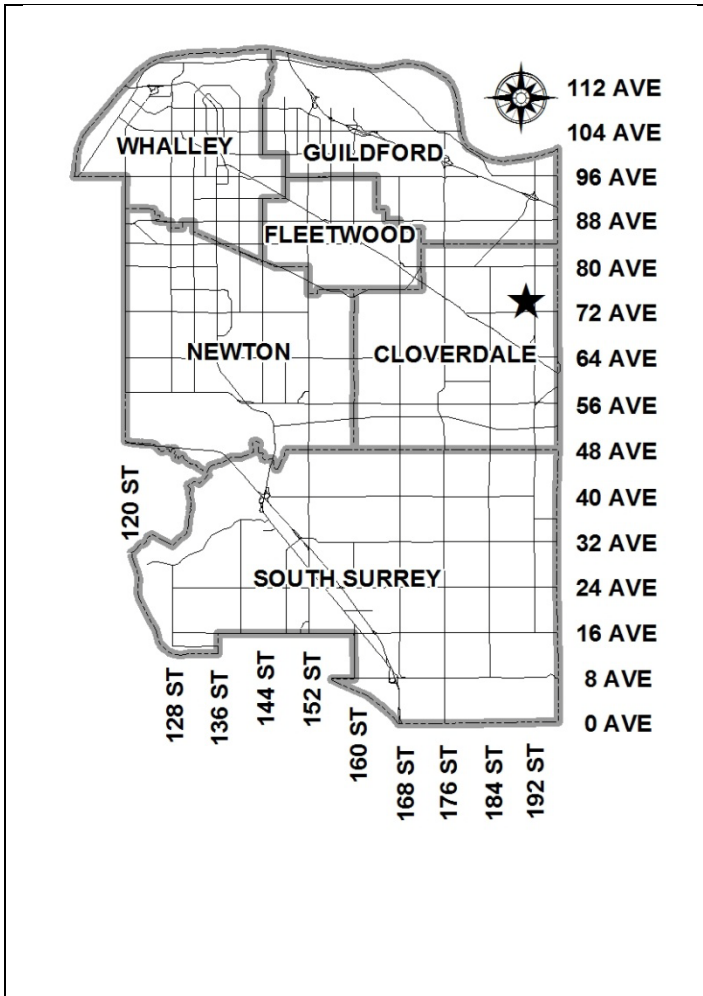


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0263-00

Planning Report Date: April 2, 2012



PROPOSAL:

- **OCF Amendment** from Suburban to Urban
- **NCP Amendment** to include the subject portion within the NCP boundary as 22 - 45 upa (High Density)
- **Rezoning** from RA to CD (based on RM-30)
- **Development Permit**
- **Restrictive Covenant Discharge**

in order to permit the development of approximately 29 townhouse units.

LOCATION:

Portion of 7349 - 192 Street

OWNER:

Legendary Developments (Clayton) Ltd., Inc. No. BCo897820

ZONING:

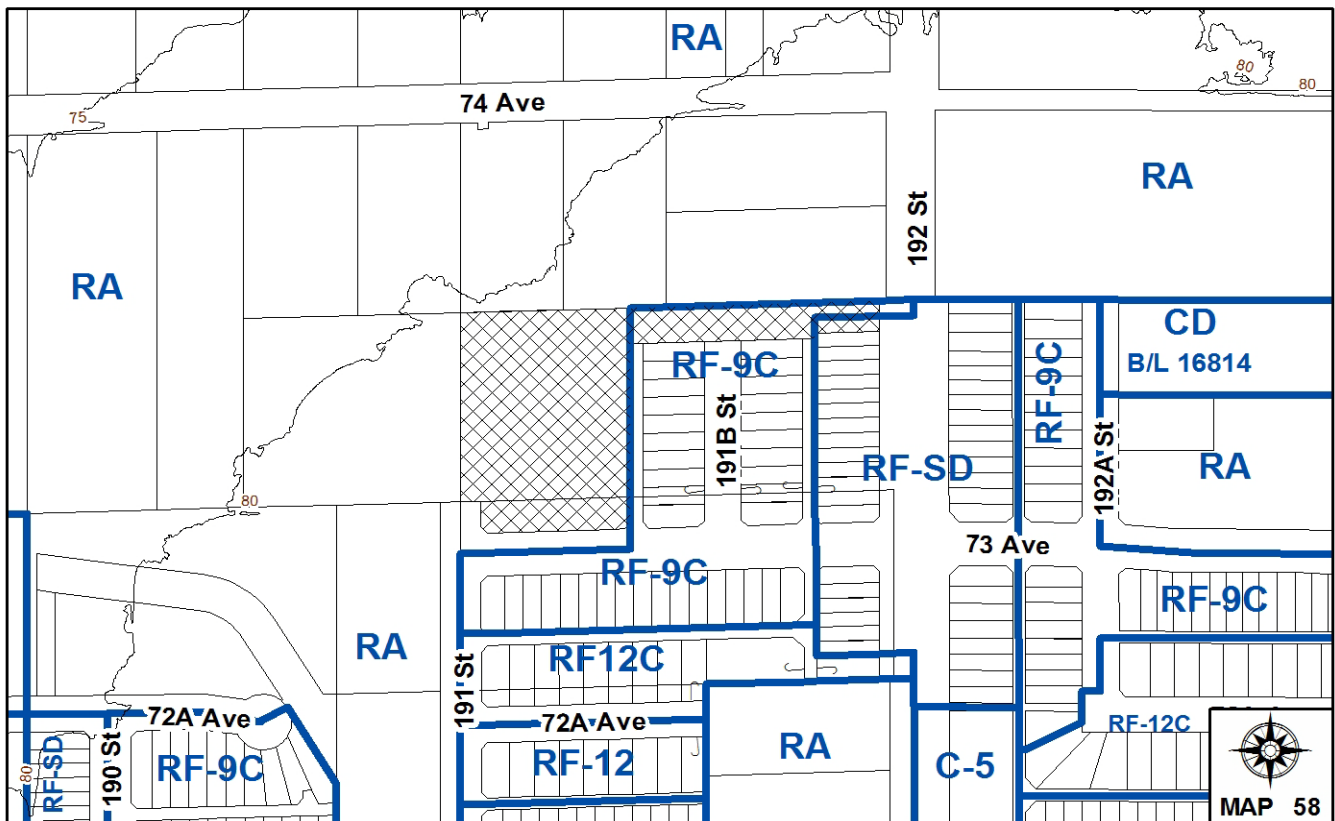
RA, RF-9C and RF-SD

OCF DESIGNATION:

Urban and Suburban

NCP DESIGNATION:

Outside the East Clayton NCP Extension - North of 72 Avenue



RECOMMENDATION SUMMARY

- The Planning & Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires an OCP amendment from Suburban to Urban (see Appendix IV).
- Requires an amendment to the East Clayton Neighbourhood Concept Plan (NCP) Extension – North of 72 Avenue to include the property within the NCP and designate it as 22 – 45 upa (High Density).
- The Official Community Plan (OCP) includes policies that promote an orderly, comprehensive and holistic approach to land development. OCP Policy A-4.3 requires that development within specified areas, such as Clayton, be contingent upon, and subject to, the preparation of an NCP specifying land use, density, infrastructure services including roads, public amenities and financing strategies. This site is beyond the NCP boundary.

RATIONALE OF RECOMMENDATION

- The subject site currently falls outside of the existing boundaries of the East Clayton NCP Extension – North of 72 Avenue (East Clayton – North NCP) area.
- The application should be withheld until an NCP process covering the land that is the subject of the application has advanced to Stage 1 approval.
- The Engineering Department has serious concerns with the application. The existing sanitary sewer and storm water management systems do not have the capacity to support additional development beyond the currently approved NCP boundaries.
- The additional residents resulting from the proposed developments were not accounted for in the preparation of Parks, Recreation and Culture Department plans for this NCP area.
- It is difficult for the Surrey School District to plan for additional schools without a comprehensive NCP process being undertaken. The School District has not planned for student growth to the north of the current East Clayton boundaries and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time.
- The proposed development, if approved, would extend the NCP area without a thorough planning process, which includes community consultation.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied (Option A).

This report is being forwarded to Council in advance of a full application review process since the subject application involves a significant policy-related decision and it was not considered practical to undertake all of the work associated with refining and detailing the proposal until it is determined if Council is prepared to consider the related NCP policy amendment.

