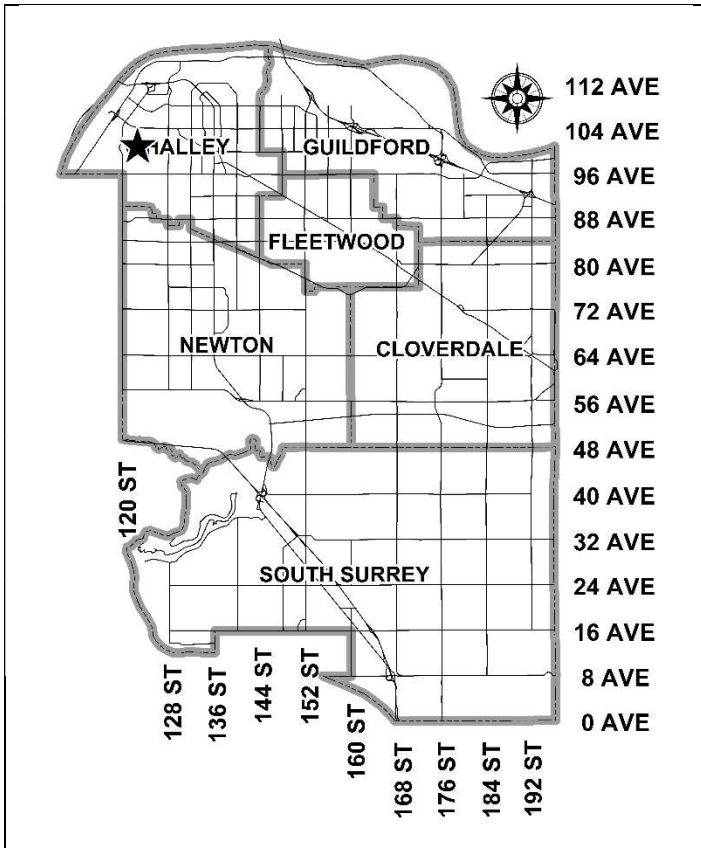


City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7921-0002-00

Planning Report Date: July 10, 2023



PROPOSAL:

