SPECIAL COUNCIL MEETING FOR A PUBLIC INPUT OPPORTUNITY

Monday, June 10, 2019 at 7:00 PM
following the Regular Evening Council Meeting
Fraser River Presentation Theatre
4th Floor, 20338 – 65 Avenue, Langley, BC

AGENDA

A. ADOPTION AND RECEIPT OF AGENDA ITEMS

A.1 **Special Council Meeting for a Public Input Opportunity and Development Permits - June 10, 2019**

Recommendation: That Council adopt the agenda and receive the agenda items of the Special Council Meeting for a Public Input Opportunity and Development Permits held June 10, 2019.

B DEVELOPMENT PERMITS

B.1 **Development Permit Application No. 101041**
(Langcorp Developments Ltd. / 5350 - 272 Street)
Report 19-94
File CD 14-05-0101

Recommendation: That Council authorize issuance of Development Permit No. 101041 to Langcorp Developments Ltd. for property located in the 5350 - 272 Street, subject to the following conditions:

a. Building plans being in substantial compliance with Schedules "A" through "D";
b. Landscape plans being in substantial compliance with Schedule "E" and in compliance with the Township's Street Tree and Boulevard Planting Policy to the acceptance of the Township;
c. All signage being in compliance with the Gloucester Development Permit Guidelines and the Township's Sign Bylaw;
d. Rooftop mechanical equipment to be screened from view by compatible architectural treatments;
e. All refuse areas to be located indoors or alternatively in a substantial enclosure and screened to the acceptance of the Township;
f. All chain link fences being black vinyl with black posts and rails; and
g. All outdoor storage areas being covered by a dust free surface.

Although not part of the Development Permit requirements, the applicant is advised that prior to issuance of a building permit the following items will need to be finalized:

a. Submission of a site specific on-site servicing and storm water management plan in accordance with the Subdivision and Development Servicing Bylaw, to the acceptance of the Township;
b. Replacement trees being secured by a letter of credit in compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection);
c. Submission of an erosion and sediment control plan or exemption in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township;
d. On-site landscaping being secured by a letter of credit at the Building Permit stage; and
e. Payment of applicable Development Cost Charges, Building Permit administration fees and supplemental Development Permit application fees.

Submissions from the public.

Explanation by the proponent.

Attachments: B.1 cd Langcorp DP.pdf

C. PUBLIC INPUT OPPORTUNITY

C.1 **Tree Protection Bylaw**
Bylaw No. 5478
Report 19-78
File CD BA000025

Recommendation: "Tree Protection Bylaw 2019 No. 5478"

Explanation - Bylaw No. 5478

Bylaw 2019 No. 5478 is to regulate, prohibit and impose requirements for tree cutting and tree protection.

Submissions from the public.

Attachments: C.1 cd Tree Protection Bylaw.pdf

D. TERMINATE

Township of Langley

Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	JUNE 10, 2019 - SPECIAL MEETING	**REPORT:**	19-94
FROM:	COMMUNITY DEVELOPMENT DIVISION	**FILE:**	14-05-0101
SUBJECT:	DEVELOPMENT PERMIT APPLICATION NO. 101041 (LANGCORP DEVELOPMENTS LTD. / 5350 - 272 STREET)		

PROPOSAL:

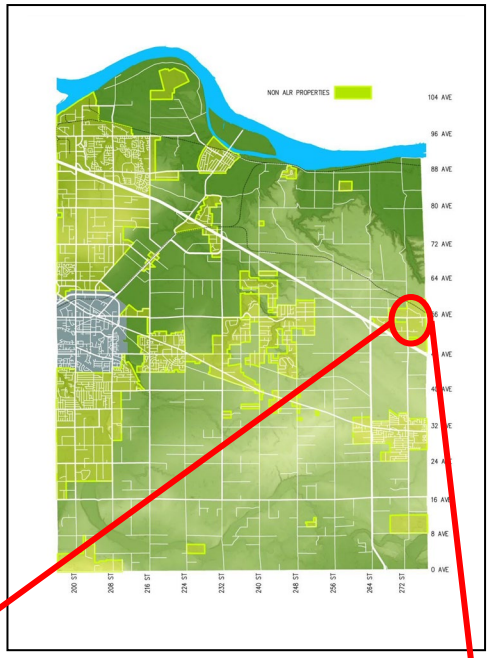
Development Permit application to facilitate construction of 1,219 m^2 (13,125 ft^2) and 1,438 m^2 (15,483 ft^2) additions to existing 1,534 m^2 (16,508 ft^2) and 1,087 m^2 (11,700 ft^2) industrial buildings located at 5350 - 272 Street in Gloucester.

RECOMMENDATION SUMMARY:

That Council authorize issuance of Development Permit No. 101041 for additions to existing industrial buildings located at 5350 - 272 Street subject to seven (7) conditions noting five (5) conditions to be completed prior to issuance of a Building Permit.

RATIONALE:

The proposal complies with the Gloucester Industrial Park Community Plan (and its Development Permit Guidelines) and with the site's General Industrial M-2 zoning.





RECOMMENDATION:

That Council authorize issuance of Development Permit No.101041 to Langcorp Developments Ltd. for property located in the 5350 - 272 Street, subject to the following conditions:

a. Building plans being in substantial compliance with Schedules “A” through “D”;
b. Landscape plans being in substantial compliance with Schedule “E” and in compliance with the Township’s Street Tree and Boulevard Planting Policy to the acceptance of the Township;
c. All signage being in compliance with the Gloucester Development Permit Guidelines and the Township’s Sign Bylaw;
d. Rooftop mechanical equipment to be screened from view by compatible architectural treatments;
e. All refuse areas to be located indoors or alternatively in a substantial enclosure and screened to the acceptance of the Township;
f. All chain link fences being black vinyl with black posts and rails; and
g. All outdoor storage areas being covered by a dust free surface.

Although not part of the Development Permit requirements, the applicant is advised that prior to issuance of a building permit the following items will need to be finalized:

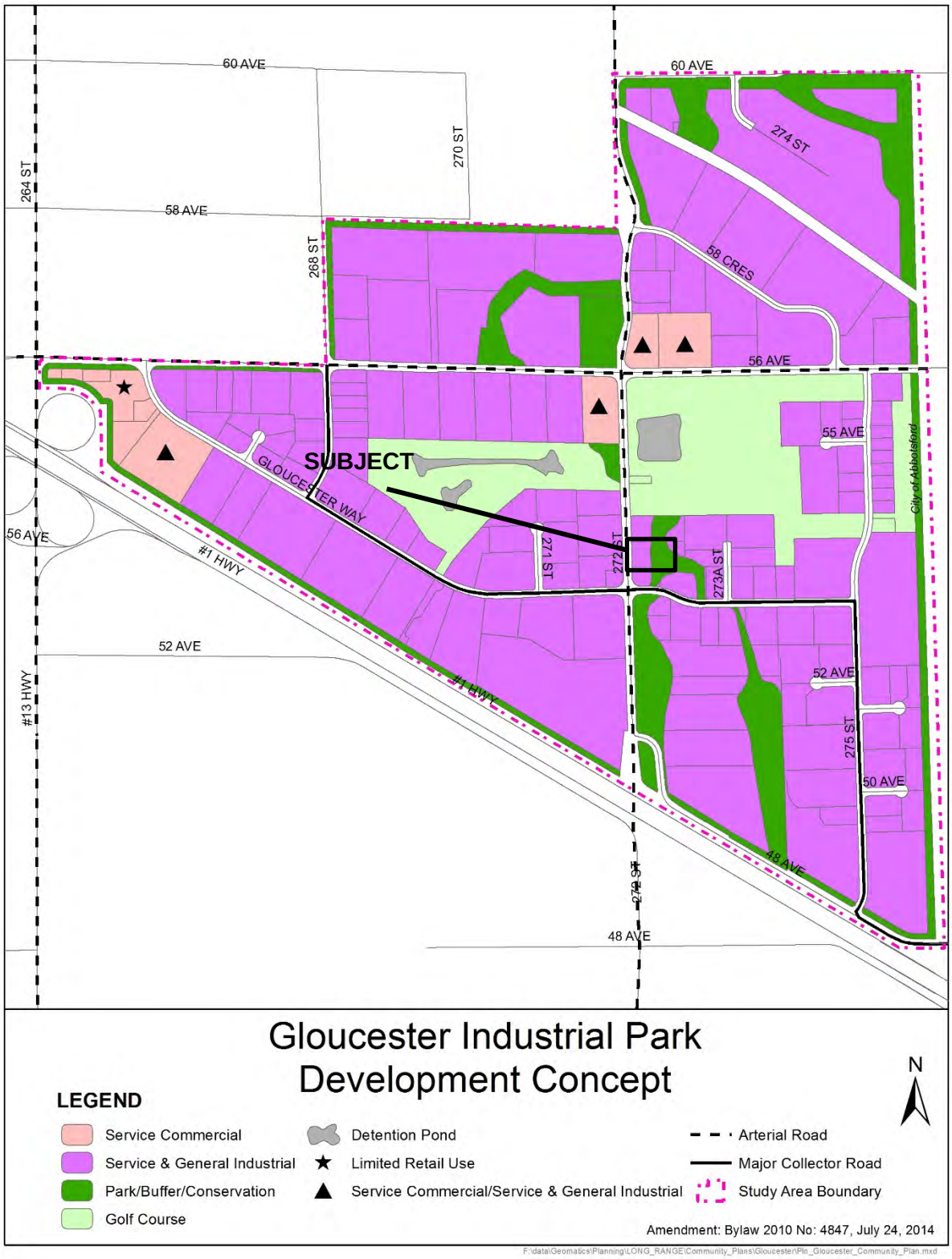
a. Submission of a site specific on-site servicing and storm water management plan in accordance with the Subdivision and Development Servicing Bylaw, to the acceptance of the Township;
b. Replacement trees being secured by a letter of credit in compliance with the Township’s Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection);
c. Submission of an erosion and sediment control plan or exemption in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township;
d. On-site landscaping being secured by a letter of credit at the Building Permit stage; and
e. Payment of applicable Development Cost Charges, Building Permit administration fees and supplemental Development Permit application fees.

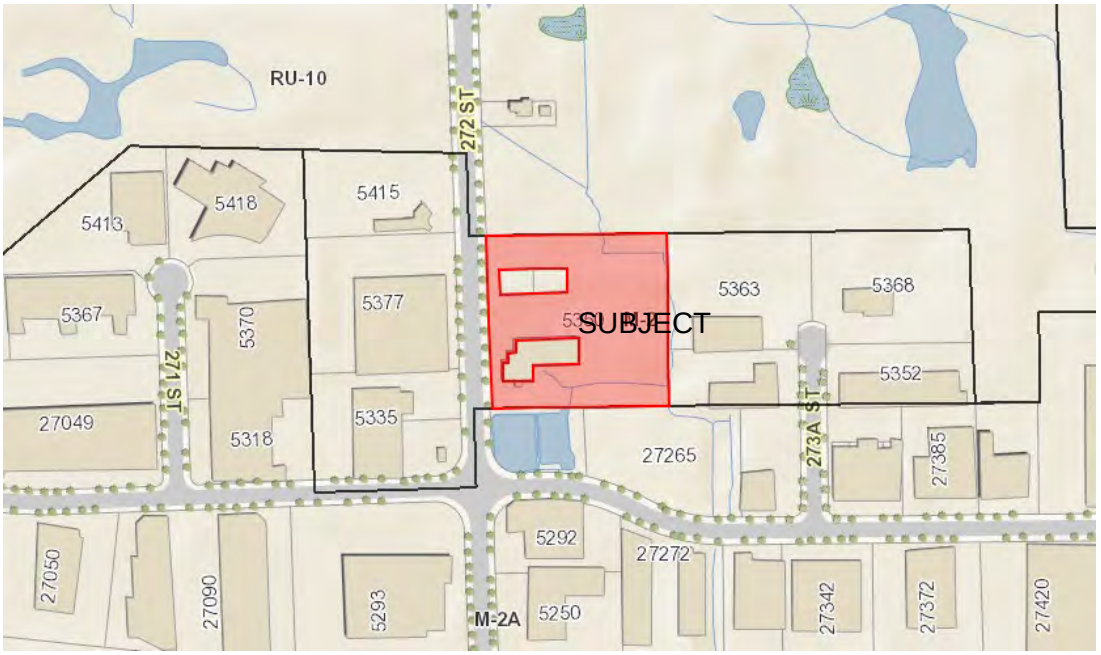
EXECUTIVE SUMMARY:

Langcorp Developments Ltd. has applied for a Development Permit to construct additions to the two (2) existing industrial buildings located on the subject property in the Gloucester Industrial Area. The applicant indicates the additions are necessary to accommodate filming and film related uses. The proposed development complies with the Township’s land use policies and, in staff’s opinion, with the Development Permit guidelines of the Gloucester Industrial Park Community Plan (see Attachment C).