If Council is of the view that the relative merits of the application are sufficient to allow the application to proceed (Option B), the application should be referred back to staff to work with the applicant in completing the application as follows:

- submission of a detailed design package, including complete building elevations, floor plans, streetscape sections, lot grading information, colours/material scheme, landscape plan and arborist assessment;
- detailed Engineering assessment to determine specific development requirements;
- completion of a review to assess the viability of a wildlife corridor that will link together adjacent “Terrestrial Hubs”, as per the City’s Ecosystem Management Study; and
- undertake a complete public consultation process as per typical NCP amendment applications; and
- work with the owners of 19094 – 74 Avenue and 19136 – 74 Avenue to the north to address the buffering issue between these lots and the subject site.

If Council decides there is merit in the application (Option B), a second Planning Report will be forwarded to Council once the completed application has been received and thoroughly reviewed by staff.

REFERRALS

Engineering: The Engineering Department has significant concerns with the project as outlined in Appendix III.

SITE CHARACTERISTICS

Existing Land Use: Vacant, remnant acreage portion created under Application No. 7905-0382-00.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
North:	Acreage residential.	Suburban in the OCP	RA
East (Across lane):	Small lot single family residential, under construction.	10 - 15 upa (Medium Density) in the NCP	RF-9C
South (Across unconstructed 73 Ave):	Vacant parcel recently approved under Application No. 7910-0177-00.	10 - 15 upa (Medium Density) in the NCP	RF-9C
West:	Acreage residential.	Suburban in the OCP	RA

APPLICANT'S JUSTIFICATION FOR OCP AND NCP AMENDMENTS

- The applicant has stated that the subject site was initially included in the original application on the property (Application No. 7905-0382-00) but, at that time, this western portion of the original site could not be serviced.
- The applicant also notes that the original Planning Report for Application No. 7905-0382-00 states that "The subject property was included as part of the original "study area" when the East Clayton NCP Extension North of 72 Avenue boundary was being established. It was excluded from the approved NCP because it was believed that the site could not be serviced under the established servicing guidelines. However, a detailed topographic assessment of the site by the applicant's consultant has determined that a portion of the site [i.e. the eastern portion] can be efficiently serviced within the servicing guidelines in the NCP."
- The applicant has indicated that their Engineering consultant, Aplin & Martin Consulting Ltd., has undertaken a review of the subject site and determined that the subject portion can be serviced within the servicing guidelines of the East Clayton NCP Extension – North of 72 Avenue.
- The applicant has advised that they held a public information meeting on July 14, 2011 in which no major concerns were brought up by the local community, and has worked with the surrounding neighbors to gain their support for this application.

DEVELOPMENT CONSIDERATIONSBackground

- On June 27, 2005, the East Clayton NCP Extension – North of 72 Avenue (East Clayton – North NCP) was approved by Council. The plan area is bounded by 188 Street to the west, 72 Avenue to the south, and 196 Street to the east. The northerly boundary of the NCP area was established as the limit to which gravity sanitary sewers could be installed to service the land north of 72 Avenue while satisfying the following criteria:

- the maximum depth of sewer lines being no more than 5.0 metres (16 ft.) below the finished grade;
- the maximum depth of imported fill on any lot in the area being no more than 1.2 metres (4 ft.);
- sewer trunk servicing capacity must be available to allow full development in the East Clayton NCP areas, including the Aloha Estates neighbourhood south of 72 Avenue and east of 192 Street;
- satisfaction of all other criteria in the City of Surrey Subdivision and Development By-law; and
- the interface between the developed land and the adjacent suburban/rural land to the north being designed with a suitable buffer.

Context of Current Application

- The subject property is located at 7349 – 192 Street outside the existing East Clayton – North NCP boundary. The western portion of the site is currently zoned "One-Acre Residential Zone" (RA), while the eastern portion is zoned "Single Family Residential (g) Coach House Zone" (RF-9C) and "Semi-Detached Residential Zone" (RD-SD).
- The subject application is one of four applications that the City has recently received for outside the East Clayton NCP boundary (Appendix V). Additional applications could be anticipated, if any of these four applications is supported.
- As in each of the above-referenced applications, the applicants for the subject site are proposing to develop their site in advance of an NCP being prepared for the area. As these applications are outside of an existing NCP area, each application will require an Official Community Plan ("OCP") amendment to redesignate the land from "Suburban" to "Urban" and an amendment to the East Clayton – North NCP to include the land within the NCP area.
- Under the subject application, the applicant is seeking to designate the subject site as 22-45 upa (High Density) within the East Clayton – North NCP. In addition, the applicant is proposing to rezone the subject western portion of the lot from RA to Comprehensive Development Zone (CD) based on the Multiple Residential 30 Zone (RM-30) in order to construct 29 townhouse units. The portion currently zoned RF-9C and RF-SD will not change.
- The subject site is designated as a "Terrestrial Corridor" under the Ecosystem Management Study (EMS). The EMS recommends strategies now being used to inform community planning processes to help identify areas that are suitable for development and similarly areas that should be preserved or enhanced as part of comprehensive planning processes. As noted, a community planning process has yet to be completed for this area.