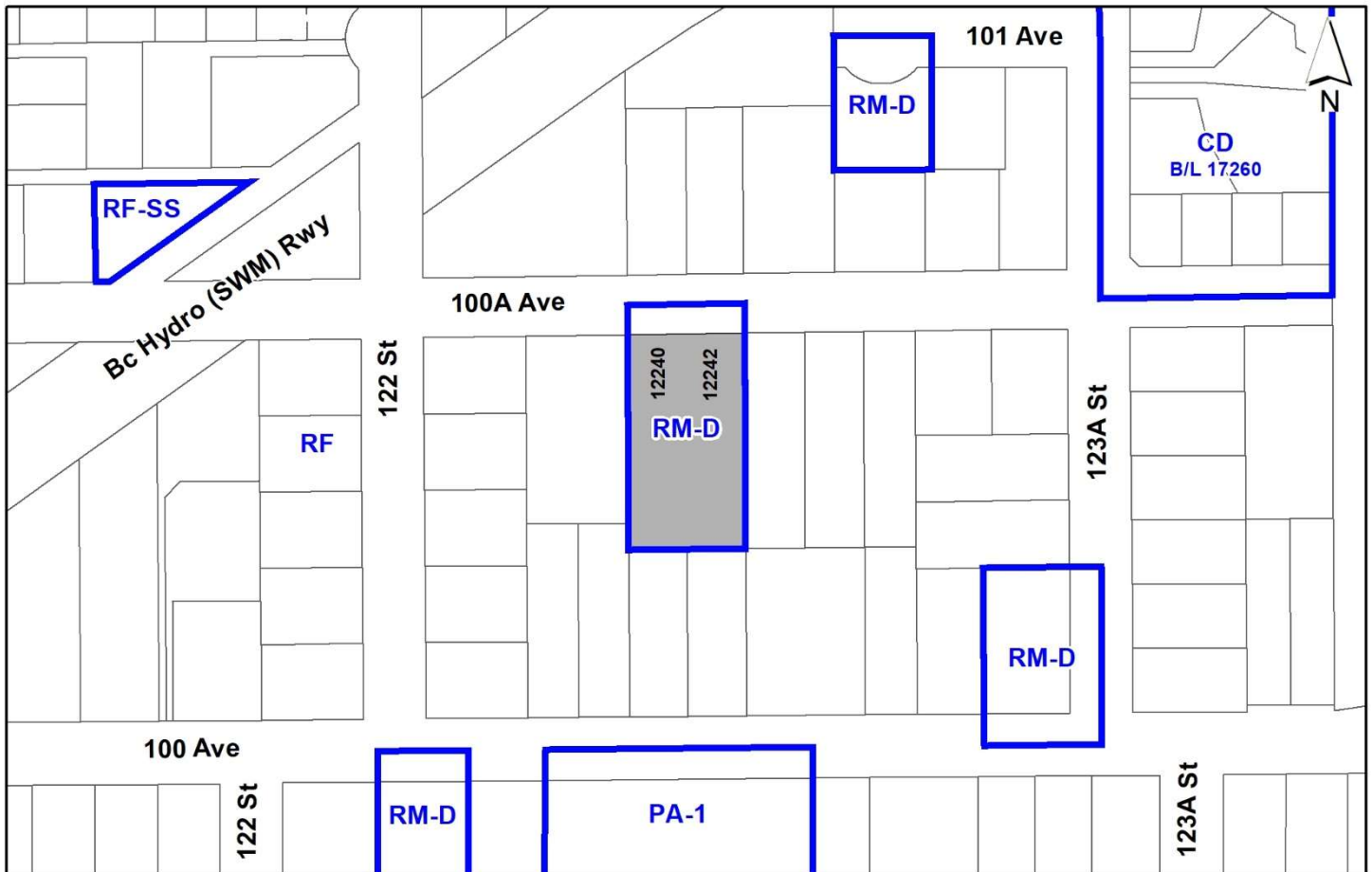
- **Rezoning** from RM-D to RF

To allow subdivision into three (3) single family residential lots in a panhandle configuration.

LOCATION 12240 - 100A Avenue
 (12242 - 100A Avenue)

ZONING: RM-D

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

- Rezoning By-law to proceed to Public Notification. If supported the By-law will be brought forward for First, Second and Third Reading.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposal complies with the Urban designation in the Official Community Plan (OCP).
- The proposal complies with the General Urban designation in the Metro Vancouver Regional Growth Strategy (RGS).
- The proposed RF lots are consistent with the established zoning and subdivision pattern in the surrounding neighbourhood.
- In accordance with the Council Procedure By-law (No. 15300), as amended, a public hearing is not required for the subject rezoning application. The proposed rezoning is in relation to a subdivision creating five or fewer new single-family residential lots. The proposal is consistent with the Official Community Plan (OCP) and the proposed zoning and subdivision is consistent with the existing zoning in the immediately surrounding neighbourhood (to the satisfaction of the General Manager, Planning & Development).
- It is recommended that Council endorse the Public Notification to proceed for the proposed Rezoning By-law. The Rezoning By-law will be presented to Council for consideration of First, Second, and Third Reading, after the required Public Notification is complete, with all comments received from the Public Notification presented to Council prior to consideration of the By-law readings.
- The proposal partially complies with the City Policy on Panhandle Lots (Policy No. O-15).
- The proposed density and building form are appropriate for this part of Whalley.
- The applicant has demonstrated community support for the proposal.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council endorse the Public Notification to proceed for a By-law to rezone the subject site from “Duplex Residential Zone (RM-D)” to “Single Family Residential Zone (RF)”.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a Water Sustainability Act (WSA) assessment to the BC Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (FLNRORD) for fronting ditch determination to the satisfaction of the General Manager, Engineering;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (e) the applicant satisfy the deficiency in tree replacement on the site, to the satisfaction of the Planning and Development Department;
 - (f) the applicant adequately address the City’s needs with respect to the City’s Affordable Housing Strategy, to the satisfaction of the General Manager, Planning & Development Services; and
 - (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Duplex	Urban	RM-D
North (Across 100A Avenue):	Single Family Dwellings	Urban	RF
East:	Single Family Dwelling	Urban	RF
South:	Single Family Dwellings	Urban	RF
West:	Single Family Dwelling	Urban	RF

Context & Background

- The subject property is located on the south side of 100A Avenue, between 122 and 123A Street, in the Whalley neighbourhood, and is approximately 2,583 square metres in area.
- The property is designated "Urban" in the Official Community Plan (OCP) and is currently zoned "Duplex Residential Zone (RM-D)".
- To the north, south, east, and west of the subject site, are established RF-zoned single family residential lots.
- The existing duplex on the property will be demolished to permit the development of the proposed three single family residential lots, including one with a panhandle configuration.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant has proposed to rezone the subject property from "Duplex Residential Zone (RM-D)" to "Single Family Residential Zone (RF)" to allow subdivision from one (1) to three (3) single family residential lots. The proposal includes one of the lots in a panhandle configuration.

	Proposed
Lot Area	
Gross Site Area:	2,583 square metres
Road Dedication:	16.7 square metres
Net Site Area:	2,566.3 square metres
Number of Lots:	3
Unit Density:	11.6 units per hectare (uph)
Range of Lot Sizes	787 to 989 square metres
Range of Lot Widths	16.6 to 20.7 metres
Range of Lot Depths	37.3 to 47.5 metres

Panhandle Subdivision Proposal

- The proposed rezoning will allow for subdivision into three (3) urban residential lots in a panhandle lot configuration. All three proposed lots will achieve access from 100A Avenue.
- The proposed panhandle subdivision will increase the lot yield of the site without substantially altering the existing character of the neighbourhood.
- The panhandle driveway is proposed to be located along the east side of the subject site to facilitate the lowering of site elevations to reduce the slope of the proposed panhandle driveway, and to minimize the height and visual impacts of required retaining walls.
- The proposal complies with the provisions of Council Policy No. O-15. Although the panhandle lot is proposed to be created in an urban residential area, the lot sizes are substantially larger than the required minimum in the RF zone. The 3-lot yield would not be

achievable using a different lot configuration. There are other panhandle lots in the neighborhood.