PURPOSE:

This report is to provide information and recommendations concerning proposed Development Permit No.101041 for property located in the 5350 - 272 Street in the Gloucester industrial area.


60 AVE
60 AVE
264 ST
270 ST
274 ST
58 AVE
268 ST
58 CRES
56 AVE
55 AVE
SUBJECT
GLOUCESTER WAY
56 AVE
#1 HWY
271 ST
272 ST
273A ST
City of Abbotsford
52 AVE
#13 HWY
#1 HWY
52 AVE
275 ST
50 AVE
48 AVE
272 ST
48 AVE
Gloucester Industrial Park
Development Concept
N
LEGEND
Service Commercial
Service & General Industrial
Park/Buffer/Conservation
Golf Course
Detention Pond
Limited Retail Use
Service Commercial/Service & General Industrial
Arterial Road
Major Collector Road
Study Area Boundary
Amendment: Bylaw 2010 No: 4847, July 24, 2014
F:\data\Geomatics\Planning\LONG_RANGE\Community_Plans\Gloucester\Pln_Gloucester_Community_Plan.mxd



ZONING BYLAW NO. 2500





Renderings – SUBMITTED BY THE APPLICANT



Site Plan – SUBMITTED BY APPLICANT

REFERENCE:

Applicant:	Krahn Engineering Ltd. 400-34077 Gladys Avenue Abbotsford, BC V2S 2E8
Owners:	Langcorp Developments Ltd. 1800 401 West Georgia Street Vancouver, BC V6B 5A1 0886347 BC Ltd. 100 5350 – 272 Street Langley, BC V4W 1S3
Legal Description:	Strata Lots 1, 2 and 3 Section 5 Township 14 New Westminster District Strata Plan BCS4349 Together with a common interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V.
Location:	5350 - 272 Street
Area:	2 ha (5 ac)
Existing Zoning:	General Industrial M-2 Zone
Gloucester Industrial Park Community Plan:	Service and General Industrial Park/Buffer/Conservation

BACKGROUND/HISTORY:

On September 10, 2007 Council issued a development permit for the existing industrial building located on the south portion of the property. On May 10, 2010 Council issued a second development permit to facilitate construction of the existing building on the north portion of the site. The subject development application proposes to expand the footprint of both existing buildings. The buildings currently accommodate Quorum Construction and Langcorp Developments.

The subject site is split designated Service and General Industrial and Park/Buffer/Conservation in the Gloucester Industrial Park Community Plan and is zoned General Industrial Zone M-2. As the property is designated a mandatory Development Permit area in the Gloucester Industrial Park Community Plan, Council is provided the opportunity to review the form, character, and siting of the proposed development. Council's authorization of issuance of a Development Permit is required prior to issuance of a Building Permit.

DISCUSSION/ANALYSIS:

The development consists of a 1,219 m^2 (13,125 ft^2) addition to Building 1 located on the southern portion of the property and a 1,438 m^2 (15,483 ft^2) addition to Building 2 located on the northern portion of the property. The proposed additions consist of a mix of industrial and accessory office space facing the interior of the site. Loading and parking are proposed to be located in the interior of the site.

A red-coded watercourse traverses the southeastern and eastern portions of the property and accordingly the property is split designated Park/Buffer/Conservation in the eastern portion and Service and General Industrial in the remainder in the Gloucester Industrial Park Community Plan. The eastern areas are protected via non-disturbance covenant registered in conjunction with the previous rezoning of the site, which aligns with the requirements of the Park/Buffer/Conservation designation in the Gloucester Industrial Park Community Plan.

In accordance with Council's policy, a rendering, site plan, building elevations, and landscape plans have been submitted detailing the proposed development's form, character and siting. Proposed Development Permit No. 101041 is provided as Attachment A to this report.

Adjacent Uses:

Surrounding land uses include:

North: A 36 ha (90 ac) parcel of land zoned Rural Golf Course Zone RU-10, designated Golf Course in the Gloucester Industrial Park Community Plan;

South: A 0.38 ha (0.95 ac) vacant property accommodating a detention facility, red-coded watercourse and currently under application (western portion) for a proposed industrial building (DP100988); a 1 ha (2.4 ac) property accommodating two (2) industrial buildings; all zoned General Industrial Zone M-2, and designated Service and General Industrial in the Gloucester Industrial Park Community Plan;

East: A red-coded watercourse, beyond which are two (2) industrial properties zoned General Industrial Zone M-2, and designated Service and General Industrial in the Gloucester Industrial Park Community Plan;

West: 272 Street, beyond which two (2) industrial properties zoned General Industrial Zone M-2 and designated Service and General Industrial in the Gloucester Industrial Park Community Plan.

Development Permit:

This application proposes 1,219 m^2 (13,125 ft^2) and 1,438 m^2 (15,483 ft^2) additions to existing 1,534 m^2 (16,508 ft^2) and 1,087 m^2 (11,700 ft^2) industrial buildings consisting of industrial and accessory office space and on the subject site, with parking and overhead doors facing the interior of the site.

The proposed buildings feature concrete tilt-up panels painted white with blue and grey accent stripes complete with horizontal and vertical reveal lines. The design rationale (Attachment B) provided by the applicant states:

> *The proposed building additions will carry the existing building exterior façade architecture as a continuous seam to the existing streetscape. That being said the proposed development area is significantly screened from 272 Street by an established landscape berm & solid concrete fencing.*

The site plan indicates the refuse bins are to be located in an enclosure (as illustrated in Attachment A) and screened from view of the roadway and noted as a condition of the Development Permit. A similar condition has been included in the Development Permit requiring all rooftop mechanical equipment to be screened to the acceptance of the Township.

The building height (9.9 m / 32.5 ft), siting and lot coverage (26%) comply with the provisions of the General Industrial M-2 Zone. The proposed building architecture is consistent with other buildings in Gloucester and the Gloucester Development Permit Guidelines.

Signage:

There is currently a freestanding sign located near the northernmost driveway and a fence sign located at the southernmost driveway. No additional signage is proposed at this time. All proposed and any future signage shall be in compliance with the Gloucester Development Permit Guidelines (Attachment C) and the Township's Sign Bylaw.

Access and Parking:

Access to the site is currently accommodated via three (3) driveways on 272 Street. The applicant is proposing 101 parking spaces on the site in compliance with the 97 spaces required in the Zoning Bylaw, as summarized in the table below.

Use	Required	Provided
Office	76	80
Industrial	21	21
TOTAL	**97**	**101**

Tree Protection:

The tree management plan submitted by the applicant indicates that no significant trees exist on areas proposed for building expansion. According to the applicant's development permit application, and consistent with the Subdivision and Development Servicing Bylaw (2011) No. 4861, thirty (30) replacement trees are proposed in and around the existing environmental areas to the east of the proposed additions. As 272 Street is currently constructed to its ultimate configuration including street trees, no additional street trees are required. Final tree retention, protection and replacement plans are subject to the final acceptance of the Township.

Landscaping:

Landscaping in accordance with the requirements of the Zoning Bylaw was completed under a previous development application (DP100511). The landscape plan (Attachment A – Schedule E) submitted in support of the current development application proposes to revitalize plantings in the landscape screening along lot lines and parking lot landscape as required by the Zoning Bylaw (see Attachment A – Schedule E).

Servicing:

Full urban services exist to the subject site. As a condition of Building Permit, an onsite servicing plan and a site-specific storm water management plan in accordance with the Township's Subdivision and Development Servicing Bylaw is required to the acceptance of the Township. Additionally, an Erosion and Sediment Control Permit or exemption will be required in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township.

Environmental Considerations:

The Township's Sustainability Charter includes environmental objectives to protect and enhance rivers, streams, wildlife habitats and environmentally sensitive areas in the Township. These environmental objectives are supported by policy and guidance outlined in the Township's Environmentally Sensitive Areas Study, Wildlife Habitat Conservation Strategy, Schedule 3 of the Township of Langley Official Community Plan, Erosion and Sediment Control Bylaw, and Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) which promote sound environmental management practices and outline Township environmental performance expectations. Full urban services exist to the subject site. The provision of storm water management and sediment control measures and compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) satisfies the objectives of the Sustainability Charter.

POLICY CONSIDERATIONS:

The proposed development complies with the site's Service and General Industrial designation in the Gloucester Industrial Park Community Plan, and the existing General Industrial Zone M-2 requirements. The proposal, in staff's opinion, complies with the Development Permit Guidelines for the Gloucester Industrial Park Community Plan (Attachment C).

Respectfully submitted,

Daniel Graham
DEVELOPMENT PLANNER
for
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A	Development Permit No. 101041 and Schedules "A" through "E":
ATTACHMENT B	Applicant Design Rationale
ATTACHMENT C	Gloucester Industrial Park Community Plan – Development Permit Guidelines

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Permit No. 101041

This Permit is issued this _____day of _____, 2019 to:

1. Name:

Langcorp Developments Ltd.	0886347 BC Ltd.
1800 401 West Georgia Street	100 5350 – 272 Street
Vancouver, BC V6B 5A1	Langley, BC V4W 1S3

2. This permit applies to and only to those lands within the Municipality described as follows and to any and all buildings, structures and other development thereon:

   LEGAL DESCRIPTION: Strata Lots 1, 2 and 3 Section 5 Township 14 New Westminster District Strata Plan BCS4349 Together with a common interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V.

   CIVIC ADDRESS: 5350 – 272 Street

3. This Permit is issued subject to compliance with all of the Bylaws of the Municipality of Langley applicable thereto, except as specifically varied or supplemented by this permit as follows:

   a. Building plans being in substantial compliance with Schedules “A” through “D”;
   b. Landscape plans being in substantial compliance with Schedule “E” and in compliance with the Township’s Street Tree and Boulevard Planting Policy to the acceptance of the Township;
   c. All signage being in compliance with the Gloucester Development Permit Guidelines and the Township’s Sign Bylaw;
   d. Rooftop mechanical equipment to be screened from view by compatible architectural treatments;
   e. All refuse areas to be located indoors or alternatively in a substantial enclosure and screened to the acceptance of the Township;
   f. All chain link fences being black vinyl with black posts and rails; and
   g. All outdoor storage areas being covered by a dust free surface.

