



# Corporate

NO: L002

# Report

COUNCIL DATE: February 5, 2001\_

<b>REGULAR COUNCIL- LAND USE</b>			
TO:	<b>Mayor &amp; Council</b>	DATE:	<b>February 1, 2001</b>
FROM:	<b>General Manager, Planning &amp; Development</b>	FILE:	<b>7900-0176-00</b>
SUBJECT:	<b>Elgin Ratepayers Association Delegation- Impacts of Proposed Residential Development</b>		

## RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information; and
2. Authorize staff to forward a copy of this report to the representatives of the Elgin Ratepayers Association who appeared as a delegation before Council.

## PURPOSE

The purpose of this report is to provide information to Council regarding the issues raised by a delegation from the Elgin Ratepayers Association who appeared before Council on January 22, 2001.

## BACKGROUND

On January 22, 2001, representatives from the Elgin Ratepayers Association appeared as a delegation before Council and made a presentation concerning the impact of development on their community. Specifically, the residents raised concerns about the potential impact of a proposed 108-lot subdivision application (Surrey Project No. 7900-0176-00) by Progressive Construction Ltd. for property in the vicinity of 32 Avenue and 144 Street including the City-owned Elgin landfill site (Appendix I). The subject development application has been forwarded for Council consideration under a separate Regular Council (Land Use) report.

The delegation requested that Council direct staff to organize meetings and discussions between City staff, developers, neighbourhood representatives and property owners in the area prior to the introduction of any by-laws respecting development applications in this area.

Subsequently, Council requested that staff report back to Council on the issues raised by the delegation.

## DISCUSSION

The representatives of the Elgin Ratepayers Association raised the following concerns regarding the referenced development application during presentation to Council:

### 1. Lack of Information Provided to the Neighbourhood on the subject application

Concern was raised that the developer had not provided sufficient information to the community on tree preservation, landfill contamination, environmental issues, creek preservation, hydrology, among other issues.

Two (2) Public Information Meetings were held by the developer to provide information to the community. Professional consultants who were available to answer questions hosted these meetings. City staff was in attendance as observers. Some of the site and development information has been finalized and submitted to the City. However, several issues are still under review. Final reports on these issues are not expected until later in the process. The status of required information associated with the subject development application is summarized below:

Information	Consultant	Status
• Arborist Report, Tree Survey, and Tree Replacement Plan	Arbortech	Finalized
• Building Character Study and Building Design Guidelines	Tynan Design	Finalized
• Contamination Location Tests	Morrow	Finalized
• Landfill Methane Tests	Hanson	Finalized

• Ministry of Environment approval regarding: - Creek Protection Measures - 34 Avenue Crossing - Raptor Relocation Measures	ECL Envirowest	In process
• Site Drainage and Hydrology	Stantech	In process
• Groundwater Contamination Analysis	Morrow	Finalized

The arborists report and tree replacement plan information, building scheme information, environmental information pertaining to the landfill location, and methane generation and groundwater contamination analysis are filed with the City and are available for public review. Final information pertaining to Ministry of Environment approvals, and site drainage is in process but has not been finalized. Information on these outstanding matters will be finalized prior to approval of the application.

To ensure the community has up-to-date information on the proposed development, the developer has forwarded a package of information directly to representatives of the Elgin Ratepayers Association, including the tree information and executive summaries of the Morrow groundwater report and Stantech draft site drainage report.

## 2. Perceived Conflict Between Official Community Plan and Local Area Plan Designations

The Elgin representative indicated that the Official Community Plan designates the site as Suburban, which permits a maximum density of 2 units per acre. On the other hand, the Semiahmoo Local Area Plan (1993), which was prepared following a lengthy public process, designates the majority of the site for One Acre development.

### Staff Response:

The Official Community Plan designation provides the general framework and maximum density permitted in all areas of the City, while Local Area Plans provide a more specific density designation for the specific area of the City to which they apply. In this case, the Suburban designation under the Official Community Plan (OCP) generally permits a maximum density of 2 units per acre, with a range of allowable zones from one acre residential (RA) to half-acre residential gross density (RH-G). The Local Area Plan specifically proposes one-acre development for this area that is consistent with the OCP. An amendment to the Local Area Plan is required to enable an overall density of 2 units per acre throughout the site as is proposed by the subject application. This Local Area Plan amendment is, however, permitted under the Official Community Plan designation for the area.