Referrals

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

School District: **The School District has advised that there will be approximately five (5) school-age children generated by this development, of which the School District has provided the following expected student enrollment.**

2 Elementary students at Prince Charles Elementary School
1 Secondary student at L. A. Matheson Secondary School

(Appendix III)

Note that the number of school-age children is greater than the expected enrollment due to students attending private schools, home school or different school districts.

Parks, Recreation & Culture: No concerns.

The closest active park is Robson Park and is 805 metres away, and the closest natural area is Robson Ravine and is 275 metres away.

Fortis BC: FortisBC expressed no objections to the proposed development, with respect to the Fortis Gas Right-of-Way located approximately 20 metres east of the subject site.

Transportation Considerations

- Vehicle access is proposed from 100A Avenue for all proposed RF lots.
- TransLink Bus Route No. 316 (Surrey Central Station/Scottsdale Exchange) operates along 100 Avenue and 123A Street, southeast of the subject site. There are two (2) bus stops associated with this route (eastbound and southbound) that are each approximately 335 metres from the subject site.
- A south bound neighbourhood bike route is located southeast of the subject site at 124 Street, about 420 metres from the subject site. A west bound bicycle lane that is shared with traffic is located at 99 Avenue, about 495 metres from the subject site.

Parkland and/or Natural Area Considerations

- A Class C (green-coded) ditch is located between the north (front) property line and 100A Avenue. The ditch been determined to be non-fish-bearing by a Qualified Environmental

Professional (QEP). If this ditch is to remain open then streamside setbacks from top of bank (TOB) would be required in accordance with the City of Surrey's Zoning By-law, Part 7A - Riparian Protection. These setbacks could be accommodated within the front yard setback of the proposed RF zoned lots.

- The applicant is proposing to infill the ditch, and as such, a Water Sustainability Act (WSA) assessment is required to be submitted to the BC Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (FLNRORD). If the fronting ditch is determined to be a WSA stream, off-site compensation would be required, or the applicant could choose to leave the ditch open with corresponding setbacks as outlined above.

Sustainability Considerations

- The applicant has met all of the typical sustainable development criteria, as indicated in the Sustainable Development Checklist.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The proposal complies with the existing "General Urban" designation of the subject property in the Metro Vancouver Regional Growth Strategy (RGS).

Official Community Plan

Land Use Designation

- The proposal complies with the existing "Urban" designation of the subject property in the Official Community Plan (OCP).
- The proposal is consistent with the following OCP themes/policies:

Themes/Policies

- A3.5: Support infill development that is appropriate in scale and density to its neighbourhood context that uses compatible design to reinforce neighbourhood character.

Policy No. O-15: Panhandle Lots

- Council Policy No. O-15 (Appendix V) guides the application of panhandle subdivisions by stating that they should be considered only in limited circumstances. The proposed subdivision complies with the policy and meets the following criteria:
 - 1.b – The physical constraints of the site are such that a panhandle lot is the best solution to providing both physical access and legal frontage.
 - 1.c – The physical configuration of the site is such that to refuse a panhandle lot would impose an unreasonable reduction in lot yield.

- 2 – In rare instances, where panhandle lots are created in urban residential subdivisions, the buildable area of the lot should be substantially larger than the required minimum so as to alleviate the negative impact on the adjacent lots.

(The proposed lots exceed the minimum area requirement of the RF zone and are similar in size to other RF lots along 100A Avenue. As the surrounding lots are also oversized, and do not have consistent width and depth dimensions, the proposed panhandle configuration should not impact the existing streetscape.

Design guidelines will be registered on title to ensure the proposed new homes on the proposed lots are compatible with the character of the existing neighbourhood.)

Zoning By-law

- The applicant proposes to rezone the subject site from "Duplex Residential Zone (RM-D)" to "Single Family Residential Zone (RF)".
- The table below provides an analysis of the development proposal in relation to the requirements of the Zoning By-law, including the "Single Family Residential Zone (RF)", streamside setbacks and parking requirements.

