

MEETING NOTES

Development Advisory Committee

File: **360-20 (DAC)**
Date: **November 25, 2010**
Time: **2:30 p.m.**
Location: **Planning Room 1, Surrey City Hall**

Members:

Clarence Arychuk
Ted Dawson
Jake Friesen
Bill Kruger
David Porte
Jas Sandhu
Greg Sewell
Kevin Shoemaker
Amy Spencer

City Staff:

Jeff Arason
Jaime Boan
Laurie Cavan
Nicholas Lai
Sam Lau
Don Luymes
Sheila McKinnon
Judith Robertson
Fay Keng Wong

Regrets:

Jean Lamontagne

1. Acceptance of Previous Minutes

In the October 28, 2010 DAC meeting notes, Greg Sewell's name should be added to the list of attendees and the name "Ted Bontkes" should be corrected to "Tim Bontkes".

The minutes of the meeting of October 28, 2010, with the aforementioned corrections, were received.

2. Developer Contributions to Public Art (Sheila McKinnon, Arts Manager; and Laurie Cavan, General Manager of Parks, Recreation & Culture Department)

- Laurie Cavan spoke of the Parks, Recreation & Culture Department's (PRC's) previous visits to DAC meetings, and the DAC's very positive feedback to proposals for a Public Art Program that will involve developer contributions. Since PRC's last visit to DAC, a shirtsleeve session was held to provide Council an update on the program's development and to get their feedback.
- Sheila McKinnon distributed the handout "Final Draft – Private Sector Development Public Art Program" (Final Draft) to the DAC members and provided an update on the work that has been completed on this program. The Final Draft identifies the type of projects that will be subject to the contribution to the Public Art Program, and provides guidelines on how the public art work is to be developed (in terms of funding). The funding model is based on what is practiced in other cities and on input received from previous discussions with DAC. Council is considering making it a requirement that developers contribute to public art.

- Sheila commented that in March 2009, PRC submitted a report to Council to make a presentation to DAC with a view to discussing options for developer involvement in the provision of public art in Surrey. PRC also consulted with the Public Art Advisory Committee (PAAC), who provided examples of large scale artwork including those from the City of Richmond's public art program. PRC received a very favourable response from Council, who thought that a lot of public art opportunities had been missed in Surrey and that developers were contributing more in other municipalities.
- It is anticipated that the developers' contribution to Surrey's Public Art Program will be implemented in the New Year.
- The PAAC went on a public art tour in the City of Vancouver, which has reinforced the idea that developers can successfully contribute to public art. Concord Pacific has made a significant investment in public art along False Creek in Vancouver.
- The City is looking at what has to change in terms of the City's by-laws.

Questions and Comments from DAC:

- Jake Friesen asked what Council was told were DAC's recommendations. Laurie noted that the public art contribution rate of 0.5% for private sector public art projects is significantly less than the 1.25% rate that is currently required for capital projects funded by the City.
- Kevin Shoemaker asked if the 0.5% rate was discussed with the DAC. Sheila answered yes. Various percentages were considered and this percentage is used in the City of Richmond. DAC had asked City Staff to take the 0.5%, apply it to previous years of development activity (2008 and 2009), and look at the impact it would have had. Through discussion and consideration, the 0.5% rate was chosen. The program will apply to all new building construction, major additions or renovations to existing buildings, for all residential and non-residential projects.
- Kevin commented that the 0.5% will be an unwanted additional cost for developers. The City has to start with a budget, which appears to be based on a number from Richmond. Sheila responded that that is not the case. The City has an idea of potential sites for artwork, researches how much artwork costs, and calculates a budget from there. PRC will create a cultural plan for the city and work with a consultant to ensure that there is public art in each town centre.
- Clarence commented that the 0.5% additional contribution will be passed down to new homeowners, who will already be paying for amenities. This creates a particular economic hardship for new homeowners compared to older homeowners who will not have to pay the additional contribution even though they may be able to better afford the fee. Developers are not opposed to public art contributions, but the home buyer is actually the one who pays. Jake added that the contribution is essentially a tax passed down to the homeowner.