PRE-NOTIFICATION

Pre-notification letters were not sent for this application. Should Council direct staff to allow the application to proceed, pre-notification letters will be sent out at that time.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Staff have not consulted with any persons, organizations or authorities with respect to the proposed OCP amendment. Should Council direct staff to allow the application to proceed, staff will undertake the necessary consultation.

PROJECT EVALUATION AND DISCUSSION

- As discussed above, the applicant is seeking to include their site within the East Clayton NCP Extension – North of 72 Avenue (East Clayton – North NCP). To date, two land development applications have been approved that were immediately outside the boundary of the East Clayton - North NCP (Application Nos. 7905-0382-00 and 7910-0177-00). In each case, the applicant was able to demonstrate how their development could proceed within the criteria established by the NCP (as described on page 4 of this report).
- The current application is unable to satisfy the criteria for the following reasons:
 - The existing sanitary sewer and storm water management systems do not have the capacity to support additional development beyond the currently approved NCP boundaries.
 - The additional residents resulting from the proposed development were not accounted for in the preparation of Parks, Recreation and Culture Department plans for this NCP area.
 - The School District has not planned for student growth to the north of the current East Clayton boundaries and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time. It is difficult for the Surrey School District to plan for additional schools without a comprehensive NCP process being undertaken.
- The Official Community Plan (OCP) includes policies that promote an orderly, comprehensive and holistic approach to land development. OCP Policy A-4.3 requires that development within specified areas, such as Clayton, be contingent upon, and subject to, the preparation of an NCP specifying land use, density, infrastructure services including roads, public amenities and financing strategies.
- The proposed development in effect extends the NCP area without a thorough planning process, which includes community consultation, and does not meet the criteria established within the NCP (see Background section).
- The Planning and Development Department is currently preparing two NCPs for the West Clayton community, located to the west of 188 Street. It is expected that the Stage 1 Land Use Concept (covering both neighbourhood plans) will be completed in 2012, with Stage 2 for the first neighbourhood completed approximately a year later. The remaining Stage 2 report for the second neighbourhood would then be completed. There are no current plans to initiate NCP processes for lands ~~west~~ east of 188 Street, which would cover the subject applications.
- The subject property is adjacent to an area with significant environmental value, and therefore the strategy recommendations within the City's Ecosystem Management Study

(EMS) indicate it should be necessary to assess the viability of an “Ecosystem Corridor” through the subject site that will link together adjacent “Terrestrial Hubs”.

OPTIONAL COURSES OF ACTION

The following is a summary of the optional courses of action for consideration, and the benefits and concerns of each approach.

- Option A: Denial

Pros:

- Withholding the processing of this development application until an NCP process covering the land subject to this application has advanced to Stage 1 approval supports existing City policy related to contiguous, coordinated development that equitably and efficiently utilizes the available land base.
- This action supports the public expectations related to the East Clayton Extension – North of 72 Avenue area regarding the northern-most limit of development.
- In addition, a denial will send a clear message that development applications will not be supported in a greenfield area until an NCP has been developed for the area. The NCP process allows for a comprehensive review of all of the land use considerations, servicing needs and financial ramifications before development proceeds in the area to ensure that the neighbourhood provides a high quality of life, that impacts are addressed and that costs are equitably shared.
- Allows time to adequately evaluate the environmental significance of the area through an NCP process.
- In this circumstance, a denial is consistent with the objectives within the City’s Sustainability Charter related to planned and orderly development.

Cons:

- The applicant will not be able to proceed with development as proposed and will be required to wait for the completion of a community planning process for the area.
- Option B: Refer back to staff and work with the applicant to allow the application to proceed. Process application beyond the East Clayton NCP Extension – North of 72 Avenue boundary

Pros:

- New opportunities for additional housing in Surrey would be created, which may help to influence housing affordability in the area.
- Allowing the proposed development to proceed will result in the City collecting additional NCP amenity fees for the neighbourhood.