RF Zone (Part 16)	Permitted and/or Required	Proposed
Unit Density:	14.8 units per hectare	11.6 units per hectare
Lot Size		
Lot Size:	560 square metres	787 to 989 square metres
Lot Width:	15 metres	16.6 to 20.7 metres
Lot Depth:	28 metres	37.3 to 47.5 metres
Parking (Part 5)	Required	Proposed
Number of Spaces	Minimum 3 spaces per lot	3 spaces per lot

Lot Grading and Building Scheme

- The applicant retained Ran Chahal of Apex Design Group Inc. as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines.
- Styles recommended for this site include " West Coast Contemporary" to align with newer context homes in the neighborhood. Recommended dwelling types include 2-storey or 3-storey split level homes. Recommended exterior building materials include stucco, hardiplank, vinyl, and cedar, and recommended roofing materials include shake profile concrete roof tiles and shake profile asphalt shingles.
- A preliminary lot grading plan, submitted by Mainland Engineering Design Corporation, and dated March 21, 2023, has been reviewed by staff and found to be generally acceptable. The applicant does propose in-ground basements. The feasibility of in-ground basements will be confirmed once the City's Engineering Department has reviewed and accepted the applicant's final engineering drawings.

Capital Projects Community Amenity Contributions (CACs)

- On December 16, 2019, Council approved the City's Community Amenity Contribution and Density Bonus Program Update (Corporate Report No. R224; 2019). The intent of that report was to introduce a new City-wide Community Amenity Contribution (CAC) and updated Density Bonus Policy to offset the impacts of growth from development and to provide additional funding for community capital projects identified in the City's Annual Five-Year Capital Financial Plan.
- The proposed development will be subject to the Tier 1 Capital Plan Project CACs. The contribution will be payable at the rate applicable at the time of Final Subdivision Approval. The current rate is \$4,272 per new unit.
- The proposed development will not be subject to the Tier 2 Capital Plan Project CACs as the proposal complies with the densities in the OCP designation.

Affordable Housing Strategy

- On April 9, 2018, Council approved the City's Affordable Housing Strategy (Corporate Report No. Ro66; 2018) requiring that all new rezoning applications for residential development contribute \$1,068 per new unit to support the development of new affordable housing. The funds collected through the Affordable Housing Contribution will be used to purchase land for new affordable rental housing projects.
- The applicant will be required to contribute \$1,068 per new lot to support the development of new affordable housing.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on May 30, 2023 and the Development Proposal Sign was installed on May 4, 2022. Staff received no responses from the neighbouring area to date.

TREES

- Francis Klimo, ISA Certified Arborist of Klimo & Associates, prepared an Arborist Assessment for the subject property. The table below provides a summary of the tree retention and removal by tree species:

Table 1: Summary of Tree Preservation by Tree Species:

Tree Species	Existing	Remove	Retain
Coniferous Trees			
Western Red Cedar	3	3	0
Sawara Cypress	1	1	0
Total	4	4	0
Total Replacement Trees Proposed (excluding Boulevard Street Trees)		12	
Total Retained and Replacement Trees		12	

- The Arborist Assessment states that there are a total of 4 mature trees on the site. There are no Alder and Cottonwood trees. It was determined that none of the trees can not be retained as part of this development proposal. The proposed tree retention was assessed taking into consideration the location of services, building footprints, road dedication and proposed lot grading.
- For those trees that cannot be retained, the applicant will be required to plant trees on a 2 to 1 replacement ratio. This will require a total of 8 replacement trees on the site. The applicant is proposing 12 replacement trees, exceeding City requirements.
- In summary, a total of 12 trees are proposed to be retained or replaced on the site.
- The proposed tree retention and replacement strategy will be refined as the applicant works through the detailed design process.

