECOND TIME the	day of	, 2018.
PUBLIC HEARING HELD the	day of	, 2018.
READ A THIRD TIME the	day of	, 2018.
RECONSIDERED AND ADOPTED the	day of	, 2018.

_____ Mayor _____ Township Clerk

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution that requested the provincial government to rescind Order in Council No. 148 related to the removal of lands within the Site C reservoir from the Agricultural Land Reserve (ALR).

The Committee notes that in 2013, members considered but did not endorse resolution B109 which sought to simplify the procedure and reduce time lines for processing local government applications for removal of land from the ALR. Prior to that, in August 2010, UBCM made a presentation to the Agricultural Land Commission Review Panel, articulating a number of relevant policy positions adopted by the UBCM membership, including:

- *support for targeted reviews with local government input;*
- *broad overall support for retaining the ALR and ensuring that it captures agricultural land;*
- *the need to balance any changes to the ALR with the commitments of local governments under the Climate Action Charter; and*
- *acknowledgment that there is a lack of resources currently to support the ALR.*

Conference decision:

Selected Issues

B100 CHARGING INFRASTRUCTURE FOR ELECTRIC VEHICLES

Langley Township

WHEREAS electric vehicles significantly reduce green house gases (GHGs) emitted to the atmosphere and the adoption of electric vehicles is dependent upon the availability of electric vehicle infrastructure;

AND WHEREAS there are currently no provisions in the Green provisions of the BC Building Code or local zoning bylaws for electrical supply points for electric vehicles and it is costly to retrofit electrical supply points for electric vehicles, as well as to retrofit electrical conduit or cable in buildings or on properties that have already been constructed or developed:

THEREFORE BE IT RESOLVED that UBCM request that the Government of British Columbia consider an addition to the Green (opt-in) provisions of the BC Building Code to provide:

- a. For a rough-in electrical raceway or cable, and electrical panel capacity to accommodate a future level 2, minimum 40 amp electrical circuit for each dwelling unit of one and two family buildings that have parking spaces; and
- b. That each one of twenty per cent of the parking spaces that are required for use by owners or occupiers of dwelling units in multiple family buildings be provided with a roughed-in electrical raceway or cable, electrical panel capacity and sufficient space in the electrical room to accommodate a future level 2, minimum 40 amp electrical circuit and that the electrical room shall include equipment space and panel capacity for 100 per cent of the required resident spaces;

AND BE IT FURTHER RESOLVED that UBCM request that the Government of BC consider a revision to Part 26, Section 906(1)(a) of the *Local Government Act* to “provide spaces and charging infrastructure for use by plug-in electric vehicles,” and a revision to Section 906(1)(b) to include “designation” of the parking spaces.

NOT PRESENTED TO THE LOWER MAINLAND LOCAL GOVERNMENT ASSOCIATION

UBCM RESOLUTIONS COMMITTEE RECOMMENDATION: **No Recommendation**

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution requesting the provincial government to amend the Green (opt-in) provisions of the BC Building Code, as well as Sections 906(1)(a) and (b) of the Local Government Act, to provide for rough-in infrastructure and capacity for charging electric vehicles.

See also resolution C35.

Conference decision:

B101 SUPPORT FOR PRIORITIZING OF RESOLUTIONS AKBLG Executive

WHEREAS the number of resolutions endorsed by the membership of the local government area associations and UBCM is very large and without ranking or prioritization and results in a large list of resolutions which can in some cases be ignored by the provincial government and is difficult for various executives to take actions on;

AND WHEREAS often the less important resolutions without clear recommendations for support receive the most debate and media attention:

THEREFORE BE IT RESOLVED that the AKBLG encourage other BC area associations and the UBCM to implement a prioritizing practice into their resolutions process.

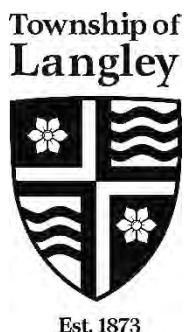
ENDORSED BY THE ASSOCIATION OF KOOTENAY AND BOUNDARY LOCAL GOVERNMENTS

UBCM RESOLUTIONS COMMITTEE RECOMMENDATION: **No Recommendation**

UBCM RESOLUTIONS COMMITTEE COMMENTS:

The Resolutions Committee notes that this resolution from the AKBLG Executive is encouraging UBCM and other Area Associations to implement a prioritizing practice into their resolutions process, similar to AKBLG Executive. UBCM members have considered a number of resolutions related to the resolutions process and specifically prioritization of resolutions.

The Committee would note that a resolutions process review was initiated by resolution 2008-B137, which requested that each Area Association prioritize and submit their top 5 resolutions for debate at Convention; that the UBCM Executive bring forward a maximum of 25 member resolutions for debate at Convention; and that UBCM develop a tracking system for resolutions.



REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 23, 2018 - REGULAR AFTERNOON MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: AGRICULTURAL LAND COMMISSION APPLICATION NO. 100334
 (NEWBY / 3428 AND 3474 – 262 STREET)

REPORT: 18-110
FILE: 10-25-0045

PROPOSAL:

Non-farm use application to the Agricultural Land Commission submitted by Ian and Doreen Newby to permit storage of vehicles and equipment at 3428 and 3474 – 262 Street.

RECOMMENDATION SUMMARY:

That Council refer the application to the Agricultural Land Commission (ALC) and advise that the non-farm use application is compatible with overall objectives of the Township's Official Community Plan.

RATIONALE:

The proposed non-farm use is compatible with overall objectives of the Township's Official Community Plan.



RECOMMENDATION:

That Council refer the application to the Agricultural Land Commission and advise that the proposed non-farm use application submitted by Colin Fry and Associates Ltd. to permit continued storage and staging of vehicles and equipment on a portion of properties located at 3474 and 3428 – 262 Street is compatible with overall objectives of the Township's Official Community Plan.

EXECUTIVE SUMMARY:

The Township has received a non-farm use application to permit continued storage and staging of military equipment and vehicles on a 2.8 ha (6.92 ac) portion of two properties, totaling 5.8 ha (14.33 ac), located at 3474 and 3428 – 262 Street, within the Agricultural Land Reserve (ALR).

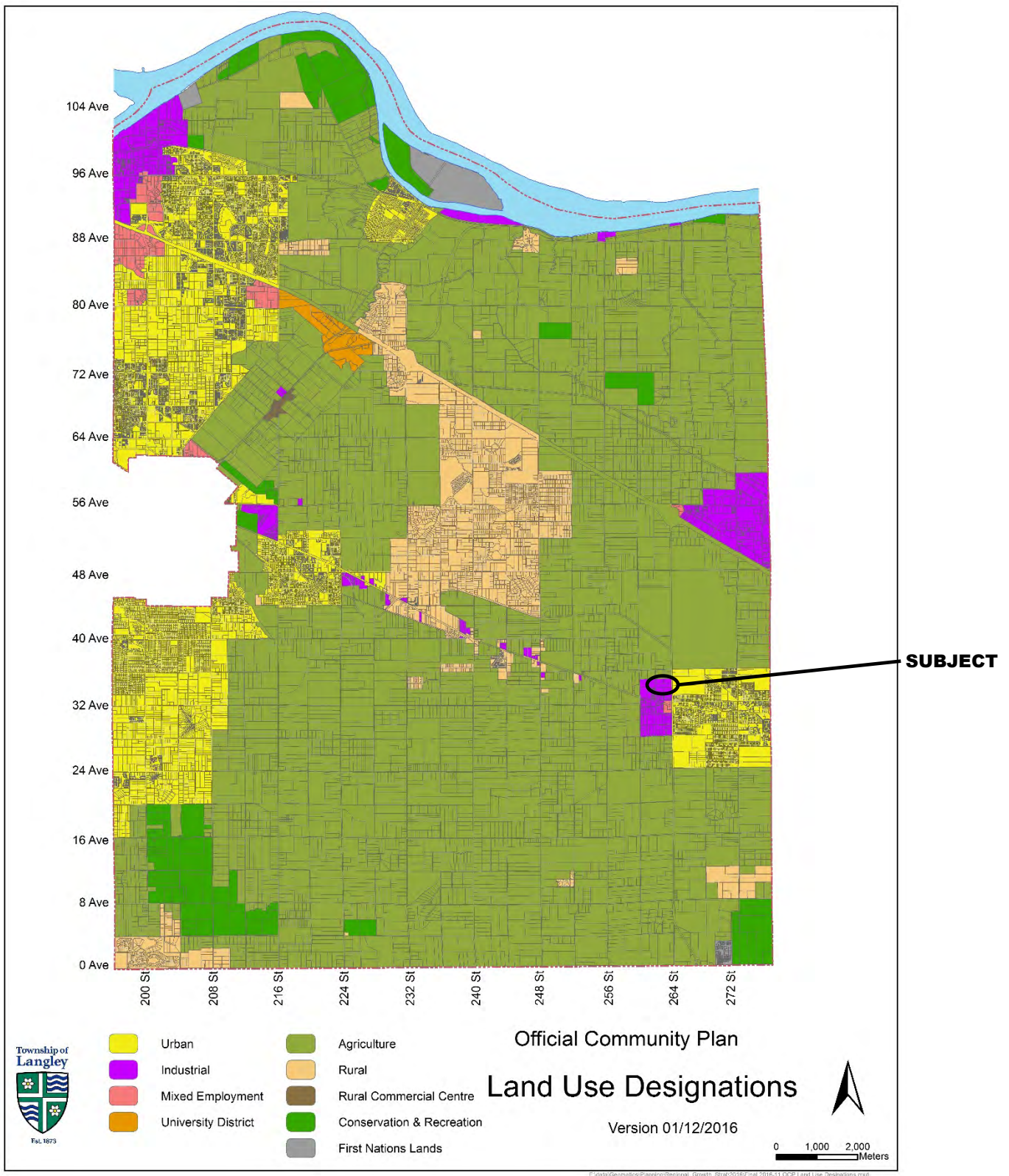
According to historical aerial photographs, the business has expanded its operational footprint over time on a portion of the subject rural properties. The current operation does not comply with the Township Zoning Bylaw provisions to qualify as an "accessory home occupation".

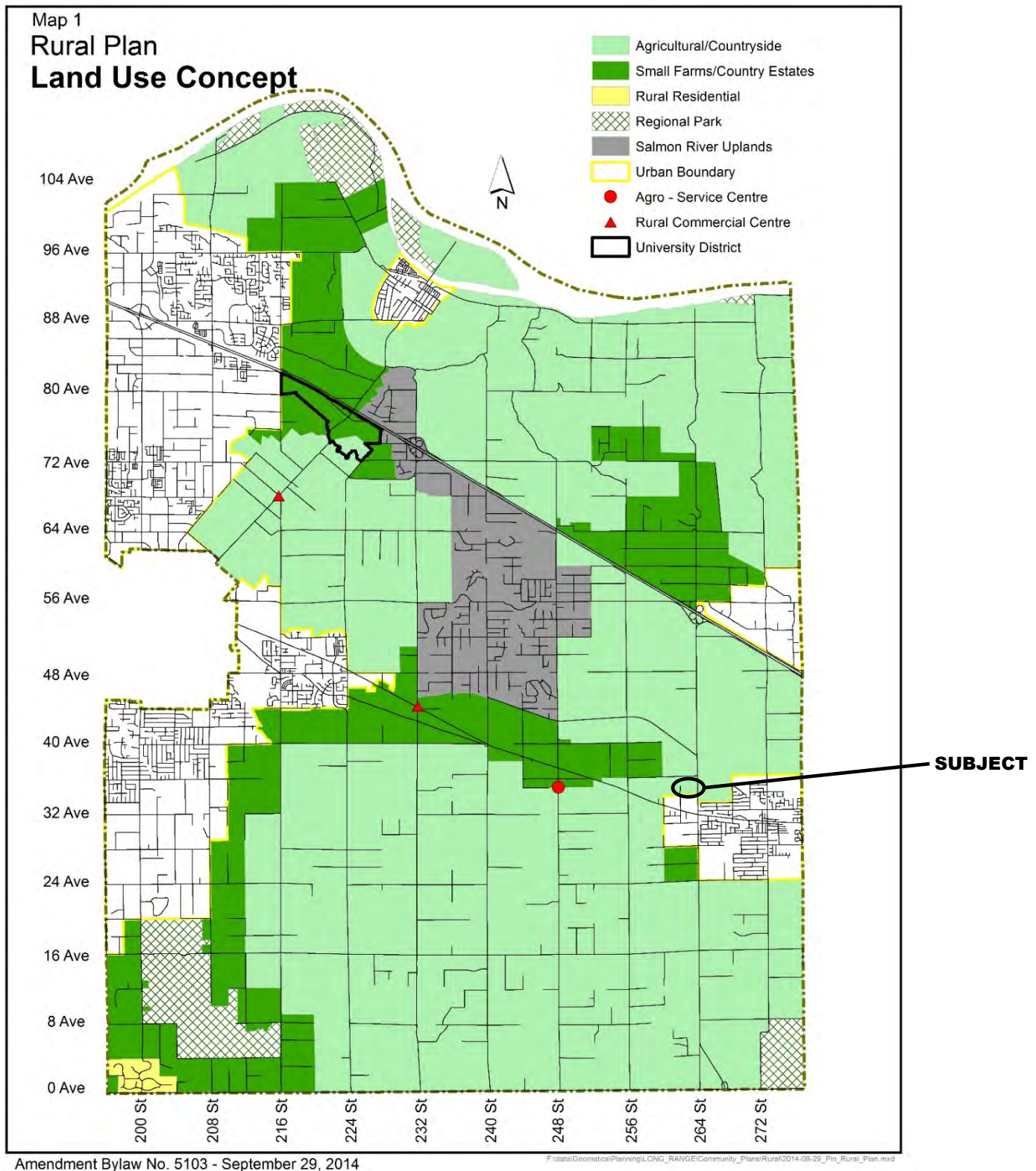
The ALC conducted a site visit of the subject properties on April 11, 2017. On June 12, 2017, the ALC informed the property owner (Attachment A) that in order to continue to operate the business on the subject properties, a non-farm use application would be required.

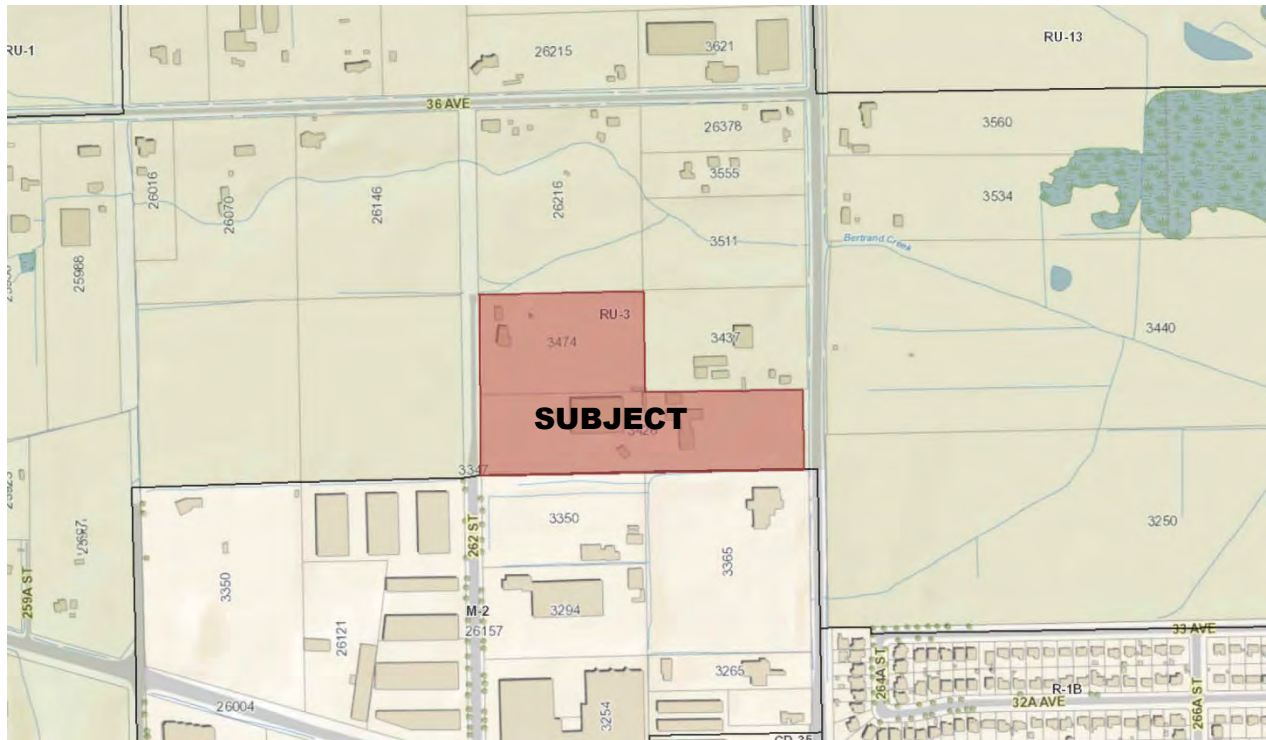
Should the non-farm use application be approved for referral to the Agricultural Land Commission (ALC) and subsequently approved by the ALC, further applications may be necessary for land use amendments in consideration of the Rural Plan and the Township's Zoning Bylaw (subject to approval of the Minister of Agriculture) to enable continued operation of the business.

PURPOSE:

This report provides Council with information and a recommendation with respect to an ALR non-farm use application submitted under Section 20(3) of the ALC Act. Consideration of the application by Council is required prior to it being forwarded for consideration by the ALC.







ZONING BYLAW NO. 2500



SITE PLAN – SUBMITTED BY APPLICANT

REFERENCE:

Owner / Applicant:	Ian and Doreen Newby 3474 – 262 Street Langley, BC V4W 2X2
Agent:	Colin Fry and Associates Consulting Ltd. 903 Edinburgh Street New Westminster, BC V3M 2V2
Legal Description:	Lot 29 Section 25 Township 10 New Westminster District Plan 66753 Lot 30 Section 25 Township 10 New Westminster District Plan 66753
Civic Address:	3474 and 3428 – 262 Street
Area:	5.80 ha (14.33 ac)
Official Community Plan:	Industrial
Rural Community Plan:	Agricultural / Countryside
Existing Zoning:	Rural Zone RU-3

BACKGROUND/HISTORY:

The subject properties are 5.80 ha (14.33) in size, designated 'Industrial' in the Township's Official Community Plan, and designated 'Agricultural / Countryside' in the Rural Plan. The properties are currently zoned Rural Zone RU-3 and are in the ALR. The applicant has applied for a non-farm use under Section 20(3) of the Agricultural Land Commission Act in order to permit continued storage and staging of military equipment and vehicles on a 2.8 ha (6.92 ac) portion of the properties.

The applicant indicates that the business, International Movie Services (IMS), has been operating on the subject properties for approximately 30 years. The business serves as a storage and staging area for military equipment and vehicles which it provides to the motion picture and television industry. The ALC conducted a site visit to the subject properties on April 11, 2017. On June 12, 2017, the ALC informed the property owner (Attachment A) that in order to continue to operate the business on the subject properties, a non-farm use application was required.

The ALC Act allows Council the opportunity to provide recommendations on non-farm use applications made to the ALC. Information available to Council to consider making recommendations are policies contained in the Township's Official Community Plan, Rural Plan and Zoning Bylaw.

DISCUSSION / ANALYSIS:

The applicant has applied under Section 20(3) of the ALC Act for a non-farm use for property located at 3474 and 3428 – 262 Street. The applicant is proposing to continue operation of an existing business, International Movie Services, on a 2.8 ha (6.92 ac) portion of the subject properties as shown on the site plan. The applicant indicates that the remaining 3 ha (7.41 ac) is not currently used for agricultural purposes.

The property at 3428 – 262 Street is 3.54 ha (8.75 ac) and contains a single family dwelling as well as several accessory buildings used for storage. The property at 3474 – 262 Street is 2.26 ha (5.59 ac) and contains two single family dwellings and an accessory building. The subject properties are located in the ALR and are directly adjacent to the Aldergrove Community Plan area. The properties are designated “Industrial” in the Regional Growth Strategy (RGS) and the Official Community Plan (OCP) and “Agricultural / Countryside” in the Township’s Rural Plan. The properties are zoned Rural Zone RU-3.

Adjacent Uses:

- North: A property designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR, beyond which is 36 Avenue
- South: Industrial properties designated Industrial in the Aldergrove Community Plan, zoned General Industrial Zone M-2, not located in the ALR
- East: A property designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3, beyond which is 264 Street (Highway 13) and properties designated Agricultural / Countryside in the Rural Plan and zoned Rural Zone RU-3, one of which is currently under application for ALR exclusion (ToL project No. 13-30- 0076)
- West: 262 Street, beyond which is property designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR

Planning Considerations:

The Regional Growth Strategy (RGS) is a long term land use plan implemented by Metro Vancouver that shapes growth throughout the Lower Mainland. The RGS designation for the subject property is Industrial. The RGS states “Industrial areas are primarily intended for heavy and light industrial activities, and appropriate accessory uses. Limited commercial uses that support industrial activities are appropriate. Residential uses are not intended.” Staff note that the subject properties are designated Industrial in both the RGS and the Township’s Official Community Plan (OCP). Section 2.4.11 of the OCP states “Areas designated as industrial are intended for manufacturing and warehousing activities, and in some cases office use, subject to policies in community plans.”

The property is designated “Agricultural/Countryside” in the Township’s Rural Plan. Section 5.5.1 of the Rural Plan states:

“In areas designated Agriculture/Countryside, agricultural uses and considerations shall have priority over non-agricultural uses, where such uses would have an adverse impact on agriculture. Non-agricultural uses that do not comply with provisions of this plan are not permitted.”

The Rural Plan provides limited support for existing industrial uses in rural areas that Council may wish to reference in consideration of this application. Section 5.14.2 of the Rural Plan states:

“Industrial development shall not be permitted in the rural area, but shall be directed to areas designated industrial growth and, where it meets the criteria, the Agro- Service Centre. Expansion of existing industrial uses on their present sites may be considered, subject to review of impacts on surrounding land and uses.”

The subject property's RU-3 zoning lists various permitted uses, including:

- accessory buildings and uses
- accessory home occupations subject to Section 104.3
- accessory parking of commercial vehicles subject to Section 108
- agricultural uses

An "accessory home occupation" is defined as follows:

"means an occupation, profession or hobby craft which is incidental and subordinate to the use of a dwelling for residential purposes and which does not change the residential appearance or character of the dwelling or neighbourhood in which it is located."

For the subject property, the following provisions outlined in Section 104.3 of the Zoning Bylaw apply to an accessory home occupation use:

- not permitted within a secondary residential suite
- owner of the accessory home occupation shall live in the same dwelling as the accessory home occupation
- accessory home occupation shall not change the residential appearance or character of the dwelling or neighbourhood in which it is located
- accessory home occupation, including the accessory storage of good or materials, shall be operated and/or contained completely within one or more enclosed buildings that is/are located on the same lot as the accessory home occupation
- no evidence of the accessory home occupation, including no exterior storage or operation of the accessory home occupation, except for a sign identifying the accessory home occupation
- the maximum total gross floor space limited to 186 m² (2,002 ft²)
- limited to a maximum of 4 employees (including up to 3 non-resident employees)
- limited to a maximum of 3 commercial vehicles associated with the accessory home occupation

The subject vehicle and equipment storage business does not comply with the requirements for a home occupation as outlined in Section 104.3 of the Zoning Bylaw. The Zoning Bylaw limits the allowable business floor space to 186 m² (2,002 ft²) and specifies that all operations are to be conducted within the dwelling or an accessory building. Given the lot sizes are greater than 8,094 m² (2 ac) the proponent is able to park up to three (3) commercial vehicles on each lot.

The ALC also allows for a small scale home based business to operate on ALR land with the intent of providing supplementary income to a farm operation. Section 3(1)(c) of the ALR Regulation speaks to home occupation use as a non-farm use on ALR land. Home occupation, accessory to a dwelling, is an allowable outright use in the ALR provided that it is no more than 100 m² (1,076 ft²) or a size specified in a local government bylaw. Should Council refer the application to the ALC, and should the ALC approve the proposed non-farm use application, the applicant will need to apply for an amendment to the Rural Plan as well as a rezoning of the subject properties, which would be subject to approval of the Minister of Agriculture.

Agricultural Advisory and Economic Enhancement Committee:

In accordance with past practice the application will be forwarded to the Agricultural Advisory and Economic Enhancement Committee (AAEEC) for information purposes.

Servicing:

The site is located in Rural Service Level 4 requiring the provision of rural services (septic and well) as minimum requirements. However, should the ALC approve the application, a condition of subsequent rezoning application would be extension of municipal services in accordance with Urban Level 1 servicing standards to comply with the site's proposed zoning, based on the Industrial designation and intended use.

POLICY CONSIDERATIONS:

The Rural Plan designates the subject property Agricultural / Countryside. The Plan contemplates industrial uses in the rural area by encouraging such uses that are oriented toward agro-industrial services and to locate in areas contiguous with the urban containment boundary. The site's Rural RU-3 zoning does not accommodate operation of the current vehicle and equipment storage business. The subject properties are designated Industrial in the Regional Growth Strategy and the Township's Official Community Plan. Should the ALC consider this application favourably, the proponent would need to apply for land use amendments in consideration of the Rural Plan and the Zoning Bylaw for continued operation of the business on the subject site.

Respectfully submitted,

Joel Nagtegaal
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Letter from ALC to Applicant (June 12, 2017)

This report constitutes the "Local Government Report" as required under Section 12 or 29 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

**Agricultural Land Commission**

133 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

June 12, 2017

ALC C&E File 50701

SENT BY REGISTERED & REGULAR MAIL

Ian NEWBY
Doreen NEWBY
3428 262 Street
Langley, BC V4W 2X2

Dear Property Owner(s):

Unauthorized Commercial Activity in the Agricultural Land Reserve

CIVIC ADDRESS: 3428 262 Street, Langley BC
LEGAL: Lot 29, Plan NWP66753, Part SE 1/4, Section 25, Township 10, New Westminster Land District
PID: 002-140-055
(the "Property") &

CIVIC ADDRESS: 3474 262 Street, Langley BC
LEGAL: Lot 30, Plan NWP66753, Part SE 1/4, Section 25, Township 10, New Westminster Land District
PID: 002-212-153
(the "Property")

This letter serves to inform you that the Agricultural Land Commission (the ALC" or the "Commission") has recently received information that alleges you may be operating a commercial business namely, International Movie Services Ltd. on the Properties by storing equipment and film props on the Properties associated to the business.

However; please be advised that an inspection of the property was conducted on April 11, 2017 followed by a phone conversation with yourself, Ian Newby on May 10, 2017 and confirmed that the Properties are being used to store equipment and film props for production sets.

Commission records indicate that the Property is within the Agricultural Land Reserve ("ALR") and therefore is subject to the *Agricultural Land Commission Act* (the "Act") and BC Regulation 171/2002 *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* (the "Regulation").

Be advised that pursuant to s. 20(1) of the Act:

20(1) "A person must not use agricultural land for a non-farm use unless permitted by this Act";

Based on the above information, I determine that under the Act you must:

1. cease the aforementioned non-farm use activity immediately; and
2. not continue if and until permitted under application decision; and
3. submit a non-farm use application

In order to move forward in an effort to bring the Property into compliance with the Act, please submit the non-farm use application with respect to the Property no later than **July 17, 2017**. The application can be retrieved and subsequently submitted through the ALC's Application Portal via the ALC's website at: <http://www.alc.gov.bc.ca/alc/content/applications-and-decisions>

If you choose to submit an application, please advise me of the Application ID once your application has been submitted.

A lack of response to this letter may result in further action(s) which may include, but is/are not limited to; the recommendation of a monetary penalty and/or an order to rehabilitate the Property to a suitable agricultural standard.

Please contact me if you require further information. I can be reached at 604-209-9311 or Paula.Blanchard@gov.bc.ca. I look forward to hearing from you to resolve this matter in a timely fashion.

