

BACKGROUND

The subject site consists of three properties located at 9998 and 10020 – 176 Street and 17626 Barnston Drive and has a gross site area of 6.36 hectares (15.73 acres) (Appendix II). The subject site is designated Suburban and Commercial in the Official Community Plan ("OCP") and is currently zoned Gasoline Service Station 2 Zone (CG-2) and CD By-law No. 14876.

The applicant, 0794043 BC Ltd., submitted an application for an OCP amendment to redesignate a portion of the site from Suburban and Commercial to Multiple Residential and to rezone the entire site from CG-2 and CD (By-law No. 14876) to a new Comprehensive Development Zone (CD) to permit a mixed-use residential/commercial development on the site. This application and the related by-laws were considered by Council at the Regular Council – Land Use Meeting on October 5, 2009. Council granted First and Second Readings to the OCP Amendment and Rezoning By-laws at that time and set the Public Hearing for October 19, 2009.

At the Public Hearing on October 19, 2009, several local residents voiced concerns with the proposal and a 29-signature petition opposing the development was submitted. As a result of the concerns raised at the Public Hearing, Council did not grant Third Reading to the By-laws and adopted the following resolution (RES09-1843):

"That "Surrey Official Community Plan By-law, 1996, No. 12900, No. 249 Amendment By law, 2009, No. 17027" and "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 17028" be deferred to provide for further public consultation with the neighbourhood".

DISCUSSION

Subsequent to the Public Hearing, the applicant held three joint meetings with representatives of the Fraser Heights Community Association executive, a newly formed Abbey Ridge Steering Committee, comprised of residents living on the east side of 176 Street, and a representative of the South Port Kells Community Association. Meetings were held on October 27, 2009, November 30, 2009, and December 21, 2009. All meetings were held at the Fraser Heights Business Centre and attended by the applicant, his architect, City Planning and Development staff and approximately 15 community representatives.

At the October 27, 2009 meeting, the applicant provided information on the overall development plan presented at the Public Hearing and a general discussion took place on the proposed plan. At the November 30, 2009 meeting, the neighbourhood representatives provided the applicant with a written prioritized account of their concerns and at the December 21, 2009 meeting, the applicant presented a revised site plan based on the comments received at the previous meetings.

A further updated plan of development was e-mailed by the applicant's architect to the community representatives and City staff on January 4, 2010. The community representatives have provided additional comments to staff regarding the latest proposal by the proponent, as noted below.

Issues Raised by the Residents

The issues raised at the Public Hearing and at the subsequent community meetings focussed around following:

- Density and interface of the proposed development in relation to the existing suburban neighbourhood;
- Viability of the commercial development;
- Proposed gas station and drive-through restaurant;
- Form and character of the development;
- Traffic impacts of the proposed development on the surrounding neighbourhood and the need to have a completed traffic study;
- Need for additional public consultation; and
- Proposal moving ahead in the absence of a comprehensive neighbourhood plan for the area and the request for a neighbourhood land use study.

Each of these issues is addressed separately in the following sections of this report.

Density and Interface

The development concept presented at the Public Hearing proposed a comprehensively planned mixed-use residential and commercial development encompassing 11 four- to six-storey apartment buildings consisting of approximately 841 apartment units and a 5,574-square metre (60,000 square foot) commercial centre, including a gasoline service station (Appendix III). At the Public Hearing and subsequent meetings, the neighbourhood representatives questioned the number of units proposed at this location and the poor interface between the proposed apartment buildings along 177A Street and Barnston Drive East and the existing Suburban and Urban neighbourhoods to the east and north respectively.

At the November 30, 2009 meeting between the applicant and neighbourhood representatives, an alternate development concept prepared by the neighbourhood representatives was presented to the applicant for consideration. This concept proposed a townhouse interface along the Barnston Drive East/177A Street road frontages, with increasing density on the south-west portion of the site. The community representatives were not averse to increasing the density to accommodate three residential high-rise towers, ranging in height from 10 to 22 storeys in order to increase the open space and protect the view corridors on the site. This proposal was reviewed by Planning and Development staff, who advised that they could not support increased density and a high-rise form of development outside of the Town Centres.