INFORMATION ATTACHED TO THIS REPORT

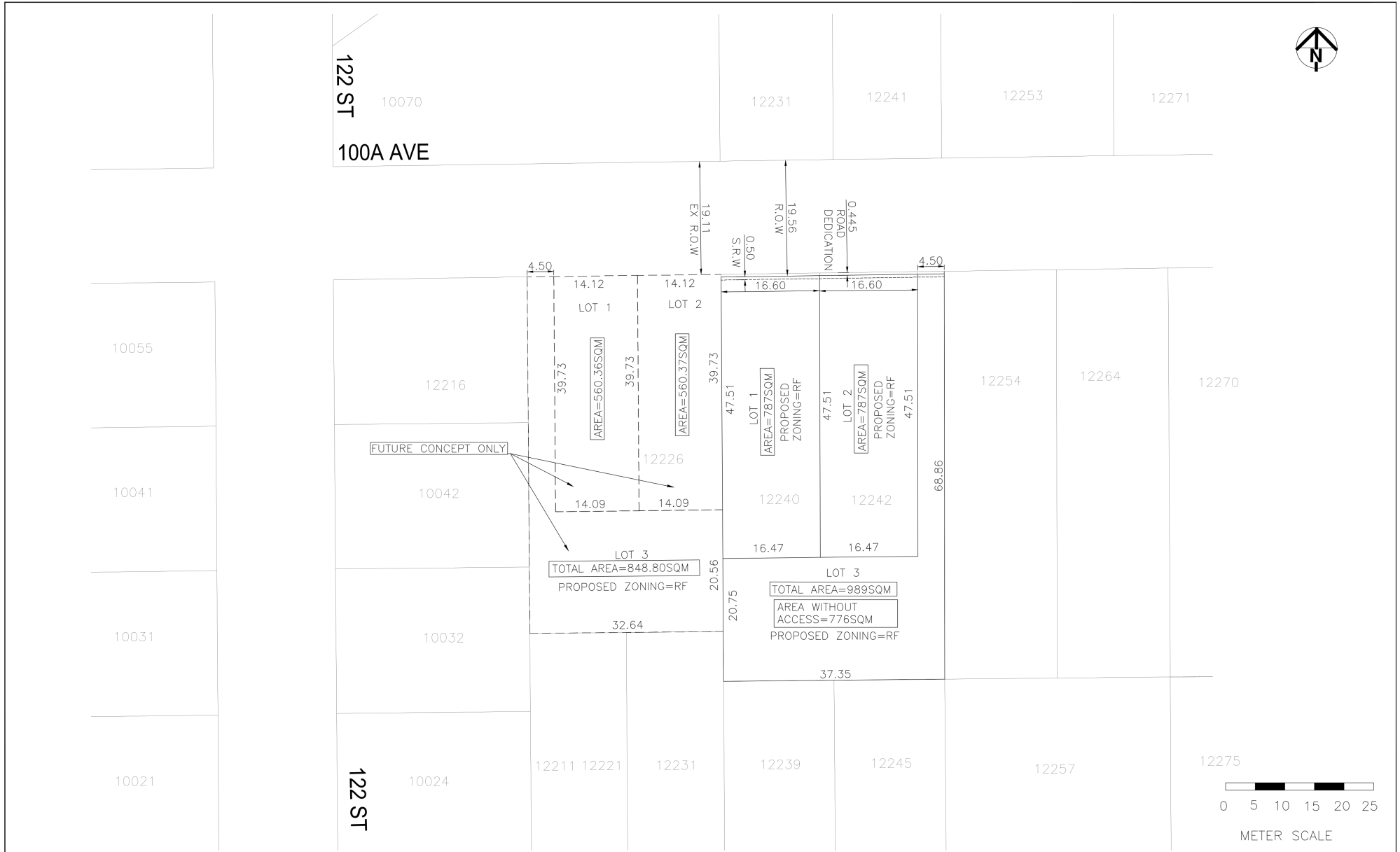
The following information is attached to this Report:

Appendix I.	Proposed Subdivision Layout
Appendix II.	Engineering Summary
Appendix III.	School District Comments
Appendix IV.	Summary of Tree Survey and Tree Preservation
Appendix V.	Council Policy No. O-15

approved by Ron Gill

Don Luymes
General Manager
Planning and Development

AT/at



NOTE:
 1. ALL EXISTING ON-SITE STRUCTURES ARE TO BE REMOVED UNLESS NOTED OTHERWISE.
 2. EXACT LOT DIMENSIONS & AREAS ARE TO BE VERIFIED BY THE SURVEYOR

ZONING:
 EXISTING ZONING: RW-D
 PROPOSED ZONING: RF
 (EXISTING BUILDING TO BE REMOVED)
SITE AREA
 GROSS SITE AREA: 2583sqm.

NO.	DATE	BY	REVISION
0	22/07/26	SS RM	ISSUED FOR REVIEW
NO.	YY/MM/DD	DRN/CH	REVISION

MAINLAND ENGINEERING DESIGN CORPORATION
 UNIT 208 8365 128TH STREET
 SURREY, B.C. V3W 4G1
 TEL: (604) 543 8044 FAX: (604) 543 8104
 EMAIL: CIVIL@MAINLANDENG.COM

DEVELOPMENT/SITE LOCATION 12242, 12240 100A AVE, SURREY, B.C.
 3 LOT SUBDIVISION
DWG. NAME PRELIMINARY LAYOUT PLAN

SEAL

SCALE	AS NOTED	SURREY PROJECT NO.	DRAWING NO.
DESIGNED	RM		1
DRAWN	SS	MAINLAND PROJECT NO.	
CHECKED	RM	C-2109	OF 1
APPROVED	AB	DATE 22/07/26	REV. 0

LAND DEVELOPMENT ENGINEERING REVIEW

File: 7821-0002-00

Location: 12240 100A Ave

Applicant: Mainland Engineering Design Corporation
Address: 8363 128 St Unit 206, Surrey, BC
Phone: 604-543-8044
Fax: 604-543-8104
Email: civil@mainlandeng.com
Owner: Sharanpreet S Takhar

- | | | |
|--|--|---|
| <input type="checkbox"/> OCP Amendment | <input type="checkbox"/> NCP Amendment | <input type="checkbox"/> ALR Exclusion |
| <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> LUC Amendment | <input checked="" type="checkbox"/> Subdivision |
| Existing Land Use: RM-D | | Existing Lots: 1 |
| Proposed Land Use: RF | | Proposed Lots: 4 |
| <input type="checkbox"/> DP | <input type="checkbox"/> DVP | |