   Although not part of the Development Permit requirements, the applicant is advised that prior to issuance of a building permit the following items will need to be finalized:

   a. Submission of a site specific on-site servicing and storm water management plan in accordance with the Subdivision and Development Servicing Bylaw, to the acceptance of the Township;
   b. Replacement trees being secured by a letter of credit in compliance with the Township’s Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection);
   c. Submission of an erosion and sediment control plan or exemption in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the Township;
   d. On-site landscaping being secured by a letter of credit at the Building Permit stage; and

e. Payment of applicable Development Cost Charges, Building Permit administration fees and supplemental Development Permit application fees.

4. The land described herein shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached as a Schedule to this Permit which shall form a part hereof.

   This Permit is not a Building Permit.

   All developments forming part of this Development Permit shall be substantially commenced within two years after the date the Development Permit is issued.

   This permit shall have the force and effect of a restrictive covenant running with the land and shall come into force on the date of an authorizing resolution passed by Council.

   It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developer other than those in this Permit.

   This Permit shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THIS ____ DAY OF _____, 2019.

Attachments:

SCHEDULE A	Renderings
SCHEDULE B	Site Plan
SCHEDULE C	South Building Elevations
SCHEDULE D	North Building Elevations
SCHEDULE E	Landscape Plan







Township of Langley

Est. 1873

SCHEDULE A
RENDERINGS



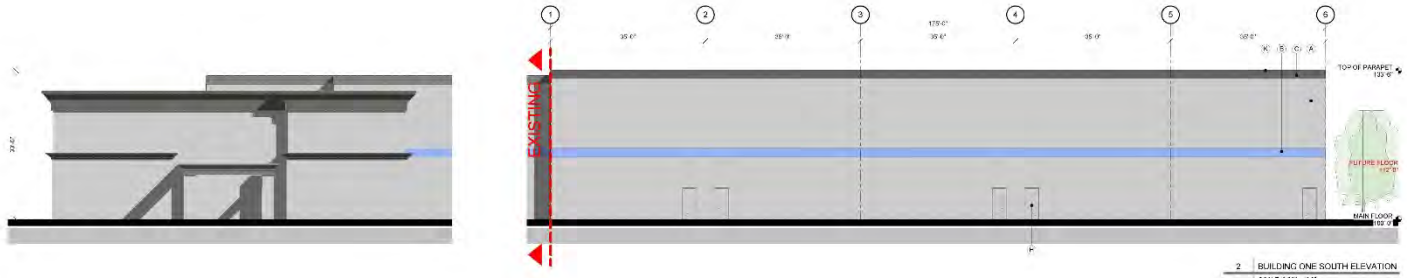
Township of Langley

Est. 1873

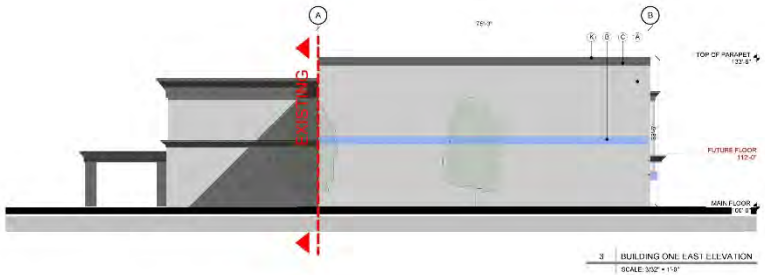
SCHEDULE B
SITE PLAN



1 BUILDING ONE NORTH ELEVATION
SCALE: 3/32" = 1'-0"



2 BUILDING ONE SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



3 BUILDING ONE EAST ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND

A	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C1
B	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C2
C	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C3
D	CLEAR GLAZING	TO MATCH EXISTING BUILDING
E	ANODIZED ALUMINUM	ALL FRAMES TO BE GRAY, TO MATCH ADJACENT COLOR
F	CONCRETE CANOPY	PAINTED TO MATCH COLOUR C3
G	OVERHEAD DOOR	TO MATCH ADJACENT COLOR C3
H	MAN DOOR	TO MATCH ADJACENT COLOR C3
K	CAPTURA LINO	TO MATCH ADJACENT COLOR C3

PROJECT COLOURS

C1	BENJAMIN MOORE	STEEL WOOL 2121 -20 TO MATCH WITH EXISTING BUILDING	
C2	GENERAL PAINT	NEW DENIM BLUE - 2326A TO MATCH WITH EXISTING BUILDING	
C3	BENJAMIN MOORE	RACCOON FUR 2126 -20 TO MATCH WITH EXISTING BUILDING	

Krahn GROUP OF COMPANIES
ABBOTSFORD • EDMONTON • VANCOUVER

larry podhora | architecture inc

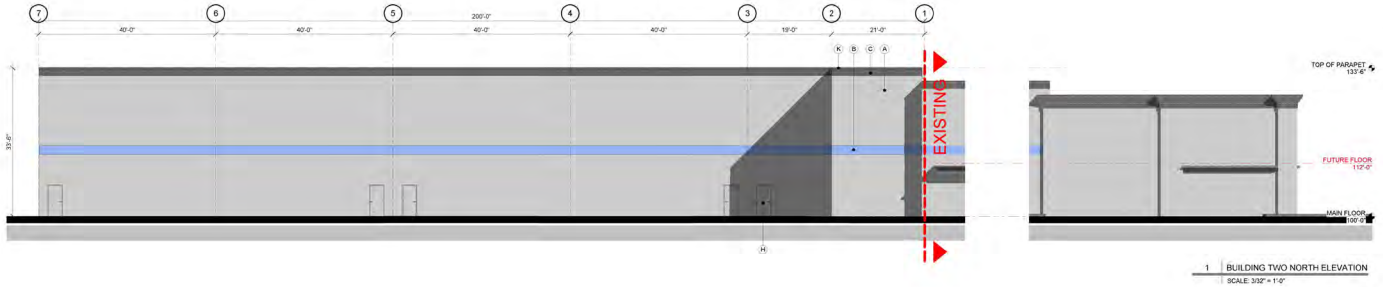
QUORUM Proposed Building Additions

5350 272nd STREET LANGLEY, BC V4W 1S3

BUILDING ONE ELEVATIONS

DP4.1

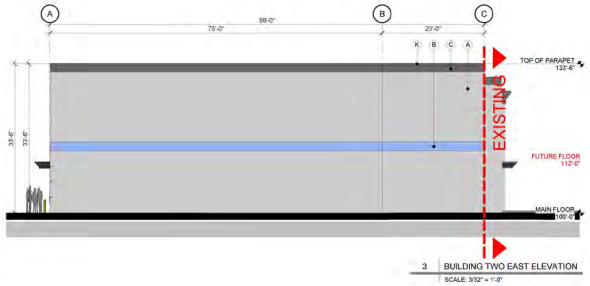
SCHEDULE C
SOUTH BUILDING ELEVATIONS



1 BUILDING TWO NORTH ELEVATION
SCALE: 3/32" = 1'-0"



2 BUILDING TWO SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



3 BUILDING TWO EAST ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR FINISH LEGEND

A	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C1
B	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C2
C	CONCRETE TILT-UP PANEL	PAINTED TO MATCH COLOUR C3
D	CLEAR GLAZING	TO MATCH EXISTING BUILDING
E	ANODIZED ALUMINUM	ALL FRAMES TO BE GRAY, TO MATCH ADJACENT COLOR
F	CONCRETE CANOPY	PAINTED TO MATCH COLOUR C3
G	OVERHEAD DOOR	TO MATCH ADJACENT COLOR C3
H	MAN DOOR	TO MATCH ADJACENT COLOR C1
I	BOLLARD	PAINTED
K	CAP FLASHING	TO MATCH ADJACENT COLOR C3

PROJECTS COLOURS

C1	BENJAMIN MOORE	STEEL WOOL - 2121 - 20 TO MATCH WITH EXISTING BUILDING	
C2	GENERAL PAINT	NEW DENIM BLUE - 2326A TO MATCH WITH EXISTING BUILDING	
C3	BENJAMIN MOORE	RACOON FUR - 2126 - 20 TO MATCH WITH EXISTING BUILDING	

Krahn GROUP OF COMPANIES
ABBOTSFORD • EDMONTON • VANCOUVER
ABBOTSFORD OFFICE

1	2016/12/07	REISSUED FOR DP
2	2016/05/27	ISSUED FOR DP
NO.	DATE	DESCRIPTION

ISSUES AND REVISIONS
SEAL

larry podhora | architecture inc

PROJECT NAME
QUORUM Proposed Building Additions

PROJECT ADDRESS
5350 272nd STREET LANGLEY, BC V4W 1S3

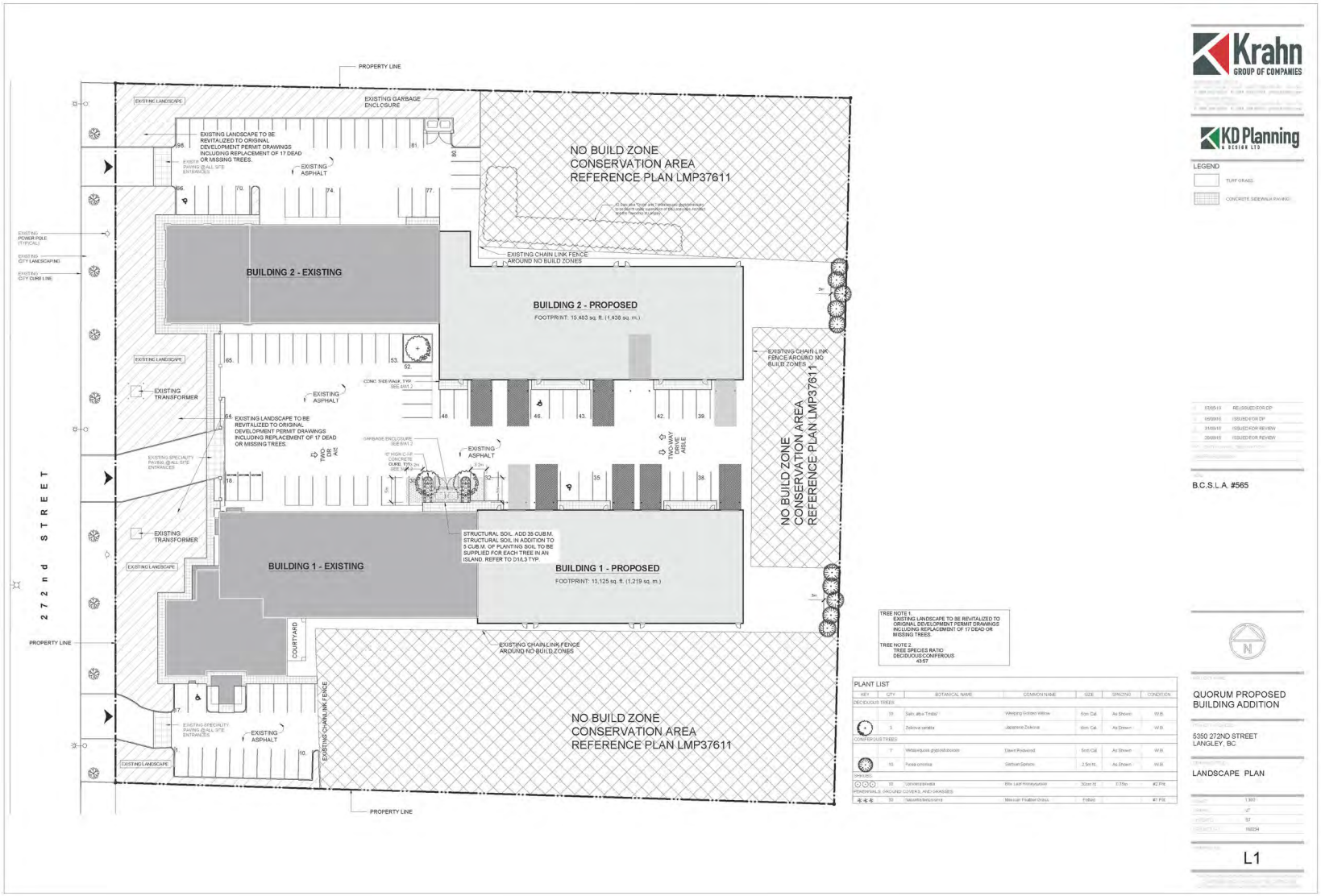
DRAWING TITLE
BUILDING TWO ELEVATIONS

SCALE	As indicated
DRAWN	LGP
REVIEWED	LP/DC
PROJECT NO.	1602/04
DRAWING NO.	DP4.2

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Township of Langley
Est. 1873

SCHEDULE D
NORTH BUILDING ELEVATIONS



Township of Langley
Est. 1873

SCHEDULE E
LANDSCAPE PLAN

Krahn ENGINEERING LTD.