This letter does not relieve the owner of occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

Sincerely,

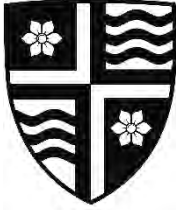
PROVINCIAL AGRICULTURAL LAND COMMISSION



Paula Blanchard
Compliance and Enforcement Officer

cc: TOL – Manny Natt, Senior Bylaw Enforcement Officer (Sent by Electronic Mail)

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 23, 2018 – REGULAR AFTERNOON MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: AGRICULTURAL LAND COMMISSION
 APPLICATION NO. 100304
 (APLIN AND MARTIN CONSULTANTS LTD. /
 HOMESTAR BUILDING CORP. / MEYER / 25125 – 72 AVENUE)

REPORT: 18-121
FILE: 11-23-0015

PROPOSAL:

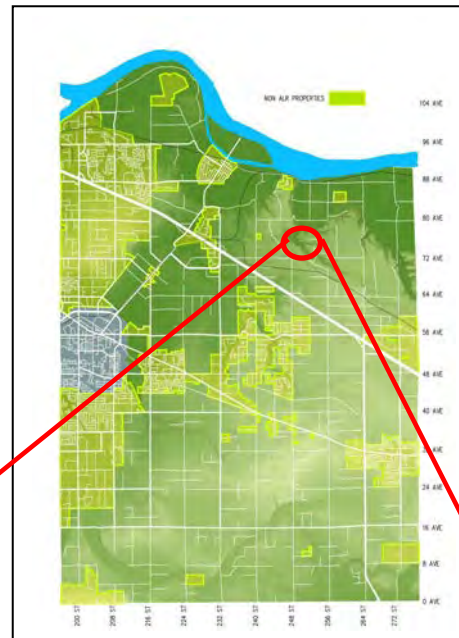
Subdivision application under Section 21(2) of the Agricultural Land Commission Act to subdivide a 51 ha (126.4 ac) property located at 25125 – 72 Avenue into three (3) rural lots.

RECOMMENDATION SUMMARY:

That Council advise the Agricultural Land Commission (ALC) that the proposed subdivision complies with the minimum lot size requirements of the Township's Zoning Bylaw and request consideration based on agricultural merits

RATIONALE:

The proposed subdivision complies with the Township's Rural Zone RU-3 8.0 ha (19.8 ac) minimum lot size.



AGRICULTURAL LAND COMMISSION
APPLICATION 100304
(APLIN AND MARTIN CONSULTANTS LTD. /
MEYER / HOMESTAR BUILDING CORP. / 25125 – 72 AVENUE)
Page 2 . . .

RECOMMENDATION:

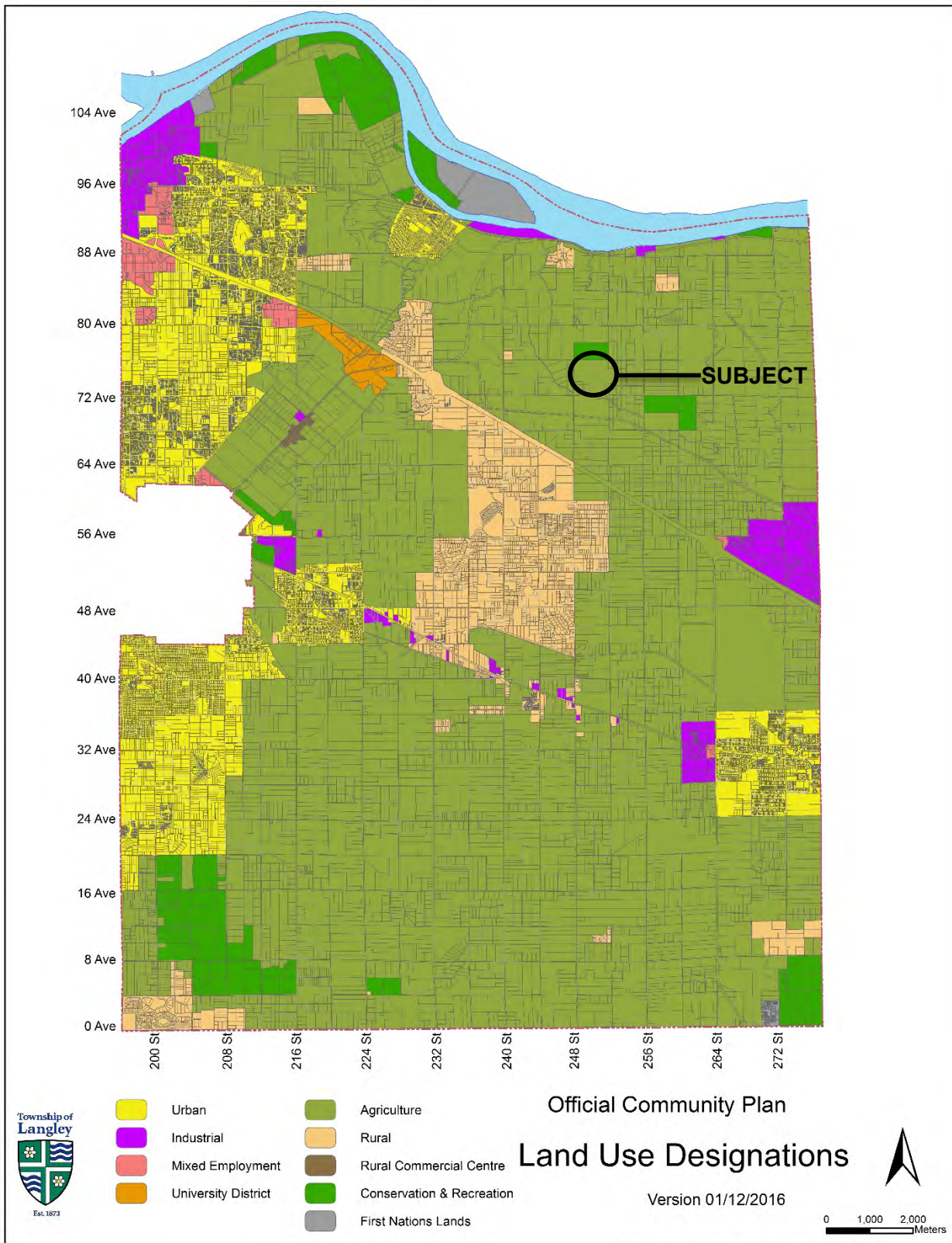
That Council advise the Agricultural Land Commission that the subdivision application submitted by Aplin and Martin Consultants Ltd. on behalf of Chris Meyer and Homestar Building Corporation, for a 51 ha (126.4 ac) property located at 25125 – 72 Avenue within the Agricultural Land Reserve, complies with the minimum parcel size provisions of the Township's Rural RU-3 zoning, and request consideration based on agricultural merits.

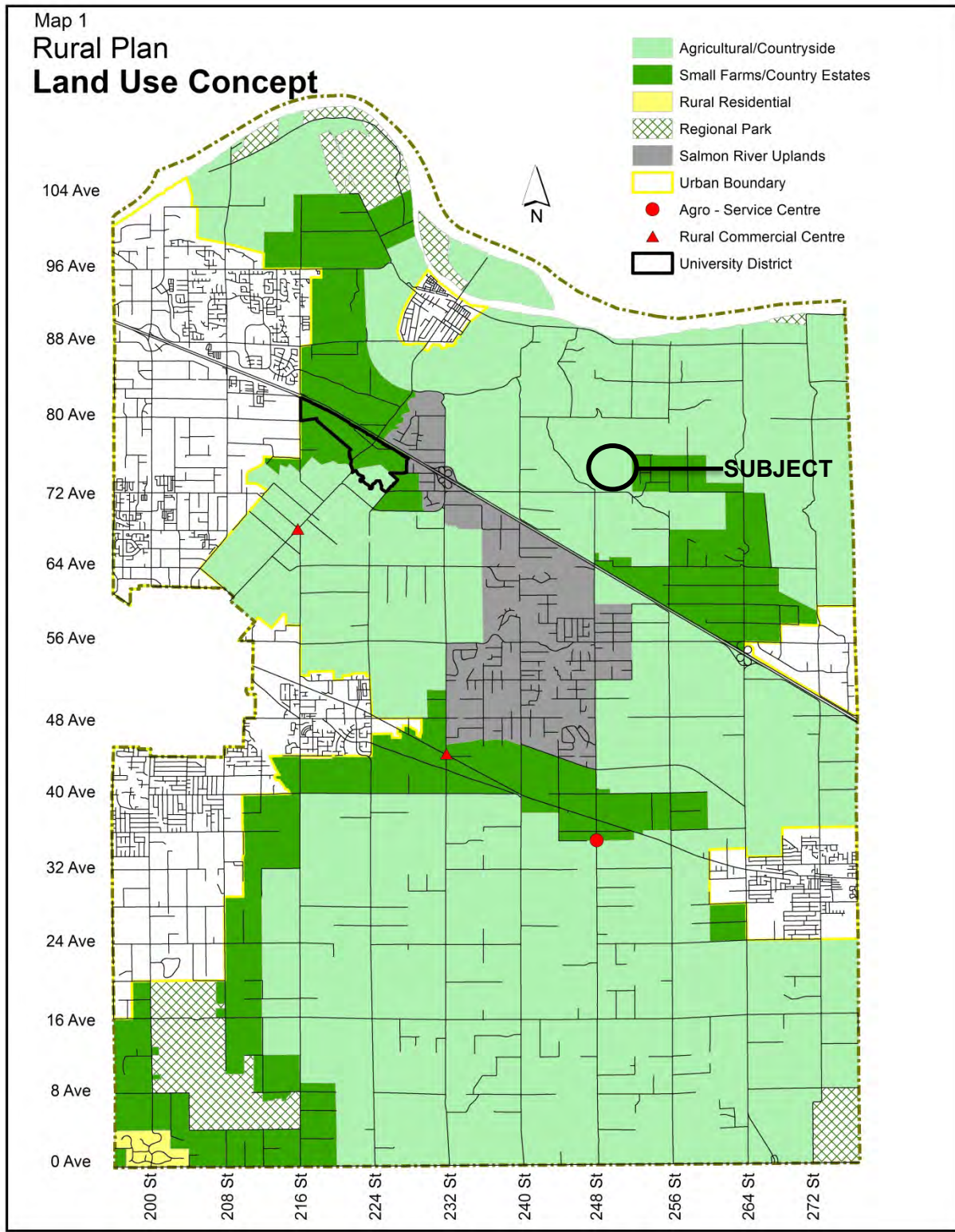
EXECUTIVE SUMMARY:

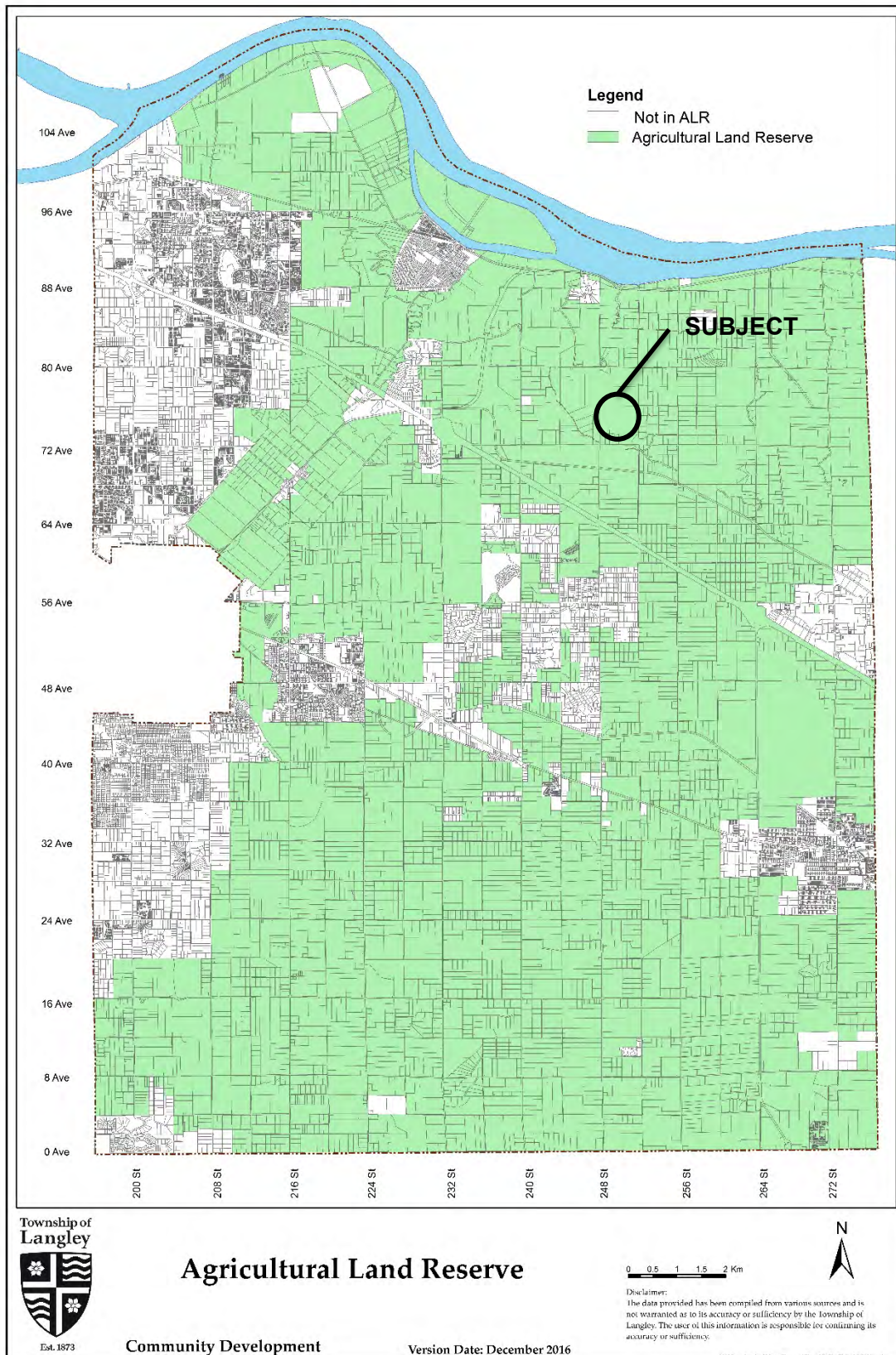
The applicant, pursuant to Section 21(2) of the Agricultural Land Commission Act, has applied to subdivide a 51 ha (126.4 ac) property located at 25125 – 72 Avenue into three (3) rural lots ranging in size from 11 ha (27.2 ac) to 26 ha (64.3 ac). The subject property is zoned Rural Zone RU-3 and designated Agricultural / Countryside in the Rural Plan. The proposal complies with the minimum parcel size provisions of the Township's Zoning Bylaw and the Rural Plan.

PURPOSE:

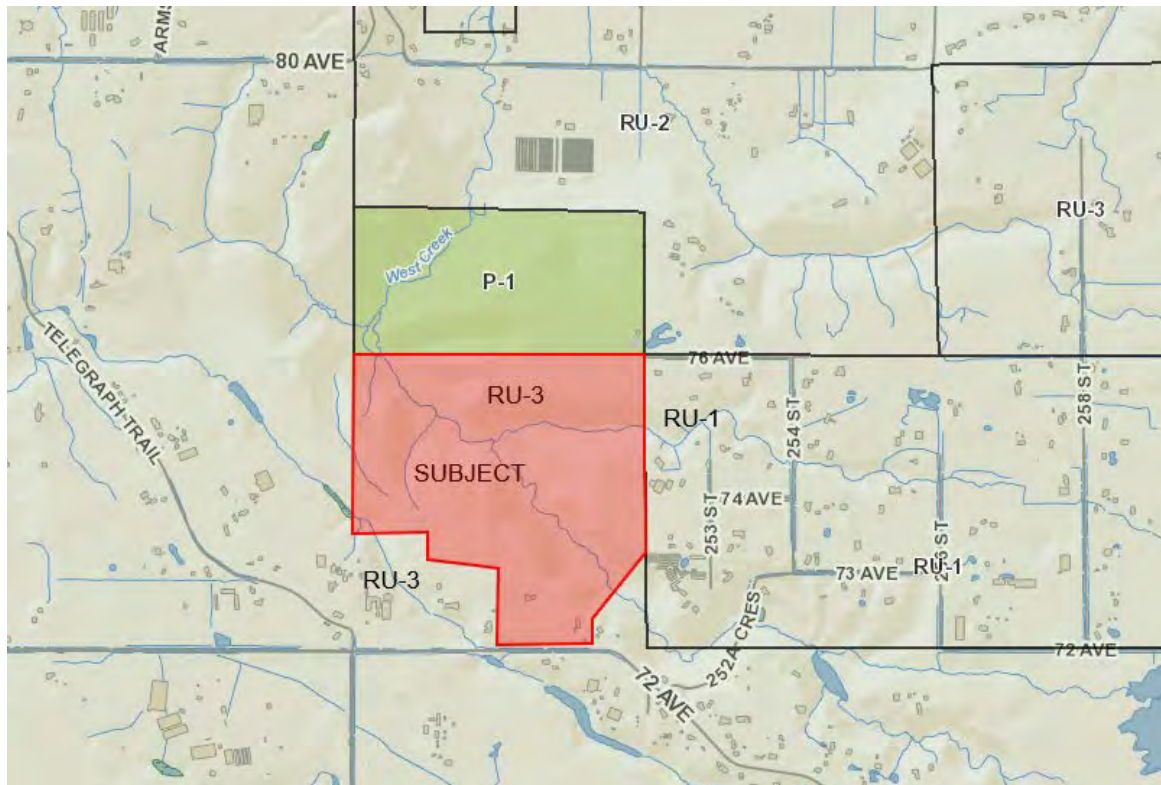
This report is to provide Council with information and a recommendation with respect to an ALR subdivision application submitted under Section 21(2) of the ALC Act by Aplin and Martin Consultants Ltd.



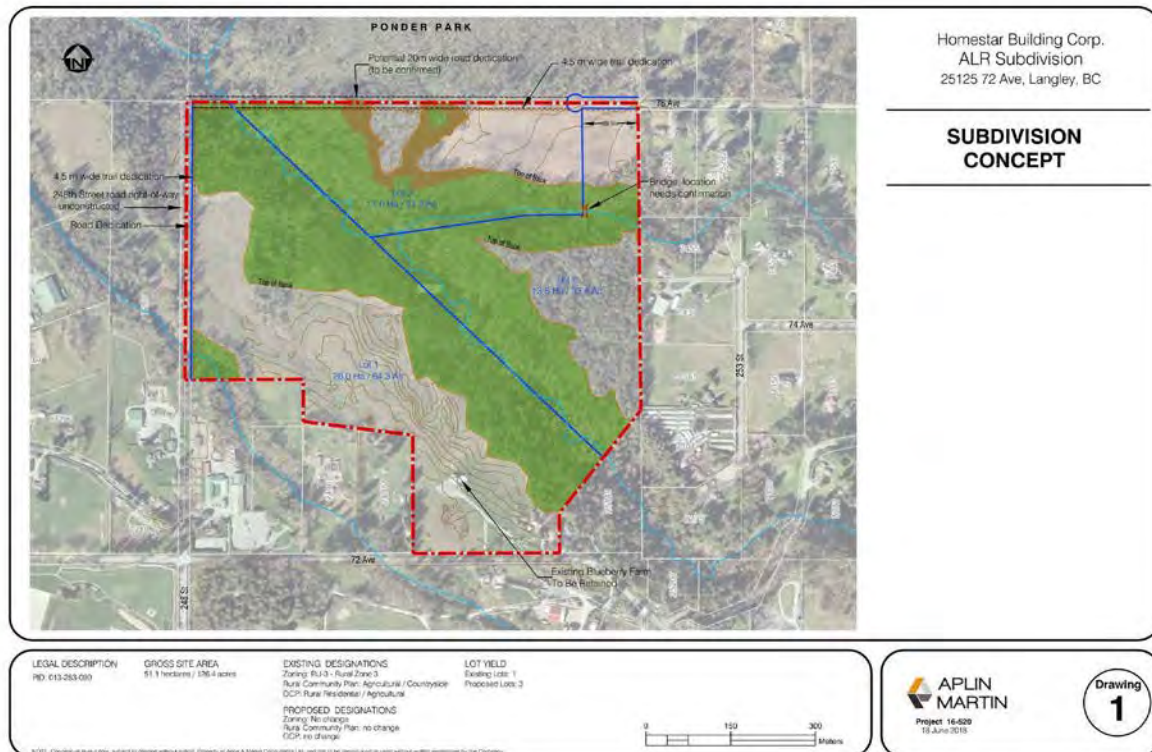




AGRICULTURAL LAND COMMISSION
 APPLICATION 100304
 (APLIN AND MARTIN CONSULTANTS LTD. /
 MEYER / HOMESTAR BUILDING CORP. / 25125 – 72 AVENUE)
 Page 6 . . .



ZONING BYLAW NO. 2500



SITE PLAN – SUBMITTED BY APPLICANT

AGRICULTURAL LAND COMMISSION
 APPLICATION 100304
 (APLIN AND MARTIN CONSULTANTS LTD. /
 MEYER / HOMESTAR BUILDING CORP. / 25125 – 72 AVENUE)
 Page 7 . . .

REFERENCE:

Agent	Aplin and Martin Consultants Ltd. 1680–13450 – 102 Avenue Surrey, BC V3T 0J5
Owners :	Chris Meyer 25125 – 72 Avenue Langley, BC V4W 1J1
Legal Description:	Parcel “A” (Reference Plan 9530) Of Lot 2 Plan 8102 And Of The Southwest Quarter Section 23 Township 11 Except: Parcel “One” (Explanatory Plan 15187), New Westminster District
Location:	25125 – 72 Avenue
Area:	51 ha (126.4 ac)
Existing Zoning:	Rural Zone RU-3
Minimum Lot Sizes:	RU-3 – 8.0 ha (19.8 ac)
Rural Plan:	Agricultural / Countryside
Agricultural Land Reserve:	In the ALR

BACKGROUND/HISTORY:

The ALC Act allows Council the opportunity to provide recommendations on subdivision applications made to the ALC. Information available to Council to consider making recommendations are policies contained in the Rural Plan, Official Community Plan and Metro Vancouver Regional Growth Strategy.

The application consists of a 51 ha (126.4 ac) parcel located at 25125 – 72 Avenue. The lands are designated Agricultural / Countryside in the Rural Plan (adopted in 1993). The minimum lot size permitted for subdivision is 8.0 ha (19.8 ac) in the RU-3 Zone which is consistent with the site's Agricultural / Countryside designation in the Rural Plan.

A previous application for subdivision was made in 1993 and refused by the ALC for twenty-five (25) 2.0 ha (4.94 ac) lots. An alternative proposal was approved by the ALC for two (2) lots approximately 30 ha (74 ac) and 20 ha (50 ac) in size. The proponent made application for the latter proposal on March 22, 2016 and elected to place that application on hold while pursuing the current application.

The current application consists of a subdivision layout proposing three (3) lots ranging in size from 11.0 ha (27.2 ac) to 26 ha (64.3 ac) and following the natural topographic relief on the property accommodating West Creek (a red coded watercourse). The applicant has provided rationale (Attachment A) and an Agrologist Report (Attachment B) in support of the proposal.

DISCUSSION/ANALYSIS:

An application has been submitted pursuant to Section 21(2) of the ALC Act to subdivide a 51 ha (126.4 ac) property into three (3) rural lots. Proposed Lot 1 (26.0 ha / 64.3 ac) will consist of the lands south of a ravine accommodating West Creek, with frontage along 72 Avenue and 248 Street (unconstructed). Proposed Lot 2 is comprised of the northeastern portion of the subject property, 13.5 ha (33.4 ac) in size and accessed via 76 Avenue. Proposed Lot 3 is comprised of the northern portion of the subject property, 11 ha (27.2 ac) in size and accessed via 76 Avenue.

Should the ALC approve the application, the applicant, as part of the subdivision approval process, will be required to dedicate and construct to a half road standard, the south half of 76 Avenue along the northern portion of the property. In addition, the applicant will be required to dedicate the east half of 248 Street along the western property line.

The applicant proposes a public access trail along the north and west property lines. Protection of the watercourse (West Creek) consistent with senior government streamside protection requirements will be required at the time of subdivision (should the application be approved by the ALC).

Description of Property:

The subject property is 51 ha (126.4 ac) in size and contains two (2) single family dwellings and accessory buildings in the southeast portion of the site. The property is bisected northwest to southeast by the natural boundary of West Creek, a red coded watercourse.

Adjacent Uses and Property Sizes:

- North: Ponder Park (located in the ALR) accessed from 76 Avenue, 32.4 ha (80 ac) in size, zoned Civic Institutional Zone P-1, and designated Agricultural / Countryside in the Rural Plan;
- East: Rural residential properties (Spence Subdivision) located in the ALR approximately 2.0 ha (4.94 ac) in size, all zoned Rural Zone RU-1, and designated Small Farms / Country Estates in the Rural Plan;
- South: 72 Avenue, beyond which is a rural property 38.5 ha (95 ac) in size (located in the ALR) zoned Rural Zone RU-3 and designated Agricultural / Countryside in the Rural Plan;
- West: 248 Street road dedication (unconstructed), beyond which is a rural property (22 ac) in size (located in the ALR), zoned Rural Zone RU-3 and designated Agricultural / Countryside in the Rural Plan.

Agricultural Advisory and Economic Enhancement Committee:

In accordance with past practice, the application will be forwarded to the Agricultural Advisory and Economic Enhancement Committee (AAEEC) for information purposes.

Community Connections Trail:

The Community Connections Municipal Trail Network Plan endorsed by Council on September 26, 1994 anticipates community trails along West Creek. In consultation with the Parks Administration, Design and Development department, a trail connection along 76 Avenue and 248 Street is consistent with the Plan.

At the time of subdivision, the applicant will be required to protect all Streamside Protection and Enhancement Areas (SPEA) in accordance with the Provincial Riparian Areas Regulation (RAR). Page 8

AGRICULTURAL LAND COMMISSION
APPLICATION 100304
(APLIN AND MARTIN CONSULTANTS LTD. /
MEYER / HOMESTAR BUILDING CORP. / 25125 – 72 AVENUE)
Page 9 . . .

To accommodate the trail, a public access 4.5 m Statutory Right-of-Way (SRW) is proposed adjacent to both the constructed and the unconstructed road rights of way for 76 Avenue and 248 Street (as indicated on the site plan submitted by the applicant) and is to be provided in compliance with relevant senior government streamside protection requirements. The SRW will allow for design and construction of a 3.0 m wide gravel surfaced public trail in accordance with the Township Subdivision and Development Servicing Bylaw. Construction details of the trail will be determined at subdivision stage should the application be approved by the ALC.

Servicing:

The Township's Subdivision and Development Servicing Bylaw 2011 No. 4861 designates the subject property Rural - Level 4. The minimum servicing requirement for each proposed lot is with well water and an onsite septic disposal system (including nitrate removal) and register a covenant for its location (including both primary and reserve fields), design and maintenance.

As part of the subdivision application, the applicant will be required to dedicate and construct the south 10m of 76 Avenue along the property frontage with a 15m radius cul-de-sac bulb at the western terminus and dedicate the east 10m of 248 Street along the property frontage. Construction of 248 Street is not anticipated to be included within the scope of this application. Additional servicing details and requirements will be addressed at time of subdivision, should the application be approved by the ALC.

Environmental Considerations:

The subject lands are traversed by a red coded watercourse. As the property is located in the ALR, the applicant would be responsible to meet senior government requirements for streamside protection.

POLICY CONSIDERATIONS:

The subject site is located within the ALR and designated Agriculture/Countryside in the Rural Plan. The subdivision proposal is consistent with the minimum parcel size requirements of the Rural Zone RU-3 zoning and is consistent with the provisions of the Rural Plan. Details of the proposed subdivision will be addressed at the subdivision stage in accordance with the Township's Subdivision and Development Servicing Bylaw as well as any additional requirements imposed by the ALC as a condition of approval, should such be granted. As the Township of Langley does not have the required expertise to assess the application from an agricultural perspective, the application is being forwarded to the ALC for their consideration.

Respectfully submitted,

Daniel Graham
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Applicant Rationale
ATTACHMENT B Agrologist Report

This report constitutes the "Local Government Report" as required under Section 12 or 29 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.