Land Development Engineering Contacts:
 Jonathan Coca, Development Services Project Supervisor
 604-591-4246, Jonathan.Coca@surrey.ca
 Jeff Pang, P.Eng., Development Services Manager
 604-591-4690, jpang@surrey.ca

Attachments:

- Project Layout
- Preliminary Site Servicing Plan
- Road Right-of-Way Requirements Sketch

Distribution:

- Applicant
- Transportation Planning Manager
- Sewer Engineer
- Water Engineer
- Drainage Planning Manager
- Development Services Project Supervisor
- Parks Planning Analyst

No.	Date	Revision
1	July 4, 2023	Original

LAND DEVELOPMENT ENGINEERING REVIEW

File 7821-0002-00, Map #020

Background

The applicant is proposing to rezone and subdivide one (1) RM-D lot into four (4) RF lots. Refer to the Project Layout prepared by Mainland Engineering Design Corporation.

This review is based on Preliminary Site Servicing Plan prepared by Mainland Engineering Design Corporation, drawing C-2109, dated 2022-07-26. This Review represents the key issues that the Engineering Department is aware of at this time. The issues listed may not be fully comprehensive and exhaustive and the applicant is required, as part of the planning and design process (including Public Hearing) to identify and resolve all items relating to the proposed land development.

Property and Right-of-Way Requirements

The following road right-of-way dedication, as illustrated on the Road Right-of-Way Requirements sketch attached, is required on existing roads fronting the site:

- Dedicate 0.444m for ultimate 20m road allowance along 100A Ave.
- Register 0.5m SRW for maintenance of City infrastructure along 100A Ave.

The applicant should address all road dedication and rights-of-way issues prior to finalizing layout or commencing legal survey or detailed design.

Servicing Requirements

These Works are required as a condition of this Rezone and Subdivision.

Transportation/Traffic Management

The following road works are required on existing roads fronting the site:

100A Ave – Local:

- Construct south side of 100A Ave with ultimate 8.5m pavement (4.25m from centreline), barrier curb & gutter, 4.25m boulevard with street trees & lighting, and 1.5m sidewalk adjacent to property line.

Access:

- Construct concrete letdowns to 100A Ave and pair driveways to maximize parking opportunities.

Drainage/Environmental

The following City storm drainage facilities are located in the vicinity to the site:

- Open channel ditch along south side of 100A Ave.

The following drainage facilities are required:

- Construct drainage infrastructure to service development along 100A Ave.

A stormwater control plan is required to confirm available capacity up to the railway ditch. The City does not have an agreement with the railway to allow an increase in flows to the in the railway ditch. The applicant will need to show how they propose to mitigate post-development flows up to the 100yr return period event or otherwise obtain approvals from the railway to add additional flows.

The applicant will be required to obtain an Erosion & Sediment Control (ESC) Permit, under By-law, 2006, No. 16138, from the Engineering Department, **as part of the works and services for this site, if the disturbed area including lot grading area exceeds 2000 m²**. The process requires submission and approval of an ESC Plan that is developed in accordance with Best Management Practices to meet the performance requirements as set out in By-law 2006, No. 16138, during building construction and servicing.

Water

The following City water facilities are located in the vicinity to the site:

- 150mm DI water main along north side of 100A Ave.

This existing water system has adequate capacity to meet the domestic requirements of the proposed development.

The following water facilities are required:

- Provide an adequately sized metered service connection to each lot. Abandonment of surplus connection(s), if any, is also required.

Sanitary Sewer

The following City sanitary sewer facilities are located in the vicinity to the site:

- 200mm AC sanitary main along south side of 100A Ave.

This existing sanitary sewer system has adequate capacity to service the proposed development.

The following sanitary sewer facilities are required:

- Provide an adequately sized service connection, complete with inspection chamber to each lot. Abandonment of surplus connection(s), if any, is also required.

Parks

Parks notes there are no city trees proposed or approved for removal by this application. If there is any unexpected tree removal required due to development/construction impacts, cash in lieu of all trees, regardless of size, will be required. Compensation may be determined through a formal arboricultural appraisal.

All works on future or existing parkland, and/or work that may impact City trees and plantings in boulevard areas are to meet Parks Construction Standards 2011.

The applicant should seek to maximize the number of boulevard trees that can be planted on the new boulevard by designing driveway letdowns, service connections, street lights, and all other infrastructure and utilities in a manner that supports the goal of one boulevard tree per 10m of

road edge. Refer to TAC guidelines and the Parks Standard Construction Documents - Appendix A for the recommended distances from utilities.

Commercial Utilities

The development must be serviced with hydro, gas, telecommunication and cablevision in accordance with utility company requirements and City standards.

Project Management

A Servicing Agreement must be executed before the proposed Rezone and Subdivision can be completed.

The following legal documents are known at this time to be required for this project:

- Register 0.5m SRW for maintenance of City infrastructure along 100A Ave.