Abbotsford Office
#400 – 34077 Gladys Avenue
Abbotsford, BC V2S 2E8
T (604) 853-8831
F (604) 853-1580

Edmonton Office
#1000 – 10117 Jasper Avenue
Edmonton, AB T5J 1W8
T (780) 758-2002
F (604) 853-1580

Vancouver Office
#110 – 2920 Virtual Way
Vancouver, BC V5M 0C4
T (604) 294-6662
F (604) 853-1580

Sep 7 2018
180234-A

The Corporation of the Township of Langley
Development Planning |Community Development
20338 – 65 Avenue, Langley, B.C. V2Y 3J1

Attention: Daniel Graham

RE: ***Letter of Intent – 5350 272nd Street, Quorum Warehouse Additions***

The development proposal is to construct two concrete tilt up shell warehouse building additions onto the back of the two existing Quroum group warehouse buildings. The area where the addiitons are propsed is an already developed gravel storage yard in the rear of the property. As discussed in our public inquiory meeting there are no existing trees being removed with this proposal as verified by the arborist letter included with the submission. Thus the ISDC plan requirement has been waived.

The proposed building additions will carry the existing building exterior façade architecuture as a contunous seam to the existing streetscape. That being said the proposed development area is significantly screened from 272nd street by an established landscape berm & solid concrete fencing. The area between the two buildings will consist of the required parking & loading for the new proposed building & will be completely paved. Minimal landscaping has been propsed between the two new buildings as the developer has discussed with staff.

The propsed development area remains clear of the riparian no build covenant areas. The landscape plan & included letter ideintifies the replacement of any missing trees from the original develpemnt that have died since being planted in 2006 & 2009 as requested by staff. Unfortunetely the riparian areas have since flooded, so any trees that were planted within the riparian areas per the previous development permit(s) approeved landscape plans are no longer in place. The developer has met with staff prior to this application being submitted to discuss any potential leniency on the tree per acre bylar requirement.

Should you have any questions regarding the proposal please do not hesitate to contact me via phone or email. 604-615-3932, darrenc@krahn.com.

Yours truly,

Krahn Engineering Ltd.

Darren Cruickshanks

3.0 DEVELOPMENT STRATEGY

There is no need for the Township Of Langley to consider expansion of services to the subject area to permit industrial development. Development of services to the areas and consideration of zoning of properties in the area to industrial and commercial uses will only be considered on the basis of a comprehensive development for the subject lands. The Township Of Langley will not be developing capital expenditure programs for the subject area and considers the area unsuitable for industrial and commercial uses until municipal water and sewage systems are developed and a program to upgrade the drainage system, roadways and park requirements is proposed and adopted. Development of services will only proceed on the property owners request and agreement to pay the cost of developing services.

4.0 DEVELOPMENT PERMIT GUIDELINES

#2812 25/06/9 In a Development Permit Area, before a building permit may be obtained, a Development Permit must first be issued by Council. Council may set forth conditions under which development may take place that may be in addition to normal zoning requirements and the developer's Statutory Building Scheme registered as a charge against the lands pursuant to Section 216(1) of the Land Title Act.

Form and Character

- Building design, materials and exterior finish and landscaping shall support the creation of an attractive, high quality estate industrial environment and shall conform to the provisions of Gloucester's Statutory Building Scheme;

- Low profile building designs are encouraged, particularly adjacent to residential and rural areas as well as the No. 1 Highway;

- Commercial buildings are encouraged to incorporate "pitched" roofs or other similar roof treatment into the building design;

- The use of smooth surfaced, light coloured building materials, finished, painted "tilt-up" concrete panels, acrylic stucco, brick, baked enamel finished metal siding, or metal panels is encouraged;

- The use of untreated or unfinished concrete, metal or aluminum as a final building finish will not be permitted;

- Building design, layout, siting, landscaping, screening and buffering shall reflect the need to reduce noise impacts from the No. 1 Highway and between industrial development and adjacent uses;

- Buildings on corner sites or on lots backing onto roads shall be designed to recognize the building's visibility from more than one street with continuity of design, materials, exterior finish, signage and landscaping;

- Roof top mechanical equipment shall be hidden behind screens designed as an integral part of a building, or parapets may be extended to conceal such equipment;

- Underground utilities shall be provided;

- Building plans submitted in support of a Development Permit shall:

    - Be of sufficient detail to convey the intent of the design in terms of the building's appearance, exterior finish, materials and colour treatments;

    - Be prepared by an architect registered in B.C.;

    - Include a coloured rendering or perspective drawing and typical building elevations;

    - Include a coloured site plan indicating the siting of all buildings and structures, property lines, dimensions, easements, rights of way, roads, areas, phasing and significant physical features;

    - Include a detailed statement of land and building uses, lot sizes, coverage, building height, staging and the location and dimensions of landscape and buffer areas.

Landscape Areas and Buffers

Landscape plans submitted in support of a Development Permit shall:

- Be of sufficient detail to convey the intent of the landscape design;

- Complement the objective of creating an attractive, high quality industrial environment;

- Comply with the Landscape Design Guidelines attached as Appendix "A" to the developer's Statutory Building Scheme;

- Be prepared by a landscape architect registered in B.C.;

- Include a detailed plant list, quantity and sizing of plant material;

- Include fencing design, material and specifications;

- Include a cost estimate of the value of the landscape works including fencing and installation (of both the landscape works and fencing);

- Include boulevard treatment and street tree plantings in accordance with the Township's Boulevard Treatment and Street Tree Policy;

- At the building permit stage, be secured by a letter of credit;

- In buffer and building setback areas on-site natural vegetation shall be encouraged to be retained wherever practical;

- No site development works involving the removal of natural vegetation in the buffer or setback areas shall take place until after the Development Permit has been issued;

- Natural vegetation or berming adjacent to the No. 1 Highway shall not be removed unless specifically authorized by the Development Permit;

- The width of the undisturbed natural vegetation area adjacent to the No. 1 Highway shall be a minimum of 15m except where lands are designated for Service Commercial purposes the width of the required landscaping adjacent to the No. 1 Highway shall be a minimum of 7.5m;

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- Adjacent to the No. 1 Highway, where no natural vegetation exists or where natural vegetation is specifically authorized to be removed by the Development Permit, it shall be replaced by a combination of landscape works and berming;

- Berms, where required, shall be a minimum of 1.8m height and be landscaped with evergreen shrubs/hedges and other plantings forming a continuous opaque screen;

- Adjacent to the street (other than the No. 1 Highway) a minimum 5m wide landscape area is required;

- Adjacent to residential or rural areas, a minimum 10m wide landscape area/buffer is required, plus a 1.8m high (minimum) fence designed to reduce the visual and noise impacts of the industrial use on adjacent lands;

- Parking areas are to be landscaped and shall not occupy more than 25% of the front yard of a building;

- Outside storage areas are to be screened; and

- Refuse collection areas shall be enclosed within a building or screened by a combination of walls, fencing and landscaping.

Signs

Sign plans submitted in support of the Development Permit application shall:

- Be in accordance with the developer's Statutory Building Scheme and the Township's Sign Control Bylaw;

- Be prepared by a professional graphic designer showing the location, type, size, colour and height of all signs, logos, graphics, symbols and colours to be located on all buildings and on free-standing signs;

- Complement the building's design scheme;

- Involve only one free-standing sign containing only the corporate names and street numbers on its face;

- No illuminated sign creating a glare or reflection on any building or street shall be permitted;

- Signs shall only identify those businesses located within the building itself.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TREE PROTECTION BYLAW 2019 NO. 5478

EXPLANATORY NOTE

Bylaw 2019 No. 5478 is to regulate, prohibit and impose requirements for tree cutting and tree protection.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

TREE PROTECTION BYLAW 2019 NO. 5478

WHEREAS the Community Charter, S.B.C. 2003 c. 26 authorizes *Council* to regulate, prohibit or impose requirements in relation to Trees;

AND WHEREAS *Council* deems it desirable to regulate, prohibit, and impose requirements for tree cutting and tree protection;

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

1. Title

This Bylaw may be cited for all purposes as "Tree Protection Bylaw 2019 No. 5478."

2. Definitions

For the purpose of this Bylaw the following words have the following meanings:

"Council" means the municipal Council of the Township of Langley.

"Critical Root Zone" means the area of land surrounding the trunk of a *tree* contained within a circle of radius equal to the *dbh* of the *tree* multiplied by 8.

"Cutting or Removal or Cut or Remove" means to kill, remove or substantially destroy a *tree* by any means, including without limitation, knocking down or cutting into the *tree*, the *topping* of a *tree* and the cutting of any main stem or other leader or trunk.

"DBH or dbh (Diameter Breast Height)" means the diameter of the trunk of a *tree* measured at a point 1.4 metres above the natural grade, except where the diameter of a *tree* having multiple trunks 1.4 metres above the natural grade shall be the sum of 100% of the diameter of the largest trunk and 60% of the diameter of each additional trunk.

"General Manager" means the individual appointed to be the General Manager of the Community Development Division or a person duly authorized to carry out the powers and duties of the General Manager of Community Development.

"Drip Line" means a circle on the ground around the trunk of a *tree*, the radius of which is the distance between the outermost twigs of the *tree* and the centre point of the trunk, or its vertical extension.

"Hazard Tree" means a *tree* identified in writing by a *certified tree risk assessor* as having defects sufficient to significantly increase the likelihood that all or part of the *tree* will fall resulting in a risk of personal injury or property damage.

"Hedge" means a row of three or more *trees* that through growth and *pruning* forms a continuous dense screen of vegetation from ground level that provides privacy, fencing, wind breaking, and/or boundary definition.

"Highway" includes a street, road, lane, bridge, viaduct and any other way open to public use, other than a private right-of-way on private property.

"Municipality" means the Corporation of the Township of Langley.

"Parcel" means any lot, block or other area in which land is held or into which land is subdivided but does not include a *highway*.

"Permit" means a *permit* issued by the *General Manager* under authority of this bylaw to *cut or remove* a *tree* or *trees*.

"Pruning" means the selective removal of branches to improve timber quality, or to remove dead or diseased wood, or to correct undesirable growth patterns.

"Public Utility" means the *Municipality*, B.C. Hydro Authority, Telus, FortisBC, and any other utility company or its contractors providing a public service or utility.

"Qualified Tree Risk Assessor" means a Certified Arborist with additional current training and certification in tree risk assessment, certified by the International Society of Arboriculture.

"Replacement Tree" means a woody perennial plant with one or more substantially erect main trunks or stems, including its root system, that is required to be planted and maintained in accordance with Sections 9 and Schedule "A". Accepted replacement tree species are identified in the Subdivision and Development Servicing Bylaw No. 4861, Schedule I, Appendix B, Section 5.