ALR Subdivision Application Rationale
25125 72nd Avenue, Langley, BC

Project No. 16-520
June 2018
Aplin Martin

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Appendix II: Zoning Bylaw - RU - 3 Zone

Appendix III: Previous ALC Application

Appendix IV: Agrologist Report

Appendix V: Subdivision Concept Plan

Appendix VI: KPU Letter of Support - Hops Farm

1 EXECUTIVE SUMMARY

The subject site is a 51.1 hectare [126.4 acre] parcel located at 25125 72nd Avenue, in Langley, BC. The land is situated within the Agricultural Land Reserve (ALR) and is zoned RU-3 (Rural), which permits a wide range of agricultural uses. The Township of Langley designates the site as “Agricultural” in its Official Community Plan (OCP) and “Agricultural/Countryside” in the Rural Community Plan. Similarly, Metro Vancouver identifies the site as “Agriculture” in its Regional Growth Strategy (RGS).

Historically, the land has been partially utilized for agricultural purposes such as hay production and livestock grazing. Presently, the subject site contains a 0.6 hectare [1.5 acre] blueberry farm and associated dwellings on the southwest portion of the lot. The remainder of the site is a combination of vacant grasslands and dense forests. Two significant ravines cut across the property, meeting at a fork mid-site. These ravines divide the site into three distinct areas, which are identified in this report as “Southwest”, “East” and “Northeast”.

The steep topography of the ravines restricts the site's agricultural capability and poses accessibility challenges. Consequently, approximately 70% to 75% of the property has never been farmed and is unlikely to be brought into agricultural production under the current single parcel structure. Access to the “Northeast” portion is only viable via 76th Avenue to the north, which is adjacent to a rural residential community. The “East” portion is isolated between two ravines, abuts the rear portion of neighbouring properties and has no vehicle access. A potential solution to provide access to the “East” portion is to build a watercourse/ravine crossing from the “Northeast” portion of the site.

Given the topographic and accessibility constraints of the site, agricultural production on these lands is unlikely to occur under the site's existing single parcel structure. Currently, these portions contain 0 hectares [0 acres] of agricultural in production. By subdividing the site into smaller parcels, the “Northeast” and “East” portions of the site can be brought into agricultural production. The proposed land arrangement for the “East” and “Northeast” portions will bring, respectively, 4.4 hectares [10.9 acres] and 5.5 hectares [13.5 acres] into agricultural production. Furthermore, an additional 9.8 hectares [25.5 acres] will be brought into production in the “Southwest” portion. In total, the proposal seeks to add 19.8 hectares [59.6 acres] to the agricultural production to the ALR.

The applicant appreciates that the ALC does not wish to encourage the creation of rural estates in the ALR. With respect to this objective, innovative mechanisms can be put in place to discourage the construction of large estate homes on these parcels. This application puts forward several suggestions, including: establishing maximum setbacks from the frontage road for all buildings and a maximum size of the house plate, and; bond for creation of the crossing to ensure “East” parcel is brought into production.

Dave Melnychuk, P.Ag has conducted an agrologist assessment of the property and found that the lack of recent agricultural activity has contributed to nutrient-deficient soils. Several years of agricultural management inputs, such as application of livestock manure, compost and commercial fertilizers, would be required to improve soil fertility. As a means of bringing additional portions of the subject site into agricultural production, the property owner is applying for an ALR subdivision application to subdivide the site into three (3) agricultural parcels. The proposed lot lines would follow the site's natural topography and thus limit the topographic constraints and accessibility issues currently faced by one parcel.

The subdivision concept retains the “Southwest” portion intact within a single lot and divides the remainder of the site into two (2) traditional small-farm parcels fronting 76th Avenue. This ALR subdivision proposal considers the current site conditions and offers a solution that will not only improve the agricultural capability of the land, but will also introduce additional land for agricultural production. It creates opportunities for new entrants into agricultural production and supports the local economy and commodity demands through intensive agricultural production on small-farm parcels.

2 SITE DETAILS

2.1 SITE PROFILE

Located at 25125 72nd Avenue in the Township of Langley, the subject property is a 51.1 hectare [126.4 acre] parcel within the ALR. The Township of Langley designates the site as “Agricultural” and “Agricultural/Countryside” in the OCP and Rural Community Plan respectively. The site is zoned RU-3 (Rural), which provides for a wide range of agricultural uses and limited residential uses.

A small-scale blueberry farm operation (0.6 hectares [1.5 acres]) and associated dwellings are located on the southern portion of the site adjacent to 72nd Avenue. The remainder of the site is a mixture of vacant grasslands, dense forests and ravines. These ravines feature slopes ranging from 30% to 70%, dividing the property into three distinct portions: “Southwest”, “East” and “Northeast”. In conjunction with the forested areas across the site, between 90-95% of the land is not suitable for farming production currently.

Two watercourses transverse the property through the forested ravines: A Class “A” red-coded watercourse bisects the site from the southeast corner to the northwest corner of the site, and a Class “A (OD)” orange-coded watercourse runs east-west to meet the red-coded watercourse at a fork. The classifications of these watercourses indicate fish presence year-round (Class “A”) or during over-wintering period when base flows are re-established (Class “A (OD)”).

Surrounding land uses are:

- North: Ponder Park (municipal), a largely forested area in its natural state
- East: Established rural/small farm lots ranging from approximately 1.8 hectares (4.6 acres) to 2.5 hectares (6.2 acres) in size
- South: Rural/small farm lots ranging in size from 2.1 hectares (5.2 acres) to 4.1 hectares (10.1 acres). South of 72nd Avenue is a single large farm parcel of approximately 38.3 hectares (94.7 acres) in size.
- West: Mix of rural and small-farm land-use on lots ranging from around 3 hectares (7.4 acres) to 9 hectares (22.2 acres) in size.

These neighbouring properties are constrained by many of the same topographical challenges experienced on the subject site.

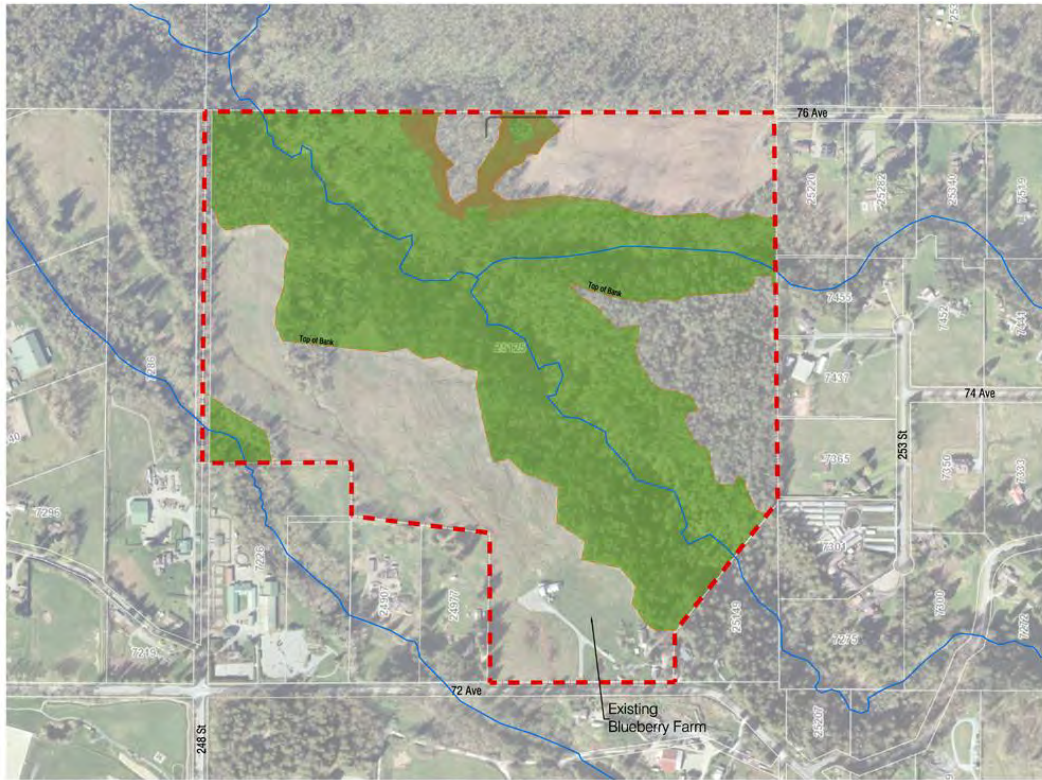


Figure 1A: Subject Site



Figure 1B: Subject Site (Google 3D View)

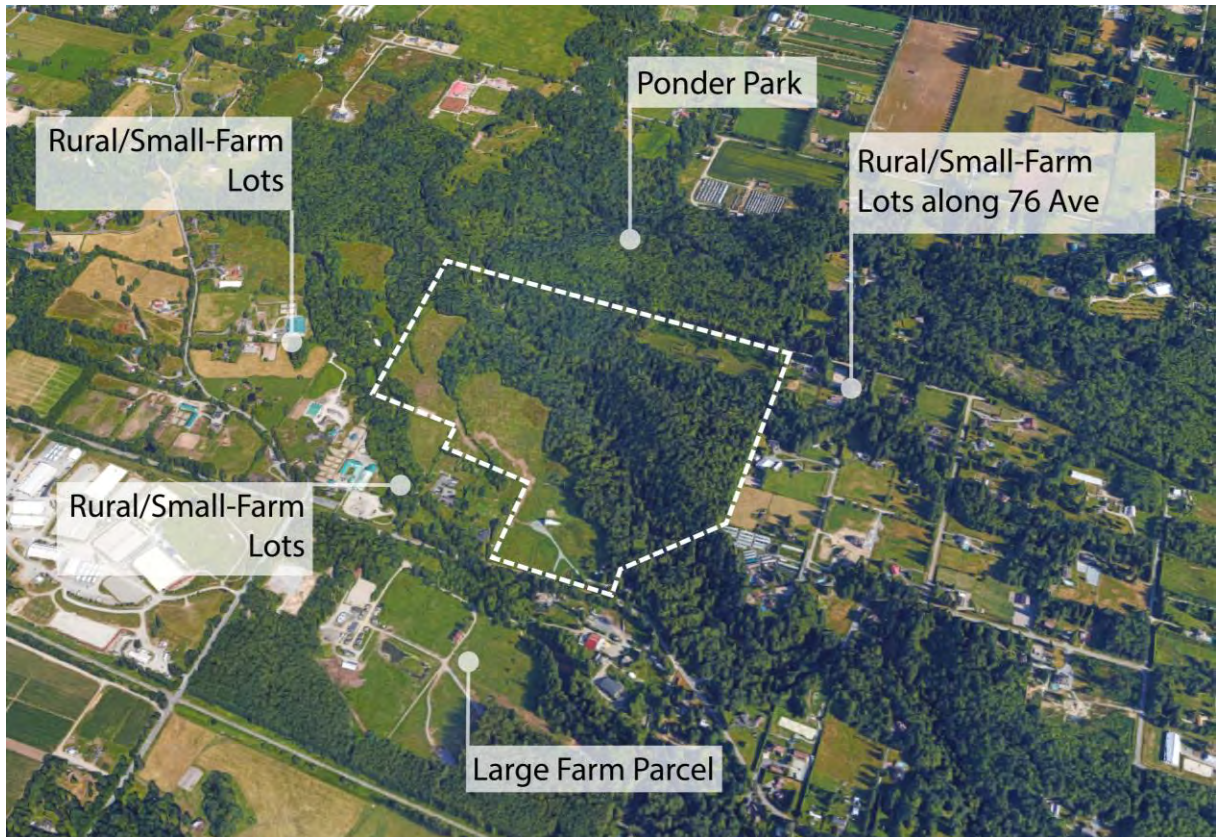


Figure 1C: Surrounding land use

2.2 LEGAL DESCRIPTION AND NOTATION

The following is the Legal Description of the subject property. A title document is also provided in **Appendix I: Land Title Document**.

	PARCEL 25125 72nd Avenue Langley, BC
PID	013-283-090
AREA	51.1 HA / 126.4 AC
LEGAL DESCRIPTION	PARCEL "A" (REFERENCE PLAN 9530) OF LOT 2 PLAN 8102 AND OF THE SOUTH WEST QUARTER SECTION 23 TOWNSHIP 11 EXCEPT: PARCEL "ONE" (EXPLANATORY PLAN 15187), NEW WESTMINSTER DISTRICT
LEGAL NOTATION	THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 28 DEPOSITED JULY 30, 1974

Table 1: Legal Description and Notation

2.3 REGULATORY DESIGNATIONS

PROVINCIAL

Agricultural Land Reserve (ALR): As the subject site is within the ALR, Agricultural Land Commission (ALC) approval is required for the Township of Langley to grant permission for any modification to property, including but not limited to subdivision, road construction and ALR exclusion. The subject site is to remain within the ALR.

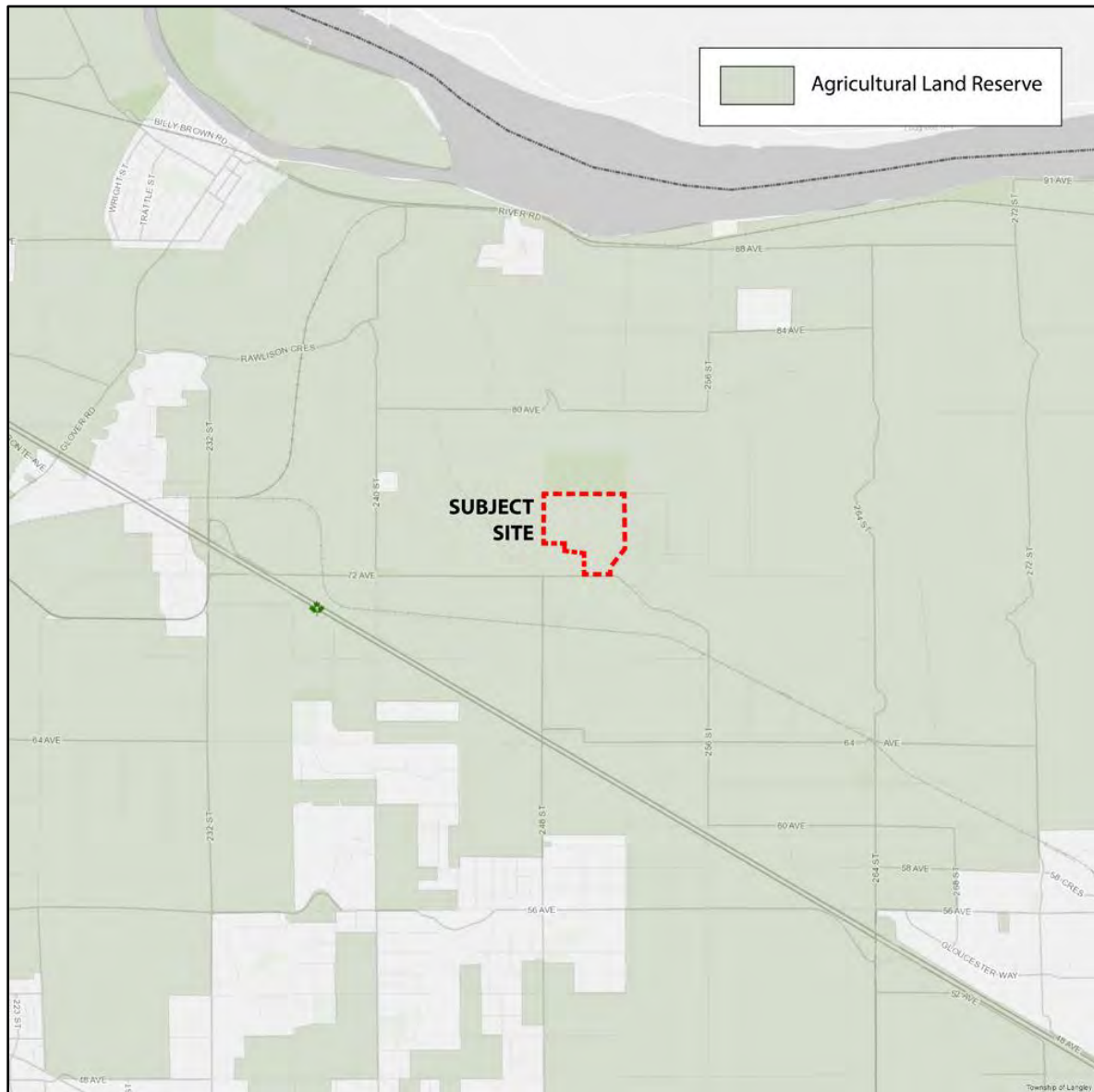


Figure 2: Agricultural Land Reserve (ALR)

REGIONAL

Metro Vancouver Regional District: Metro Vancouver Regional Growth Strategy (RGS) has designated the site as “Agricultural”. Except for Ponder Park to the north, all adjacent lands carry the same “Agricultural” designation. Ponder Park is a municipal park and is designated “Conservation and Recreation”. The subject site is to remain “Agricultural”.

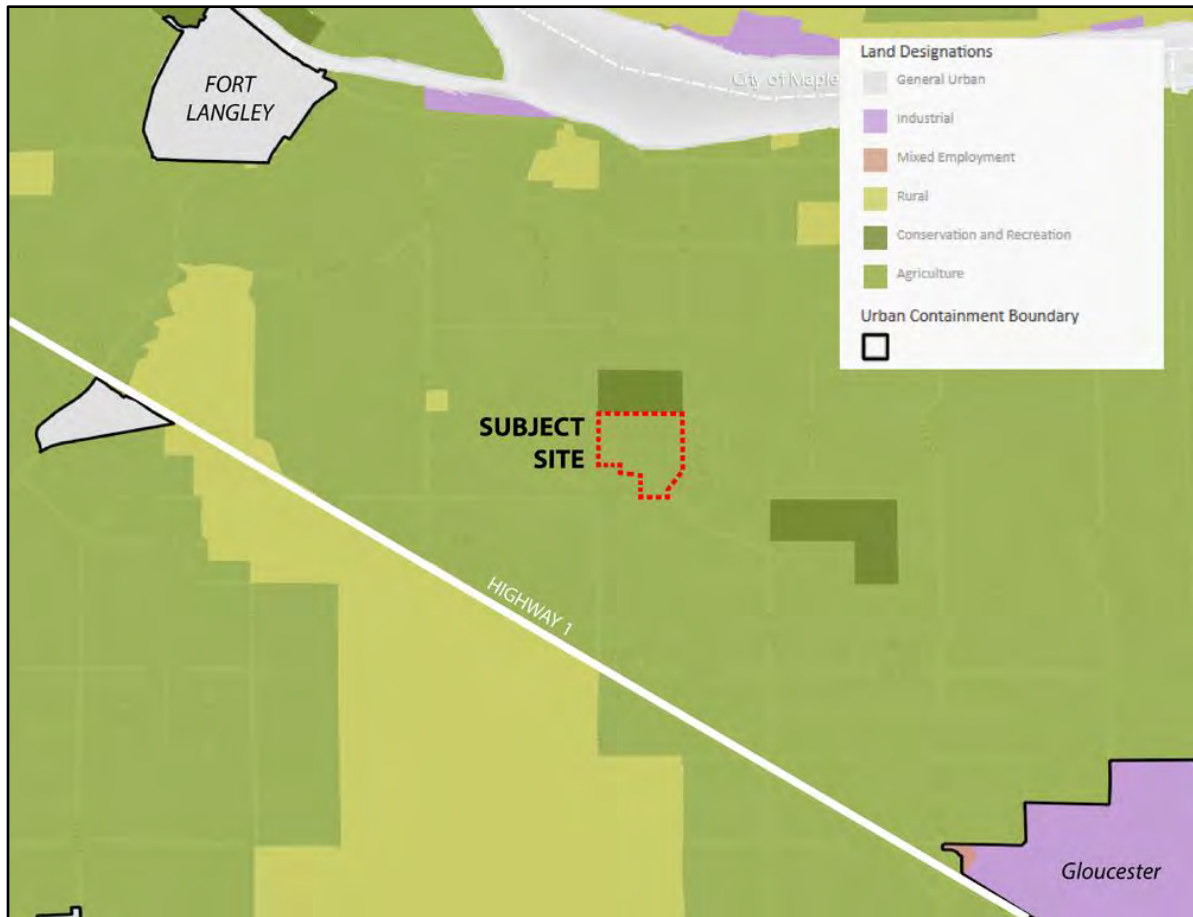


Figure 3: Metro Vancouver Regional Growth Strategy (RGS)

MUNICIPAL

Official Community Plan (OCP) - adopted in 2016: The property is identified as “Agriculture” in the Township of Langley OCP. Areas designated as “Agriculture” are intended for agricultural uses and auxiliary services to protect the agricultural land base and support food production.

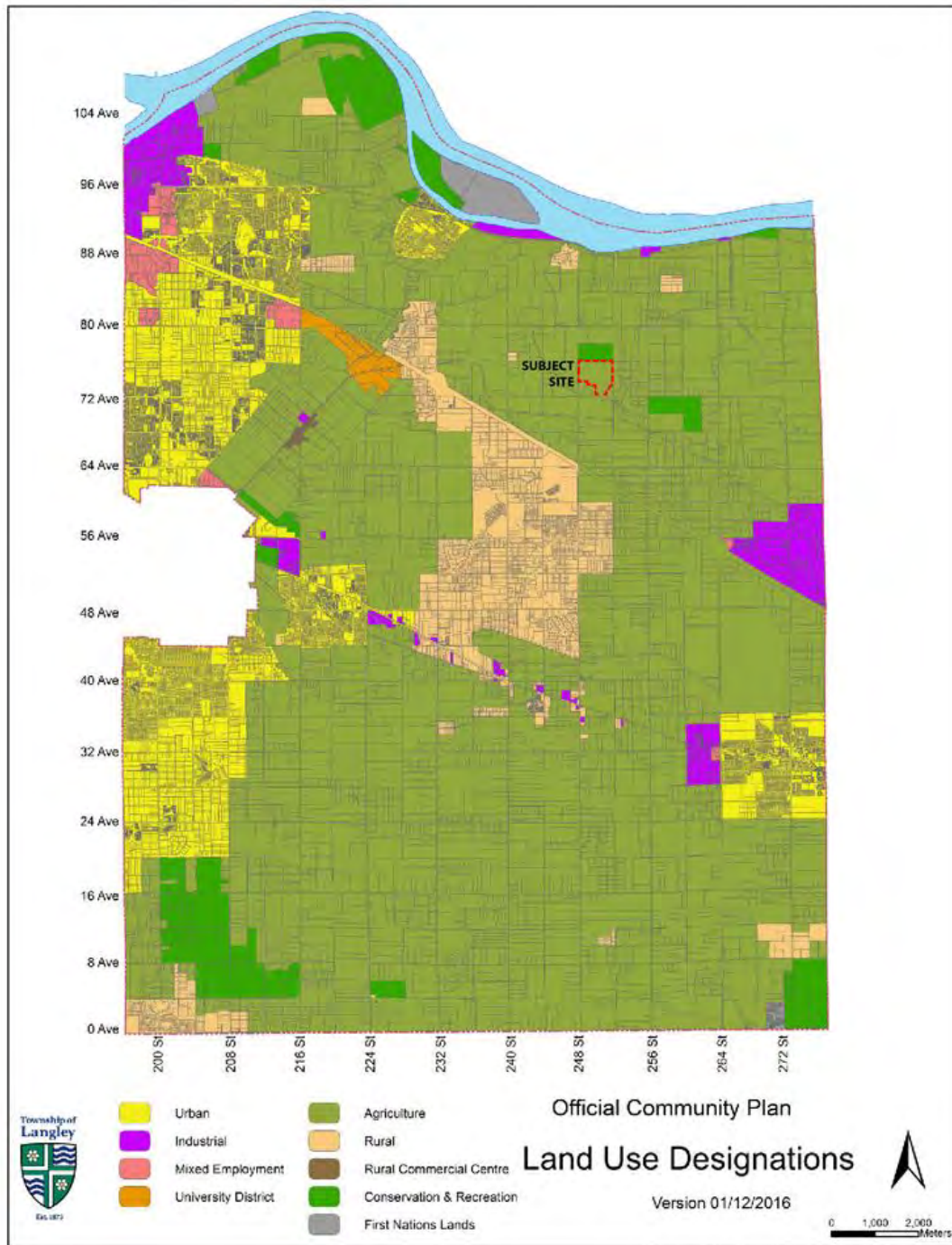


Figure 4: Township of Langley Official Community Plan (OCP)

Rural Community Plan - adopted in 1993: The site is designated “Agricultural/Countryside” in the Rural Community Plan, but is immediately adjacent to “Small Farms/Country Estates”. The site is to remain as “Agricultural/Countryside”.

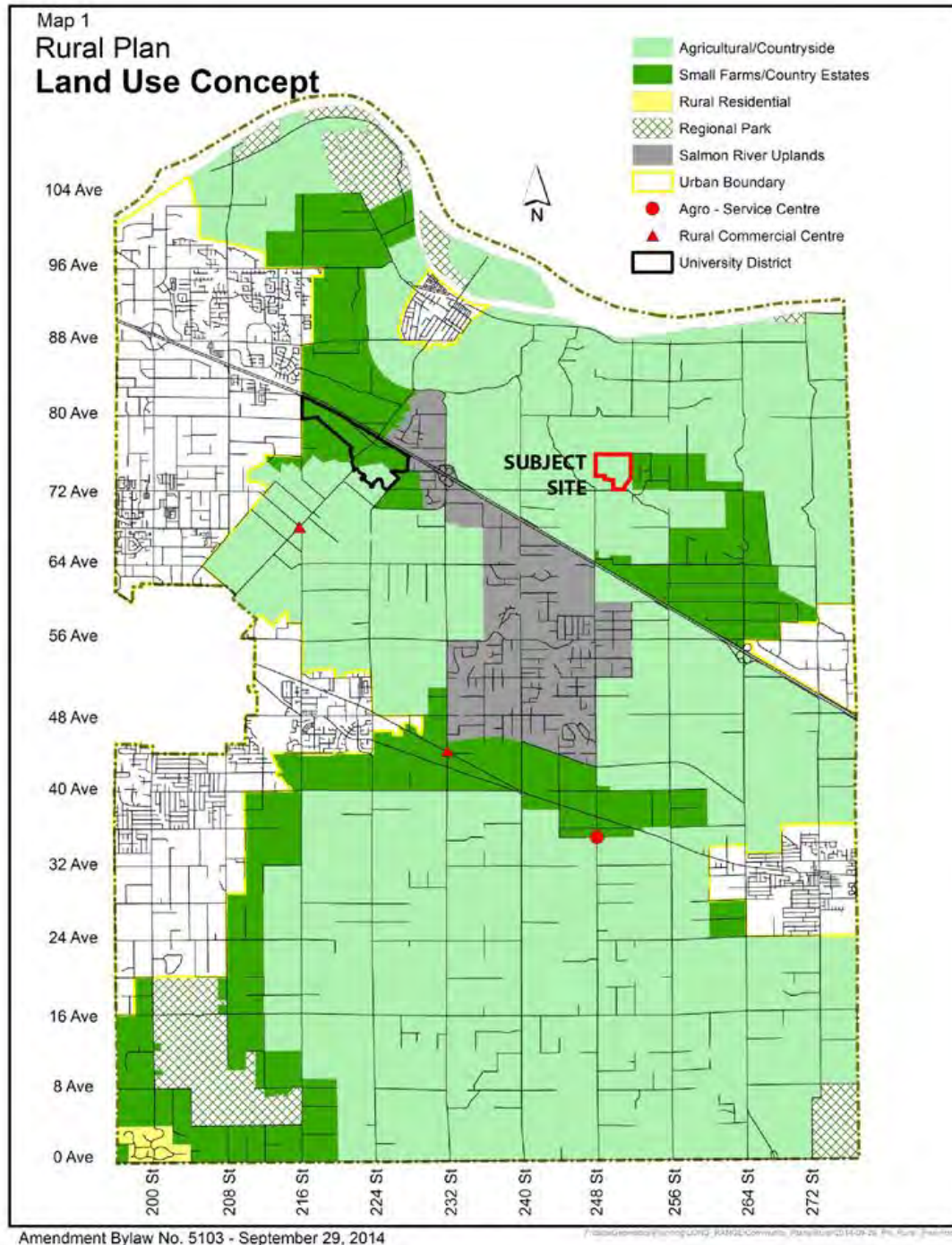


Figure 5: Township of Langley Rural Community Plan

Zoning: The subject site is zoned RU-3 (Rural), which allows for the following uses:

- Accessory buildings and uses;
- Accessory home occupations;
- Accessory parking of commercial vehicles;
- Agricultural uses;
- Commercial greenhouses;
- Equestrian centres and riding stables;
- Feedlots;
- Intensive swine operations;
- Mushroom farms;
- Residential uses, and
- Veterinary clinics.