## 3. Extent of the Landfill Area and Remediation Proposed

A concern was raised that the landfill area extends beyond the limits shown on the plans being used by the developer as the basis for the current rezoning and residential subdivision proposal. In addition, a small portion of landfill area at the easterly edge of the property is proposed to be remediated and developed for residential lots. Concerns were raised regarding public health, safety, and liability associated with the landfill area.

### Staff Response:

The developer of the site is required to establish the limit of the existing landfill site through a review of historical information and on-site testing. This information will be reviewed by the Engineering Department prior to the proposed development proceeding to design stage. Approval from the Ministry of Environment (Soil Contamination Branch) is also required.

## 4. Tree Retention

Elgin representatives advocate retaining all major stands of mature evergreens as part of the parkland, by the City not permitting these areas to be cut. The Elgin representatives stated that these areas are prime visual assets, vital hydrological control elements, and important raptor nesting sites.

Staff Response:

The applicant has retained a professional arborist to complete an assessment of the existing vegetation on the development site, including a tree survey and the preparation of an arborist report and tree replacement plan. These have been submitted and are under review. Several clusters of significant vegetation will be retained. However, the substantial physical changes resulting from site grading and road construction to create reasonable building lots associated with residential development will necessitate removal of the majority of the site vegetation. The tree replacement plan prepared by the arborist will result in some reforestation of the area to replace existing vegetation that will be lost. A large portion of the site will be retained as parkland.

A raptor nest is located on the property. The applicant has retained an environmental consultant, ECL Envirowest Consultants Ltd. to work with the Ministry of Environment to determine how best to address this matter. The consultant has recommended that the raptor be relocated to a suitable existing tree on the future parkland component of the site. This issue will have to be satisfactorily resolved in accordance with the requirements of the Ministry.

The Parks, Recreation and Culture Department have not yet developed plans for the parkland. In accordance with normal practice, the Parks Division will undertake a public consultation process as part of the formulation of the plan for this park space.

5. 34 Avenue Extension

The proposed extension of 34 Avenue, which is designated as an Arterial Road by the City's Master Transportation Plan, will be required as part of the development. The Elgin Ratepayers representatives dispute the designation of this future road as an arterial, and suggest that this should be rethought in light of the new interchange at 32 Avenue and Highway 99. They further advised that the City should not permit a portion of the existing Elgin Park to be used for the new 34 Avenue.

Staff Response:

The portion of 34 Avenue through the area covered by the subject development application has been in the City's master road plans for over 10 years. The purpose of this link is to relieve congestion on the portion of Crescent Road to the north. As a heritage roadway, the widening of Crescent Road to accommodate additional traffic is not an option. The implementation of 34 Avenue will provide a more complete roadway network for the area making travel more efficient and minimizing emergency response times. Although designated as an arterial roadway for access control purposes, the design standard for the roadway will be evaluated during the design phase to minimize impacts on the natural environment while still satisfying its intended function.

6. Impact of development on Elgin Creek and Other Streams

The representatives of the Elgin Ratepayers Association advise that:

- i. the proposed alignment of 34 Avenue across Elgin Creek west of 144 Street will result in severe impacts on Elgin Creek and destroy a portion of the ravine, which is a sensitive riparian zone;
- ii. Elgin Creek is considered a mini rain forest and is critical to the survival of this watershed area;
- iii. the Creek is currently experiencing severe runoff impact from polluted ditches and storm sewers, and there are restrictions on the flow of the creek as a result of at least nine culvert crossings;

and

iv. the Creek is one of the few remaining salmon and trout streams in Surrey, and the City should adhere to the policy of no-flow changes to the drainage system.

Staff Response:

The construction of the proposed crossing of Elgin Creek is subject to the approval of the Ministry of the Environment and Department of Fisheries and Oceans. The City will not issue a servicing agreement for the proposed works until such approvals are received. The developer has completed a drainage study related to the impacts of the development on the creek and has proposed mitigation measures that meet the Engineering Department's Storm water Management Design Criteria.

## CONCLUSION

The issues raised by the representatives of the Elgin Creek Ratepayers Association in their presentation to Council either have been or are being addressed by the developer. Finalization of these issues to the satisfaction of the City and other relevant authorities will be required prior to final approval of the application. On this basis, development application No. 7900-0176-00 is being forwarded to Council for consideration under a separate Regular Council - Land Use report. The application will require a Public Hearing, at which time the public will have an additional opportunity to advise Council about concerns and provide input on the proposed development.

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General Manager

Planning & Development Department

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Appendix I- Elgin Ratepayers Association- Presentation to Council (January 22, 2001)

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