Cons:

- Proceeding with the development in advance of an NCP sets a precedent for other landowners who are also looking to develop their land prior to completion of an NCP.
- Engineering services, such as sanitary sewers and storm sewers, will require expensive upgrades to accommodate the related developments. These costs will likely exceed the financial ability afforded by the scale of the application. This will lead to frustration on the part of the applicant and will put pressure on the City to compromise design standards to make the development viable, which would lead to problems for the City over time.
- Parks and other amenities will be over-subscribed due to the additional development that was not anticipated in the development of the East Clayton NCPs.
- As the subject site has been identified as an "Ecosystem Corridor" within the EMS, the proposed development could potentially have significant and detrimental environmental impacts on adjacent sensitive areas. Any proposed development requires a thorough assessment.
- Schools in the area will experience increased pressure on their capacity by virtue of this unanticipated growth in the student population in the area.

CONCLUSION

- The Planning & Development and Engineering Departments recommend Option A, which is to deny the application.
- If Council is of the view that the relative merits of the application are sufficient to allow the application to proceed (Option B), the application should be referred back to staff to work with the applicant in completing the application as follows:
 - submission of a detailed design package, including complete building elevations, floor plans, streetscape sections, lot grading information, colours/material scheme, landscape plan and arborist assessment;
 - detailed Engineering assessment to determine specific development requirements;
 - completion of a review to assess the viability of a wildlife corridor that will link together adjacent "Terrestrial Hubs", as per the City's Ecosystem Management Study; and
 - undertake a complete public consultation process as per typical NCP amendment applications.
- If Council decides there is merit in the application (Option B), a second Planning Report will be forwarded to Council once the completed application has been received and thoroughly reviewed by staff.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners, and Action Summary
- Appendix II. Proposed Site Plan
- Appendix III. Engineering Summary
- Appendix IV. OCP Redesignation Map
- Appendix V. Map of Current Applications beyond NCP Boundary

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

CA/kms

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. 4/2/12 11:11 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Kevin Dhaliwal
 Legendary Development Ltd
 Address: 16088 - 84 Avenue, Unit 306
 Surrey BC V4N 0V9

 Tel: 604-507-8201

2. Properties involved in the Application
 - (a) Civic Address: Portion of 7349 - 192 Street

 - (b) Civic Address: Portion of 7349 - 192 Street
 Owner: Legendary Developments (Clayton) Ltd., Inc. No. BCo897820
 Portion of PID: 028-796-136
 Lot 40 Section 21 Township 8 New Westminster District Plan BCP49823

3. Summary of Actions for City Clerk's Office

BY SIGNING THESE PLANS, THE ARCHITECT CERTIFIES THAT THE PLANS COMPLY WITH ALL APPLICABLE REGULATIONS AND STANDARDS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED AND DOES NOT EXTEND TO THE CONSTRUCTION OF THE PROJECT.

DATE:	12/15/2020
PROJECT:	19th Street, Surrey, BC
CLIENT:	Legendary Development
SCALE:	As Shown
REVISIONS:	



RCA
Robert Chasoff Architects Inc.