- Kevin and Clarence commented that DAC would be more comfortable with a budget. Projects start with a budget. Laurie commented that PRC could come back to the DAC with a budget.
- Sheila commented that the cost for common amenities such as a pool can be estimated, but artwork is so site-specific and prices vary depending on the type of artwork (small scale to iconic). Clarence commented that it has been done before, where a vision is developed and then a budget. Sheila added that iconic public artwork can range from \$5 million to \$7.5 million. Contributions could also be split between town centres (e.g. \$400,000 per town centre) or there could be a combination of small scale and iconic public artwork.
- David Porte commented that it does not make sense to require industrial developments to install artwork, where no one can enjoy it. Sheila commented that the City would create an annual plan and identify where the artwork would go.
- Kevin asked if there is someone on PAAC from DAC. Sheila commented that currently there is not. PAAC is a Council appointed select committee, but it can create a spot for a DAC representative. Sheila added that PAAC does not have anymore say than developers.
- Kevin commented that when developers create a master plan community, they have a line item for public art, public consultation, etc., but they start with a number (which was derived from what is profitable to the development). If the City requires developers to make a contribution to public art, the City will appear as though it is collecting a pot of money and has the decision of what kind of artwork will be brought in.
- Jake Friesen commented that the public art contribution essentially means taxing homeowners, and will make it more difficult to develop in Surrey than in Vancouver. We have reached the tipping point. DAC has to say whether or not it is in favour of the introduction of the public art contribution. DAC has asked for the budget from the beginning.
- Laurie commented that it sounds as if DAC would like a public art master plan in advance of setting a rate for contributions. This conversation is very different from previous DAC meetings where the idea of the 0.5% public art contribution was discussed. Steve and Clarence commented that they just heard that week that there will be another levy on developers and this discussion of the public art contribution is bad timing. Kevin commented that everyone wants public art, but it is all coming to a bit of a head in Surrey as increases are occurring in other things, as well. Developers are trying to be prudent with their money.
- Laurie commented that Arts Services can report back to DAC on an annual basis to ensure that the public art contribution is being implemented properly. Kevin commented that it is not the setting up of the public art contribution program that is the problem so much as the rate.
- Ted Dawson commented that Section 1.34 (b) and (c) of the Final Draft should also apply to public art contributions that are less than \$100,000. Some smaller projects may be

interested in providing public artwork. Laurie responded that PRC will definitely consider it if there is interest.

- Ted asked if the public art contribution would be payable at the building permit stage. Don Luymes responded that that has not been determined, yet.
- Kevin asked if the Final Draft is final. Laurie responded that DAC's comments will be taken into consideration and incorporated into a Corporate Report that may go to Council before the end of this year.
- Kevin asked if developers have to hire an art consultant. Sheila said no.
- Kevin asked if the developer manages the artwork, why does the developer still have to allocate 5% of the overall contribution to overhead? Sheila commented that the 0.5% includes administrative work, site visits, etc.
- Amy Spencer asked what is the procedure manual? Sheila commented that we have one now. It would just be modified to reflect private sector demands.

3. OCP Review (Don Luymes, Manager of Community Planning)

- Don provided an update on the OCP Review. A copy of his PowerPoint presentation will be forwarded to the DAC for their input.
- The City has met with various stakeholders and City advisory committees over the fall. A Shirtsleeve session was held with Council in late October, which identified eleven areas of direction.
- It is anticipated that a progress report will go to Council before Christmas for a Public Open House and draft revised OCP in January 2011. A finalized version of the OCP is targeted for March 2011.
- The current OCP document has redundant wording and is not very streamlined. Its policy directions will continue, but the revised OCP will also incorporate plans, policies, documents, and strategies that have been developed since its last update. The revised OCP will also respond to significant planning issues including accommodating population growth and demographic diversity; housing affordability challenges; demand for transportation choices; being greener and denser at the same time; energy and climate change; demand for quality, local employment opportunities; considering social, economic and environmental sustainability in all decisions; and building a vibrant and attractive City Centre and Town Centres.
- Major Policy Themes that have been identified include a healthy ecosystem and green infrastructure; downtown Surrey as a metropolitan centre; liveable, sustainable town centres and neighbourhoods; a vibrant, high-quality economy; and safe, healthy and inclusive communities.

Questions and Comments from DAC:

- Amy asked for clarification on what is meant by “Encourage green development practices and innovations” on the Healthy Ecosystems and Green Infrastructure slide. Does it mean requiring green roofs, for example? Don said no and commented that the City is preparing a Sustainable Development Checklist and there are ways to achieve green development other than through cash incentives.
- Clarence commented that in spite of Policy O-23, we have densified around golf courses, a lot of which are in the ALR. What is being buffered from has to be considered (e.g. farmland or natural area). The ALR is part of Surrey’s history and culture. We should be specific about what we are protecting. Don commented that in Abbotsford, industrial areas have different buffering requirements than residential or other land uses.
- Kevin asked how TownShift fits in with the OCP Review. Don commented that TownShift provides more a flavour in terms of urban design.

4. Presentation and Discussion on Small Lot Single Family Zones Review (Don Luymes)

- Don commented that two things prompted the Small Lot Single Family Zones Review. First, Council asked City Staff to do a post-occupancy assessment of East Clayton as a result of mixed reviews it has received from residents and others, and to improve the planning of future NCPs such as West Clayton. Second, City staff has been asked to look at small lot zones and see if it is reasonable to adjust these zones. Council and City Staff have both raised issues regarding small lots.
- Drainage has not worked as effectively as planned for small lots. There has been a conflict with service connection works (lack of accessibility for servicing). Trees and urban forest, the usability of yard and garage, parking, and unsightliness are other contentious issues associated with small lots.