(See Appendix II: Zoning Bylaw – RU-3 Zone)

The zoning bylaw prescribes a minimum lot size of 8.0 hectares [19.7 acres] in the RU-3 zone, which is equivalent to an overall density of 0.13 uph [0.05 upa]. Given that the subject has an area of 51.1 hectares [126.4 acres], the existing RU-3 zone will accommodate a 3-lot subdivision of the site. The Township of Langley will consider lot sizes less than 8.0 hectares [19.7 acres] on condition that 1) the overall site density is consistent with the zone and 2) the applicant can demonstrate how the layout is beneficial for agriculture. As the proposed subdivision satisfies both of these requirements, the site will not be rezoned as part of the subject application.

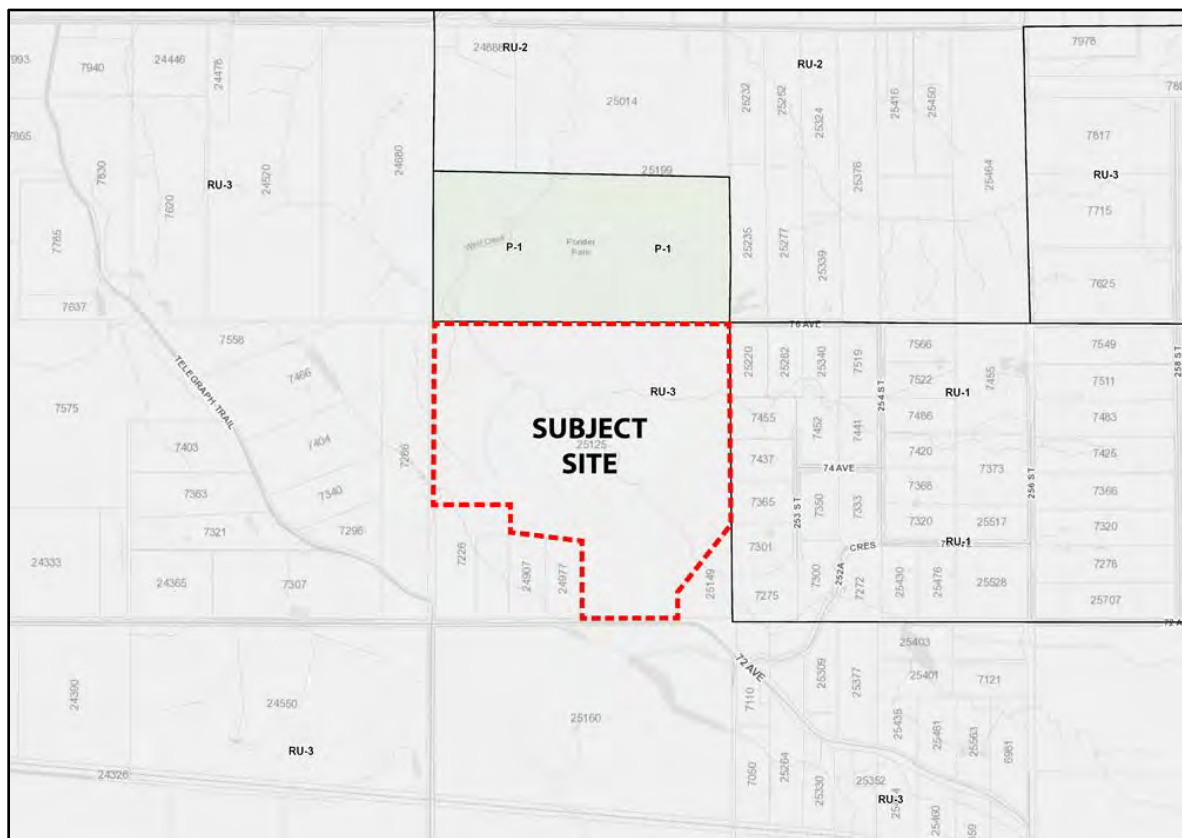


Figure 6: Township of Langley Zoning

2.4 SITE HISTORY

OWNERSHIP

The subject site has been the property of Chris Meyer since June 1, 2016. The Meyer family operates the 0.6 hectare [1.5 acre] blueberry farm on the southern portion of the lot.

AGRICULTURAL PRODUCTION

In the past, the southern portions of the property have been used for a modest level of hay production and livestock grazing. At present, the only agricultural production occurring onsite is a small blueberry farm located along 72nd Avenue. The majority of the property is not suitable for intensive agricultural field crop production due to the site's rolling topography and steep, hazardous ravines, which cover 52% of the site. The proposed subdivision will help expand agricultural activity to the flat portions of the site that are currently inaccessible.

Southwest: The site has a rich history of agricultural production, with past uses including hay and livestock production.

East: This area has been historically defined by a dense forest of cottonwood. Despite its favourable soil condition, identified below, the area has no history of farming.

Northeast: This area has a history of hay and livestock. This is evident through the largely cleared farmable area.

PREVIOUS ALC APPLICATION

In 1993, an ALR subdivision application was submitted to create twenty-five (25) 2.0 hectare [4.9 acre] lots on the subject site (ALC File #28493). This proposal was refused by the ALC because the Commission was not supportive of subdividing the "Southwest" area into small-farm parcels. The Commission, however, did permit a 2-lot subdivision as delineated by the undeveloped ravine lands bisecting the property. In 1996, an ALC application was submitted requesting to upgrade an existing cottage on the property so that it could be used to house a caretaker. This application was approved in a letter dated January 28, 1997 (See Appendix III).

2.5 SITE CONDITIONS

TERRAIN

The site terrain is varied and greatly influenced by the two large ravines cutting across the property. The largest of the ravines runs diagonal between the southeast and northwest corners of the property. This large ravine contains a Class "A" red-coded watercourse. The other ravine contains a Class "A (OD)" orange-coded watercourse that runs east-west to meet the red-coded watercourse at a fork. The ravines cover approximately 27 hectares [66 acres] or 52% of the site, are 150 to 250 metres wide and have slopes ranging between 30% to 70%. Due to the site's topography, the site is naturally segregated into 3 separate areas with limited accessibility (See Figure 7 – Site Areas).

Southwest: The largest of these areas is located southwest of the red-coded watercourse, and is made up of a mixture of relatively flat and rolling topography. Within this area is the existing blueberry farm and associated buildings.

East: Located east of the red-coded watercourse and south of the orange-coded watercourse is a forested area made up of relatively flat topography. This area, although topographically isolated from other farmable portions of the site, has been identified as having agricultural capability due to favourable soils. However, farming of this area would require clearing of the existing forest.

Northeast: The remaining portion of the site is located to the northeast of the ravines adjacent to 76th Avenue. This area consists of relatively flat and rolling topography, with the exception of an area of steep slopes. In general, this “Northeast” area is largely cleared with some sporadic tree cover.

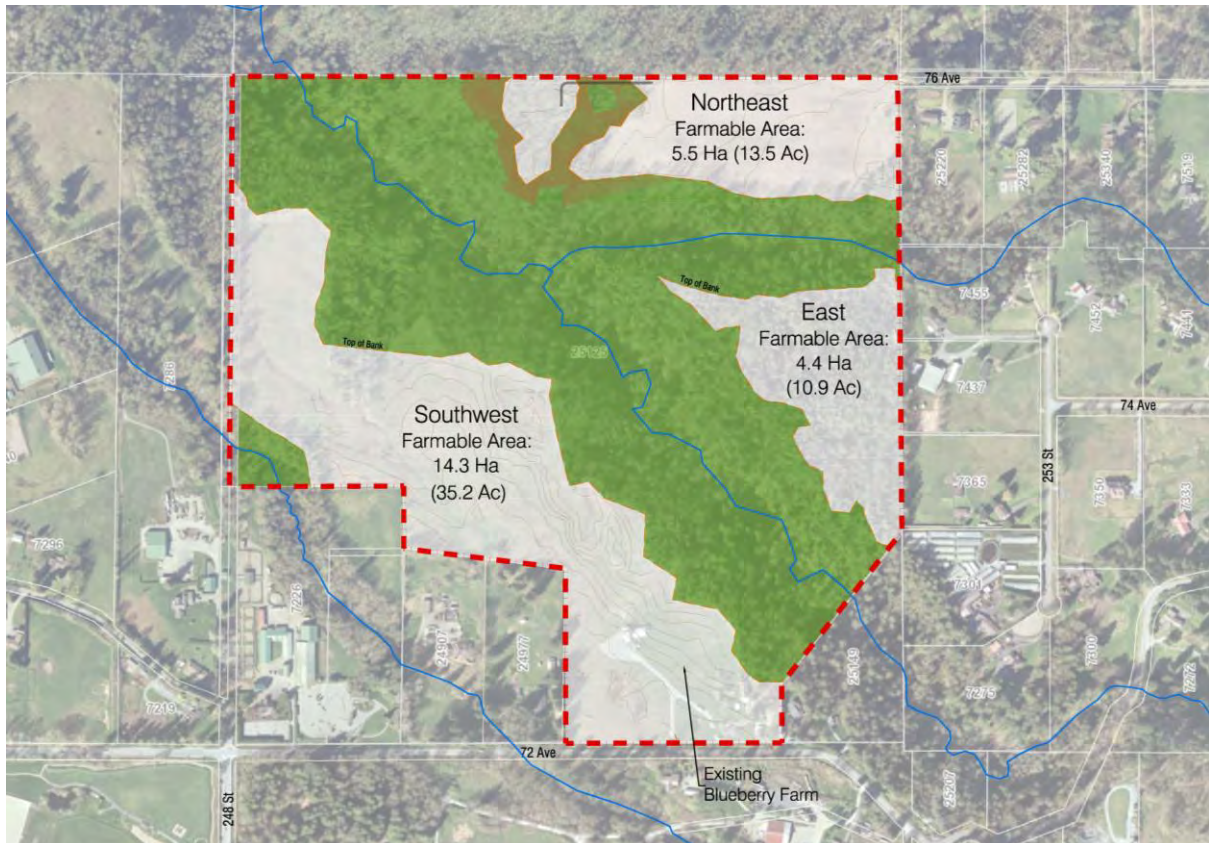


Figure 7: Site Areas

SOIL CLASSIFICATION

Existing soil maps show that the dominant soils in the “Southwest” area is the Whatcom-Nicholson-Scat complex. The dominant soil type on the remainder of the property (“Northeast” and “East” areas) is the Whatcom-Scat soil complex.

These soil types were developed from moderately fine-textured glaciomarine deposits, but differ in drainage properties. Whatcom and Nicholson soils are moderately well-drained, while Scat soil has poor drainage and suffers from a perched water table and compacted subsurface layer. Root zone and internal water movement are restricted where the compacted impervious layer is less than 50 cm from the surface. With appropriate land improvements in drainage and irrigation, along with good farm management practices, these soils will be capable of producing a wide range of crops.

Further to this mapping, Dave Melnychuk, P.Ag conducted a field survey of onsite soils in December 2016 (See Appendix IV). This survey found that soils throughout the site are deficient in most plant nutrients. The main reason for this low fertility is that most areas of the site have either not been actively farmed for several years, or have never been used for agricultural purposes. Despite low nutrient levels, this condition can be improved with the addition of plant nutrients by application of livestock manure, compost, and commercial fertilizers. The Owner currently has approval to bring in fill for local riding ring improvements. The deposit of soil would greatly benefit the farming soils in this area.

2.6 AGRICULTURAL CAPABILITY

CAPABILITY CLASSIFICATION

The agricultural capability of lands on the site outside the ravine areas is a mix of Class 2 and Class 3 (after improvements). In the “Southwest” portion, the land is rated as 5:3TA-3:3DT-2:5W and can be improved to 5:3TD-3:3DT-2:3DW rating, with the implementation of drainage and irrigation improvements. In the “Northeast” and “East” portions, the land is rated 5:2TA-3:3TA-2:5W and can be improved to 5:2TD-3:3TD-2:3DW rating, with the implementation of drainage and irrigation improvements.

The lands within the ravines are rated a mix of Class 6 and Class 7. They have no agricultural potential due to steepness of the ravine banks.

AGRICULTURAL IMPROVEMENTS AND MANAGEMENT INPUTS

Because of the inherent low fertility, compacted subsurface layer and poor soil drainage, Dave Melnychuk, P.Ag recommends implementing soil amendments and farm management practices in the first 2 to 3 years of farming to address these weaknesses. With completion of the primary land improvements and installation of subsurface drainage and irrigation systems, emphasis should be directed at improving soil structure, maintaining internal drainage capability and increasing organic matter and soil fertility levels. Production of perennial forage grasses and cereals in the first 2 to 3 years will improve the soil condition, tilth and fertility, enabling the land to support a wide range of crops such as vegetables, berries, cereals, nursery crops, hops and herbs.

Plant Nutrients: Having appropriate levels of phosphorus during the early production years is particularly important, as this essential plant nutrient is critical in root development, particularly lateral and fibrous rootlets. Plant nutrient levels should be monitored by means of spring soil testing and corrected through appropriate application rates of compost, livestock manure and fertilizer.

Drainage: Drainage systems remove excess surface water and lower the water table to improve crop production. Drainage systems should be designed to lower the water table to approximately 0.3 to 0.5 metres (1.0 to 1.6 feet) below the soil surface, within 24 hours after a rainfall event.

Irrigation: Irrigation is an important factor in achieving optimum crop production, particularly between late June to mid-September. A lack of supplemental water by irrigation during this time of the year may result in reduced crop yields and quality. However, over-irrigation will discourage deep rooting by grass plants and may also initiate soil erosion on sloped areas. The irrigation system should be managed to match plant requirements and soil conditions.

3 PROPOSAL

The subject site is naturally divided into three separate areas by deep ravines: “Southwest”, “East”, and “Northeast”. These ravines cover approximately 27 hectares [66 acres], resulting in 52% of the land base unsuitable for agricultural production. Approximately 70% to 75% of the property has never been farmed and is unlikely to be brought into agricultural production under the current single parcel structure. Access to the “Northeast” is limited to the roadway at 76th Avenue to the north, which is adjacent to a rural residential community. The “East” is isolated between two ravines and has no current access. The subdivision of the subject site allowing access to the “East” portion with homestead along 76th Avenue brings 10.9 acres of agricultural land into production, while the “Southwestern” portion is projected to reach its agricultural potential.

3.1 SUBDIVISION CONCEPT: TRADITIONAL SMALL FARMS

Given access limitations, the applicant is proposing to subdivide the subject site into three smaller farm parcels in order to bring the isolated and unused portions of the site into agricultural production. This proposal entails a 3-lot subdivision with parcels ranging in size from 11.0 hectares (27.2 acres) to 26.0 hectares (64.3 acres). The large contiguous farmable area in the “Southwest” would remain intact with the existing farm fronting 72nd Avenue. The remaining “East” and “Northeast” lands would be severed into two (2) lots, and will be made accessible to 76th Avenue and brought into production.

Due to limited site accessibility, agricultural activity has been restricted to the “Southwest” area of the site. The subdivision concept retains the “Southwest” portion intact within a single lot, and divides the remainder of the site into 2 traditional small farms accessed off 76th Avenue. This concept calls for the “East” portion between the ravines and part of the “Northeast” portion as becoming one of these farms. Since the “East” portion is topographically isolated by a ravine, a driveway is proposed across the water course. The land east of this driveway through the “Northeast” portion will become part of this second traditional small farm lot. The remainder of the “Northeast” portion will become the final lot.

Under this option, the “Southwest” portion – Lot 1 – would be the largest of the 3 lots at 26.0 hectares (64.3 acres). Lot 2 – all of the “East” portion and part of the “Northeast” portion – is the second largest lot at 13.5 hectares (33.4 acres). The final lot, Lot 3, is the smallest lot at 11.0 hectares (27.2 acres). Subdivision Concept (Traditional Small Farms) is provided in **Figure 8** below and **Appendix V**.

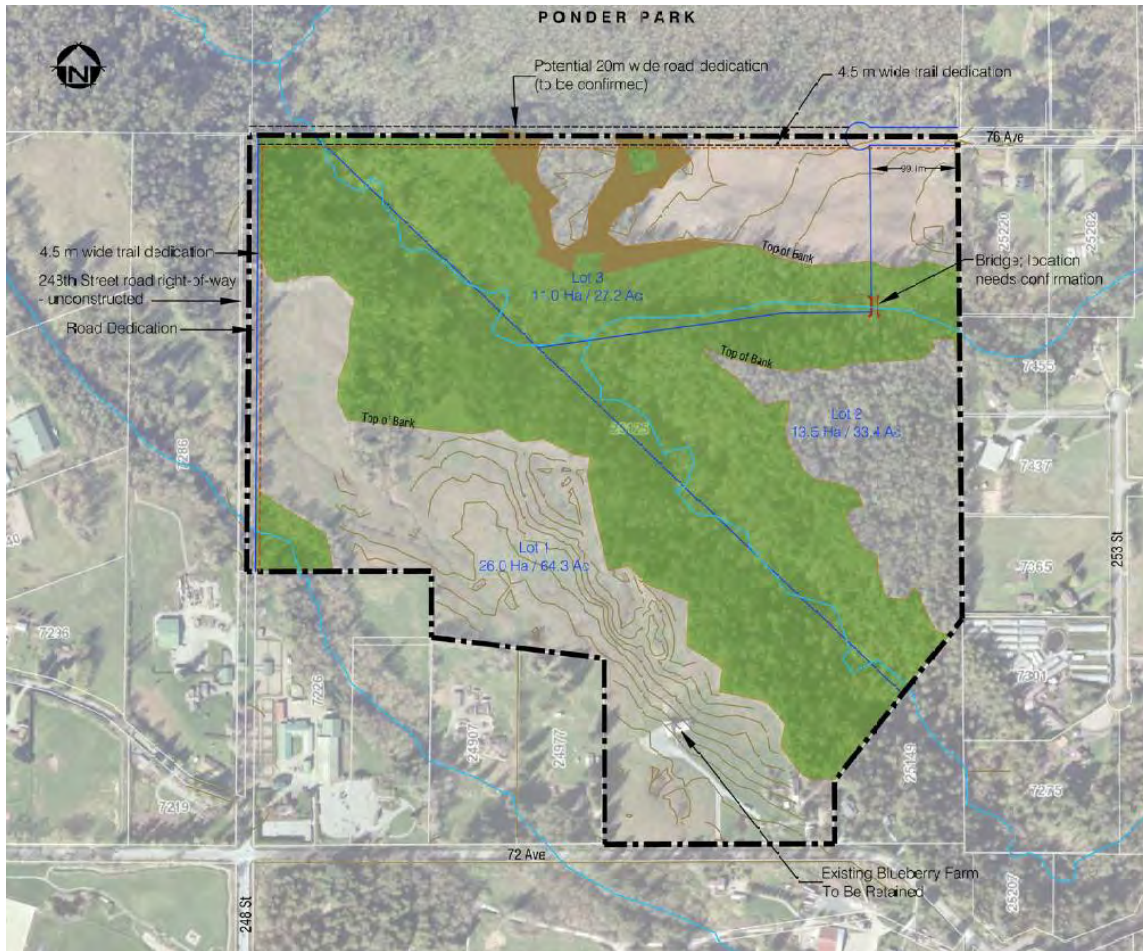


Figure 8: Subdivision Concept (Traditional Small Farms)

4 ALR SUBDIVISION CONSIDERATIONS

4.1 TOPOGRAPHIC CONSTRAINTS

In a 2016 site visit with former ALC employee Tony Pellet, he identified to the Owner the benefits that a three (3) lot subdivision would have to the farming potential of the land. This suggestion echoes the 1993 recommendation by the ALC that the subject be divided among the natural barriers of the land. A primary constraint limiting the agricultural potential of the subject site is its topography. As outlined in previous sections, two large ravines cut across the site, breaking it into three distinct sections, while covering approximately 27 hectares [66 acres] or 52% of the gross site area. These ravines not only limit the land available for agricultural production due to steep slopes, but also segregate farmable portions of the site, making them inaccessible from the “Southwest” portion of the site. Of the remaining lands not covered by ravine:

Southwest: This portion is made up of a relatively flat terrain with some rolling topography. Largely cleared of trees, this portion contains an existing blueberry farm and associated buildings. As the most suitable for agricultural production (assuming land improvements are made), this portion of the site is will be retained as a single lot contiguous with the existing blueberry farm fronting 72nd Avenue and made more farmable.

East: This isolated portion between the ravines is made up of relatively flat, forested lands. This portion is suitable for agriculture, subject to forest clearing and overcoming accessibility issues. This land can only be accessed by a watercourse/ravine crossing from the “Northeast” section of the site, and would need to be associated with “Northeast” lands in order to have legal frontage onto 76th Avenue.

Northeast: The majority of the “Northeast” portion of the site is made up of a relatively flat and rolling topography, and suitable for agriculture production. The one exception is an area of steep slopes further to the west. The “Northeast” portion is largely cleared of trees with some sporadic tree cover.

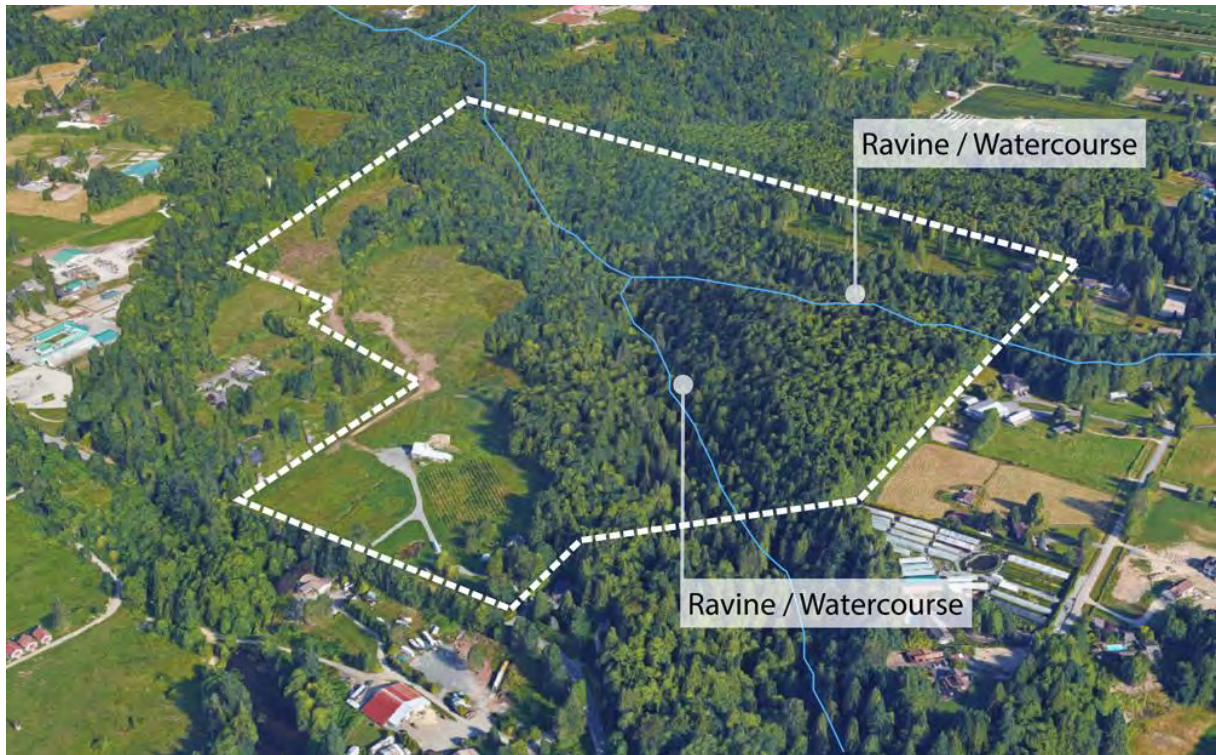


Figure 9: Site Topography

4.2 ACCESSIBILITY

The site's topography significantly impacts accessibility between farmable areas of the site. While the large “Southwest” portion can be accessed from 72nd Avenue, the farmable area to the “Northeast” is only accessible from 76th Avenue, and the isolated “East” portion between the ravines is only accessible by means of a watercourse crossing from the “Northeast”. This is due to the fact that the ravine is a far less steep compared to the South channel. This segregation is highly constraining to bringing all farmable areas of the site into agricultural production as a single farm parcel. In practice, the various farmable areas are naturally positioned to function as separate parcels.

For example, in order for the operator of the farm on the “Southwest” portion of the site to access the “Northeast” portion, it would require travel on public roads through the rural neighbourhood to the east along 72nd Avenue, 252A Crescent, 254th Street, and 76th Avenue for an approximate distance of 1.9 km on public roads (**See Figure 11 – Site Accessibility**). This would not only be complex for the farm operator, but also potentially disruptive to the surrounding neighbourhood when farm vehicles are involved.



Figure 10: Site Accessibility

4.3 BRINGING LAND INTO AGRICULTURAL PRODUCTION

By subdividing the site into smaller parcels, the “Northeast” and “East” portions of the site can be brought into agricultural production. Given the topographic and accessibility constraints of the site, agricultural production on these lands is unlikely to occur under the site’s existing single parcel structure. The table below provides a breakdown of the amount of land to be brought into agricultural production through the proposed subdivision.

	Current land in agricultural production (Approx.)	Proposed land in agricultural production (Approx.)
Southwest	4.2 hectares (10.5 acres)	14 hectares (35 acres)
East	0 hectares (0 acres)	4.4 hectares (10.9 acres)
Northeast	0 hectares (0 acres)	5.5 hectares (13.5 acres)
Total	4.4 hectares (10.8 acres)	24.2 hectares (59.6 acres)

Table 2: Land in agricultural production by site area

The agricultural capability of lands outside the ravine areas is improvable to a mix of Class 2 and Class 3, with the implementation of drainage and irrigation improvements. After 2 to 3 years of perennial forage grass and cereal production, the nutrient levels in the soil should be able to support a wide range of crops, such as vegetables, berries, nursery crops, hops and herbs.

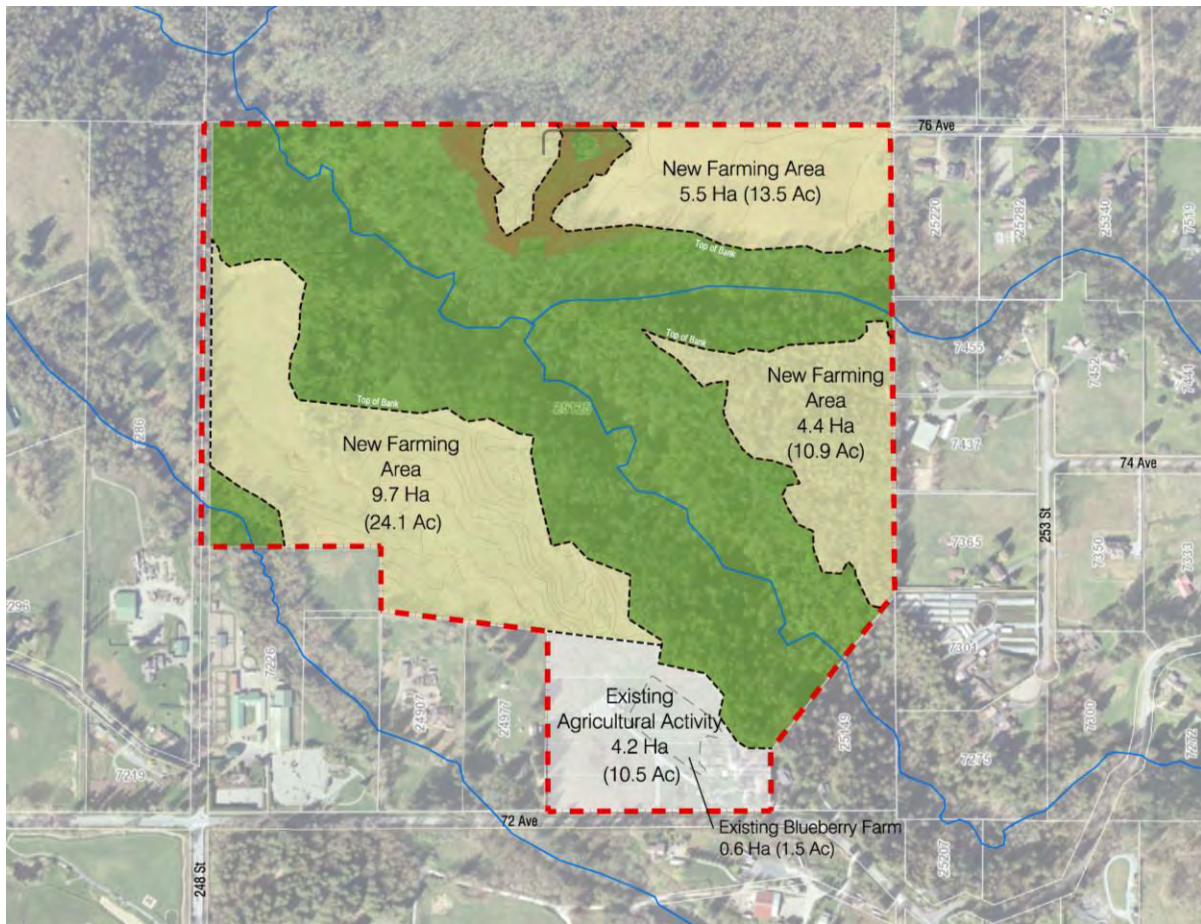


Figure 11: Existing and proposed farming areas

4.4 ADVANTAGES OF SMALLER FARM PARCELS

While there is a traditional view that larger parcels are more favorable to agricultural production than smaller parcels, recent trends in the Fraser Valley are beginning to challenge this assumption. As outlined in the Agrologist Study by Dave Melnychuk, P.Ag, one of the most dynamic and growing sectors of agriculture in the Fraser Valley is actually small lot agriculture. Driven by high cost of land and shifting demands within commodity markets, smaller farm parcels are becoming increasingly desirable.