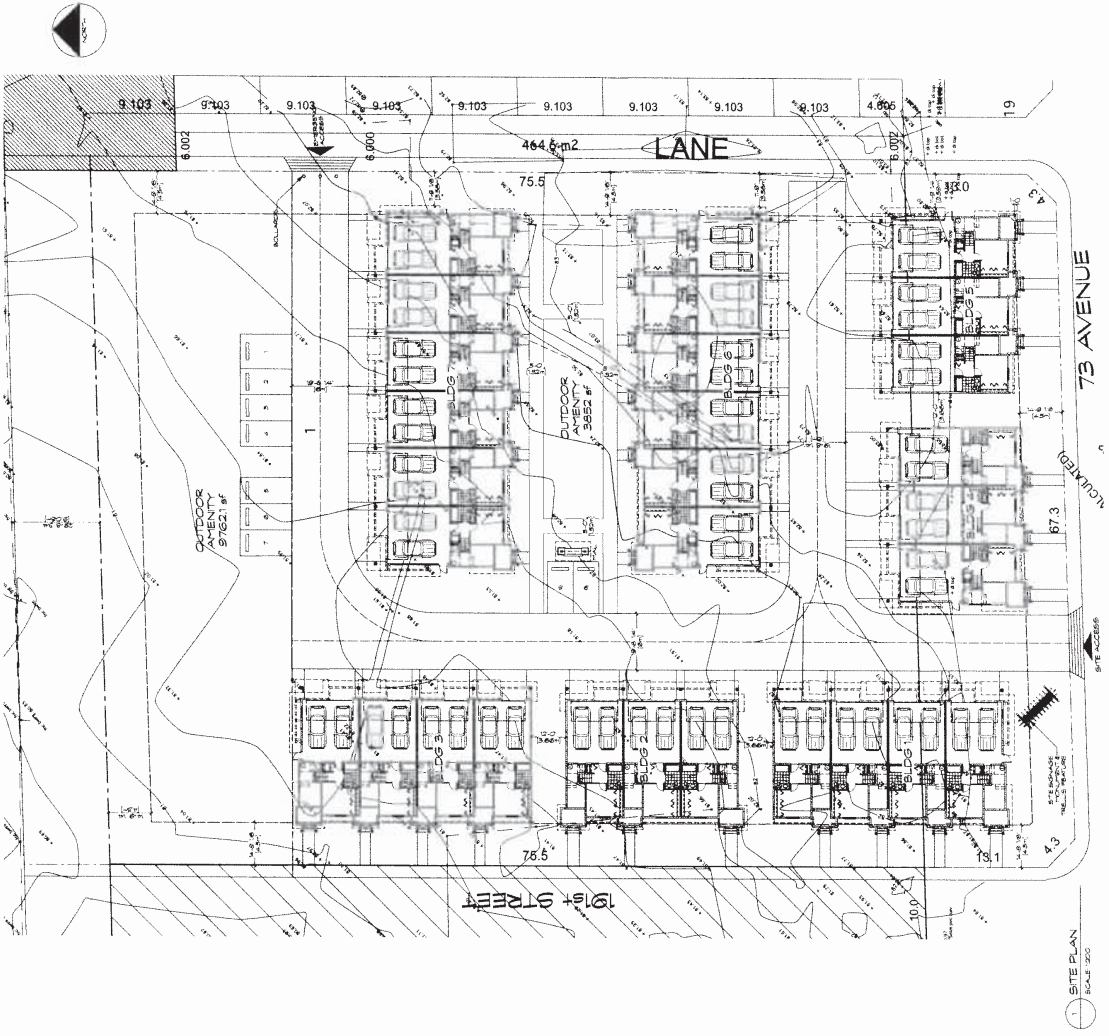
200 - 2330 Columbia Street
Vancouver, BC V6J 1V7
Tel: (604) 687-2441
Fax: (604) 687-2441
www.rca-architects.com

LEGENDARY
DEVELOPMENT

19th STREET
SURREY, BC
TOWNHOMES

PROJECT NO: 19-23
AS SHOWN
DATE: 12/15/2020
**SITE PLAN
TOWNHOMES**

SCALE: 1:100



SITE PLAN
SCALE: 1:100



INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **March 27, 2012** PROJECT FILE: **7811-0263-00**

RE: **Engineering Requirements
Location: 7349 192 Street**

OCP AMENDMENT/NCP AMENDMENT

The following issues are to be addressed as a condition of the OCP Amendment/NCP Amendment:

- This property falls outside the existing boundary of the East Clayton Neighbourhood Concept Plan (NCP) areas. Development will not be supported by Engineering until an NCP process covering the land that is subject of the application has advanced to Stage 1 approval.

REZONE/SUBDIVISION***Property and Right-of-Way Requirements***

- Provide dedication and/or statutory rights-of-way as per the stage 1 NCP approval.

Works and Services

- Construct roadworks and utilities as per the stage 1 NCP approval.