"Topping" means the removal of major portions of a tree crown by cutting branches to stubs or to the trunk or cutting of the main leader or branches, and includes re-topping of previously topped *trees* as defined by the International Society of Arboriculture.

"Tree" means:

a) a woody perennial plant with one or more substantially erect main trunks or stems, including its root system, that has a *dbh* of at least 30 centimetres; not including Alder, Birch, and Cottonwood trees;
b) a woody perennial plant with one or more substantially erect main trunks or stems, including its root system, regardless of height or *dbh*, where located on land within Streamside Protection and Enhancement Development Permit Areas, as defined in Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (2013 Official Community Plan) Bylaw 2013 No. 5000, as amended from time to time; or
c) a woody perennial plant with one or more substantially erect main trunks or stems, including its root system, regardless of height or *dbh*, where located on land that is in the ownership or possession of the *Municipality*.

"Tree Protection Barrier" means a sturdy protection barrier or temporary fence at least 1.2 metres in height, installed around the *drip line* or *critical root zone* of a *tree* that is to be retained.

"Tree Retention Area" means those areas within the Municipal boundary of the Township of Langley.

"Watercourse" means a channel through which water flows at any time of the year and includes a brook, river, stream, creek, lake, pond and any other body of water running through or situated partially or fully within the *Municipality*.

3. Application of Standards

Except as otherwise set out in this bylaw, the standards and requirements for property prescribed in this bylaw apply to *trees* which are:

a) On land owned or in the possession of the *Municipality*

b) On a privately-owned *parcel* of land in the *Municipality*

c) within a development permit area;

d) within a *tree retention area*; or

e) identified for retention and protection as part of a subdivision, development permit or building permit approval process.

This bylaw does not apply to:

f) private land used for the production or cutting of *trees* under a valid, existing licence for a tree farm, nursery or Christmas trees; or

g) private land used for a golf course;

h) land that is currently designated as Agricultural Land Reserve as defined under the Agricultural Land Commission Act; or

i) land that is subject of a development application.

4. Schedule and Severability

If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this bylaw.

This Bylaw is cited as “Tree Protection Bylaw No. 5478”.

RESTRICTIONS AND EXEMPTIONS

5. Restrictions

5.1. A person must not *cut or remove* any *tree*, or cause, suffer or permit any *tree* to be *cut or remove*d, except in accordance with the terms and conditions of a valid *permit* issued under this bylaw. Without limiting the generality of the foregoing, this section includes *replacement trees*.

5.2. A person must comply with the terms and conditions of a *permit* issued under this bylaw.

5.3. Except to the extent permitted by a *permit*, or as provided for in section 6 a person must not damage a *tree* by carrying out any of the following activities:

a) cutting or damaging the roots of a *tree* growing within the *drip line*;

b) operating trucks, backhoes, excavators or other heavy equipment over the roots of a *tree* growing inside the *drip line*;

c) placing fill, building materials, asphalt or a building or structure on land inside the *drip line* of a *tree*;

d) denting, gouging or damaging the trunk of a *tree*;

e) removing bark from a *tree*;

f) depositing concrete washout or other liquid or chemical substances harmful to the health of a *tree* on land inside the *drip line* of a *tree*;

g) removing soil from inside the *drip line* of a *tree*;

h) blasting inside the *drip line* of a *tree*;

i) cutting back the top portion of a *tree*'s branches so as to significantly alter its normal canopy, except if the *tree* forms part of a *hedge*;

j) undermining the roots of a *tree* growing inside the *drip line*; or

k) altering the ground water or surface water level within the *drip line* of a *tree*.

6. Exemptions

6.1. A *permit* is not required to *cut or remove* a *tree* where:

a) a development permit, rezoning and/or subdivision has been approved which addresses the removal of the *tree*;

b) the *tree cutting or removal* is necessary for the purposes of farm operations as defined in the Farm Practices Protection (Right to Farm) Act, as amended from time to time;

c) the *tree cutting or removal* is for the installation of roads or services shown on an engineering drawing approved by the *Municipality* in respect of a building permit or subdivision approval;

d) a *tree* must be *cut or removed* on an emergency basis because it has been severely damaged by natural causes and poses an imminent danger of falling and injuring persons or property;

e) the *tree cutting or removal* is carried out by the *Municipality* or its agents on public property;

f) the *tree cutting or removal* is carried out using standard arboricultural practices for the maintenance of above ground utility conductors by a *public utility* or its contractors;

g) the *cutting or removal* is of a *tree* less than 30 centimetres *dbh* by a British Columbia Land Surveyor when cutting survey lines of a width of less than two (2) metres;

h) the *cutting or removal* constitutes normal *pruning* of *trees*, including *pruning* by a *public utility* in accordance with sound horticultural practice or as required for the safe operation of overhead transmission lines; or

i) the *tree* is less than 30 centimetres *dbh*.

j) it is required for the siting of a building, driveway, septic field, or water well as approved by the *Municipality* in conjunction with a building permit.

6.2. A *permit* is required but the permit fee and arborist report are not required to *cut or remove* two (2) *trees* per *parcel* during a 24-month period from the date of the last *permit* issued.

6.3. A *permit* is not required for the *pruning* of a *hedge*.

PERMIT APPLICATION PROCESS

7. General Conditions of Permit

7.1. A *permit* for the *cutting or removal* of any *tree* to which this bylaw applies shall be in the form issued by the *General Manager*.

7.2. A *permit* issued under this bylaw is non-transferable.

7.3. The *permit* shall be displayed in an accessible and visible location on the *parcel* to which it pertains no less than 72 hours prior to and during *tree cutting or removal* operations.

8. Application Requirements

8.1. Every application for a *permit* shall be made in writing to the *General Manager* and shall include:

a) a non-refundable application fee in the amount set from time to time in the Fees and Charges Bylaw 2007 No. 4616 unless the application is for permission to remove a *hazard tree* or one *tree* under section 6.2, in which case there shall be no fee;

b) the following documents, plans and information relating to the proposed *tree cutting or removal*:

i. a statement of purpose and rationale for the proposed *tree cutting or removal*;

ii. a tree cutting and replacement plan drawn to approximate scale identifying:

A. the boundaries of the subject *parcel*;

B. any abutting streets, lanes or public access rights of way;

C. the location of existing buildings and structures;

D. the location, species and *dbh* of those *trees* proposed to be *cut or removed*;

E. the location, species and *dbh* of those *trees* proposed to be retained and protected;

F. the location, species and *dbh* of proposed *replacement trees*;

G. the location of significant topographic and hydrographic features and other pertinent site information;

iii. the street location and legal description;

iv. the consent in writing of the registered owner of the property, if different from the applicant, authorizing the applicant to act as the owner's agent

v. the consent in writing of the registered owners of the *parcels* where the base of the *tree* to be *cut or removed* is located.

vi. the methods proposed for control of drainage and erosion impacts during and after the *tree cutting or removal*;

vii. the proposed methods for disposal of wood waste and other debris;

viii. the proposed methods of noise and dust control during the *tree cutting or removal* operation;

ix. the proposed completion dates for *tree cutting or removal*;

x. if required by the *General Manager*:

A. a report prepared by a professional engineer, professional biologist or certified arborist with experience in, as the circumstances require, geotechnical engineering, hydrology or tree management, certifying that the proposed tree *cutting or removal* will not create an adverse impact including flooding, erosion, land slip or contamination of a *watercourse*;

B. where the site of the tree *cutting or removal* is on a *parcel* adjacent to or containing any part of a *watercourse*, a survey plan prepared by a BC Land Surveyor or professional engineer showing the top-of-bank of such *watercourse*;

C. where the tree *cutting or removal* is for a *hazard tree*, a report prepared by a *certified tree risk assessor* certifying that the *tree* is dead, diseased, damaged or otherwise constitutes a physical hazard to persons or property; and

D. any applicable Federal or Provincial submissions for approvals, including a Bird Nesting Survey if removing trees between March 15 and August 1 as per the Wildlife Act (British Columbia) and its regulations.

xi. such further and other information as the *General Manager* determines is necessary, such as an arborist report prepared by a *Qualified Tree Risk Assessor*, to adequately describe the nature and extent of the tree *cutting or removal* operation.

9. Replacement Trees

9.1. For *parcels* containing a one-family dwelling as a condition of issuing a *permit* under this bylaw it is required that one *replacement tree* be planted and maintained for each tree *cut or removed* on the applicant's *parcel* in accordance with the requirements of Schedule "A".

For tree replacements on all other *parcels*, the *General Manager*, as a condition of issuing a *permit* under this bylaw, shall require one or more *replacement trees* be planted and maintained on the applicant's *parcel* in accordance with the requirements of Schedule "A."

If a *tree* or *trees* located on any *parcel* form part of a *hedge*, the *General Manager* may require that less than one *replacement tree* be planted and maintained for each *tree* that is cut.

In the event that the *replacement tree* cannot, in the opinion of the *General Manager*, be accommodated on the *parcel*, the *General Manager* may require the applicant to plant the *replacement tree* on Municipal owned property in a location designated by the *General Manager*. Alternatively, a cash-in-lieu payment in an amount equivalent to 120% of the estimated cost of the *replacement tree*, including labour and installation, shall be paid to the Municipality to fulfil the requirements at a future date.

9.2. *Replacement trees* shall be planted and maintained in accordance with sound horticultural and arboricultural practices to the satisfaction of the *General Manager*.

9.3. *Replacement trees* are not required for tree *cutting or removal* permitted under section 6.2. or for the *cutting or removal* of a *hazard tree*.

10. Permit Issuance or Refusal

10.1. The *General Manager* may issue a *permit* if:

a) an application for a *permit* complies with the requirements of this bylaw; and

b) the proposed tree *cutting or removal* complies with this bylaw and all other applicable Municipal bylaws.

10.2. The *General Manager* may refuse to issue a *permit* if the proposed tree *cutting or removal* is within a *tree retention area*.

11. Expiry

11.1. Every *permit* shall expire 12 months from the date of issue or upon such earlier date as may be specified in the *permit*.

12. Renewal, Extension or Modification

12.1. If the tree *cutting or removal* operations authorized by a *permit* are not completed before the *permit* expires, or it becomes necessary to alter or deviate from the particulars of the *permit* application or the tree cutting and replacement plan submitted for a *permit*, the *General Manager* may renew, extend or modify the *permit* upon written request of the *permit* holder, subject to the following:

a) a *permit* holder has no vested right to receive an extension, renewal or modification and the *General Manager* may require that a new *permit* be obtained;

b) the *permit* holder shall pay a non-refundable fee in the amount set from time to time in the Fees and Charges Bylaw 2007 No. 4616;

c) the *General Manager* may not renew or extend a *permit* for a period of more than two years from the date of issuance of the original *permit*;

d) the *General Manager* may require that the *permit* holder provide additional information authorized by this bylaw as a pre-condition to considering an application for a *permit* renewal, extension or modification; and

e) all terms and conditions set out in the original *permit* shall apply to each renewal, extension or modification of the *permit* except as amended or modified by the renewal, extension or modification.