Small farm operations within the Fraser Valley, which focus on intensive production in niche commodities for local markets, are outpacing the growth of large farms that are typically heavily focused on single field crops. Intensive non-soil based operations (e.g. poultry, greenhouse, and mushroom production) and specialty farming (e.g. organic vegetables, specialty nurseries, horse breeding, vineyards, and hop production) are often better served by smaller sized parcels. As a result, there is a strong demand for some smaller parcels for farming purposes, this application meets both demands by retaining improving the

agricultural capacity of a large contiguous farm parcel as well as 2 previously unfarmed smaller parcels.

The applicant is aware that the ALC does not wish to encourage the creation of rural estates in the ALR. In recognition of this objective, innovative mechanisms can be put in place to discourage building of large estate homes on these parcels, by:

1. Establishing maximum setbacks from the frontage road for all buildings and a maximum size of the home plate, and
2. Bond for the creation of a water crossing to ensure the “East” parcel is bought into production.

5 CONCLUSION

The subject property holds valuable, under-utilized agricultural land that is constrained by topographic and accessibility challenges. Through the proposed ALR subdivision, the applicant will be able address these challenges, open up new land for agriculture, and:

- Bring a total of 24.2 hectares (59.6 acres) of agricultural land into production;
- Retain a large contiguous farming parcel and improve upon the farming potential;
- Create two (2) small-lot farming parcels that are in growing demand in the Fraser Valley;
- Improve soil capability through onsite improvements;
- Create an opportunity for new entrants into agricultural production;
- Support the local economy and commodity demands through intensive agricultural production on small-lot parcels;
- Enhance and protect existing riparian areas within the forested ravines on site, and;
- Conform to the Township of Langley Official Community Plan (OCP), Rural Community Plan, Zoning Plan, and Metro Vancouver Regional Growth Strategy (RGS).

The applicant intends to work with the ALC panel to review the Subdivision Concept to protect the farming integrity of ALR lands and provide the greatest benefit to farming by bringing nearly 25 hectares of land into production.

Report Prepared By: AP/AF/CC
Enclosures
16-520 ALR Subdivision Rationale - 2018-07-10



April 20, 2017

Re: Property at 25125-72nd Avenue, Langley, BC

To whom it may concern,

Kwantlen Polytechnic University's (KPU) Faculty of Science and Horticulture is interested in the project being proposed by Chris Meyers to create a hops production collective at 25125-72nd Avenue in Langley.

KPU's School of Horticulture is involved in all aspects of horticultural education and training to meet the increasing demand for skilled people in the industry. As well, our Brewing and Brewery Operations Diploma program is developing the future generation of brewers who understand the importance of quality ingredients, such as hops. Both programs, which are based on our Langley campus, appreciate the need for hops research and continuing to create new varieties to meet growing market demand, which will also benefit regional hops growers and our local economy.

Therefore, KPU looks forward to developing relationships with partners like Mr. Meyers and working on unique projects that will benefit learning and innovation in the horticulture and brewing industries.

Sincerely,

A handwritten signature in black ink that reads 'Elizabeth Worobec'.

Elizabeth Worobec
Dean, Faculty of Science and Horticulture
Kwantlen Polytechnic University

APPENDIX IV

AGROLOGIST REPORT

Agrologist Report

25125 – 72 avenue
Langley

Prepared for:
Chris Meyer
25125 – 72 avenue
Langley

Prepared by:
Dave Melnychuk, P.Ag
19915-37A Avenue
Langley, BC, V3A 2S8

.....
Langley, BC
V3A 2S8
604 812-3276
August 31, 2017

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Executive Summary

Chris Meyer, the landowner, is requesting consideration by the Township of Langley and the Provincial Agriculture Land Commission for a subdivision proposal of property located at 25125 – 72 avenue, Langley. The objective of the proposal is to subdivide the existing 126 acre parcel into separate legal parcels, based upon topographical and location characteristics. The lots would be made available to prospective new entrants to farming for development of small lot agricultural enterprises.

An Agrologist report has been prepared to provide approval agencies with information relevant to this proposal. The report contains the following sections:

- Description of soils classification and agricultural capability, along with a summary of the field inspections and soil sampling procedures
- Description of the existing land uses and surface conditions.
- Potential boundary configurations based upon agronomic and topographical considerations
- Description of best land and soil management practices
- Proposed agricultural development and investments
- Benefits which would be generated upon approval of the sub division.

Agricultural benefits of the proposed subdivision would include the following:

- The proposed sub-division would contribute to the Provincial Agricultural Land Commission's mandate of supporting and encouraging agriculture growth and expansion
- The subdivision would provide opportunities for new entrants into agriculture, in response to a rapidly expanding small lot agriculture sector in the Lower mainland region of the province...
- The sub division would encourage increased capital investments in agricultural buildings, infrastructure and land improvements.
- The sub division would result in additional land, which presently sits idle in native tree cover, being brought into agricultural production.
- The sub division could demonstrate innovative methods for bringing small parcels into agricultural production without risking the establishment of rural estates

Agrologist Report – 25125-72 avenue, Langley

Introduction:

The Meyer property, located at 25125-72 avenue, Langley covers an area of approximately 126 acres. The land is located in the Agricultural Land Reserve and has been partially utilized for agricultural purpose as hay and pasture, along with a small planting of about 1.5 acres of blueberries. The majority of the land (approximately 56%) has never been farmed because of topographical features, native tree cover and isolation challenges. More detailed description of the topographical features will be provided later in this report.

The owner is requesting a subdivision of the 126 acres into separate legal parcels, based primarily on topographical and isolation factors. The owner is considering a couple of different sub-division options which would be consistent with the Township's zoning and minimum lots size in the RU3 zone.

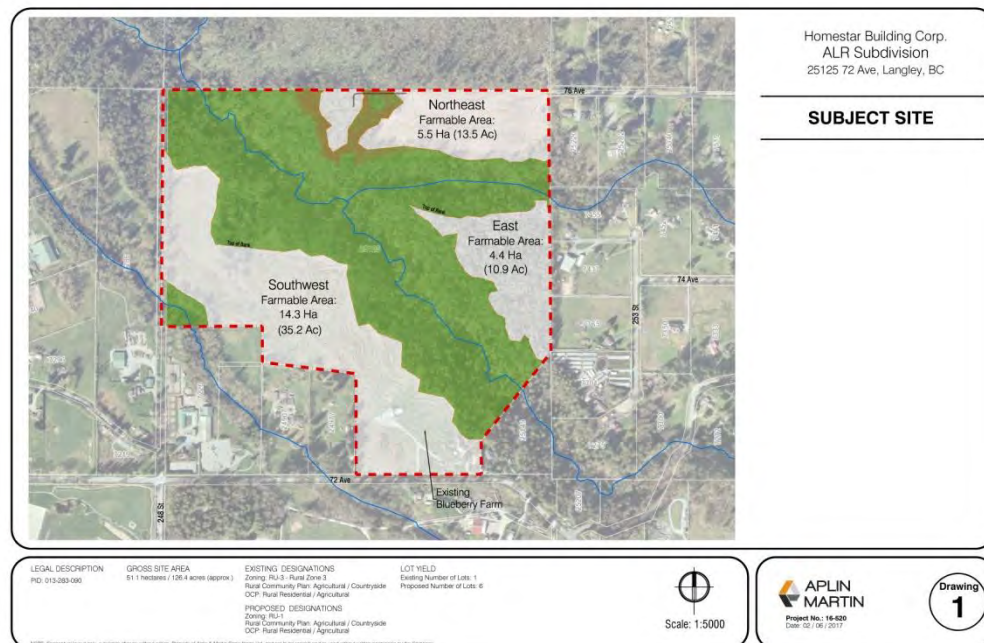
Zoning:

The property is located in the Agriculture Land Reserve, and zoned by the Township of Langley as RU-3. The Township zoning permits a wide range of agricultural uses. The minimum lot size under Langley's zoning bylaw is 20 acres.

Historic and Existing uses:

Historically a portion of this property was used for hay production, livestock grazing and a small planting (1.5 acres) of blueberries. The majority of the property is not suitable for agricultural production because of 2 steep and deep ravines which cut the property into 3 distinct portions, as is illustrated in the following map.

The non-farmable areas contain, in total, 66.4 acres or about 53% of the entire property.



Adjacent land uses:

The adjacent property to the north is a Township park (Ponder Park) which is basically a nature park with very little development. The properties to the east consist mostly of 5 acre parcels with some agriculture activity occurring. The properties to the south and west consist of a variety of horse based enterprises and small lot agricultural ventures. Many of the properties adjacent to the Meyer property are negatively impacted by the same topographical challenges (ravines and water courses) which exist on the Meyer property.

Soils classification

The field mapping of the soils in the Lower Fraser Valley was completed in the early 1970's and the results are compiled in the 1980 publication: *Soils of the Langley-Vancouver Map Area – RAB Bulletin 18*.

The dominant soil found on the west side of the ravine and West Creek is the **Whatcom-Nicholson-Scat (W-N-S)** soil complex.

These 3 soil types were developed from moderately fine textured glaciomarine deposits. The differences between these soils are the drainage characteristic. While the Whatcom and Nicholson soils are moderately well drained, the Scat soil has poor drainage and suffers from perched water table and a compacted subsurface layer. Root zone and internal water movement is restricted where the compacted impervious layer is less than 50 cm from the surface. With appropriate land improvements in drainage and irrigation along with good farm management practices these soils are capable of producing a wide range of field crops.

The dominant soil type found on the east side of the major ravine is the **Whatcom-Scat** soil complex, according to the original soil mapping.

Soil field survey

In December, a field survey of the soils was completed. Several soil samples were collected and sent to Exova Labs in Surrey for analysis. The nutrient levels are consistently low and similar throughout all of the samples. The following is the summary of the laboratory results, along with a comparison of nutrient levels between the Meyer soils and level of nutrients in a typical farmed soil in the Fraser Valley.:

Comparison of Analysis between Meyer soil samples and typical nutrient levels

Nutrient factor	Typical Fraser Valley Mineral Soil	Meyer soil samples Samples 1 to 6	Relative comparison
Organic matter	less than 15%	6.2% to 13.1%	Good
ph	5.5 to 6.5	4.7 to 6.1	Mainly acidic
Electrical conductivity	0.05 to 2.0 ds/m	0.05 to 0.12 ds/m	good
Nitrate Nitrogen	35 to 80 ppm	2 to 9 ppm	deficient

Phosphorus	25 to 70 ppm	5 to 10 ppm	deficient
Potassium	100 to 200 ppm	47 to 77 ppm	deficient
Calcium	650 + ppm	90 to 382 ppm	deficient
Magnesium	110+ ppm	5 to 32 ppm	deficient
Sulfate - Sulfur	6+ ppm	Less than 1 ppm	deficient

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Exova

Farm Soil Analysis

Bill To: Dave Melnychuk Report To: Dave Melnychuk 19915 37A Avenue Langley, BC., Canada V3A 2S8 Agreement: 91163	Grower Name: Chris Client's Sample Id: Field Id: Acres: Legal Location: Last Crop: Crop not provided	Lot Number: 1174749 Report Number: 2152600 Date Received: Nov 29, 2016 Disposal Date: Dec 29, 2016 Report Date: Dec 02, 2016 Arrival Condition:
--	---	--

Nutrient Analysis (ppm)													Soil Quality				
Depth	N*	P	K	S**	Ca	Mg	Fe	Cu	Zn	B	Mn	Cl	Si/Ca/P	pH	EC(dS/m)	OM(%)	Sample#
0" - 6"	<2	11	58	<1	281	22								5.8	0.05	9.2	5583938

Excess
Optimum
Marginal
Deficient

Total lbs/acre	4	22	116	2	Texture n/a			Hand Texture n/a			BS	100 %	CEC n/a	
Estimated lbs/acre	8	22	116	4	Sand n/a			Silt n/a			Ca	81.2 %	Mg 10 %	
					Ammonium			4.0 ug/g			Na	<7.5 %	K 8.6 %	
					Lime			5.9 T/ac			TEC	1.7 meq/100 g	Na	<30 ppm
					Buffer pH			5.7			Est. N Release	n/a	C:N Ratio	n/a

*Nitrate-N **Sulfate-S n/a = not analyzed

RECOMMENDATIONS FOR BALANCED CROP NUTRITION

Macro-nutrients	Crop not provided				
	Yield	N	P ₂ O ₅	K ₂ O	S
Growing Condition			To be added (lbs/acre)		
Excellent					
Average					
Your Goal					
Removal Rate (Seed/Total)					
Micro-nutrients	Iron	Copper	Zinc	Boron	Manganese
To be added (lbs/ac)					

Comments:

Recommendations are based on general research consensus. They should not replace responsible judgement.

Terms and Conditions: www.exova.com/propaganda/terms-and-conditions

As indicated by the results of the laboratory analysis, the soils on the Meyer property are deficient in most plant nutrients. The main reasons for the low fertility is that the former farmed areas have not been actively farmed for several years plus the fact that 2 of the soil samples were taken from areas which are still covered by native tree cover and have never been utilized for agricultural purposes.

Although the nutrient levels are very low, this condition can be rectified with addition of plant nutrients by application of livestock manures and compost as well as commercial fertilizer. Several years of inputs would be required to bring the nutrient levels up to the point where acceptable crop yields could be expected.

Agricultural capability:

The agricultural capability rating, as identified on the published Langley map sheet, is a complex of class 2 to class 3 lands (after improvements) for the land outside of the confines of the 2 large ravines. The land affected by the ravines would nil agricultural potential because of the steepness of the ravine banks and would be rated class 6T and 7T

- On the west side of West Creek, the land is rated as a class 5:3TA-3:3DT-2:5W and can be improved to a 5:3TD-3:3DT-2:3DW rating, with the implementation of drainage and irrigation improvements. This section of the property contains approximately 35.2 acres with this agricultural capability rating.
- On the east side of the major ravine, which runs from a south east to north west direction, the land is rated as a 5:2TA-3:3TA-2:5W class and can be improved to a 5:2TD-3:3TD-2:3DW rating, with the implementation of drainage and irrigation improvements. There are approximately 24.4 acres (in 2 separate areas separated by another ravine) with this agricultural capability rating.
- The ravines would have a class 6 and 7 rating and cover approximately 66.4 acres or about 53% of the entire property.

Agricultural capability rating criteria:

Land capability class for mineral soils in British Columbia is a systematic grouping of lands that have the same relative degree of limitation for agricultural use. The intensity of limitations become progressively greater from Class 1 to Class 7. Class 1 to Class 3 is considered prime farmland.

Class 1: This land has no or very slight limitations that restrict use for common agricultural crops

Class 2: This land has minor limitations that require good ongoing management practices and/or slightly restrict the range of crops

Class 3: This land has limitations that require moderately intensive management practices and/or moderately restrict the range of crops

Class 4: This land has limitations that require special management practices and/or restrict the range of crops

Class 5: Land that has limitations which restrict its capability to producing perennial forage crops and/or other specially adapted crops.

Class 6: Non-arable land which is capable of producing native and/or uncultivated perennial forage crops

Class 7: No capability for arable culture or sustained natural grazing.

Limitations may seriously affect one or more of the following practices: timing and ease of tillage; planting and harvesting; range of suitable crops and methods of soil conservation. Note: in areas which are climatically suitable for growing specialty crops (tree fruits, grapes, small fruits) the limitations of stoniness and/or topography on some class 4 lands may not be significant limitations to these crops.

Agriculture capability sub-class:

The next level of classification is the capability sub-class which identifies the type of limitation inherent to soils. The sub-classes for mineral soils which exist on the Meyer property include the following categories: A (soil moisture deficiency); D (undesirable soil structure and/or low perviousness); T (topography); W (excess water). Most of these limitations, can be addressed with appropriate land improvements and cultural practices, although it impractical to address severe topographical features

Topographical limitations of the Meyer property

The property is severed by 2 ravines, the first and mayor ravine cuts diagonally from the south east corner to the north west corner while the second ravine cuts the east portion of the property into 2 smaller parcels.

These ravines effectively establish 3 separate parcels, with no direct access between each other. The cost of establishing road access through these ravines would be prohibitive and challenging from an environmental perspective as West Creek is a red listed watercourse with fish presence.

The ravines cover approximately 66 acres or about 53% of the entire property. Due to the severe topographical features and 2 major ravines, the property is effectively cut up into 3 separated portions, as outlined in the following table.

Isolated areas	Size	Farmable area	Ag. Capability	Ravine Area (6T&7T)
Western portion	64 acres	35.2 acres	5:3TA-3:3DT-2:5W	28.8 acres
Eastern portion	32 acres	10.9 acres	5:2TA-3:3TA-2:5W	21.1 acres
North portion	30 acres	13.5 acres	5:2TA-3:3TA-2:5W	16.5 acres

The following descriptions provide additional agricultural information about each of the 3 separated and isolated areas on the overall property.

1. **Portion of the property located west of West Creek:** This area covers approximately 64 acres, of which 35.2 acres would be suitable for agricultural production. The remaining 28.8 acres falls within the banks of the West Creek ravine and has nil agricultural potential. The 35.2 acres has been farmed for hay and pasture in the past but has lain idle for a few years (except for about 1.5 acres of blueberries), as is illustrated in the following photographs. Over the last year, the new owner has become the task of renovating the old grass fields. The soils in this area, based upon the soils classification and the soil survey, is limited by a rolling topography and a compacted sub soil, therefore forage grass production is probably the best crop use

for much of the area. More intensive cropping of higher valued crops is possible, although a comprehensive soil improvement project would be required, including installation of sub-surface drain tile and an irrigation system. The feasibility of developing an irrigation is largely based upon proving up an adequate supply of groundwater capable of producing 4 US gpm per acre.



Looking south over the idle forage field.



Looking south to the blueberry field and main residence

2. Land located in the isolated eastern section of the property.

This parcel could contain about 32 acres, of which about 10.9 acres would be suitable for agricultural production and the remainder is taken up by large ravines on 3 sides of the parcel. The 10.9 acres of farmable land is covered by native tree cover and would require significant cost in clearing, stump and root removal before conventional agriculture could commence. The remaining 21.1 acres is impacted by deep ravines and has nil agricultural potential. There is no road access to this proposed lot. The cost to build a road through the ravine would be prohibitive; therefore a potential option would be to sell this portion to an adjoining property owner to the east.

The following photograph illustrates the dense native tree cover of the east section of the property.



3. Land located in the northern portion of the property

This section of the property is located in the northern area of the property and is isolated from both the western and eastern portions of the property, by 2 deep ravines. This area covers about 30 acres, of which 13.5 acres would be suitable for agricultural production. The remaining 16.5 acres are impacted by deep ravines and have nil agricultural potential. The property is accessed by an improved Municipal road (76th avenue) at the north east corner of the property. Of the approximate 13.5 acres of farmable land, approximately 8.5 acres has been farmed in the past but has lain idle for several years, as illustrated in the following photograph.



Recommended best farm and crop management practices :

Because of the inherent low fertility, compacted sub layer and poor drainage of the Whatcom/Scat soil type (the dominant soil type throughout the property), soil amendments and farm management practices should to be focused in the first 2 to 3 years of farming to address these weaknesses. With completion of the primary land improvements (clearing of the dense stand of native tree cover is required in the easterly portion) installation of sub-surface drainage and an irrigation systems for each of the 3 separate portions, emphasis should be directed at improving soil structure,

maintaining internal drainage capability and increasing organic matter levels and soil fertility levels.

In addition to introducing livestock manures as a soil amendment, consider should be given to compost as a soil improvement. Applications of compost at approximately 8 to 10 tons per acre would be a good start in rehabilitate soil structure and kick starting the microbial activity. Compost offers many advantages over raw manure and commercial fertilizers particularly when applied to nutrient poor soils. When added to fine textured clay soils, the beneficial effects of compost on soil physical properties is evidenced by increased water infiltration, improved water-holding capacity, improved aeration, permeability and soil aggregation as well as reduced soil crusting, and reduced runoff and water erosion.

Unlike most commercial fertilizers, compost functions as a slow release store of nutrients, providing nutrients during the entire growing season. From an environmental perspective, composted agricultural waste products are less likely to pollute watercourses compared to raw manure because there are less soluble nutrients in compost compared to raw manure. Depending upon the nutrient content of the compost applied and crops grown, the application rate should be adjusted appropriately.

Production of perennial forage grasses and cereals are one of the most effective techniques for improving the condition, tilth and fertility of a soil. The objective over the first 2 to 3 years should be to improve soil structure, build organic matter and increase soil fertility through an intensive forage production system. An agronomic regiment should be followed, including:

Plant nutrients: Spring soil testing for nutrient levels followed by appropriate application rates of compost, livestock manures and fertilizer with the goal of maximizing forage grass production. The appropriate level of phosphorus during these early years is particularly important as this essential plant nutrient is critical in root development, particularly lateral and fibrous rootlets.

Drainage: The following factors are an indication of poor drainage: surface ponding; water tolerant grass species; poor crop yields; high water table; flooding during storm events; colour and poor structure in the soil profile. If these condition exist, drainage systems are recommended. The objective of a drainage system is to remove excess surface water and to lower the water table to improve crop production. Drainage systems should be designed to lower the water table to approximately 0.3 to 0.5 meters (1 to 1.6 ft) below the soil surface, 24 hours after the cessation of a rainfall event. From a trafficability perspective, a water table of 0.5 meters is a minimum requirement. Under normal circumstances, drain tiles, are installed at a depth of 0.9 to 1.2 meters (3 to 4 ft) below the soil surface.

Irrigation: Irrigation is an important factor in achieving optimum crop production, particularly between the months of late June to Mid September when the accumulated evapo-transpiration (ET) exceeds the effective rainfall. Without supplemental water by irrigation during this time of the year, crop yields will be reduced and there may be negative impacts on crop quality. In designing an irrigation system, for peak flow rates and annual crop water requirements the following factors are important: crop type, soil type, rooting depth, irrigation system efficiency and ET rates. Based upon reference material by the Ministry of Agriculture, the estimated the peak irrigation flow rate in the Langley to Abbotsford area is 4.0 US gpm per acre and the annual crop water requirement varies from 6 to 9 inches.

From an irrigation equipment perspective, capital cost relative to expected crop revenue and relative efficiencies are important factors to consider by farmers. In regard to forage grass production, a travelling gun or wheelmove may be the most practical equipment while for row crops trickle irrigation systems may be the preferred equipment although trickle is more expensive to install. The efficiency of trickle irrigation is 85 to 95% compared to sprinkler application with a travelling gun which has an efficiency of about 55 to 70%.

To achieve a reasonable return from the capital investment in an irrigation system, it is important to be careful how the irrigation system is managed. Seasonal scheduling and application rates should be matched with plant requirements and soil conditions. Over irrigation should be avoided since too much water will discourage deep rooting by the grass plants. Excessive irrigation may also initiate soil erosion on the areas with the greater slope.

Agricultural potential

After implementation of the land improvements, as mentioned earlier in the this report, and after a couple years of production of forage grasses and cereals, the fertility and tilth of the soils should have increased to a point where the land should be ready to produce a wide range of crops (i.e., forage, vegetables, berries, cereals, field nursery crops, and specialty crops such as hops, grapes, herbs, etc).

The land west of West Creek would require additional deep tillage and sub soiling, as these soils have denser subsoil which contributes to slower internal percolation, leading to poorer production of deep rooted perennial crops such as raspberries.

The soils in the eastern and northern sections of the property contain superior internal drainage conditions, allowing for a wider range of deep rooted vegetable crops and berry crops. Raspberries is one of the berry crops which requires good internal drainage as the roots prefer to extend downward to a depth at least to 1 to 1.5 meters.

In addition to traditional and niche type of crops, the land in each of the 3 sections would be suitable for several non-soil based agricultural endeavours, including; green houses, poultry (traditional and specialty birds), container nursery, etc.

Relationship of parcel size to agricultural growth and diversification

For those producers who are considering an intensive operation which is non-soil based such as poultry, green house, mushroom or those producers who are focused on establishing a specialty type farm such as, organic vegetables, specialty nursery, horse breeding, vineyard, hops, etc they may be better served, (particularly when considering initial capital investment), with a smaller sized parcel rather than a large acreage parcel. In general, smaller parcels may limit the type of agricultural operations which can be supported by the small parcel, although this premise is more applicable to primarily the major commodities like grain, dairy, and other sectors which are heavily weighted in favour of large scale field crop production. This generalization does not apply to all situations and all commodities, particularly in many areas of the Central Fraser Valley. The traditional view of and approach to farming **where bigger is better** may not reflect some of the realities of Fraser Valley agriculture and the trends in one of the most dynamic and growing sector(s) of agriculture in the Fraser Valley – small lot agriculture.

Recent trends in small lot agriculture, demonstrates that small agricultural parcels in the Lower Mainland are becoming desirable by new farm entrants. This trend is clearly demonstrated by the high level of participation in agricultural seminars and workshops held in the Fraser valley.

Recent examples include the results of workshops sponsored by non-profit organizations such as the Langley Sustainable Agriculture Foundation (LSAF). In 2013, LSAF held a workshop on small lot agriculture where over 300 people attended. This was followed up by a workshop in 2014, where over 400 people attended a workshop featuring the renowned speaker Joel Salatin, to hear about the latest trends in agriculture.

These events demonstrate the strong interest in farming, focusing on small lots, organic production practices, and local food production.

In view of the recent trends and the high cost of land, large parcel sizes are not necessarily the best vehicle to meet the demands for increased agricultural production in the Lower Mainland.

There are many successful farms operating on smaller parcels of land in the Fraser Valley and the growth in these types of intensive operations is out stripping the growth in the number of larger farms which are heavily focused on large scale field crops. The trend in agriculture in the Fraser Valley is moving towards more intensification on parcel sizes which suit the needs of the particular agricultural commodity or enterprise.

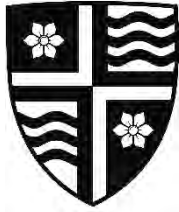
In regard to economics, significant revenue can be generated on small parcels of land by specialized niche commodities (i.e., Curtis Stone of **Spin Farming** fame has reported returns of \$100,000 per acre on very small parcels growing high end fresh vegetables for the restaurant trade). Many other exciting examples testify to the claim that agriculture can be viable and profitable on small parcels of agricultural land

In view of the strong demand for small lot agriculture and strong public support for local food production, consideration of policy development regarding appropriate parcels sizes for agricultural production would be warranted.