In response to these concerns and suggestions, the applicant has modified the proposal to include a townhouse interface along the Barnston Drive East/177A Street road frontages (Appendix I). Where apartments interface with these roads, the apartments have been stepped to allow for a two-storey building along the road frontage, backed with a four-storey component. In addition, the number of six-storey apartment buildings has been reduced from five to three six-storey and one five-storey and the total number of units has been reduced from 841 to 694 consisting of approximately 80 townhouse and 614 apartment units.

On January 6, 2010, a letter was received from the president of the Fraser Heights Community Association. The letter indicated support for the proposed density of the development as illustrated in the proponent's most recent proposal. A more recent letter, dated January 7, 2010,

has been received by the City from six Directors of the Fraser Heights Community Association that advises that the views stated in the previous letter from the President do not represent the position of the Fraser Heights Community Association. This latest letter from the Directors of the Fraser Heights Community Association reiterates four major concerns regarding the proposal, being density, traffic/road access, interfaces with the existing community and the viability of the commercial component and strongly requests that the applicant conduct a Public Information Meeting.

The Abbey Ridge Steering Committee, in e-mail correspondence dated January 6, 2010, has advised that it appreciates the reduction in the number of units from what was presented at the Public Hearing; however, the proposed number of units is still well in excess of what was presented at the public open house (518 units) on June 25, 2008 and as originally documented in the first Planning Report to Council in December 2008 (631 units). The Abbey Ridge Steering Committee advised that it would support two-storey townhouses to the north of the Teresen Gas right-of-way, and three-storey apartments as a maximum density to the south of the Teresen Gas right-of-way and requests that a further public information meeting be held.

Economic Viability of the Commercial Development

Some questions were raised over the economic viability of the proposed 5,574-square metre (60,000 square foot) commercial centre. At the October 27, 2009 meeting with community representatives, the applicant was asked if a marketing study had been completed to ensure that there is demand for a new commercial development at this location. The applicant advised that a market study would be provided to them; however, to date, this information has not yet been submitted to either Planning and Development staff or the community representatives.

However, in response to issues raised over the economic viability of the commercial centre, the applicant has reduced the size of the retail commercial component from 5,774 square metres (60,000 square feet) to approximately 3,345 square metres (36,000 square feet) and added approximately 2,695 square metres (29,000 square feet) of upper level office space. The applicant advised the neighbourhood representatives that he is considering moving his own business offices into the office component as he is committed to ensuring that the commercial development is viable. The office uses would assist in supporting the retail space within the proposed commercial centre.

The Abbey Ridge Steering Committee is concerned that the commercial portion of the development, which is the component that is most desirable to the community, will not be constructed. The proponent has advised that he is reviewing the construction phasing at this time, and it will depend on economic conditions as to when the commercial portion is constructed.

Proposed Gas Station and Drive-Through Restaurant

The community representatives are not supportive of the proposed gasoline service station use on the site and have requested that this use be deleted from the development. They are of the view that there are adequate opportunities for refuelling vehicles both within the Port Kells Industrial Area and in Fraser Heights.

Planning and Development staff has discussed the process for deleting the gasoline service station from the proposed CD By-law with Legal Services. Legal Services staff has advised that to remove

a use from the CD By-law, a new Public Hearing would be required. The applicant is amenable to removing this use from the by-law but he does not want a second Public Hearing. As such, the proposed CD By-law maintains a gasoline service station as a permitted use.

The Fraser Heights Community Association advised that they have not supported drive-through restaurants within their community and have reviewed previous development applications to ensure that this use is not permitted. The Abbey Ridge Steering Committee advised that they are also concerned with this use and the associated garbage that may be associated with fast food outlets. The applicant has requested that the drive-through restaurant use be allowed on the site as it would be a tenant, which would act as a catalyst to attract additional tenants into the development and increase the viability of the commercial component of the development.

To address these concerns, the applicant is prepared to limit the hours of operation of the gas station and drive-through restaurant to between the hours of 6:00 a.m. and 10:00 p.m. A Section 219 Restrictive Covenant regulating the hours of operation can be made a condition of final adoption.

Form and Character of the Development

Both at the Public Hearing and subsequent meetings with the neighbourhood representatives, concerns were expressed that the General Development Permit proposed for the site does not provide sufficient detail on the form and character and quality of the future development. The neighbourhood representatives requested that design guidelines for form and character as well as materials be developed for this project as part of the General Development Permit. Pedestrian access and the location and functionality of outdoor amenity spaces were identified as other aspects of the development, which require further review.