REGULATIONS

13. Tree Cutting or Removal

13.1. Every *cutting or removal* of a *tree* shall comply with, and every *permit* issued under this bylaw is subject to, the observance or fulfilment of the following requirements, restrictions and regulations, to the satisfaction and approval of the *General Manager*:

a) tree parts and woodwaste shall be properly disposed of by chipping or removal from site in accordance with all applicable Municipal bylaws and Provincial regulations;

b) each *tree* to be *cut or removed* shall be clearly identified with a flag, paint, survey tape or other such method;

c) a *tree protection barrier*, as shown on Schedule “B”, shall be placed around any *tree* or *trees* which are not to be *cut or removed*, in such a manner to ensure that the trunk, branches and root system are not damaged by the *cutting or removal* operations. The *tree protection barrier* must be constructed prior to the issuance of the *permit* and must remain intact for any construction or demolition site throughout the entire period of construction or demolition;

d) precautions shall be taken to ensure that *trees* which are not to be *cut or removed* are not subject to any of the damaging activities prohibited by subsection 5.3;

e) no tree *cutting or removal* activities may be carried out between the hours of 6:00 p.m. and 8:00 a.m. the following day, except in the event of a *hazardous tree*;

f) all damage to drainage facilities, *watercourse*s, *highways* or other public or private property arising from the removal of a *tree* shall be promptly and properly repaired to the satisfaction of the *General Manager* at the expense of the *permit* holder, failing which the Municipality may undertake the necessary repairs and invoice the *permit* holder for immediate payment;

g) all *watercourse*s, groundwater aquifers, waterworks, ditches, drains, sewers or other established drainage facilities shall be kept free of all wood waste arising from or caused by the tree *cutting or removal* operations;

h) all hazards or potential hazards arising from the tree *cutting or removal* operation shall be adequately fenced or otherwise protected for the safety of the public;

i) tree *cutting or removal* operations must not encroach upon, undermine, damage or endanger any adjacent property or any setback area prescribed in the *permit* or a bylaw; and

j) tree *cutting or removal* operations shall be limited only to the area specified in the *permit* which shall be clearly marked at the site and such markings maintained for the duration of the *permit*.

13.2. The *General Manager* may issue a *permit* subject to the observance or fulfilment of any additional conditions specified in the *permit* which in the opinion of the *General Manager* are necessary to achieve the purposes of this bylaw.

ADMINISITRATION

14. Inspection

14.1. The *General Manager* is hereby authorized at all reasonable times to enter upon and inspect any lands to determine whether the requirements, restrictions, regulations, terms, conditions and directions of this bylaw or a *permit* issued under this bylaw are being observed.

14.2. The *General Manager* may, at all reasonable times, assess or inspect, or cause an assessment or inspection to be made of any *trees* to which this bylaw applies, including an assessment of the location, size, species and condition of such *trees*, in the following circumstances:

a) where land is subject to an application for subdivision, approval of a servicing plan prior to subdivision, a development permit, a development variance permit, a temporary commercial or industrial use permit or a building permit;

b) when *replacement trees* have been planted as required by this bylaw; or

c) when an application for a *permit* to carry out tree *cutting or removal* operations has been made under this bylaw.

14.3. No person shall prevent or obstruct or attempt to prevent or obstruct the *General Manager* or designate from entering upon lands as authorized by subsections 14.1 and 14.2.

15. Notice of Non-compliance

15.1. The *General Manager* may give notice, in the form established in Schedule "C", to any person of a breach of, or non-compliance with, any of the provisions of this bylaw or a *permit* issued under this bylaw, and such person shall immediately cease all tree *cutting or removal* activities until such breach or non-compliance is remedied to the satisfaction of the *General Manager*, and every owner of land shall refuse to suffer or permit further tree *cutting or removal* operations upon the owner's land until such time as the breach or non-compliance is remedied to the satisfaction of the *General Manager*.

16. Failure to Remedy Non-compliance

16.1. In the event that a person having received notice under Section 15 fails within the time specified therein to remedy such breach, the *Municipality* or its appointed agents may enter upon the lands or any part thereof and carry out the works required to remedy the breach, and the expense of doing so shall be paid by the person in breach and, if not paid within 90 days, the expense, with interest at the prescribed rate and costs, shall be recovered from the owner of the lands in the same manner as municipal taxes.

17. Suspension or Cancellation of Permit

17.1. Without limiting the application of Part 19 (Offences and Penalties), if:

a) there is a contravention of any term, condition, requirement or restriction of this bylaw or a *permit* issued under this bylaw; or

b) a *permit* was issued under this bylaw on the basis of statements made in the *permit* application or a report, declaration or record required under this bylaw, that were false or misleading with respect to a material fact or that omitted to state a material fact, the omission of which made the statement false or misleading;

the *General Manager* may:

i. suspend in whole or in part the rights of the *permit* holder under the *permit*;

ii. cancel the *permit*; or

iii. amend or attach new conditions to a *permit* with the consent of the *permit* holder.

18. Right of Reconsideration

18.1. Where an applicant or owner of property is subject to a requirement or a decision made by the *General Manager* under this bylaw and is dissatisfied with the requirement or decision, the applicant or owner may apply to the Municipal *Council* for reconsideration of the matter within 30 days of the requirement or decision being communicated to them.

18.2. An application for reconsideration must be delivered in writing to the Municipal Clerk and must set out the grounds upon which the applicant considers the requirement or decision of the *General Manager* is inappropriate and what, if any, requirement or decision the applicant or owner considers the *Council* ought to substitute.

18.3. At the meeting of *Council*, *Council* may hear from the applicant and any other person interested in the matter under reconsideration who wishes to be heard and may either confirm the requirement or decision of the *General Manager* or substitute its own requirement or decision.

OFFENCES AND PENALTIES

19.1. Any person who contravenes or violates any provision of this bylaw or of any *permit* issued under this bylaw, or who suffers or allows any act or thing to be done in contravention or violation of this bylaw or any *permit* issued under this bylaw, or who fails or neglects to do anything required to be done under this bylaw or any *permit* issued under this bylaw, including a bylaw notice issued pursuant to the Bylaw Notice Enforcement Bylaw 2008, No. 4703, as amended from time to time, commits an offence; and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

19.2. Where one or more *trees* is *cut or removed* or damaged, other than as authorized by this bylaw, or more than one *tree* is not replaced or maintained in accordance with a *permit* issued under this bylaw, a separate offence is committed in respect of each such *tree*.

19.3. Every person who commits an offence against this bylaw is punishable on conviction by a fine of not less than $75 and not more than $10,000 for each day, per tree or per offence as such offence continues.

19.4. In addition to the penalties imposed under section 19.3, by order of the court, a person convicted of an offence under this bylaw may be directed to:

a) not do any act or engage in any activity that may result in the continuation or repetition of the offence;

b) pay the costs incurred by the *Municipality* in investigating and prosecuting the offence;

c) pay compensation to the *Municipality* for any damage or loss sustained by the *Municipality* because of the commission of the offence to a maximum of $25,000 or higher monetary limit as may be specified under the Small Claims Act in force at the time of the offence;

d) take any action the court considers appropriate to remedy any harm that resulted from the commission of the offence.

19.5. Pursuant to section 19.4 (d) the *Municipality* may seek an order directing a person convicted of an offence under this bylaw to complete an education or training program for instruction in appropriate care and management of trees to a standard established by a provincial, national or international body for professional arboriculture, landscaping, or nursery practice.

19.6. In addition to any other penalty which may be imposed under this bylaw, where a person cuts, removes or damages, or causes, suffers or permits any *tree* to be cut, removed, or damaged in contravention of this bylaw or in violation of any term or condition of a *permit* issued under this bylaw, that person, within 30 days of receiving notice of such requirement from the *General Manager*, shall:

a) submit for the *General Manager*'s approval a tree cutting and replacement plan in accordance with the requirements of Schedule "A", specifying the location and species of all *replacement trees*; and

b) plant and maintain on the same *parcel* in accordance with the approved tree cutting and replacement plan a minimum of two (2) *replacement trees* for each *tree* unlawfully cut, removed or damaged and in the event the *General Manager* determines it is not feasible or practical to replace the trees on the same *parcel*, the *replacement trees* shall be planted on Municipal land in a location designated by the *General Manager*, or alternatively, a cash-in-lieu payment in an amount equivalent to 120% of the estimated cost of the *replacement tree*, including labour and installation, shall be paid to the Municipality to fulfil the requirements at a future date.

20. Repeal

20.1. Brookswood-Fernridge Tree Protection Bylaw 2017 No. 5301 is hereby repealed.

READ A FIRST TIME the	27	day of	May	, 2019
READ A SECOND TIME the	27	day of	May	, 2019
PUBLIC INPUT OPPORTUNITY		day of		, 2019
READ A THIRD TIME the		day of		, 2019
RECONSIDERED AND ADOPTED the		day of		, 2019

_____ Mayor _____ Township Clerk

SCHEDULE A to BYLAW NO. 5478

Replacement Trees

Where *replacement trees* are required to be provided pursuant to this bylaw, such *replacement trees* shall be provided and planted as follows:

1) For *tree* removals not related to demolition or construction on *parcels* containing a one-family dwelling:

   a) deciduous *replacement trees* are to be a minimum of 3m in height or of a minimum 6cm caliper*.

   b) coniferous *replacement trees* are to be a minimum of 2.5m in height.

2) For *tree* removals for all other properties and permits related to construction, demolition, rezoning, development permits, subdivisions or building permits:

   c) every deciduous *replacement tree* shall be of a minimum 6cm caliper*.

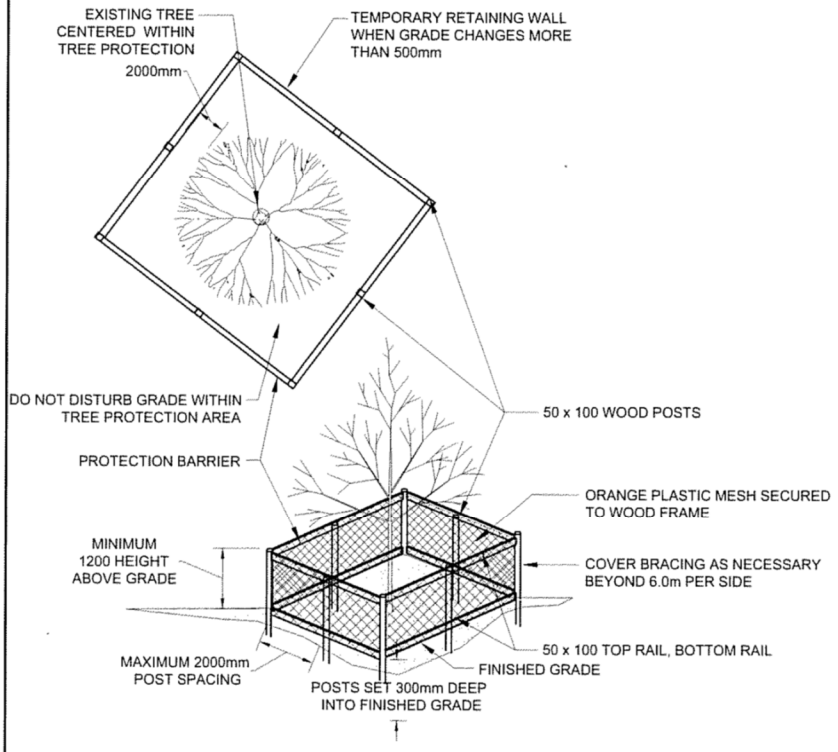
   d) every coniferous *replacement tree* shall be a *tree* of a minimum 2.5m height.

3) Every *replacement tree* shall be spaced from existing trees and other *replacement trees* in accordance with an approved forest management plan or landscape plan and in all cases shall be planted in accordance with the current BCSLA (British Columbia Society of Landscape Architects) or BCLNA (British Columbia Landscape & Nursery Association) Landscape Standards, and all *replacement trees* shall meet current BCSLA or BCLNA standards.