Final Comments and Conclusion

- The Meyer property is unique from a topographical perspective and is severed into separate parcels by deep ravines, resulting in less than 50% of the entire land base suitable for agricultural production.
- The creation of separate legal parcels, will provide the opportunity of establishing separate small lot agricultural operations, which can range from niche market vegetables, nursery ,hops, green house, specialty poultry, greenhouse and others
- There is a strong demand for small parcels for farming purposes from new entrants who wish to enter the field of agriculture but are not able to purchase large parcels of land in the Fraser Valley which are well beyond the financial capability of most aspiring farmers.
- It is understandable that approving agencies do not wish to encourage the creation of rural estates in the ALR and in recognition of this objective, innovative mechanisms could be implemented which would discourage rural estate minded individuals from purchasing small parcels for the sole purpose of building a large estate home in the country. Some of these techniques could include:
 1. Placing a **'farming only'** covenant against the title
 2. Establishing conditions which dictate the maximum setbacks from the frontage road for all buildings and establish a maximum size of the home plate. These are provisions which have been adopted by the Corporation of Delta and the City of Surrey, in an effort to prevent the building of mega homes in the ALR.
 3. In an effort to attract serious and committed new entrants into farming, a lease to purchase agreement, (along with inclusion of stringent agricultural performance measures), could be an excellent way to get more young people started in farming.

Prepared by;
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 August 31, 2017
 604 812-3276



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: JULY 23, 2018 – REGULAR AFTERNOON MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: PROPOSED COMMUNITY AMENITY
CONTRIBUTIONS POLICY

REPORT: 18-109
FILE: LSP00007

RECOMMENDATION:

That Council approve the Community Amenity Contributions Policy, presented substantially in the form provided as Attachment A to this report.

EXECUTIVE SUMMARY:

This report provides a summary of the proposed Community Amenity Contribution (CAC) Policy and presents the key themes developed through the public consultation process, with the development industry, stakeholders and the general public. Preparation of a CAC Policy framework was initiated by Council in 2016, in response to which staff have developed a CAC Policy with the assistance of G.P. Rollo and Associates (GPRA).

At its meeting on September 19, 2016, Council directed staff to undertake the following:

1. Undertake a Needs Assessment for a comprehensive “Preferred Target CAC” policy approach.
2. Engage the development industry, stakeholders, and the public to obtain feedback.
3. Present the policy framework to Council for approval.

The proposed CAC Policy (Attachment A) is intended to be applied Township-wide to all new residential development that requires Council’s approval of a rezoning application. The CAC is administered using a flat rate charge on a per unit basis. It is proposed that CACs be placed into reserve funds and be used for the development of the following amenities: Township-wide greenways, satellite RCMP Detachment, conference and entertainment centre; recreation centres, and affordable housing.

To address issues related to housing affordability, it is proposed that 20% of CAC revenues be directed towards an Affordable Housing Reserve Fund, which could be used to pay the Development Cost Charges (DCCs) recently approved by Council to be waived for specified Affordable Housing projects (Bylaw No. 5380).

Subject to Council’s approval, the proposed CAC rates would be reviewed and amended on an annual basis using the Vancouver Consumer Price Index.

PURPOSE:

This report responds to Council’s direction to staff for the preparation of a policy framework in relation with Community Amenity Contributions (CACs) for Council’s consideration of approval.

BACKGROUND/HISTORY:

The Township of Langley is a growing community, home to more than 127,000 residents, with the population expected to double over the next approximately 30 years. This growth will trigger the demand for a range of new and upgraded public amenities including items such as recreational facilities, greenways, and police services. Finding ways to fund these amenities along with providing more affordable housing are important goals identified in the Township of Langley Official Community Plan (OCP).

Funding for new amenities needs to be undertaken in a sustainable way that does not overburden taxpayers. Traditional revenue sources such as property taxes and Development Cost Charges (DCCs) can help fund some amenities, but the Township can offset financial pressures as a result of residential growth through a Community Amenity Contribution (CAC) program, based on the provincial legislation as implemented in other municipalities within the region. Many Metro Vancouver municipalities have already established successful CAC programs as a way to ensure that new development pays a fair share of providing new community infrastructure and amenities.

The topic of a CAC Program was raised at the January 25, 2016 Regular Evening Council Meeting where staff were directed to prepare a presentation on a fixed rate community amenity contribution policy. A presentation was subsequently delivered to the Council Priorities Committee on September 12, 2016, and included a presentation by Gerry Mulholland of GPRA whose firm was engaged to undertake a review of practices of other jurisdictions and conduct an economic analysis of some case studies. At that meeting, with subsequent ratification at the September 19, 2016 Regular Afternoon Meeting, Council directed staff to undertake the following:

- Undertake a Needs Assessment for a comprehensive “Preferred Target CAC” policy approach.
- Engage the development industry, stakeholders, and the public to obtain feedback.
- Present the policy framework to Council for approval.

A CAC Program has now been prepared within the context of completing the above direction from Council, and is being brought forward to Council for consideration of approval.

DISCUSSION/ANALYSIS:

Legislative and Policy Context

The Local Government Act (LGA) enables local governments to require services, collect fees and/or obtain land from new development to address certain impacts of growth. It allows municipalities to use a number of financing tools for the provision of infrastructure, amenities and services that are needed to support growth. These tools include:

- Development Cost Charges
- School Site Acquisition Fees
- Phased Development Agreements
- Density Bonus Zoning
- Development Works Agreements
- Latecomer Agreements
- Community Amenity Contributions

A description of each of these tools is provided in Attachment B.

Official Community Plan

The Township of Langley adopted a new Official Community Plan (OCP) in 2016. The OCP has the following policies that support the development of a CAC program:

- OCP Goal: Ensure Fiscal Accountability: The OCP has eleven (11) overarching goals for a sustainable and well-managed community. One of the goals is to ensure fiscal accountability by ensuring development will pay as much of the costs of growth as possible. Having a CAC program would help meet the aspiration of this goal.
- Housing Policies: The housing policies in the OCP encourage CAC contributions for affordable housing as a community benefit (s. 3.1.4).
- Parks and Open Space Policies: The policies provide for integration of park planning and design into broader community planning initiatives related to land use, residential development, transportation and community amenity provision (s.3.14.4).
- Financing Development: The OCP has a policy to explore the potential for CACs to cover the costs of facilities and amenities required for urban development that are not funded by DCCs (s. 4.4.3).

Both the LGA and OCP provide a strong legislative and policy foundation for the Township to consider a CAC Program.

Needs Assessment

Based on Council direction, a needs assessment was conducted by using a preliminary list of community amenities. These amenities would be required for the projected population growth to 2041, based on the long-term planning horizon in the Metro Vancouver Regional Growth Strategy and the Township of Langley OCP. The preliminary list of amenities used in the needs assessment is itemized below (in no order of priority):

1. Satellite Operations Centre
2. Satellite RCMP Detachment
3. New Community Museum
4. Conference and Entertainment Centre
5. Agri-plex
6. Improvements at Langley Regional Airport
7. Township-wide Greenways

A second component of the needs assessment was to conduct hypothetical pro forma analyses using potential scenarios that would involve an increase in land use densities, in order to examine the feasibility of collecting contributions for amenities at the time of rezoning. This was completed with assistance of GPRA by building on the previous work, with the main findings of the pro forma analysis summarized below:

- The Township has the potential to establish a CAC program without adversely affecting development.
- In addition to a CAC program, the Township should retain the existing greenway amenity policies (GAPs) for areas such as 208 Street Density Review (in Northeast Gordon Estate), Carvolth, Central Gordon, Jericho, Latimer, Smith, and Yorkson. The GAPs were established to fund the costs of greenway amenities in each neighbourhood, with differing paces of development occurring in Willoughby.

- There is capacity for the Township to be flexible in setting the CAC rates, in order to meet strategic municipal objectives. Sensitivity testing was conducted for the following instances:
 - Adjusting the target rate by offering an exemption to the CAC program for a hypothetical geographical area representing 10% of projected growth between 2017 and 2041. The adjustment would shift the total CAC charge to the remainder 90% of the projected growth in the Township and still not adversely impact development.
 - Moderately increasing the rate on single family units and reducing that on multi-family units, in order to make rates less likely to impact pricing and affordability of units.

Public Consultation

Staff have consulted stakeholders in the development industry and the general public for their input into the CAC program. Feedback has been received through meetings with the Urban Development Institute (UDI) and an open house for the general public. Information on the CAC program has been made publicly available through newspaper advertisements and information updates on the project webpage. See Attachment C for the summary of consultation feedback.

Input by the Development Industry

The UDI Langley Liaison Committee formed a working group sub-committee to assist staff with the second component of the needs assessment, which involved a review of the preliminary list of amenities, the hypothetical pro forma analysis and the proposed CAC rates. The UDI has provided comments including:

1. Provide amenities for local residents: A primary concern expressed by UDI members was a lack of perceived value for local residents in the preliminary list of amenities.
2. CAC Rates: Concern was expressed over early proposed rates noting that they were in some cases three times higher than CACs in other municipalities.
3. Distribute capital costs between existing and new neighbourhoods: As some amenities will be used by residents Township-wide cost sharing should be used to fund these amenities by utilizing CACs and tax revenue.
4. Consult with Residents: Comments suggested that consultation should include residents particularly those in areas where high residential growth is planned to occur.

Open House

On April 5, 2018 an open house was held to seek feedback from the general public, and over 120 people attended. Feedback was received through a survey and a total of 121 surveys were completed; 90 surveys were completed at the open house, and an additional 21 surveys were submitted online. The survey asked participants to rank the preliminary list of amenities and to provide their own suggested amenities if not already on the list. Space was also provided on the survey for written comments and 62% (75) respondents provided feedback.

Top ranked amenities include:

1. Recreation centres top suggested amenity: More than 25% of survey respondents suggested recreation centres as a preferred amenity, including pools and community centres.

2. Parks and Trails: Just under 15% of survey respondents suggested parks and trails as an important amenity.
3. Libraries: The need for libraries were specifically identified for the Latimer, Smith, Northeast Gordon Estates, and Yorkson neighbourhoods.
4. Housing Issues: A wide range of housing issues including affordability, homelessness, seniors housing, and housing for people with disabilities were identified as important to be funded by CACs.

Key themes from the feedback survey include:

1. General lack of support for the preliminary list of amenities: The majority of additional comments (40%) expressed concern and a lack of support for the agri-plex and improvements at the airport.
2. CACs should stay in the neighbourhood: This concern accounted for 36% of written comments. Public input indicated that CAC generated revenues should be used to provide amenities for new residents.
3. Development industry concerns: Key themes related specifically to the development industry expressing concern for the burden CACs would put on developers, the need for a CAC grace period and the overall impact that CACs will have on employment in the development industry.

Based on the feedback received, a proposed CAC Policy has been prepared. The proposed Policy takes into consideration and reflects feedback received from the development industry, stakeholders and the general public. On July 12, 2018, staff presented the proposed CAC Policy to the UDI Langley Liaison Sub-Committee and received generally supportive feedback. One item raised related to the need for more transparency and clarity in regard to the determination of amenity capital costs. Staff propose to respond directly to UDI with an amenity cost rationale and will continue an open dialogue with the development community to ensure transparency and maintain accountability.

CAC Policy Framework

Preparation of the CAC Policy (Attachment A) has been completed with the assistance of GPRA and early versions of the draft Policy have been revised to reflect feedback received from the development industry and the open house feedback survey. See Attachment D for the analyses and rate calculations provided by GPRA. Key revisions to the Policy include:

- Revised preliminary list of amenities to include more recreation based amenities.
- Distribution of amenity capital costs between existing and new residents.
- Adjustment to CAC rates to be in-line with rates in other Metro Vancouver municipalities. (see Attachment D, Appendix – Table of Lower Mainland Jurisdictions' CACs)
- Inclusion of an affordable housing amenity.

The proposed CAC Policy is intended to be applied Township-wide to all new residential development that requires Council's approval of a rezoning application. The CAC is administered using a flat rate charge on a per unit basis, and it is proposed that CACs be placed into reserve funds to be used to develop the amenities identified in the Policy. To address issues related to housing affordability it is proposed that 20% of CAC revenues be directed towards an Affordable Housing Reserve Fund. Furthermore, subject to Council's approval, it is intended that the CAC rates be reviewed and amended on an annual basis using the Vancouver Consumer Price Index as the base increase.

The proposed CAC Policy includes the following key provisions:

- A revised list of community amenities based on public consultation feedback, as outlined below:
 - Township-wide Greenways
 - Satellite RCMP Detachment
 - Conference and Entertainment Centre
 - Recreation Centre #1 – Willowbrook-Willoughby
 - Recreation Centre #2 – Brookswood-Fernridge
 - Affordable Housing

The proposed facilities provide a range of amenities in neighbourhoods throughout the Township. Recreational amenities are proposed through development of Township-wide greenways and neighbourhood specific recreation centres. Improvements to community safety are proposed through the development of a Satellite RCMP detachment, and the Conference and Entertainment Centre is intended to function as a cultural hub with opportunities for conferences, performances, and other community oriented activities. See Attachment E for a complete description of each amenity.

- The CAC program applies to all residential development in the Township that requires a rezoning application.
- Exemptions are permitted for affordable and special needs housing, rental housing, and small residential infill developments.
- The proposed CAC rates are as follows:
 - \$5,673 per single family lot created
 - \$4,814 per townhouse/rowhouse/duplex or other ground-oriented dwelling units
 - \$3,782 per low rise apartment unit (6 storeys or less)
 - \$2,923 per mid- or high-rise apartment unit (7 storeys or more)
- A twelve (12) month grace period for in-stream rezoning bylaw applications, similar to DCC regulations.

On an annual basis staff propose to report back to Council with information updates on the CAC program. These updates will report on the funds collected annually and totals on CACs received to date. Staff also propose to annually update the CAC rates at a rate equivalent to annual increases in the Vancouver Consumer Price Index. The intent of these small annual rate adjustments is to lessen the impact of potentially larger rate adjustments that could result from periodic reviews. And finally, staff propose to periodically review the CAC program rates, amenities, and costs on a timeline that is offset from the periodic review of the Development Cost Charges Bylaw.

FINANCIAL CONSIDERATIONS:

Implementation of the CAC Policy is a step towards the goal of achieving fiscal stability and fiscal health through the development of non-taxation funding sources. As increased demand for amenities occurs in conjunction with residential growth, CACs will play a key role in securing the provision of amenities and the development of livable and vibrant communities. An estimate based on 2011 to 2016 development trends indicates that the CAC Policy could potentially generate approximately \$30,000,000 over the next five years.

CONCLUSION:

The Township of Langley's population is expected to double over the next 30 years, and this growth will trigger the demand for a range of new and upgraded public amenities. Funding for new amenities needs to be done in a sustainable way that does not overburden taxpayers and a there is potential to generate significant revenue from the CAC program to help fund public amenities. Staff have consulted stakeholders in the development industry and the general public for their input into the CAC program and made changes to draft policy to address the majority of concerns. Preparation of the CAC Policy has been completed with the assistance of GPRA who completed pro forma analysis suggesting that the Township has potential to collect CACs without adversely impacting development. If adopted, staff will inform builders and developers active in the Township, as well as UDI.

Respectfully submitted,

Aubrey Jensen
LONG RANGE PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Community Amenity Contributions Policy
ATTACHMENT B	New Tools for Growth
ATTACHMENT C	What We Heard – Summary of Input
ATTACHMENT D	Rollo & Associates: Community Amenity Contribution Analysis
ATTACHMENT E	Description of Proposed List of Amenities



COUNCIL POLICY

Subject: Community Amenity Contributions

Policy No:

xx-xxx

Approved by

2018-xx-xx

Council:

Revised by Council:

1. Purpose

- 1.1 To provide administrative guidelines for a Community Amenity Contribution (CAC) Program.

2. Background

- 2.1 Municipalities are required to balance their budgets, which means the demand for new capital infrastructure and improvements must be kept within current fiscal and economic limits. Development Cost Charges (DCC), which are a primary source of funding especially for roads, water, sewer, stormwater systems, and park land acquisition and improvement, do not assist in providing all facilities required for new communities.
- 2.2 CACs are amenity contributions by the developer as part of a rezoning process.
- 2.3 CACs are intended to offset the cost of providing community amenities associated with new residential development, thereby having a benefit to the community. In the event that CACs are not made to help provide the amenities, it is not necessarily in the public interest for the local government to support a rezoning. It has become common practice for many municipalities in B.C. for developers to propose, or municipalities to seek, amenities from projects that are applying for changes in use or density, in order to help address the needs or impacts of new development. In this policy, the amenities are being collected through a fixed rate contribution, based on a set of predetermined amenities.

3. Related Policies

- 3.1 The Official Community Plan (OCP) provides objectives and policies for the establishment of a community amenity contribution program. Objectives related to CACs aim to:
 - (a) Ensure that new development pays for the capital costs of providing new infrastructure and facilities to serve that development.
 - (b) Diversify revenue sources to fund new community infrastructure.
 - (c) Provide tools and incentives to encourage affordable housing options.

3.2 Specific policies include:

- (a) Investigate potential for community amenity charges to cover the costs of facilities and amenities required for development that are not funded by DCCs.
- (b) Create incentives to encourage developers to include affordable market rental housing and/or non-market housing in new developments, using community amenity contributions that include affordable housing as a community benefit (new units or cash).

4. Principles

- 4.1 As residential growth occurs, new development should make a fair contribution to new community amenities, affordable housing, and other community needs, in order to meet the needs of a growing community and to contribute to managing growth pressures.
- 4.2 The Township of Langley will set its targets for CACs such that the cost implications for new development will be reasonable. The level of CACs will be such that there is minimal impact on new development. More specifically, the expectations for CACs are not likely to affect the financial viability of new development projects. The costs will be such that developers and land owners will still see incentives to seek higher density for residential developments.
- 4.3 The Township of Langley will set CAC rates for a range of residential housing types. These rates will be revised from time to time, based on changing community needs, changing priorities, and changing market conditions.

5. Policy

- 5.1 CACs will be used to fund a specific list of amenities. The provision of these amenities will be subject to community input, Council prioritization and available revenue. The CACs will be allocated as follows:
 - (a) 20% will go into the Affordable Housing Reserve Fund; and
 - (b) 80% will go into a Community Amenity Contribution Fund to assist in funding of the following amenities:
 - Township-wide Greenway
 - Satellite RCMP Detachment
 - Conference and Entertainment Centre
 - Recreation Centre in Willowbrook-Willoughby
 - Recreation Centre in Brookwood-Fernridge

5.2 The CAC rates are as follows:

- (a) **\$5,673** per single family lot created
- (b) **\$4,814** per townhouse/rowhouse/duplex or other ground-oriented dwelling unit
- (c) **\$3,782** per low rise apartment unit (6 storeys or less)
- (d) **\$2,923** per mid- or high-rise apartment unit (7 storeys or more)

5.3 The CAC Program applies Township-wide to the development of all residential dwellings, including those that are included in a mixed-use development, where the site is being rezoned.

5.4 The CAC rates will be reviewed on an annual basis and will be adjusted to reflect annual increases based on the Vancouver Consumer Price Index.

5.5 EXEMPTIONS

Development that meets the following conditions is exempt from the CAC program:

- (a) Affordable and special needs housing that are secured through a Housing Agreement as established in Section 483 of the Local Government Act;
- (b) Rental housing units that are secured through a Housing Agreement established under Section 438 of the Local Government Act will also be subject to a covenant under Section 219 of the Land Titles Act;
- (c) Where single family residential subdivisions propose fewer than 3 lots, the original lot is exempt, after which the CAC program applies to each new lot;
- (d) Accessory dwelling units, such as a secondary suite or coach house;
- (e) Duplex, triplex and fourplex dwelling units, where only one building is being constructed – only the first dwelling unit is exempt, after which the CAC program applies to each additional dwelling unit.

5.6 COLLECTION OF CACs

- (a) Payment of the CAC shall be made to the Township prior to Council consideration of adoption of the Zoning Bylaw Amendment Bylaw. If adoption is not given by Council to the Zoning Amendment Bylaw, the CAC (without interest) shall be returned to the applicant by the Township.
- (b) Alternatively, payment of the CAC may be made to the Township at the time of issuance of a development permit, or where one is not required, at the time of issuance of a building permit. Where this option is selected by the applicant, an irrevocable letter of credit must be provided to the Township for the full amount of the CAC prior to Council consideration of adoption of the Zoning Bylaw Amendment.

5.7 Any rezoning application, submitted prior to the final adoption of this policy, shall be granted a twelve (12) month grace period from the date of final adoption of this

policy, in order to receive fourth and final reading by Council of the Zoning Amendment Bylaw. If the process is not completed within the one-year period, payment of the CAC shall apply.

- 5.8 Council may amend the rate of the CAC and any other aspect of this policy as it deems appropriate in response to changing needs.
- 5.9 Any rezoning application, submitted prior to future amendments to this policy, shall be granted a twelve (12) month grace period from the date of final adoption of the amended policy, during which time the CAC rates applicable at the time of the application shall be payable, unless the developer requests in writing the application of the new policy, upon which the rates applicable under this policy will apply.
- 5.10 This policy is to be administered and monitored by the Community Development Division and the Finance Division.
- 5.11 This policy will be reviewed periodically to assess and revise rates, amenities, and costs as required. Timing of the CAC policy review will be offset so as not to overlap with the periodic review of the Development Cost Charges Bylaw.

ATTACHMENT B**Tools for New Growth**

The Local Government Act (LGA) enables local governments to require services, collect fees and/or obtain land from new development to address certain impacts of growth. It allows municipalities to use a number of financing tools for the provision of infrastructure, amenities and services that are needed to support growth. These tools include:

- **Development Cost Charges (DCC):** A DCC bylaw is a financing tool provided by LGA s. 932 through 937 to assist local governments in paying the capital costs of installing certain off-site services, the installation of which is directly or indirectly affected by the development of lands and/or the alteration/extension of buildings. DCCs can be established for providing, constructing, altering, or expanding facilities related only to the following local government services:
 - roads, other than off-street parking;
 - sewage;
 - water;
 - drainage; and
 - parkland acquisition and improvement.

DCCs are payable by parties obtaining an approval of subdivision or a building permit, as the case may be.

The Township has had Development Cost Charges since 1986. The current DCC Bylaw No. 4963 came into effect on January 14, 2013. It is being updated to reflect current costs and market conditions.

- **School Site Acquisition Charges (SSAC):** Development applications that increase the number of self-contained dwelling units must pay a SSAC. The charge is payable concurrently with the DCC, either at the time of subdivision for single family lots, or at the Building Permit stage for any new construction, alteration or extension of multi-family buildings. SSACs were implemented by School District No. 35 pursuant to Property Bylaw No. 2-2001 and LGA s. 571 through 581.
- **Phased Development Agreements (PDA):** Under LGA s. 516, municipalities may enter into PDAs to specify additional terms and conditions, as part of a rezoning process. The additional terms and conditions may include the provision of amenities. The Township is using this tool to obtain cash-in-lieu of amenity from in-stream applications in Brookwood-Fernridge, in the absence of a greenway amenity policy in place for that community.
- **Density Bonus Zoning:** LGA s. 482 enables local governments to provide options for the developer to build either to the “base” density or to a higher density, if they provide certain amenities or affordable housing, or meet other specified conditions. The developer, by right, always has the option of developing at the base density, but usually has an incentive to consider higher densities. The Township has greenway amenity policies (GAPs) for areas such as 208 Street Density Review (in Northeast Gordon Estate), Carvolth, Central Gordon, Jericho, Latimer, Smith, and Yorkson. The GAPs were established to fund the costs of greenway amenities in each neighbourhood, with differing paces of development occurring in Willoughby. The majority of developers have

opted to take advantage of density bonus zoning and contributed based on the GAPs.

- **Community Amenity Contributions (CAC):** Also under LGA s. 482, local governments can obtain financial contributions from developers for amenities, affordable housing and special needs housing. The contribution would be obtained by the local government if, and when, the local government decides to adopt the rezoning bylaw. Based on best practices, CACs can be collected based on two methods: (1) case-by-case negotiation, where a contribution is agreed-to between the developer and the local government, and (2) fixed rate, where contribution is based on a program composed of a prioritized list of community amenities and a pre-determined rate for each new housing unit. The Township is exploring a fixed rate CAC program that would apply to all residential developments in the entire Township. In other words, CAC would be a Township-wide program, whereas Density Bonus Zoning is based on the GAPs in respective neighbourhoods.

WHAT WE HEARD

A Summary of Input Received for the Community Amenity Contribution Program

The Township of Langley is considering a comprehensive Community Amenity Contribution (CAC) program in which developers provide funding for community amenities, as part of a rezoning process that involves a change in land use and/or a change in density. A community amenity can be any public benefit, improvement, or contribution that can enhance the quality of life for Langley residents. Examples include public spaces, trails, greenways, affordable and special needs housing, fire halls, libraries, and recreation facilities.

WHAT WE DID

PUBLIC CONSULTATION METHODS

Consultation with stakeholders focused primarily on the development industry with opportunities also available for input from the general public. Through the process of preparing the CAC program the development industry has been consulted and provided feedback.

Urban Development Institute: The Urban Development Institute (UDI) Langley Liaison Committee formed a working group to assist staff with a needs assessment, which involved a review of the preliminary list of community amenities, the hypothetical pro forma analysis and the proposed CAC rates. The UDI provided some preliminary comments. One of the comments was to engage the broader community before finalizing the list of amenities. Meetings with UDI were held in February, 2017 and July, 2018

Open House: Over 120 people attended a drop-in event held on Thursday April 5, 2018. This Open House provided information on the program and a preliminary list of amenities. Participants provided input through a feedback survey. Notification for the Public Open House was advertised through the local newspapers, and the Township's website.

Online Feedback Survey: Available online from April 5 to 12, 2018, the survey provided information on the CAC program and asked for input on the preliminary list of amenities and provided opportunity to suggest amenities not identified on the list.

WHAT WE HEARD

The following section summarizes what we heard through public and stakeholder input with a specific focus on feedback from UDI and comments received from the Community Amenity Contribution Feedback Survey.

STAKEHOLDER INPUT

Urban Development Institute Langley Liaison Committee: Feedback

The UDI was consulted early on in the preparation of the CAC program. Early feedback was received in a written response where UDI identified their concerns and made recommendations for staff consideration.

Amenities for local residents: Concerns over the preliminary list of amenities and a lack of perceived value for local residents was expressed. General support was expressed for recreational and entertainment oriented amenities such as greenways, pools, ice rinks, and community centres.

Some proposed amenities should not be funded by CACs: Amenities that are “Economic Development Generators”, such as the conference centre, agri-plex, and airport improvements, should be funded through tax revenues.

Consult with residents: Comments suggested that consultation should include residents particularly those in areas where high residential growth is planned to occur.

Locate amenities in high growth areas: CAC capital projects should be located in areas where growth will occur.

Distribute capital costs between existing and new neighbourhoods: As some amenities will be used by residents, a Township-wide cost sharing approach should be used to fund these amenities by utilizing CACs and tax revenue.

CAC Rates: Concerns were expressed over proposed CAC rates noting that they were, in some cases, three times higher than CACs in other municipalities.

Grace period for CAC implementation: Provide a phasing in of CAC charges for in-stream applications as these new charges would introduce unforeseen costs having a financial impact on development projects.

Allocate CACs into reserve accounts: It was suggested that CAC revenues be allocated to CAC reserve accounts to ensure funding of CAC capital infrastructure programs.