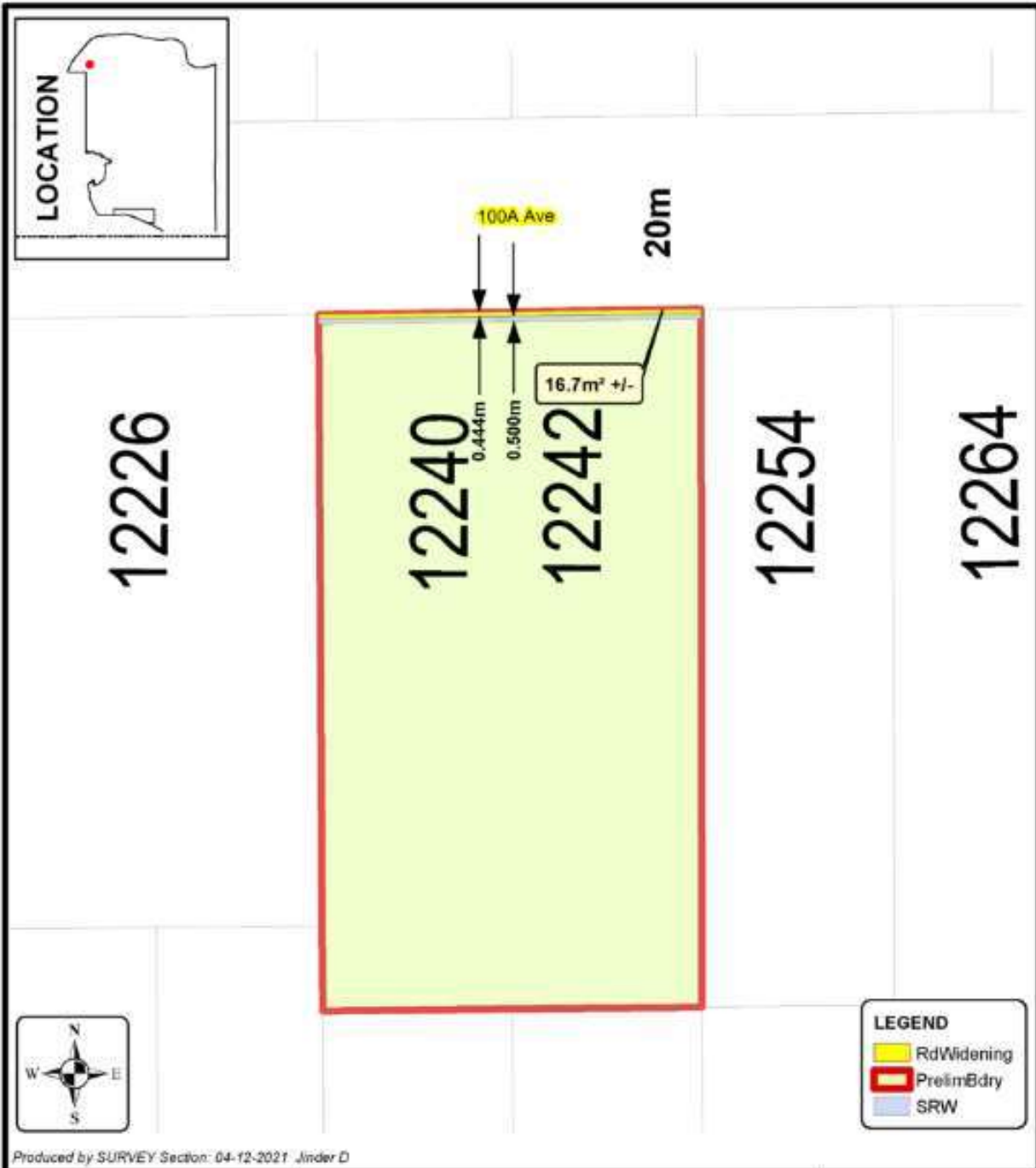
All Engineering legal documents required for this project must be executed prior to issuance of the Servicing Agreement.

Financial

A processing fee of \$8,331.75 (GST included) is required for the Servicing Agreement.

An application fee of \$2,300.00 (GST exempt) is required for administration of the ESC Permit process.

Road Right-of-Way Requirements Sketch



Produced by SURVEY Section: 04-12-2021 Jinder D



SUBJECT PROPERTY
12240 100A Avenue
PROJECT: 7821-0002-00

**ENGINEERING
DEPARTMENT**

The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey.
This information is provided for information and convenience purposes only.
Lot sizes, Legal descriptions and encumbrances must be confirmed at the Land Title Office.



August 4, 2022

Planning

School Enrolment Projections and Planning Update:

The following tables illustrate the enrolment projections (with current/approved ministry capacity) for the elementary and secondary schools serving the proposed development.

Prince Charles Elementary serves a residential area that sits on top of an escarpment which overlooks a portion of the industrial area along the Fraser River. The 10 year projections indicate there will be growth in the catchment. However, the school is currently operating under capacity and will be able to accommodate all the growth within its current capacity. There are no capital expansion project requests for this school.