Questions and Comments from DAC:

- A DAC member asked if the complaints over the design of small lots are coming from residents or special interest groups. Don commented that concerns have been expressed by residents and City staff of various departments. Jaime Boan, City of Surrey Manager of Transportation, commented that one of the most frequent calls the Engineering Department receives in RF-9 lot areas is regarding parking.
- Clarence commented that his company worked on Clover Valley Station and Panorama, which were two very different projects in terms of house type and width. RF-12 has become the norm in Surrey, has resulted in a boring house type, and is not considered small lot anymore. From an urban design viewpoint there are ways to improve RF-12. Clarence added that Jake’s company has built nice RF-9 houses on 32 Ave. He further commented that the East Clayton NCP introduced all the lanes and that there is no

economic incentive to develop RF-12 with lanes. He is concerned that Grandview Heights NCP #2 will become like East Clayton. There is nothing wrong with RF-9 housing. It worked well in Ocean Park, which is primarily home to seniors and is successful because of its trees. The lots and houses are also deeper in Ocean Park.

- Jake commented that he has a bad experience in attempting to incorporate service connection works in an attractive manner due to municipal requirements. Sam Lau, Acting Manager of Land Development, commented that the City is doing a short term pilot project to improve this.
- Regarding the slide showing the usability of garages, Clarence commented that there was one case where probably a dozen garages and lanes were re-built because the developers knew that they would not be able to sell their homes if residents could not get into their garage. Jake added that enlarging the lot width does not solve the issue of ramps leading into garages. Clarence commented that deeper lots do not necessarily help either because developers will just lengthen the yard (not the garage) because people want more yard space. It was noted that the issue is a matter of bad building practices rather than City requirements.
- It was commented that 9 m is where there are cost savings. Don commented that some have said that the zone is not necessarily wrong, but the overuse of the zone in large contiguous areas (RF-9).
- Jaime commented that the width of garages is not practical to park two cars. If we are moving to allow secondary suites, parking will not be enough. Should we say no to secondary suites? Clarence commented that tandem garages may work. Don commented that garages may not always be used as parking spaces by residents.
- Kevin commented that Clayton seems to be very hardscaped. Will the trees that are planted grow out in twenty years and look like the leafy neighbourhood of Vancouver's Kitsilano? Don commented that he does not know if the trees that have been planted are thriving. There is not enough land on the property for a tree, but on the boulevard.
- Ted commented that people are using parking for storage. The parking demand for these single family units is higher than for high density units. Design gets more important when you have people living closer together. A comment was made that RF-9 Type III lots, which include vistas with wide lanes and attached garages with deck space above the garage, have worked well.
- Kevin commented that it is all about variety, not having one type throughout. Clarence said the greenways/extra space could be turned into parking pockets.

5. DCC Discussion (Jeff Arason, Utilities Manager)

- Jeff Arason presented on the DCC By-law. Each year the Engineering Department's Utilities Division provides an update on DCC's and asks DAC for their input on DCC's rates. City Staff recommends that the general rates stay the same.

- There are three DCC rates for the City: general, Hwy 99 Corridor, and Campbell Heights. For the Hwy 99 Corridor, DCC rates contribute towards a future sanitary sewer pump station. The estimated contribution was \$1.78 million based on anticipated flow contribution to the pump station coming from the Hwy 99 Corridor. Since completing Grandview Heights NCP #2, the City has found that the contribution based on the anticipated flow is too low. As part of Council's November 15, 2010 endorsement of the servicing strategy for Grandview Heights NCP #2, Council has instructed staff to adjust the Hwy 99 contribution. This change increases the contribution from \$1.78 million to \$4.34 million. As a result of this increase in contribution, the City is proposing an increase of 10.7%
- There have also been recent legislative changes. The Province introduced Bill 11 earlier this year which brought about changes to various Acts, including introducing a formal grandfathering process for DCCs payable through Building Permits. Effective January 1, 2011, all Building Permits will become eligible for grandfathering to the DCCs in effect at the time of their application as long as they meet two criteria: that the application be 1) in-stream by the effective date of the new by-law; and 2) issuable within one-year of the effective date. This means that all Building Permit applications in the Hwy 99 Corridor that are in-stream before March 15, 2011 will be grandfathered to the existing rate provided that their Building Permit is issuable within one-year. The City has worked with the Province to bring about this change. It is legislated, but the City is incorporating this into its DCC by-law.
- It is anticipated that a report will go to Council on December 13, 2010; Bill 11 changes will take effect on January 1, 2011; Provincial submission will occur in January 2011; Provincial Approval will take place in February 2011; Council approval (4th reading) will occur on March 1, 2011; the By-law will become effective on March 15, 2011; and the 10-Year Service Plan and DCC rate review will take place in Summer 2011.

Questions and Comments from DAC:

- Clarence commented that everyone in the Hwy 99 Corridor area should be notified of these changes. Jeff acknowledged Clarence's recommendation and committed to notifying all in-stream applicants within the Hwy 99 Corridor and that the City will consider notifying all property owners in the Hwy 99 Corridor.

6. Next Meeting (January 27, 2011)

The meeting adjourned at 4:57 p.m.