PUBLIC INPUT

Open House - April 5, 2018

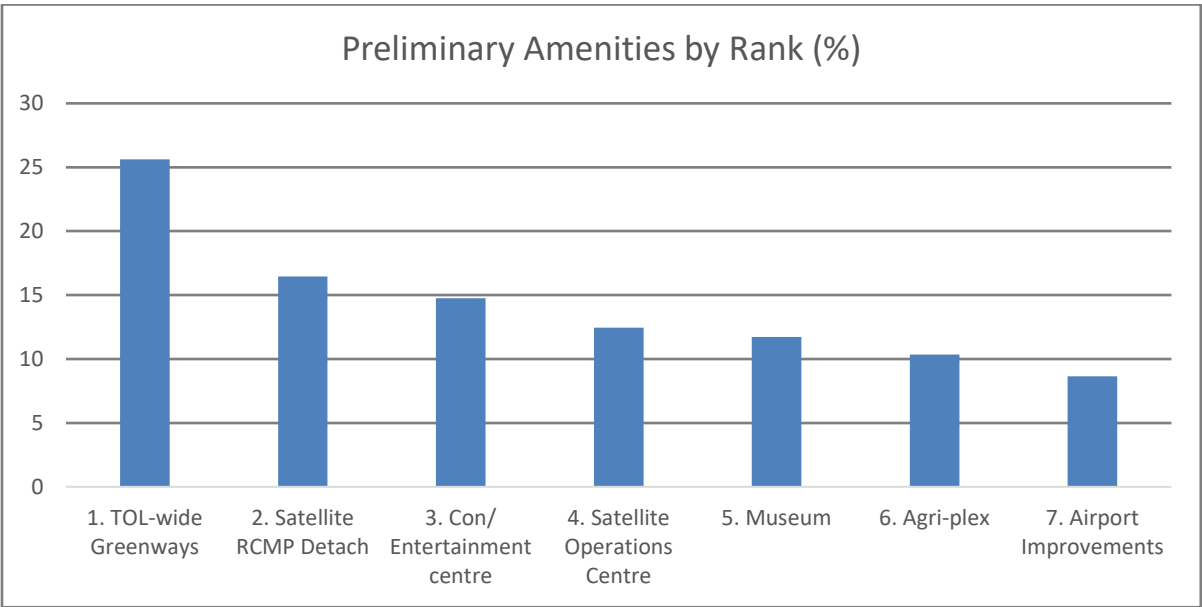
On April 5, 2018 a Public Open House was held at the Civic Facility providing an opportunity for the public to learn about the CAC program and to provide comments and input on the CAC program. Over 120 people attended the event with 90 people completing the Community Amenity Contribution Feedback Survey. Another 30 surveys were completed online for a total of 121 survey responses.

The Township also received 54 petitions that expressed opposition to the proposed CAC policy. These petitions were forwarded to Mayor and Council on April 12, 2018.

Community Amenity Contribution Feedback Survey: Results

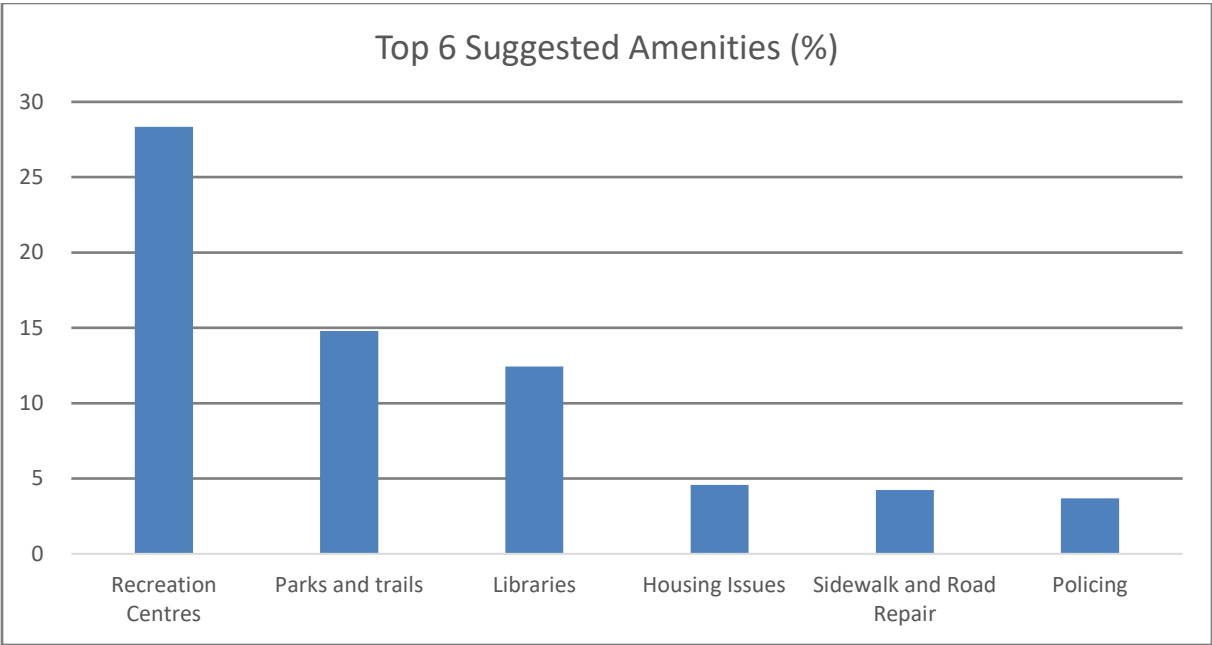
The following is a summary of the feedback survey results, which includes preference for the proposed preliminary list of amenities, a list of public suggested amenities, and additional comments. The public list of amenities have been ranked and categorized, and key themes have been identified from the additional comments.

Preliminary List of Amenities by Ranking: The feedback survey sought public input and comments on a preliminary list of amenities, and asked participants to rank them in order of preference. The table below identifies the public’s preference for the list of amenities.



Township-wide Greenways ranked as the most preferred amenity receiving support from over 25% of survey submissions.

Top 6 Suggested Amenities: The feedback survey provided opportunity for the public to suggest amenities they wanted included on the list. The survey allowed space for up to three amenity suggestions, and in response a total of 37 different amenities were suggested. The table below identifies the 6 most popular amenity suggestions.



Recreation Centres were suggested by more than 25% of survey respondents as the preferred amenity. Within this category, specific amenities commonly associated with recreation centres were identified. In many cases, these suggestions also identified the neighbourhood where the amenities were wanted. These responses have been categorized in the table below:

Rank	Specific Amenities for Recreation Centres:	Neighbourhood indicated	%
1	Pool	Willoughby	36%
2	Pool / Community Centre	No neighbourhood indicated	34%
3	New or updated facility	Brookwood-Fernridge	30%

Among the amenity suggestions for a Recreation Centre, approximately two-thirds of respondents indicated a preference for location, with an almost even split between Willoughby and Brookwood-Fernridge. Approximately one-third of respondents indicated no preference for location.

Parks and trails were the second most common amenity suggestion accounting for almost 15% of suggestions. Since parks and trails are funded through the DCC program, they are not being considered for the proposed CAC program. However, ranking second does indicate a public preference for CACs to be used for recreation amenities.

Top 6 Suggested Amenities: cont'd

Libraries ranked third in the list of suggested amenities with a location preference for the Willoughby area. Specifically identified were the Latimer, Northeast Gordon Estate, Smith and Yorkson neighbourhoods.

Housing Issues ranked fourth among suggested amenities with feedback identifying a wide range of issues including housing affordability, homelessness, seniors housing, and housing for people with disabilities.

The remainder of suggestions covered a broad range of amenities including the arts, fire halls, hospitals, schools, and transportation improvements. Some of these suggestions would fit within a CAC program while others would be funded through operational budgets, or other levels of government in the case of schools and hospitals. The remaining amenity suggestions each individually ranked less than 4% with 20 of the suggestions ranking less than 1%.

Summary of Written Feedback: A total of 121 surveys were completed with 62% (75) of respondents leaving additional comments. The major themes identified include the following:

Rank	Key Themes	%
1	Do not support preliminary list of amenities	40%
2	CACs should stay in the neighbourhood	36%
3	Don't burden developers	21%
4	CACs will increase housing costs	20%
5	Do not support CACs	17%
6	CACs should be phased in	12%
7	Tax revenues should fund proposed amenities	8%
8	CACs will impact employment in the development industry	5%
9	Support for CACs	5%

Do not support preliminary list of Amenities (40%): The majority of additional comments expressed concern and a lack of support for the preliminary list of amenities.

CACs should stay in the neighbourhood (36%): The second most popular comment was to invest CAC generated revenues back into the neighbourhoods that generated the revenues. A general sentiment was that CACs should be used to provide amenities that can be used by new residents. Concerns were also expressed that CACs should not be used to wholly fund / subsidize new amenities that would serve residents Township-wide.

Summary of Written Feedback: cont'd

Development Industry Concerns: Some of the key themes identified related specifically to the development industry such as **Don't burden developers (21%)**; **CACs should be phased in (12%)**, and **CACs will impact employment in the development industry (5%)**.

CACs will increase housing costs (20%): Comments included concerns that CACs will increase the cost of housing and negatively impact housing affordability. It was also noted by some that CACs in conjunction with other increasing municipal fees will further increase housing costs, threaten development projects and construction jobs.

Do not support CACs (17%): Whereas 40% did not support the preliminary list of amenities, only 17% of respondents were not supportive of CACs overall.

Tax revenues should fund proposed amenities (8%): These comments stated that the preliminary list of amenities should be funded by tax revenues and not CACs.

Support for CACs (5%): Of those who provided additional comments, 5% indicated support for CACs, with some noting that new residential development should help fund the development of new facilities.



June 27th, 2018

Jason Chu
Township of Langley
20338 – 65 Avenue
Langley, BC V2Y 3J1

Re: Community Amenity Contribution Analysis

G. P. Rollo & Associates (GPRA) has been retained to assist the Township of Langley in preparing a Preferred Target Community Amenity Contribution (CAC) policy for the Township.

The purpose of the policy is to secure contributions from rezonings to assist in funding new community amenities such as recreation facilities, parks, libraries, police, fire, and infrastructure. The Township will identify a list of amenities and/or capital projects both Township wide and by community, obtain cost estimates and prioritize the list. GPRA is to develop a draft policy, engage stakeholders, and finalize a policy for the Township.

This work builds upon density bonusing and amenity contribution analysis completed in September 2016 by GPRA wherein GPRA conducted a scan of policies and practices of other jurisdictions in the Lower Mainland with regard to density bonusing and amenity contributions and proforma analysis for 8 case studies looking at hypothetical potential rezoning scenarios that would involve an increase in density on the sites to illustrate the potential to collect contributions for amenities at rezoning.

The conclusion of the prior work showed that many other jurisdictions in the Lower Mainland also collect amenity contributions and the proforma analysis suggested that the Township has the potential to collect some monies for public amenities without adversely impacting development.



CURRENT DENSITY BONUSING AND AMENITY CONTRIBUTIONS IN THE TOWNSHIP OF LANGLEY

The Township currently collects contributions from rezonings to pay for their Greenway Amenity Policies (GAPs) for the Neighbourhoods of Yorkson, Jericho, Central Gordon, Carvolth, Latimer, Smith, and Williams, using varying fee structures and methods for securing contributions. The Township also grants credits to developers for in-kind works and contributions toward the GAPs. As of 2017, the Township has collected/secured \$21.9 million of the estimated \$117.8 million, or approximately 18.6% of that which is required for the program.

Greenway Amenity Policies

Neighbourhood Plan	Cost/acre
Yorkson	\$ 97,010
Jericho	\$ 102,977
Central Gordon Estate	\$ 100,855
Carvolth	\$ 97,898
Latimer	\$ 106,207
Smith	\$ 102,723
Williams	\$ 227,000

The GAPs have been devised to fund the costs of growth within each neighbourhood with differing paces of development occurring. GPRA believes that given the significant contributions in Yorkson (\$21.7 million as of 2017) and little to no contributions to date in other areas that the Township should consider leaving the GAPs to operate as they do currently rather than to attempt to wrap them up with other amenities being sought for the Township as a whole.



PAYING FOR GROWTH IN THE TOWNSHIP OF LANGLEY USING AMENITY CONTRIBUTIONS

The Township has identified six significant amenities that will be required as a result of increased population growth between 2018 and the OCP horizon of 2041, with an estimated cost of \$276 million in 2018 dollars.¹

Revised Basket of Goods: Based on input from April 5, 2018 Open House

% of Amenity Capital Costs Attributable to New Residential Growth

Amenities	Estimated Capital Cost	Area Served by Amenity	Percent Buildout ¹	% of amenity capital costs to be recovered through new development ²	Capital Costs funded through new development
1 Township-wide Greenways	\$20,000,000	Township Wide	58%	42%	\$8,460,000
2 Satellite RCMP Detachment	\$50,000,000	Township Wide	58%	42%	\$21,150,000
3 Conference and Entertainment Centre	\$60,000,000	Township Wide	58%	42%	\$25,380,000
4 Recreation Centre #1	\$50,000,000	Willoughby	35%	65%	\$32,700,000
5 Recreation Centre #2	\$50,000,000	Brookwood-Fernridge	35%	65%	\$32,550,000
6 Affordable Housing (20% of capital costs)	\$46,000,000	Township Wide	n/a	n/a	\$24,000,000
Total	\$276,000,000				\$144,240,000

Note: The purpose of this table is to determine the % of new development which will cover an equal % of amenity capital costs. The

¹The %s in this column represent the % of existing residents

²The %s in this column represent the % of projected new residents resulting from planned growth.

These are high level estimates that will need to be reviewed periodically as well as costed in more detail as the Township gets closer to the time when each of these amenities will be constructed.

Having identified the amenities being required, most of which are anticipated to serve the entire Township rather than specific neighbourhoods, the next step was to estimate a rate for contribution from development. GPRA began by reviewing the methodology employed by Urban Systems when determining DCC rates.

For the DCC program rates are calculated based on current population growth projections through to 2041 and the estimated costs of infrastructure required over the same time period. The costs are divided by the increase in population to arrive at a cost per person. From there a projected housing and development forecast covering the same period is used along with estimates of persons per dwelling type to derive a per unit DCC.² GPRA has employed a similar approach to calculating a flat CAC rate for the Township.

¹ The impact of inflation should be taken into account when the Township conducts a periodic review of the CAC program.

² CACs are generally only collected for residential developments, as opposed to DCCs which are collected for commercial & industrial development as well.



The Regional Growth Strategy indicates that the Township was expected to grow by approximately 32,000 residential units and 83,900 new persons through to 2041. For DCC calculations these residential units were broken into 4 densities:

1. 15 or fewer dwelling units per hectare (typically single family detached);
2. 16 to 44 dwelling units per hectare (typically attached duplex, rowhouses, townhouses);
3. 45 to 74 dwelling units per hectare (low rise apartments);
4. Greater than 74 dwelling units per hectare (mid/high rise apartments).

The DCC calculations assumed 3.3 persons per unit for residential density 1, 2.8 persons per unit for residential density 2, 2.2 persons per unit for residential density 3, and 1.7 persons per unit for residential density 4.

Using the updated population growth estimate (83,900) GPRA can then determine that the per person portion of the total basket of amenities the Township has identified (\$144.24 million) to be contributed by new growth as being **\$1,719** per person.

GPRA can then derive an indicated flat CAC rate for each of the four housing densities described above:

Preferred CAC Rate Scenario (Revised amenity costs with 2041 Population)

Land Use	new units	pph	Pop	CAC/person	CAC/Unit ¹	Total CAC	avg sq.ft/unit	cost/sq.ft
Residential 1	10,000	3.3	33,000	\$1,719	\$5,673	\$56,733,254	3,500	\$1.62
Residential 2	6,000	2.8	16,800	\$1,719	\$4,814	\$28,882,384	1,800	\$2.67
Residential 3	13,800	2.2	30,360	\$1,719	\$3,782	\$52,194,594	1,100	\$3.44
Residential 4	<u>2,200</u>	1.7	<u>3,740</u>	\$1,719	\$2,923	<u>\$6,429,769</u>	800	\$3.65
	32,000		83,900			\$144,240,000		

Note: Population and dwelling units are based on a 2041 RGS population projection.

This is the same methodology being used for the 2018 DCC Review

From our survey of other jurisdictions we found that there was often some adjustment in CAC rates from the indicated rate to that which was eventually set. Our analysis in 2016 demonstrated that single family properties would be able to absorb a higher CAC per unit than would multi-family dwellings due in part to price points and the percentage of the overall cost that a CAC would represent. For example, a \$5,700 CAC on a single family dwelling would amount to roughly 0.5% of the total cost of the home and could easily be absorbed by developers and purchasers. In contrast, a CAC of \$4,800 on a townhouse would be around 0.9% of the total cost, and a \$3,800 CAC would be 1% of the total cost of a wood frame apartment.

As such it would be possible to increase the flat rate on single family dwellings and reduce the rate on multi-family dwellings in order to make rates less likely to impact pricing and affordability of units. If, for example, the rate for residential property type 1 were set at \$7,000 per unit that would still only amount to roughly 0.6% of the total cost of developing a home and would in turn



allow for the rates for each of the other residential types to be reduced somewhat (\$4,500 per unit for residential 2 dwellings, \$3,000 per unit for residential 3 dwellings, and \$2,750 per unit for residential 4 dwellings) and still collect the required funds for amenities.

Adjusted CAC Rates

Land Use	new units	CAC/Unit	Total CAC
Residential 1	10,000	\$7,000	\$70,000,000
Residential 2	6,000	\$4,500	\$27,000,000
Residential 3	13,800	\$3,000	\$41,400,000
Residential 4	<u>2,200</u>	\$2,750	\$6,050,000
	32,000		\$144,450,000

As illustrated in the example above, there is the capacity for the Township to be somewhat flexible in how they set the CAC rates. GPRA has looked at providing an exemption from CACs to a hypothetical area within the Township that would amount to roughly a 10% reduction in new units that would be contributing to the program. If the Township were to consider something along these lines the rates would need to be higher in order to collect the required funds for amenities. The table below shows the required CACs per unit with the hypothetical reduction in contributing new development.

Hypothetical CAC Rates to Accommodate a 10% Reduction in New Units

Land Use	new units	CAC/Unit	Total CAC
Residential 1	9,000	\$7,500	\$67,500,000
Residential 2	5,400	\$5,000	\$27,000,000
Residential 3	12,420	\$3,500	\$43,470,000
Residential 4	<u>1,980</u>	\$3,250	\$6,435,000
	28,800		\$144,405,000



CONCLUSIONS & RECOMMENDATIONS

GPRA has used population and housing forecasts for the Township of Langley to arrive at indicated CAC rates (based on an estimated \$276 million in amenities identified by Township staff, \$144 million of which is targeted to be funded through collection of CACs) by residential housing type in line with the Township's DCC program. Based on these indicated rates GPRA has arrived at the recommended CAC rates in the table below:

Indicated CAC Rates

Land Use	new units	pph	Pop	CAC/person	CAC/Unit	Total CAC
Residential 1	10,000	3.3	33,000	\$1,719	\$5,673	\$56,733,254
Residential 2	6,000	2.8	16,800	\$1,719	\$4,814	\$28,882,384
Residential 3	13,800	2.2	30,360	\$1,719	\$3,782	\$52,194,594
Residential 4	<u>2,200</u>	1.7	<u>3,740</u>	\$1,719	\$2,923	<u>\$6,429,769</u>
	32,000		83,900			\$144,240,000

- As indicated previously, there is flexibility to shift some of the charges per unit from higher density development to lower density, which is less likely to be adversely impacted by the cost per unit.
- GPRA does not recommend bundling the existing Greenway programs currently in place for six neighbourhoods in the Township into a comprehensive CAC program, due to varying methods of securing contributions to this program and the direct correlation between those fees and particular neighbourhoods.

Often municipalities will take a graduated approach to implementation:

- Once the decision has been made to introduce fees, ensure that developers, realtors, and land owners in the City Centre are made aware of the new fees and when they will be required to pay them
- Allow for development applications in-stream to be grandfathered in until a certain date after introducing the fees
- Typically when jurisdictions bring in new fees they allow for a grace period for new applications, at times having a staggered introductory rate over a period of 6 months to a year to allow for developers to adjust to the new charge:
 - Consider a 'step-up' approach where only a set percentage of fees would be collected during the first year for new applications, leading to the full rate at a pre-set date, or;
 - This could take the form of charging no fees for the first 3 months, 25% of the fee for the next 3 months, 50% for the next 3 months and 75% for the next 3 months, or something equivalent

GPRA strongly believes there is merit in establishing a Community Amenity Contribution policy framework for the Township. If the Township is concerned about rolling out the suggested fees



suggested by GPRA there is still merit in introducing the policy, even if only a nominal rate were charged, such as \$1,000 per unit.

Once the CAC fees are introduced GPRA recommends updating the underlying analysis periodically on a schedule similar to the frequency that the City updates their DCC rates. In the interim, GPRA suggests the Township include in the policy an indication that the fees will be indexed at CPI until a full review is undertaken, after which time a full adjustment can be made.

I trust that our analysis will assist the Township in determining policy around Community Amenity Contributions.

Yours truly,

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APPENDIX – TABLE OF LOWER MAINLAND JURISDICTIONS' CACS

Municipality	CACs & Density Bonusing
Abbotsford	Small voluntary contribution for public art, ad hoc in City Centre
Burnaby	\$ per sq. ft. (buildable) Bonus Density based on current market values
Chilliwack	Ad Hoc only on CD Zones
Coquitlam	\$3/sq. ft. new multifamily residential floorspace up to 2.5 FAR; \$4,800-\$5,500 for one-family lots
Langley City	No Current Policy
Maple Ridge	\$5,100 per one-family lot; \$4,100 per townhouse dwelling unit; \$3,100 per apartment dwelling unit; bonus density \$3,100 per multifamily unit or additional lot
Mission	\$2,815 per unit. Waived on discretion
New Westminster	ad hoc through negotiation
North Vancouver City	ad hoc through negotiation
North Vancouver District	Where case by case negotiations occur, the target is to capture 50% to 75% of value of land lift attributed to rezoning.
Pitt Meadows	\$2,100 per unit for single family; \$2,800 per unit for townhouse; \$2,400 per unit for apartments
Port Coquitlam	100% in RA1 (low-rise apartment) zone, otherwise negotiated
Port Moody	ad hoc through negotiation
Richmond	\$4/sq.ft. buildable for single family; \$8.50/sq.ft. buildable for townhouse; \$10/sq.ft. buildable for wood frame or \$14/sq.ft. buildable for concrete apartments <61 units; 10% residential area for Affordable Housing for apartments >60 units
Surrey	Capital cost of NCP amenities determined by City in NCP areas
Township of Langley	In Process of determining Flat Rate CACs
Vancouver	\$55/sq.ft. bonus area in Cambie Corridor; ad hoc through negotiation elsewhere
West Vancouver	ad hoc through negotiation
White Rock	\$30/ sq.ft. over 1.75 FAR in Town Centre; ad hoc through negotiation outside

Description of Proposed List of Amenities

Community Amenity Contributions will be used to fund amenities that will grow in demand as residential development continues. This list of amenities has been determined based on feedback received from both the development industry and general public. The delivery and prioritization of these amenities will be determined by Council. Following is the list of amenities to be funded by CACs:

1. **Township-wide Greenways:** The Township has been building a cycling network and greenways for commuting and recreational needs. For example, a bike greenway is being planned to link Murrayville with Willoughby, as part of the overall trail network in the Township. This trail would serve as a commuter and recreational link between communities. Also, the Township built the Fort-to-Fort trail (using funding from General Revenue) to link the former Fort site to current Fort Langley along the Fraser River foreshore. Additional greenways would be built as the overall community grows, based on the Cycling Plan and "Community Connections," the overall trails plan for the Township.
2. **Satellite RCMP Detachment:** The existing RCMP Detachment in Murrayville was built in 1990. Like the Satellite Operations Centre, a Satellite RCMP Detachment (or an expansion to the existing facility) would be required to serve the expanding population in Willoughby and elsewhere in the Township.
3. **Conference and Entertainment Centre:** The Township is growing as a community, where residents expect community amenities that are commonly available in other urban centres. A conference and entertainment centre has been a top-of-mind community facility for many new comers to Langley. Such as centre would become a cultural hub with opportunities for conferences, performances and other community activities.
4. **Recreation Centre #1:** As the Willoughby neighbourhood develops, the need for a recreation centre serving the local residents is required, and is an essential component of building complete communities.
5. **Recreation Centre #2:** Over time as the Brookswood - Fernridge neighbourhood develops, new recreation services and facilities will be required to meet the demands of new growth, and is an essential part of a thriving community.
6. **Affordable Housing:** This amenity builds on policy in the OCP to encourage the development of affordable housing types. Through the establishment of an Affordable Housing Reserve Fund, CAC funds can be used to incentivize affordable housing projects as identified in the Housing Action Plan. As there is no direct capital cost for this amenity a value has been determined which is equal to 20% of the total capital costs of the 5 amenities listed above.



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	JULY 23, 2018 – REGULAR AFTERNOON MEETING	REPORT:	18-122
FROM:	COMMUNITY DEVELOPMENT DIVISION	FILE:	BA000015
SUBJECT:	CEDAR CREEK ESTATES MANUFACTURED HOME PARK		

RECOMMENDATION:

That Council direct staff to not proceed with the bylaws to designate the Cedar Creek Estates Manufactured Home Park located at 3031 – 200 Street, from Single Family 3 to Manufactured Home Park (Bylaw 2017 No. 5320 and Bylaw 2017 No. 5327).

EXECUTIVE SUMMARY:

At its Regular Evening Meeting on October 23, 2017, Council adopted a new Brookwood-Fernridge Community Plan (Bylaw No. 5300) and directed staff to immediately bring forward the necessary bylaw amendments to designate the Cedar Creek Manufactured Home Park located at 3031 - 200 Street (subject property) in the Brookwood-Fernridge Community Plan as “Manufactured Home Park”, and schedule the required Public Hearing.

Currently, the Brookwood-Fernridge Community Plan, as adopted by Council on October 23, 2017 (Bylaw No. 5300) designates the subject property as Single Family 3, which is consistent with the site’s historic designation, dating back to 1987. This designation provides for residential uses, including manufactured home parks, subject to more detailed analyses.

In response to Council’s direction, staff prepared Bylaw No. 5320, which, if adopted, will re-designate the subject property from “Single Family 3” to “Manufactured Home Park”. Staff also prepared a companion bylaw (No. 5327), which, if adopted, will exempt the Cedar Creek Estate Manufactured Home Park from the application of the Brookwood-Fernridge Tree Protection Bylaw (Bylaw No. 5301), to ensure consistency with the other designated manufactured home parks within the Community Plan.

On March 2, 2018, the property owner, (Grappa Investments Corp.) submitted an application to rezone the property from the current Manufactured Home Park (MH-1) to Residential Zone (R-1D) to facilitate a future subdivision. Subsequently, on March 5, 2018, Bylaw No. 5320 was referred to staff to consider the input from the Public Hearing, which was held on two nights: on December 11, 2017 and again on February 19, 2018. Staff have prepared this report to summarize submissions received at and prior to the Public Hearing, as well as subsequent discussions, utilizing the services of a mediator, with the residents and the property owner of Cedar Creek Manufactured Home Park.

Eighty-nine (89) owners, representing 90% of the 99 units, have signed a petition requesting that Council not proceed with the proposed Bylaw No. 5320. In this light, the property owner has indicated a willingness to withdraw the current rezoning application.

PURPOSE:

This report responds to Council’s referral to staff to consider the input received at the Public Hearing for the proposed re-designation of the Cedar Creek Estates Manufactured Home Park.

BROOKSWOOD-FERNRIDGE COMMUNITY PLAN AMENDMENT
(CEDAR CREEK ESTATES MANUFACTURED HOME PARK)
Page 2 . . .

BACKGROUND/HISTORY:

At its Regular Evening Meeting on October 23, 2017, Council adopted a new Brookswood-Fernridge Community Plan (Bylaw No. 5300). At the same meeting, Council passed the following resolution:

That upon adoption of Bylaw 5300, staff be directed to immediately bring forward the necessary bylaw amendments to designate the Cedar Creek Manufactured Home Park located at 3031 – 200 Street in the Brookswood-Fernridge Community Plan as “Manufactured Home Park” (MHP), and schedule the required Public Hearing.

The Cedar Creek Estates Manufactured Home Park, located at 3031 – 200 Street (the subject property), is currently designated Single Family 3 in the Brookswood-Fernridge Community Plan, which provides for residential uses, including manufactured home parks, subject to conditions, including preparation of more detailed neighbourhood plans and further analyses.

As directed by Council, staff prepared a proposed amendment to the Community Plan, Bylaw No. 5320, to change the land use designation of the subject property from “Single Family 3” to “Manufactured Home Park”.

At its Regular Evening Meeting on November 27, 2017, Council considered and gave first and second reading to the Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Brookswood-Fernridge Community Plan) Bylaw 2017 No. 5300 Amendment (Cedar Creek Estates Manufactured Home Park) Bylaw 2017 No. 5320, re-designating the subject property from Single Family 3 to Manufactured Home Park. Bylaw No. 5320 amends Maps 1 and 2 of the Brookswood-Fernridge Community Plan by redesignating the subject property as Manufactured Home Park.