(*Caliper is the diameter of the trunk measured at 15cm above the ground)

SCHEDULE B to BYLAW NO. 5478

TLP 29 – TREE PROTECTION DETAIL



NOTES:
1) INSTALL TREE PROTECTION BARRIER *BEFORE* SITE CLEARING AND INITIATION OF CONSTRUCTION.
2) *MAINTAIN* TREE PROTECTION BARRIER DURING CLEARING AND SITE CONSTRUCTIONN.
3) KEEP AREA WITHIN OR AGAINST PROTECTION BARRIER CLEAR OF BUILDING MATERIALS, LITTER AND STANDING WATER.
4) DO NOT DISTURB EXISTING GRADES WITHIN TREE PROTECTION AREA FOR PROTECTED RETAINED TREES.
5) THE DEVELOPER IS RESPONSIBLE FOR MAINTENANCE WITHIN TREE PROTECTION BARRIER. DAMAGED TREES WILL BE REPLACED AT DEVELOPER'S COST.
6) SCHEDULE I IN SUBDIVISION & DEVELOPMENT SERVICING BYLAW PRESCRIBES PENALTIES FOR NON-COMPLIANCE WITH BYLAW.
7) ANY DISRUPTION OR PLANTING WITHIN THE TREE PROTECTION AREA IS TO BE SUPERVISED BY THE PROJECT ARBOURIST OR LANDSCAPE ARCHITECT.
8) RETAINED TREES TO BE WATERED AT THE DIRECTION OF THE CONSULTING ARBOURIST / LANDSCAPE ARCHITECT.

TITLE: TREE PROTECTION DETAIL		Township of Langley
THE CORPORATION OF THE TOWNSHIP OF LANGLEY	DATE: REV. DEC./10 APPROVED: S.D.S.B. No.	TLP 29

SCHEDULE C to BYLAW NO. 5478

NOTICE OF NON-COMPLIANCE
and
STOP WORK ORDER

YOU ARE HEREBY NOTIFIED that the Township of Langley considers activity on this property to be in breach of its ***Tree Protection Bylaw Number 5478***,

AND ALL PERSONS SHALL IMMEDIATELY CEASE the following activity on this property:

_____
_____
_____
_____
_____
_____

EVERY PERSON WHO FAILS TO COMPLY WITH THIS ORDER MAY, UPON CONVICTION FOR AN OFFENCE AGAINST THE SAID BYLAW, BE LIABLE TO A PENALTY AS STIPULATED IN THE BYLAW.

Persons affected by this Order may seek further information at the Bylaws Department, Township of Langley Civic Facility at 20338 - 65 Ave, Langley, British Columbia V2Y 3J1.

_____
ADDRESS of PROPERTY

_____
DATE GENERAL MANAGER

NO PERSON MAY REMOVE REVERSE, ALTER, DEFACE, COVER, OR IN ANY WAY TAMPER WITH THIS NOTICE WITHOUT AUTHORIZATION BY THE TOWNSHIP OF LANGLEY.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

BYLAW NOTICE ENFORCEMENT BYLAW 2008 NO. 4703

AMENDMENT BYLAW 2019 NO. 5481

EXPLANATORY NOTE

Bylaw 2019 No. 5481 amends the Bylaw Notice Enforcement Bylaw 2008 No. 4703 by providing fine amounts and offences relating to Tree Protection Bylaw 2019 No. 5478.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

BYLAW NOTICE ENFORCEMENT BYLAW 2008 NO. 4703

AMENDMENT BYLAW 2019 NO. 5481

A Bylaw to Amend the Bylaw Notice Enforcement Bylaw 2008 No. 4703

WHEREAS it is deemed necessary and desirable to permit a violation of the Township of Langley Tree Protection Bylaw 2019 No. 5478 to be addressed through the issuance of a bylaw notice;

AND WHEREAS Council has adopted the Township of Langley Tree Protection Bylaw 2019 No. 5478;

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 "Bylaw Notice Enforcement Bylaw 2008 No. 4703 Amendment Bylaw No. 5481".

2. The "Township of Langley Bylaw Notice Enforcement Bylaw 2008 No. 4703" as amended is further amended by adding the following as part of Schedule "A":

Township of Langley Tree Protection Bylaw 2019 No. 5478 (the "Bylaw")

Column 1 Offence	Column 2 Bylaw Section	Column 3 Fine
• Failure to comply with terms and conditions of a valid permit	5.2	$500
• Causing physical damage to any tree within the drip line including canopy, roots and trunk	5.3	$500
• Failure to post a valid permit in a prescribed location for 72 hours prior to tree cutting or removal	7.3	$75
• Failure to plant and maintain trees in accordance with sound horticultural and arboricultural practices	9.2	$500
• Failure to dispose of tree parts and woodwaste in the prescribed manner	13.1(a)	$500
• Failure to clearly identify in the prescribed manner a tree to be cut or removed	13.1(b)	$75
• Failure to place or maintain a prescribed protection barrier around trees to be cut or removed for the duration of all construction of demolition	13.1(c)	$500

• Cutting or removing any tree or replacement tree between 6:00 pm and 8:00 am on the following day	13.1(e)	$250
• Failure to keep watercourses including ditches, drains and sewers clear of tree parts and woodwaste	13.1(g)	$500
• Failure to fence all hazards or potential hazards arising from tree cutting or removal	13.1(h)	$250
• Cutting or removing any tree or replacement tree beyond the prescribed area set out in a valid permit	13.1(j)	$500
• Failure to clearly mark or maintain the prescribed area for tree cutting or removal for the duration of a valid permit	13.1(j)	$250

READ A FIRST TIME the	27	day of	May	, 2019
READ A SECOND TIME the	27	day of	May	, 2019
READ A THIRD TIME the	27	day of	May	, 2019
RECONSIDERED AND ADOPTED the		day of		, 2019

_____ Mayor _____ Township Clerk

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

FEES AND CHARGES BYLAW 2007 NO. 4616

AMENDMENT BYLAW 2019 NO. 5482

EXPLANATORY NOTE

Bylaw 2019 No. 5482 amends the Fees and Charges Bylaw 2007 No. 4616 by adding new fees and charges relating to Tree Protection Bylaw 2019 No. 5478.

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

FEES AND CHARGES BYLAW 2007 NO. 4616

AMENDMENT BYLAW 2017 NO. 5482

A Bylaw to Amend the Fees and Charges Bylaw 2007 No. 4616

WHEREAS pursuant to section 194 of the *Community Charter*, Council may, by bylaw, impose a fee payable in respect of all or part of a fee or service of the municipality, the use of municipal property, or the exercise of authority to regulate, prohibit or impose requirements;

AND WHEREAS the Municipal Council deems it necessary and desirable to exercise the authority provided by the *Community Charter* to cover costs of providing various fees, services and information;

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

1. This Bylaw may be cited for all purposes as “Fees and Charges Bylaw 2007 No. 4616 Amendment Bylaw 2019 No. 5482”.

2. The “Township of Langley Fees and Charges Bylaw 2007 No. 4616” as amended is further amended by adding “Schedule 15 - Tree Protection”, as follows:

SCHEDULE 15. TREE PROTECTION
FEES AND CHARGES BYLAW 2007 NO. 4616
AMENDMENT BYLAW 2019 NO. 5482

TREE PROTECTION **Fee Type**	**Description**	**Fees & Charges** **Without Tax**
Permit to remove a hazard tree	Administration and inspection costs for permit	No Fee
Permit to remove two (2) *trees* per *parcel* during a 24 month period	Administration and inspection costs for permit	No Fee
Permit to remove three (3) or more *trees*	Administration and inspection costs for permit	$100.00 per tree
Permit renewal, extension or modification	Administration and inspection costs for permit	$100.00 per tree

READ A FIRST TIME the	27	day of	May	, 2019
READ A SECOND TIME the	27	day of	May	, 2019
READ A THIRD TIME the	27	day of	May	, 2019
RECONSIDERED AND ADOPTED the		day of		, 2019

_____ Mayor _____ Township Clerk

Township of Langley
Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	MAY 27, 2019 - REGULAR EVENING MEETING	**REPORT:**	19-78
FROM:	COMMUNITY DEVELOPMENT DIVISION	**FILE:**	BA000025
SUBJECT:	TREE PROTECTION BYLAW		

RECOMMENDATIONS:

That Council give first and second reading to Tree Protection Bylaw 2019 No. 5478;

That Council give first, second and third reading to Bylaw Notice Enforcement Bylaw 2008 No. 4703 Amendment Bylaw 2019 No. 5481;

That Council give first, second and third reading to Fees and Charges Bylaw 2007 No. 4616 Amendment Bylaw 2019 No. 5482; and

That Council authorize staff to schedule a Public Hearing for Bylaw 2019 No. 5478.

EXECUTIVE SUMMARY:

At its Regular Evening Meeting on April 15, 2019, Council directed staff to bring forward a Tree Protection Bylaw, based on the City of Richmond's Tree Protection Bylaw.

In response to Council's direction, a proposed Tree Protection Bylaw has been prepared for Council's consideration. The proposed Bylaw includes additional provisions requested by Council, as follows:

- Trees less than 30 cm in diameter measured at 1.4 m height from the ground are exempt;
- Residents have the ability to remove two (2) trees per existing legal parcel every twenty-four (24) months with a permit without the requirements to pay a fee and submit an arborist report; and
- Incorporation of a species exclusion list.

Proposed amendments to the Bylaw Notice Enforcement Bylaw 2008 No. 4703 specify fines and penalties for contraventions; and proposed amendments to the Fees and Charges Bylaw 2007 No. 4616 provide for assessment of a permit application fee.

Subject to Council direction, staff will be preparing a series of information bulletins to summarize the highlights of the proposed Tree Protection Bylaw, outline the process of obtaining a Tree Cutting Permit, and specify the requirements for an arborist report, similar to the bulletins in the City of Richmond. Staff will aim to have these documents finalized and available for the public upon Council adoption of the proposed Bylaw.

Additional staff resources are expected to be required for the administration of the proposed Bylaw, such as clerical support for permit issuance and responding to inquiries, Certified Arborist for site inspections, and bylaw officers for enforcement. Having said that, in the interim, the additional workload generated by the proposed Bylaw is to be borne by existing staff resources with implications monitored for additional staffing needs identified and presented to Council as part of the 2020 budget process.

PURPOSE:

This report is in response to Council direction for staff to bring forward a Tree Protection Bylaw.