As of September 2021, LA Mathieson Secondary is currently operating at 81%. There are no capital expansion project requests for this school.

THE IMPACT ON SCHOOLS

APPLICATION #: 21 0002 00

SUMMARY

The proposed 3 Single family with suites are estimated to have the following impact on the following schools:

Projected enrolment at Surrey School District for this development:

Elementary Students:	2
Secondary Students:	1

September 2021 Enrolment/School Capacity

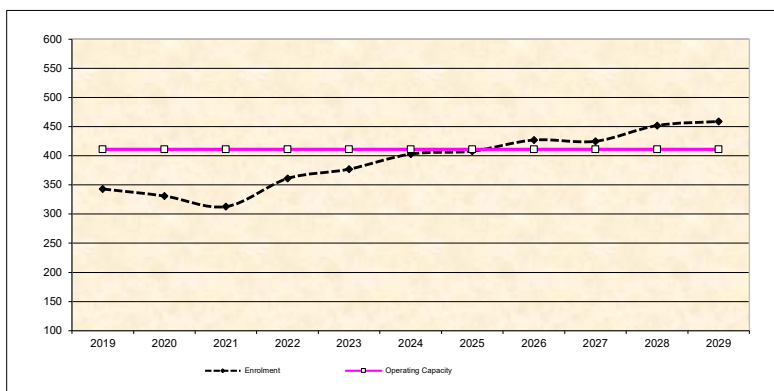
Prince Charles Elementary	
Enrolment (K/1-7):	36 K + 277
Operating Capacity (K/1-7)	38 K + 373
L. A. Matheson Secondary	
Enrolment (8-12):	1145
Capacity (8-12):	1400

Projected population of school-age children for this development:	5
--	---

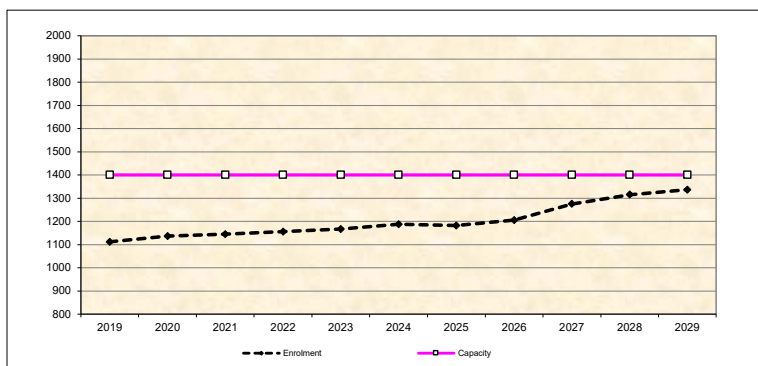
Population: The projected population of children aged 0-19 Impacted by the development.

Enrolment: The number of students projected to attend the Surrey School District ONLY.

Prince Charles Elementary



L. A. Matheson Secondary



* Nominal Capacity is estimated by multiplying the number of enrolling spaces by 25 students.
Maximum operating capacity is estimated by multiplying the number of enrolling spaces by 27 students.

8.0 SUMMARY OF TREE PRESERVATION BY TREE SPECIES:

Tree Species	Existing	Remove	Retain
Alder and Cottonwood Tree(s)			
Alder			
Cottonwood			
Deciduous Trees (Excluding Alder and Cottonwood Tree(s))			
Coniferous Tree(s)			
Western redcedar	3	3	
Sawara cypress	1	1	
Total <i>(Excluding Alder and Cottonwood Tree(s))</i>	4	4	
Additional Trees in the proposed Open Space / Riparian Area			
Total Replacement Trees Proposed <i>(Excluding Boulevard Street Tree(s))</i>		12	
Total Retained and Replacement Tree(s) <i>(Total + Total replacement tree(s) proposed)</i>		12	

**Please note: The trees identified in the table consists of only on-site, shared trees that are bylaw sized and includes trees within boulevards, proposed streets, and lanes*



CITY POLICY

No. O-15

REFERENCE:

REGULAR COUNCIL MINUTES
6 MAY 1991
PAGE 9

APPROVED BY:

CITY COUNCIL

DATE:

2 MAY 2005 (RES.R05-1050)

HISTORY:

6 MAY 1991

TITLE: PANHANDLE LOTS

1. The Approving Officer should consider panhandle lots only in the following circumstances:
 - a. The proposed lot is in a suburban or agricultural zone.
 - b. The physical constraints of the site are such that a panhandle lot is the best solution to providing both physical access and legal frontage.
 - c. The physical configuration of the site is such that to refuse a panhandle lot would impose an unreasonable reduction in lot yield.
 - d. Exceptional circumstances prevail which warrant such consideration.
2. In rare instances, where panhandle lots are created in urban residential subdivisions, the buildable area of the lot should be substantially larger than the required minimum so as to alleviate the negative impact on the adjacent lots.

This policy is subject to any specific provisions of the Local Government Act, or other relevant legislation or Union agreement.