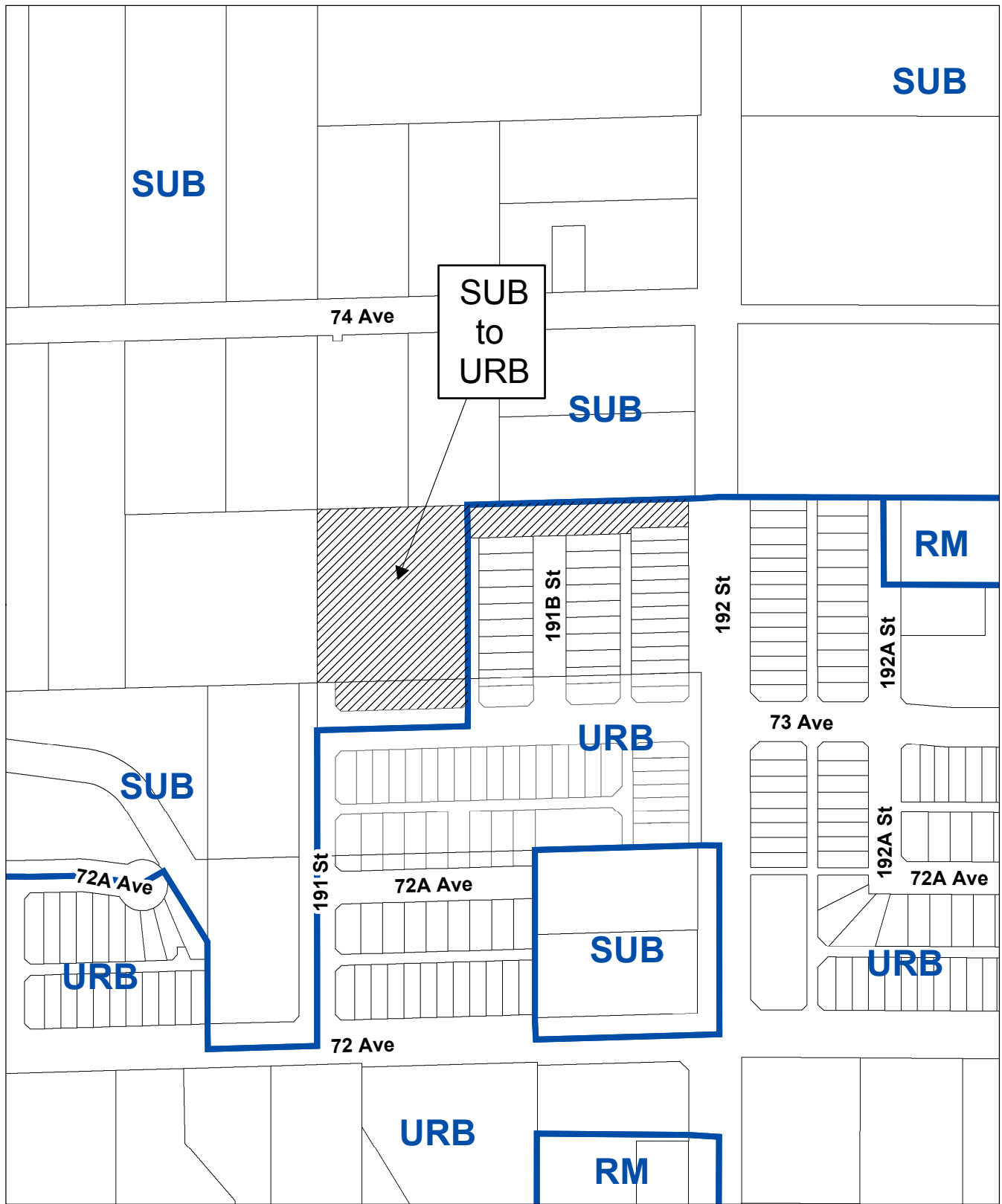
A Servicing Agreement will be required prior to Rezone/Subdivision.

DEVELOPMENT PERMIT

There are no engineering requirements relative to issuance of the Development Permit.