BACKGROUND/HISTORY:

At its Regular Evening Meeting on April 15, 2019, Council passed the following resolution:

Whereas several other municipal jurisdictions in the Lower Mainland have already adopted Tree Protection Bylaws over the last decade, including Delta, Richmond, Vancouver, Surrey, Maple Ridge and Abbotsford;

Whereas the City of Richmond BC has very clear and concise Tree Protection Bylaw standards easily available to the public on their City website, and their Tree Protection Bylaw has been in place since 2006;

Whereas the previous Township of Langley Council referred the matter of a Tree Protection Bylaw to the current Township of Langley Council;

Whereas in January 2019, the current Township of Langley Council identified Tree and Canopy Protection in the Township as one of their top 6 priorities for this term;

Whereas staff have requested Township Council to provide more direction on this matter; and

Whereas the recently formed Brookswood-Fernridge Neighbourhood Planning Committees will also need direction and standards relative to their advisory work on these new Neighbourhood Plans;

Therefore be it resolved that the Township of Langley (TOL) Council:

1. *Request TOL staff to:*

    a) *Bring forward a Township of Langley Tree Protection Bylaw, based on the City of Richmond Tree Protection Bylaw, for First and Second Reading";* and include the following provisions:

    - That trees less than 30cms in diameter, at 1.4 metres from the ground are exempt from the proposed bylaw;
    - That residents have the ability to remove one tree every 24 months with a permit with no fee and no arborist report; and
    - A "Species Exclusion List" be developed in conjunction with the proposed Bylaw.

    b) *Hold a Public Hearing on the proposed TOL Tree Protection Bylaw prior to Third Reading; and*

    c) *Bring forward Final Reading of the proposed TOL Tree Protection Bylaw;*

2. *Request TOL staff to undertake an existing tree canopy review in the Township and to bring forward a Tree Canopy Protection Standard for the entire Township in the next 6-12 months, focusing first on the Brookswood-Fernridge area so that this standard is known by all the Brookswood-Fernridge Neighbourhood Planning Committees and TOL staff concurrent with their advisory work and Neighbourhood Plan recommendations to Council; and*

3. *Appoint an 8-12 month (maximum) Tree Protection Council Advisory Committee with broad-based representation from the entire Township in July 2020 to review both the 2019 TOL Tree Protection Bylaw and the subsequent 2019-2020 TOL Tree Canopy Protection Standard in order to ensure that the adopted 2019 TOL Tree Protection Bylaw is effective and that the Township's Sustainability Charter will be met for the current and future generations who live in all communities of the Township of Langley.*

DISCUSSION/ANALYSIS:

Tree protection has been recognized as an important priority by Township residents. Since 2014, tree protection measures have been in place in the Brookswood-Fernridge Community Plan. Most recently, the Brookswood-Fernridge Tree Protection Bylaw No. 5301 was adopted in 2017. Tree canopy protection has also been identified as one of Council's strategic priorities during the current term.

As requested by Council, a proposed Tree Protection Bylaw 2019 No. 5478 has been prepared, based on the City of Richmond Tree Protection Bylaw No. 8057. In conjunction, two bylaw amendments are proposed to facilitate effective implementation and efficient administration of the Tree Protection Bylaw, comprising of the Bylaw Notice Enforcement Bylaw 2008 No. 4703 Amendment Bylaw 2019 No. 5481, and the Fees and Charges Bylaw 2007 No. 4616 Amendment Bylaw 2019 No. 5482.

Policy Framework

The Township of Langley adopted a new Official Community Plan (OCP) in 2016. The OCP has the following policy that supports a tree protection bylaw:

- Urban Community and Neighbourhood Design: Protect the natural environment using land use planning, urban design, and development regulations, such as retaining existing significant trees and requiring the planting of new trees (s. 2.5.17)

The Sustainability Charter has the following goals that support tree protection and tree replacement:

- Promotes the environmental goals of reducing air pollution and promoting stewardship and the planting of trees.
- Promotes the social and cultural goal of nurturing a mindset of sustainability by incorporating a sustainability mentality into the community.

Tree Protection Bylaw No. 5478: Overview

The proposed tree protection bylaw consists of the following five components:

- Restrictions and exemptions
- Permit application process
- Regulations
- Administration
- Offences and Penalties

Based on the Richmond Tree Protection Bylaw, provisions have been added to include directives from Council, address conditions specific to the Township (i.e. septic fields and water wells), and ensure alignment with existing requirements in the Subdivision and Development Servicing Bylaw, as follows:

- Revised the definition of "Tree" to exclude Alder, Birch and Cottonwood trees (s. 2(a)), thereby exempting the requirement for a permit when cutting or removing.
- Included a reference to accepted replacement tree species as identified in Schedule "I" of the Subdivision and Servicing Bylaw 2011 No. 4861 to the definition of "Replacement Trees" (s. 2).
- Replaced the reference to "Environmentally Sensitive Areas" and the associated Schedule (s. 2(b)) with "Streamside Protection and Enhancement Development Permit Areas", as defined in the Langley Official Community Plan Bylaw 1979 No. 1842 Amendment (2013 Official Community Plan) Bylaw 2013 No. 5000.
- Added "Critical Root Zone" to the definition of "Tree Protection Barrier" (s. 2).
- Added a provision noting that the Tree Protection Bylaw does not apply to lands currently designated as Agricultural Land Reserve (s. 3(h)) (further rationale provided below).

- Revised the exemption whereby a permit is not required to cut or remove a tree from less than 20 centimetres dbh to 30 centimetres dbh as per Council direction (s. 6.1(i)).
- Added a new exemption to allow the cutting or removal of a tree without a permit where it is required to remove a tree for the purpose of siting a building, driveway, septic field, or a water well as approved by the Municipality in conjunction with a building permit (s. 6.1(j)).
- Revised the number of trees that can be removed per year with a permit without the requirement to pay the permit fee and submit an arborist report from "one (1) tree per calendar year" to "two (2) trees per parcel during a 24 month period from the date of the last permit issued" as per Council direction (s. 6.2).
- Included a requirement, at the discretion of the General Manager, to request a Bird Nesting Survey or other applicable Federal or Provincial submissions for approval as deemed necessary (s. 8.1(b)(x)(D)).
- Included reference to the requirement for an arborist report as part of the application requirements at the discretion of the General Manager (s. 8.1(b)(xi).
- Added the option of providing a cash-in-lieu payment in the event that a replacement tree(s) cannot be accommodated on the parcel (s. 9.1, and s.19.6(b)).
- Added an allowance to the Tree Cutting and Removal regulations to permit the removal of hazardous trees between the hours of 6:00 p.m. and 8:00 a.m. (s. 13.1(e)).
- Added provisions to allow the Municipality to undertake necessary repairs and invoice the permit holder for immediate payment in the event that the removal of a tree causes damage to drainage facilities, watercourses, highways or other public or private property (s. 13.1(f)).
- Revised Schedule A to Bylaw No. 5478 (s. 1(a)) to increase the minimum height of a deciduous replacement tree from 2m to 3m for the removal of trees not related to demolition or construction on parcels containing a one-family dwelling.
- Revised Schedule A to Bylaw No. 5478 (s. 1(b), and 2(c), (d)) to align the minimum caliper width and tree height requirements for replacement trees related to development activity with the requirements of Schedule I – Tree Protection, in the Subdivision and Development Servicing Bylaw 2011 No. 4861.

The proposed Tree Protection Bylaw does not cover lands designated as Agricultural Land Reserve (ALR), as defined under the Agricultural Land Commission (ALC) Act. This approach is intended to avoid the need for provincial approval of the proposed Bylaw as it relates to the Township of Langley's "regulated" status; and is similar to the approach adopted in the City of Abbotsford. The Cities of Richmond, Surrey, and Maple Ridge, on the other hand, which do not have the same "regulated" status as the Township of Langley and the City of Abbotsford, have adopted a different approach in that their respective bylaws apply to all lands, including those located in the ALR, with an exemption incorporated to recognize the jurisdictional authority of the Farm Practices Protection (Right-to-Farm) Act.

Further, the proposed Bylaw does not apply to lands that are subject of a development application. This is consistent with the existing provisions in the Brookswood-Fernridge Community Plan as approved by Council, based on such lands being subject to the tree protection and replacement provisions of the Subdivision and Development Servicing Bylaw.

<u>Bylaw Notice Enforcement Bylaw 2008 No. 4703 Amendment Bylaw 2019 No. 5481</u>
Proposed Bylaw No. 5481 provides fine amounts and offences in support of the Tree Protection Bylaw. The fine amounts have been adjusted to reflect the Township's standards and practices. It should be noted that Richmond's fine structure is based on a Municipal Ticket Information (MTI) Authorization Bylaw, whereas the Township is using a bylaw notice framework, enabled under the Local Government Notice Enforcement Act.

Fees and Charges Bylaw 2007 No. 4616 Amendment Bylaw 2019 No. 5482
To administer the Tree Protection Bylaw, amendments are proposed to the Fees and Charges Bylaw 2007 No. 4616 to include application fees for a tree cutting permit. The proposed fees have been revised to align with Township application fees and offset administrative costs associated with implementing the Tree Protection Bylaw.

Administration
Given the broad scope of the proposed Tree Protection Bylaw, its administration will require the cooperation of several municipal departments and involve staff across a wide range of service areas. Based on the experience of other municipalities with tree protection regulations, it is anticipated that the management, implementation and enforcement of the proposed Bylaw will require resources equivalent of one and a half full-time positions. This is a technical, professional position (i.e. "Certified Arborist" or similarly qualified), which will facilitate the review of tree removal applications, liaise with applicants and the general public, conduct required site inspections, analyze technical reports and plans, and participate in enforcement actions; as well as administrative, technical and enforcement support.

It is also anticipated that these positions would support the implementation of other actions, such as the anticipated Tree Canopy Protection Standards, subject to Council's approval.

Repeal of Tree Protection Bylaw 2019 No. 5301

Repealing the Brookswood-Fernridge Tree Protection Bylaw 2017 No. 5301 and replacing it with the proposed Tree Protection Bylaw 2019 No. 5478 would result in the following key changes for the Brookswood-Fernridge community:

- A tree removal permit would be required as per the Tree Protection Bylaw.
- Reduces the number of trees that can be cut without a permit to two trees every 24 months. The Brookswood-Fernridge Tree Protection Bylaw 2017 No. 5301 permits two trees to be removed per year on parcels less than 0.8 ha, and four trees per year on parcels equal or greater than 0.8 ha in size.
- Removes the ability to remove trees without a permit under the following condition:
    - a sight triangle as defined in the Township of Langley Highway and Traffic Bylaw 2010 No. 4758 as amended or replaced from time to time.
- Revises the dbh for protected trees from 20 centimeters to 30 centimetres

NEXT STEPS

Staff recommend, based on the April 15, 2019 Notice of Motion, that a Public Hearing be scheduled for the Tree Protection Bylaw 2019 No. 5478, to receive broad public input prior to Council's further consideration of the proposed Bylaw.

Staff will prepare communications materials, including a bulletin style format to clearly communicate the proposed Tree Protection Bylaw to the general public. The communications materials will include a brochure, webpage information, and application requirements, including application form and process. It is aimed that the delivery of these materials will be timed to coincide with Council's final adoption of the proposed Bylaw.

FINANCIAL CONSIDERATIONS

Staff resources will be required for the administration of the proposed Tree Protection Bylaw, such as clerical support for permit issuance and inquiries, Certified Arborist for site inspections, and officers for bylaw enforcement. However, it is proposed for the additional workload generated by the proposed Tree Protection Bylaw to be initially borne by existing staffing levels at the outset, with future staffing requests to be included as part of annual budget requests starting in 2020, based on monitoring of the workload.

It is also noted, subject to Council's approval, subsequent phases, such as undertaking a review of the existing tree canopy in the Township and preparation of a Tree Canopy Protection Standard (bullet #2 of Council resolution, see Background above) is expected to require financial resources currently projected at approximately $150,000, which has been included as part of the 2019 budget approved by Council.

CONCLUSIONS

The proposed Tree Protection Bylaw No. 5478 has been prepared based on the Richmond Tree Protection Bylaw No. 8057, which was initially adopted in 2006, with subsequent amendments.

Changes to the proposed Tree Protection Bylaw have been made as per Council direction and include:

- an exemption for trees less than 30 centimetres in diameter at 1.4 metres from the ground are exempt;
- a provision for residents to be able to remove two (2) trees every twenty-four (24) months with a permit without the requirements to pay a fee and submit an arborist report;
- a species exclusion for alder, birch, and cottonwood trees.

In addition, the proposed Tree Protection Bylaw addresses conditions specific to the Township (i.e. septic fields and water wells), and ensures alignment with the Township's regulatory language (such as existing requirements in the Subdivision and Development Servicing Bylaw) and bylaw enforcement framework (such as bylaw notice enforcement versus municipal ticket information in Richmond).

Respectfully submitted,

Aubrey Jensen
COMMUNITY AND POLICY PLANNER
for
COMMUNITY DEVELOPMENT DIVISION