Bylaw No. 5320 also includes a text amendment to Section 4.7 (Manufactured Home Park) of the Community Plan to reflect these map amendments. Specifically, Bylaw No. 5320 amends Section 4.7 by replacing the first two sentences in the description of the Manufactured Home Park land use designation. The first two sentences of the description currently state:

The Manufactured Home Park land use designation supports the retention of historically designated manufactured home parks. This includes the four existing manufactured home parks located south of 26 Avenue.

With the proposed amendment, the first two sentences are replaced with the following sentence:

The Manufactured Home Park land use designation supports the retention of five existing manufactured home parks located south of 32 Avenue.

At that same Regular Evening Meeting on November 27, 2017, Council also considered and gave first, second and third reading to Brookswood-Fernridge Tree Protection Bylaw 2017 No. 5301 Amendment (Cedar Creek Estates Manufactured Home Park) Bylaw 2017 No. 5327, to exempt the subject property from the application of the Bylaw.

The Brookswood-Fernridge Tree Protection Bylaw is to prevent ‘clear-cutting’ of properties in advance for development and applies only to properties in the Undeveloped Area of Brookswood-Fernridge other than existing schools, parks, and institutional uses, designated manufactured home parks, and other properties with limited development potential under the Community Plan.

BROOKSWOOD-FERNRIDGE COMMUNITY PLAN AMENDMENT
(CEDAR CREEK ESTATES MANUFACTURED HOME PARK)
Page 3 . . .

Consistent with this approach, staff prepared an amendment to this Tree Protection Bylaw which would exempt the subject property from the application of the Brookwood-Fernridge Tree Protection Bylaw (i.e. remove the subject property from the Subject Area shown on Schedule A of Bylaw No. 5301). The exemption of the subject property from the Tree Protection Bylaw is consistent with the other designated manufactured home parks in the Community Plan.

Following the first and second reading to Bylaw No. 5320 by Council on November 27, 2017, a Public Hearing was held on December 11, 2017. Following receipt of written and oral submissions, Council passed the following resolution:

That the Public Hearing for Brookwood-Fernridge Community Plan Amendment (Cedar Creek Estates Manufactured Home Park) Bylaw No. 5320 be adjourned until February 19, 2018 in order for the owner to meet with the residents to discuss their concerns.

On February 19, 2018, Council re-convened the Public Hearing, received additional submissions and concluded the subject Public Hearing.

On March 2, 2018, the property owner, (Grappa Investments Corp.) submitted application to rezone the property from the current manufactured Home Park (MH-1) to Residential Zone (R-1D) to facilitate a future subdivision.

On March 5, 2018, Council considered third reading to “Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (Brookwood-Fernridge Community Plan) Bylaw 2017 No. 5300 Amendment (Cedar Creek Estates Manufactured Home Park) Bylaw 2017 No. 5320”, and passed the following resolution:

That this matter be referred to staff to consider the input from the Public Hearing.

DISCUSSION/ANALYSIS:

As directed by Council at its Regular Evening Meeting on March 5, 2018, staff has reviewed comments received during the Public Hearing. This section provides a summary of both oral and written submissions received.

At the Public Hearing held on December 11, 2017, there were a total of three (3) oral submissions and six (6) written submissions. In total, staff received both written and oral submissions from six (6) individuals.

Two (2) individuals expressed general support for maintaining the “Manufactured Home Park” designation. However, three (3) individuals were concerned about the matter, stating their desire to meet with the owner and the limited timeline to review the owner’s proposal.

The owner of the subject property was in attendance and expressed opposition the land use re-designation and suggested an alternative of applying a 10-year covenant to the property, preventing future development on the property.

At the Public Hearing held on February 19, 2018, there were a total of thirteen (13) oral submissions and fourteen (14) written submissions. In total, staff received both written and oral submissions from twenty-two (22) individuals. It is important to note that all six individuals who had provided written and/or oral submissions at and prior to the December 11, 2017 Public Hearing date also provided written and/or oral submissions at and prior to the February 19, 2018 Public Hearing date.

BROOKSWOOD-FERNRIDGE COMMUNITY PLAN AMENDMENT
(CEDAR CREEK ESTATES MANUFACTURED HOME PARK)
Page 4 . . .

Eighteen (18) individuals supported the re-designation of the subject property, highlighting opposition to the 10-year covenant as well as the importance of maintaining affordable living options and protecting other parks. In addition to these comments, a petition with seventy-one (71) signatures in support of the Manufactured Home Park designation was submitted to Council. Comments of concerned individuals are focused on the 10-year covenant. Of the two (2) individuals, one mentioned the absence of the 10-year covenant in writing, while the other noted that many residents are in favour of the 10-year covenant without expressing outright support or opposition to Bylaw No. 5320.

Two (2) individuals expressed general opposition, indicating their support for the current land use designation (Single Family 3) as well as the 10-year covenant. The owner of the subject property is included in those that opposed the re-designation Bylaw.

In light of the two conflicting processes: firstly to re-designate the property from Single Family 3 to Manufactured Home Park, initiated by the Township; and secondly to rezone the property from Manufactured Home Park to Residential (R-1D), initiated by the property owner, staff engaged the services of a mediator, familiar with the provincial legislation, local government procedures and the specific issues surrounding the subject property.

The primary intent with the involvement of the mediator was to: a) bring clarity to the two distinct and separate processes of Community Plan and Zoning Bylaw amendments; b) engage both the tenants as well as the property owner of Cedar Creek Manufactured Home Park, with a view to exploring possible consensus on a path forward; and c) share information regarding relevant regulations and procedures governing the two processes.

A petition received from the residents at the Cedar Creek Manufactured Home Park (Attachment A) indicates that eighty-nine (89) owners, representing 90% of the 99 units, do not support Council proceeding with the re-designation Bylaw (No. 5327), requesting that the current designation, as outlined in the current Brookswood-Fernridge Community Plan be retained. Based on the final report submitted by the mediator, the property owner has also indicated a willingness to withdraw the rezoning application submitted in March 2018.

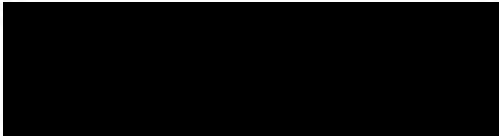
Accordingly, staff recommend that Council direct staff to not proceed with the bylaws to designate the Cedar Creek Estates Manufactured Home Park from Single Family 3 to Manufactured Home Park.

Respectfully submitted,

Russell Nelson
SENIOR PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A Petition submitted by residents of Cedar Creek Manufactured Home Park

ATTACHMENT B Township of Langley Manufactured Home Park Redevelopment Policy



ATTACHMENT A

To:

Township of Langley

Senior Staff, Mayor and Council

We the undersigned, Homeowners in Cedar Creek Estates Manufactured Home Park, 3031 – 200th St. Langley, hereby petition:

“That the process, currently at third reading, for Re-Designation under the Brookwood/Fernridge Official Community Plan, be withdrawn. Further, that the designation currently in the OCP, remain in place.”

Signed:

Unit Number :	Name:	Signature:
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FOIPPA s.22(1)



FOIPPA s.22(1)



EMPTY

FOIPPA s.22(1)



not here

To:

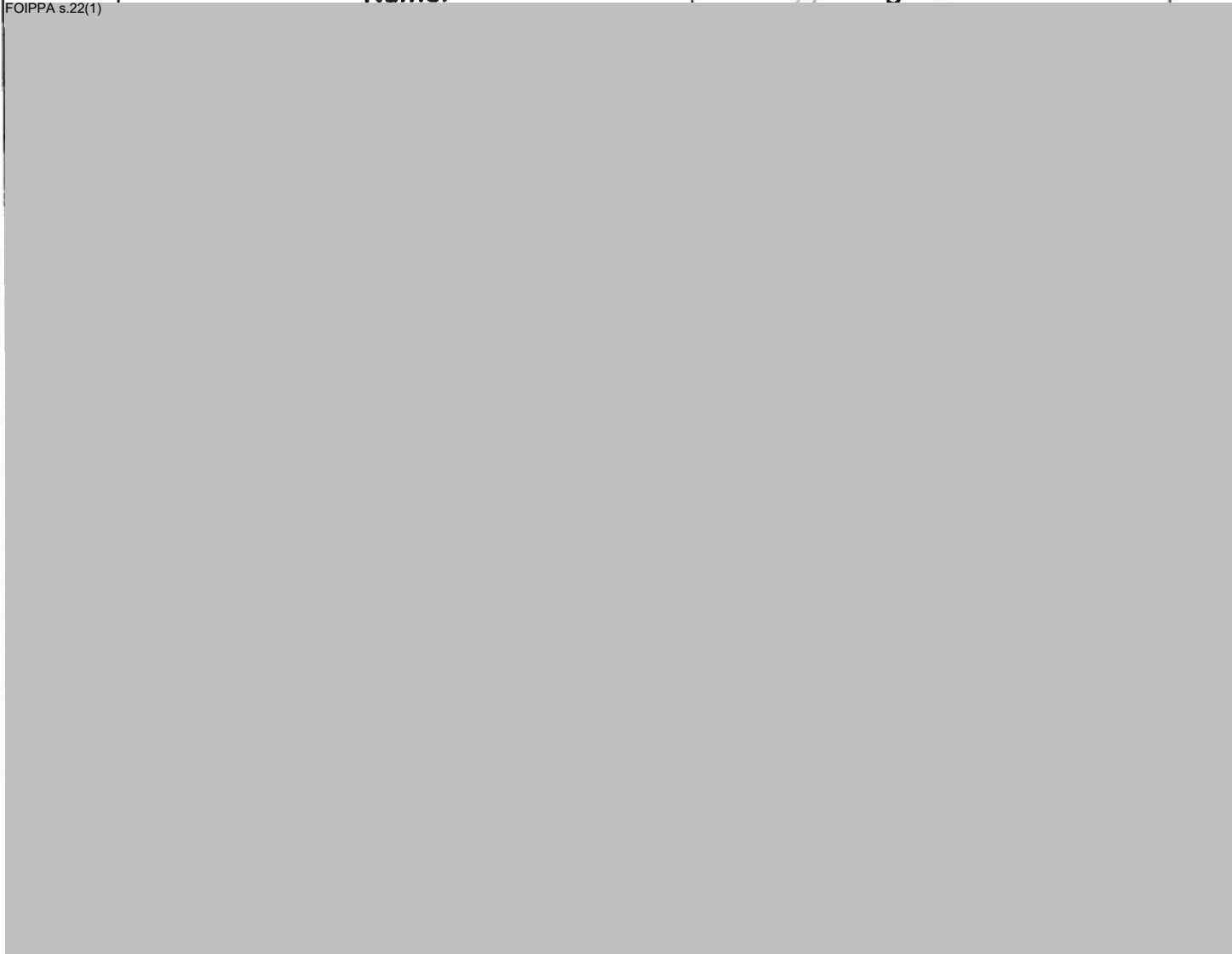
Township of Langley

Senior Staff, Mayor and Council

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“That the process, currently at third reading, for Re-Designation under the Brookwood/Fernridge Official Community Plan, be withdrawn. Further, that the designation currently in the OCP, remain in place.”

Signed:


Unit FOIPPA s.22(1)	Name:	Signature:
		

FOIPPA s.22(1)

EMPTY

27

FOIPPA s.22(1)





COUNCIL POLICY

**Subject: Manufactured Home Parks -
 Redevelopment**

Policy No:	07-121
Approved by Council:	1998-07-20
Revised by Council:	2008-02-11
Revised by Council:	2015-07-20
Revised by Council:	2016-05-30

1. **Purpose**

- 1.1 To recognize the importance of manufactured home parks as a residential land use and provide information to owners of manufactured home parks subject to redevelopment concerning elements that they may wish to consider as part of a redevelopment application.

2. **Background**

- 2.1 Manufactured home living is a chosen lifestyle and a legitimate form of housing. Community and neighbourhood plans must consider the need for manufactured home parks as a residential land use.
- 2.2 Redevelopment of manufactured home parks will displace tenants. The *Manufactured Park Home Tenancy Act* sets out the obligations of an owner of a manufactured home park to their tenants where a tenancy is ended. Council believes that the needs of tenants and the changes to their lifestyles must be taken into account as part of the redevelopment plans for manufactured home parks.
- 2.3 The Housing Action Plan (Section 3.2.3 d) includes recommendations that the manufactured home policy be reviewed to minimize the impact on tenants from redevelopment and require consideration of additional compensation.

3. **Related Policy**

- 3.1 07-120 – Mobile Home Parks - Location

4. **Policy**

- 4.1 Notwithstanding the definition of “manufactured home park” in the *Manufactured Home Park Tenancy Act*, in this policy, “manufactured home park” means any parcel of land, upon which two or more manufactured homes, occupied for dwelling purposes, are located, including all buildings, structures or accessories used or intended to be used as equipment for such manufactured home park, but shall not include vehicle sales or other lands on which manufactured homes are manufactured or placed solely for the purposes of storage or inspection and sale.
- 4.2 Community and Neighbourhood Plans should consider the retention of existing manufactured home parks and designation of new sites for manufactured home parks where appropriate.
- 4.3 Where an existing manufactured home park is redeveloped, Council expects that the tenants of the manufactured home park will be treated in a fair and equitable manner. Redevelopment means any amendment of the Zoning Bylaw to allow

development of a site currently used as a manufactured home park for another land use or housing form. Redevelopment also includes an application to convert the manufactured home park to a strata development.

- 4.4 Council will review redevelopment applications in light of all relevant circumstances and suggests owners of manufactured home parks consider the following measures related to communication, relocation plans and relocation assistance when submitting a redevelopment application. Council may consider this policy and any other material it considers relevant to its decision concerning redevelopment of a manufactured home park.
- 4.5 Clear communication between the owner of a manufactured home park and all occupants and tenants in the manufactured home park subject to a development application is vital. The owner should consider:
 - notification of all occupants and tenants in the manufactured home park by individual written notices that an application has been submitted within one week of the submission of the application to the Township, and at least 60 days prior to the application's consideration by Council;
 - updates to tenants advising them of the status of the development application and important Council meeting dates related to it; and
 - preparation of a communication plan specifying how and when tenants would be informed of development and relocation plans.
- 4.6 It is recommended that the owner of a manufactured home park subject to a redevelopment application provide a Relocation Plan to accompany the Report to Council when the redevelopment application is presented for council consideration that includes:
 - a demographic profile of the manufactured home park tenants and occupants;
 - a survey of the potential for moving manufactured homes;
 - a survey of the housing needs of the existing residents and tenants;
 - a review of potential housing opportunities for them; and
 - relocation assistance the owner of the manufactured home park will provide based on components of assistance (see Section 4.7), with flexibility to respond to different circumstances and needs of the tenants.
- 4.7 The owner of a manufactured home park, subject to redevelopment application, must consider assistance in addition to the provisions of the *Manufactured Home Park Tenancy Act* to dislocated tenants. Components of this assistance should include:
 - provision of additional notice to end tenancy;
 - provision of affordable housing options on the same site, secured by a Housing Agreement;
 - provision of a right of first refusal to purchase units in the proposed new development (if it is residential) or another local residential development prior to giving notice to tenants that they must vacate the manufactured home park site;

- unconditional compensatory payments that would provide tenants with equity to allow greater flexibility in their plans for relocation (e.g. a payment equivalent to the greatest of appraised, assessed and market value of manufactured home);
- arranging and paying for the disposal of manufactured home;
- payment of reasonable relocation costs;
- opportunities for purchase discounts on local dwelling developed by the applicant, including new units built on the subject site;
- advice on options for relocating in the local and regional context in regard to market housing, non-market housing and manufactured home park opportunities; or
- other forms of assistance.

From: Vanessa Woznow (United Way) <VanessaW@uwlm.ca>
Sent: Monday, July 09, 2018 1:39 PM
To: legservicesinfo
Subject: Proclamation Request - United Way of the Lower Mainland
Attachments: UNITED WAY DAY 2018_FINAL_TownshipofLangley.doc

Good afternoon,

My name is Vanessa Woznow and I am a Marketing and Communications Strategist with United Way of the Lower Mainland (UWLM). I am writing to formally request a proclamation of September 20, 2018 as "United Way Day" in the Township of Langley.

Please see attached our draft proclamation for your review.

For over 88 years United Way has been supporting children, families, and seniors in the Lower Mainland. This proclamation coincides with, and will build momentum around the launch of UWLM's fall 2018 fundraising campaign. We believe that a strong line of sight between UWLM and our partner municipalities helps strengthen public awareness and understanding of our work and our impact.

Please let me know if you have any questions or if I can provide any additional information. We would require the proclamation to be made no later than the beginning of the week of September 17th and a local UWLM representative would present at the meeting where upon the proclamation would be read.

All of my contact information can be found below.

Best regards,

Vanessa Woznow, MA

Marketing & Communications Strategist

United Way of the Lower Mainland | uwlm.ca

4543 Canada Way, Burnaby, BC V5G 4T4

VanessaW@uwlm.ca | P 604.294.8929 ext. 2230



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"UNITED WAY DAY"

WHEREAS The Township of Langley and United Way together strive to build a healthy, caring, inclusive community;

AND WHEREAS For 88 years, United Way has collaborated with social service agencies, government, unions, universities and advocacy groups to tackle unignorable issues affecting people in our communities, including child vulnerability and seniors' isolation;

AND WHEREAS United Way's work is made possible through the generosity of donors and the support of volunteers, many of whom live and work in the Township of Langley;

AND WHEREAS September 20th marks the kick-off to United Way's annual campaign to inspire acts of local love, igniting the desire in everyone to improve the communities they call home;

AND WHEREAS By 2025, United Way of the Lower Mainland wants 1 million people to engage in acts of local love;

NOW, THEREFORE, I, Jack Froese, Mayor of the Township of Langley, DO
HEREBY PROCLAIM Thursday, September 20th, 2018 as

"UNITED WAY DAY"
in the Township of Langley



AGRICULTURAL ADVISORY AND ECONOMIC ENHANCEMENT COMMITTEE

Wednesday, June 27, 2018 at 7:00pm
Salmon River Committee Room
4th Floor, 20338 – 65 Avenue, Langley, BC

M I N U T E S

Present:

M. Gunn, Community Representative Co-Chair
Councillor D. Davis, Council Representative Co-Chair
Councillor K. Richter, Alternate Council Representative Co-Chair

C. Clark, D. Horn, D. Kang, and N. Killeen

Staff:

V. Gafka, Senior Manager, Economic Investment and Development
R. Nelson, Senior Planner
K. Stepto, Recording Secretary

Guests:

D. Anderlini, Community Member
E. Hansen, Institute of Sustainable Food Systems
W. Polasub, Institute of Sustainable Food Systems
E. Horshang, Institute of Sustainable Food Systems
K. Preston, Air Quality Regulatory Lead, ER&E, Metro Vancouver

A. APPROVAL AND RECEIPT OF AGENDA ITEMS

**1. Agricultural Advisory and Economic Enhancement Committee -
June 27, 2018**

Moved by D. Horn,
Seconded by C. Clark,
That the Agricultural Advisory and Economic Enhancement Committee adopt the
agenda and receive the agenda items of the June 27, 2018 meeting.
CARRIED

B. ADOPTION OF MINUTES

**1. Agricultural Advisory and Economic Enhancement Committee -
March 28, 2018**

Moved by C. Clark,
Seconded by D. Kang,
That the Agricultural Advisory and Economic Enhancement Committee adopt the
Minutes of the March 28, 2018 meeting.
CARRIED

C. DELEGATIONS AND PRESENTATIONS

1. Agriculture in the Township of Langley

Doug Anderlini, a local farmer, appeared before the AAEEC to speak about his concerns regarding farming in the Township and increased regulation. He noted that the film industry has been using his farm for over 20 years and that this has been a great asset as it provides extra income that can be used to buy better equipment etc.. Filming is also beneficial for other local businesses such as coffee shops and the Otter Co-op. With the new regulations from the Agriculture Land Commission, filming on his farm may decrease which would be detrimental to his business.

He further stated that many farmers are moving away due to other regulations and restrictions ie: using fill. Many farms are being sold to people who do not use the land for farming but for other purposes such as paintball facilities. He suggested that the Township have a staff member visit the local farms and listen to the concerns of the farmers.

2. Reducing Particulate Matter Emissions

Kathy Preston, Air Quality Regulatory Lead, ER&E, Metro Vancouver, provided a presentation regarding reducing particulate matter emissions due to open burning on agricultural land. She commented that Metro Vancouver is working towards avoiding burn emissions and helping farmers improve their burning practices. She noted that open burning on agricultural land can cause short-term spikes of ambient particulate matter that can affect residential areas.

Health affects of particulate matter include:

- Aggravates existing lung and heart diseases;
- Increases risk of cancer;
- Reduces life expectancy.

How to reduce emissions:

- Reduce, re-use and recycle;
- Compost;
- Use best burning technology (Air Curtain Burner, Firebox, Trench Burner);
- Use best burning practices.

Best burning practices:

- Burn clean, dry vegetation;
- Cut up large branches and trunks;
- Use a brush fan or blower;
- Locate piles as far as possible from homes, schools, roads;
- Burn when smoke is likely to rise and disperse.

Metro Vancouver's Air Quality Management Bylaw prohibits open burning by a business unless authorized by an Open Burning Approval.

C. DELEGATIONS AND PRESENTATIONS

Typical requirements for Open Burning Approval include:

- Burn only when Metro Vancouver phone message indicates ventilation index is appropriate;
- Use of a brush-fire fan or air curtain burner;
- Maximum hours per day for burning;
- Stop adding fuel 2 hours before sunset;
- List of prohibited materials;
- Someone must be on site at all times;
- Opacity limit of 15%.

Exemptions from Metro Vancouver's Air Quality Management Bylaw:

- 7(4) the discharge is from burning of leaves, foliage, weeds, crops or stubble in compliance with the Weed Control Act RSBC 1996;
- 7(6) the discharge is from fires set or controlled by a person:
 - (a) acting under an order of a local assistant, as defined in the Fire Services Act RSBC 1996;
 - (b) carrying out fire control under section 9 of the Wildfire Act SBC 2004; or
 - (c) if the fires are resource management open fires under the Wildfire Act SBC 2004.

Discussion ensued and the following suggestions from the committee were provided:

- It is important to get this information out to the public.
- Farms are not included in local green bin programs to get rid of their leaves, twigs etc. They have to pay to dump it at the transfer station.
- A chipping program would be helpful.
- Provide this presentation to local businesses, farmers etc.

COUNCIL

Moved by D. Horn,

Seconded by N. Killeen,

That the Agricultural Advisory and Economic Enhancement Committee recommends that Metro Vancouver be invited to provide this presentation to Council; and

That Council direct staff to work with Metro Vancouver to help create a communication strategy that educates and informs residents in rural and agricultural areas about alternatives to open burning, and solutions and best practices; and

That Council direct staff to review open burning windows and time frames; and

That Council direct staff to work with Metro Vancouver to explore other solutions and alternatives to open burning to help facilitate their end goal of improving air quality in the region.

CARRIED

D. REPORTS

E. CORRESPONDENCE

F. WORK PROGRAM

1. Kwantlen Polytechnic University – Draft Langley Food Systems Study

Wallapak Polasub, Emily Hansen, and E. Horshang, Institute of Sustainable Food Systems, provided an update on the Langley Food Systems Design Project. This project was approved by Council as a result of supporting the Southwest BC Bioregion Food System Design Project. This was a multi-disciplinary research project that provided information on outcomes of food system regionalization. The findings from this project suggested that regionalized food systems could successfully feed growing populations, address climate uncertainty, and promote local economic development.

The following information was provided:

Agriculture in the Township:

- Half of the farms are less than 10 acres;
- 34% are five acres or less;
- 31% sell direct (mostly through farm gates sales), about 8% of these farmers have value added products for sale.

Land Use:

- 75% of land area in the Agricultural Land Reserve (ALR);
- Half of the ALR (30% of total Township land area) is currently farmed;
- Significant areas in the Township considered under-utilized farmable land;
- Land in Parks is not considered available for farming;
- Majority of currently farmed land is forage and livestock (including horses);

Scenarios are data-driven stories that help explore the relationships between factors in the food system. They do not predict what will happen, but instead can illustrate the outcomes of different decisions. The following four scenarios were used for this study:

- 2016 Baseline (current food production and agricultural land use conditions in to Township);
- 2041 Business as Usual (only change from 2016 Baseline is population increase);
- 2041 Expand Local (population increase to 2041 projections, keep existing food production and land use regime, bring additional land into production with a focus on local markets);
- 2041 Focus Local (population increase to 2041 projections, shift all production to production for local markets).

Food Self-Reliance Potential (food self-reliance potential is linked to populations and land available for food production):

F. WORK PROGRAM

- Baseline – 38%
- Business as Usual – 27%
- Expand Local – 68%
- Focus Local - 74%

2041 Focus Local presents highest potential for food self-reliance.

Township of Langley Food System Profiles (profiles are an interpretation of the food modelling, aiming to highlight the conditions needed to reach these potentials):

Profile 1: Increase Local Food Production and Consumption

Recommendations:

1. Provide education about local food and where it can be found in the Township;
2. Increase access to local food for residents;
3. Support initiatives that train and educate new, small scale direct market farmers.

Profile 2: Support Local Food System Businesses

Recommendations:

4. Create networking opportunities for local food systems businesses;
5. Provide support for business growth in high demand sectors;
6. Explore the potential for collective post-production, retail, and distribution.

Profile 3: Lead the Development of the Bioregional Food System

Recommendations:

7. Support the production of high value, perishable crops for regional markets;
8. Support the development of post-production infrastructure for crop and livestock food groups where food self-reliance is high;
9. Engage with other municipalities in the bioregion to discuss the barriers and opportunities to regional food self-reliance;
10. Continue to advocate for the protection of agricultural land for agricultural use.

COUNCIL

Moved by C. Clark,

Seconded by N. Killeen

That the Agricultural Advisory and Economic Enhancement recommends that Council invite the KPU Institute for Sustainable Food Systems to present their final report on the Township of Langley Food System Study, to Council.

CARRIED

F. WORK PROGRAM

MEETING EXTENDED

Moved by C. Clark,
Seconded by N. Killeen,
That the meeting be extended to 9:30pm.

CARRIED

2. Economic Development Strategy

Val Gafka provided the following information regarding updating the Economic Development Strategy:

January – April 2018

- Phase 1 research conducted Q1 2018, having benefit of newly-released Statistic Canada 2016 Census Data.

May – August 2018

- Phase 2 involves public and stakeholder engagement.

September 2018 – April 2019

- Phase 3 focuses on drafting a full, proposed strategy for stakeholder input.

May 2019 – December 2019

- Phase 4 will be dedicated to finalizing the strategy for presentation to Council for their consideration and approval.

Ongoing:

- Monitoring, measurement, and alignment of the strategy.

3. Stakeholder Engagement Forum – July 5, 2018

“Shaping the Township’s Future Economic Development Strategy”

- Free to attend
- By-registration event - with drop-in format - invest.tol.ca/events
- For Township residents, business owners, and their employees
- Registrants will receive a background/context document to increase awareness of local economy

4. Buy Local

The Township is involved with this program. Locally owned businesses make significant social, economic, and environmental contributions to the community.

The Township got involved with this program for the following reasons:

- For every \$100 spent with a BC local business, \$46 is re-circulated back in the BC economy.
- Small businesses account for 98% of all businesses in BC.

F. WORK PROGRAM

Impacts on the Community include:

- Shifts purchase awareness;
- Increases support amongst businesses;
- Creates local jobs for local talent;
- Promotes business growth and attraction;
- Responds to increased public demand for Canadian and local-based products.

G. COUNCIL REFERRALS

H. OTHER BUSINESS AND ITEMS FOR INFORMATION

N. NEXT MEETING

Date: Wednesday, September 26, 2018
Location: Salmon River Committee Room
4th Floor, 20338 – 65 Avenue
Time: 7:00 pm

O. TERMINATE

Moved by D. Horn,
Seconded by D. Kang,
That the meeting terminate at 9:30pm.
CARRIED

CERTIFIED CORRECT:

Community Representative Co-Chair

Council Representative Co-Chair