Bob Ambardar, P.Eng.
Development Project Engineer

SSA

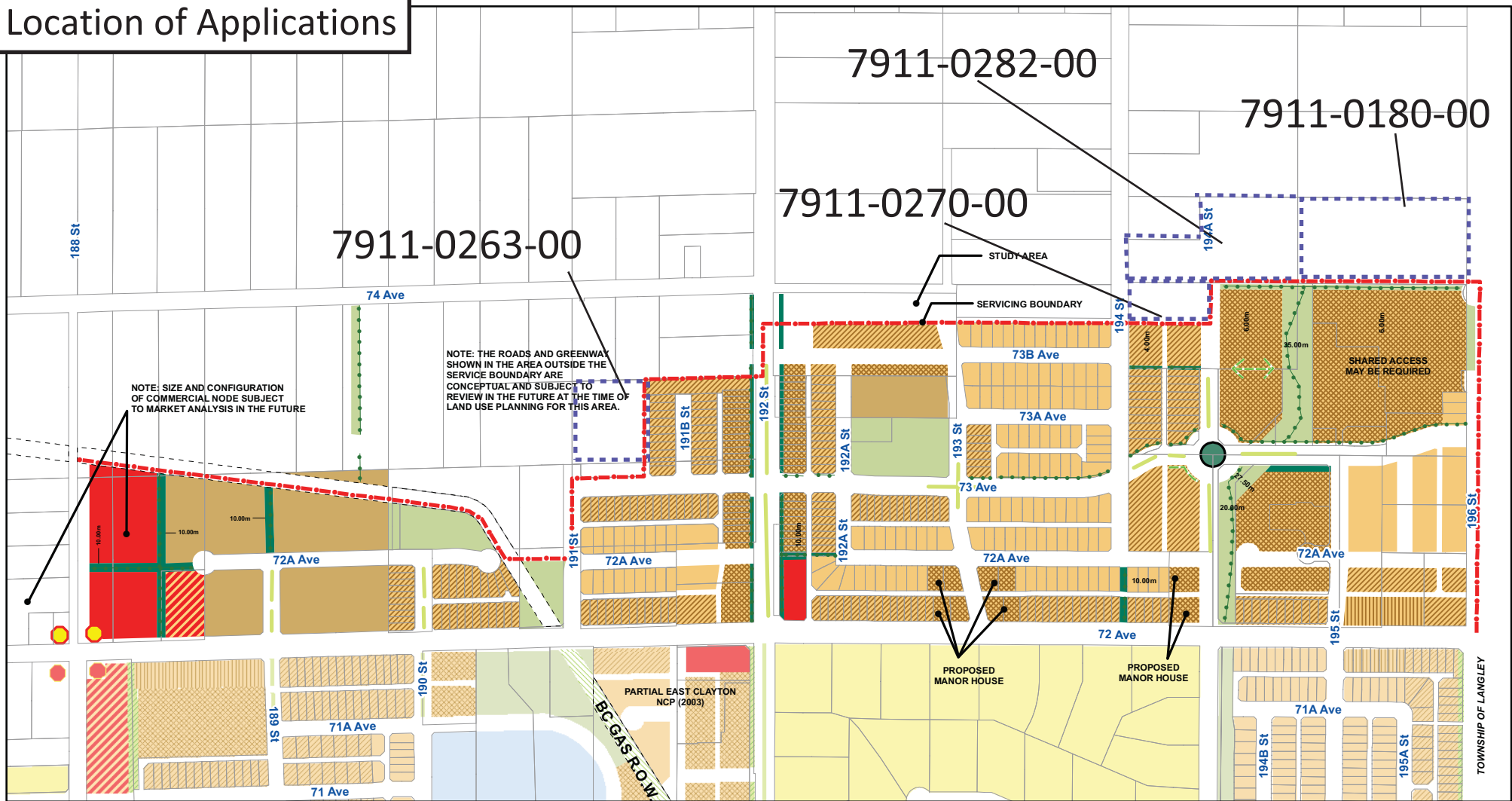










OCP Amendment

Proposed amendment from Suburban to Urban



Location of Applications



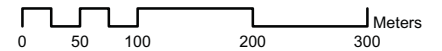
-  6-10 u.p.a. (Low Density)
-  10-15 u.p.a. Special Residential
-  10-15 u.p.a. (Medium Density)
-  15-25 u.p.a. (Medium-High Density)
-  22-45 u.p.a. (High Density)
-  Neighbourhood Commercial
-  Commercial / Residential
-  Special Treatment of Street, Traffic Calming

-  Public Open Space / Park
-  Special Setback, Landscaping Buffers or Corridors (Landscaping Areas on Private Property)
-  Urban Landmark
-  Multi-Use Pathway on Public Land or on Private Property with a Public Use Right-of-Way
-  Pedestrian Corridor on Private Property (Internal)

EAST CLAYTON NCP EXTENSION - NORTH OF 72 AVENUE LAND USE PLAN

CITY OF SURREY - PLANNING & DEVELOPMENT DEPARTMENT

Approved By Council on June 27, 2005
Amended 14 Dec 2011



Printed: March 8, 2009

This map is provided as general reference only. The City of Surrey makes no warranties, express or implied, as to the fitness of the information for any purpose, or to the results obtained by individuals using the information and is not responsible for any action taken in reliance on the information contained herein.