In response to this concern, the applicant has submitted a series of renderings which illustrate the form and character of the proposed development (Appendix I). These renderings will be included as part of the General Development Permit for this project. In addition, staff has developed a set of urban design guidelines for this site (Appendix IV). The applicant will be required to undertake further refinements to the proposed site plan to better address these urban design guidelines. It is noted that modifications will be required to address the setbacks and lot coverage requirements of the proposed CD By-law prior to final adoption.

In addition to the above, the applicant will be required to submit detailed Development Permit applications for each phase of development. The urban design guidelines, conceptual site plan and renderings forming the General Development Permit for this project will guide the layout and design of the future phases of this project. Each of the commercial and apartment phases of the development will be reviewed by the Advisory Design Panel.

Traffic

At the Public Hearing and the subsequent meetings between the residents and the applicant, concerns were raised over the anticipated traffic impacts of the proposed development and the changes to 176 Street proposed by the Provincial Transportation agencies. The Traffic Impact Study was received by City staff on January 5, 2010; however, to date, it has not been reviewed by the Ministry of Transportation and Infrastructure, the Port Mann Highway 1 agency or City staff. Prior to final adoption of the by-laws, the content of the Traffic Impact Study will need to be

approved by the various agencies, and the proponent will need to address the recommendations contained within the report.

Additional Public Consultation

While the applicant has made some modifications to the development proposal based on a series of three meetings with representatives of the Fraser Heights Community Association, Abbey Ridge Steering Committee and the South Port Kells Community Association, the neighbourhood representatives have requested that the applicant host a public open house to gather input from residents of the larger Fraser Heights, Abbey Ridge and South Port Kells areas. The latest correspondence from the Fraser Heights Community Association and the Abbey Ridge Steering Committee reiterate this request.

Request for a Land Use Study

Both at the Public Hearing and subsequent neighbourhood meetings, concern was expressed that the proposed mixed-use development, if approved, will be a significant departure from the existing suburban character of this part of Fraser Heights and Abbey Ridge, and that a neighbourhood planning process should be initiated for this area. Some residents are uncertain about the future of their neighbourhood and would like to see a comprehensive plan which addresses land use and density, parks and open space, schools, roads and transportation and the like.

Within the past few years, there have been redesignations from Suburban to Urban in this area of east Fraser Heights and staff are currently processing another such development application (File No. 7909-0200-00) (pre-Council). There is merit in undertaking a land use review for this area, should there be sufficient interest demonstrated by the property owners in accordance with City policy.

Recommended Next Steps

The applicant has undertaken relatively significant modifications to the development concept presented at the Public Hearing in response to the comments and concerns raised at the Public Hearing and in subsequent meetings with representatives of the Fraser Heights Community Association, Abbey Ridge Steering Committee, and South Port Kells Community Association. The community representatives have requested that the modified plans be presented through a public information meeting to the larger community for input.

In view of the above, the Planning and Development Department recommends that Council direct the applicant to conduct a Public Information Meeting on the modified proposal.

Alternatively, if Council is satisfied with the consultation that has already been undertaken and with the modifications to the plan that the applicant has made as described in this report, Council may consider the following recommendations:

1. Receive this report as information;
2. Authorize staff to draft Development Permit No. 7908-0052-00 in accordance with the revised site plan, as illustrated in Appendix I, subject to the refinement of design details, as documented in this report;

3. Require the registration of a Section 219 Restrictive Covenant to limit the operation of the gasoline service station and drive through restaurant to between the hours of 6:00 a.m. and 10:00 p.m. daily;
4. Require the applicant to address the recommendations of the final Traffic Impact Study to the satisfaction of City staff and Provincial agencies;
5. Subject to the above conditions being satisfied prior to final adoption, consider Third Reading to Surrey Official Community Plan By-law, 1996, No. 12900, No. 249 Amendment By law, 2009, No. 17027 and Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2009, No. 17028; and
6. Instruct the City Clerk to forward a copy of this report and the related Council resolution to the applicant, the Fraser Heights Community Association, the Abbey Ridge Steering Committee and the South Port Kells Community Association.

CONCLUSION

Based on the above discussion, it is recommended that Council:

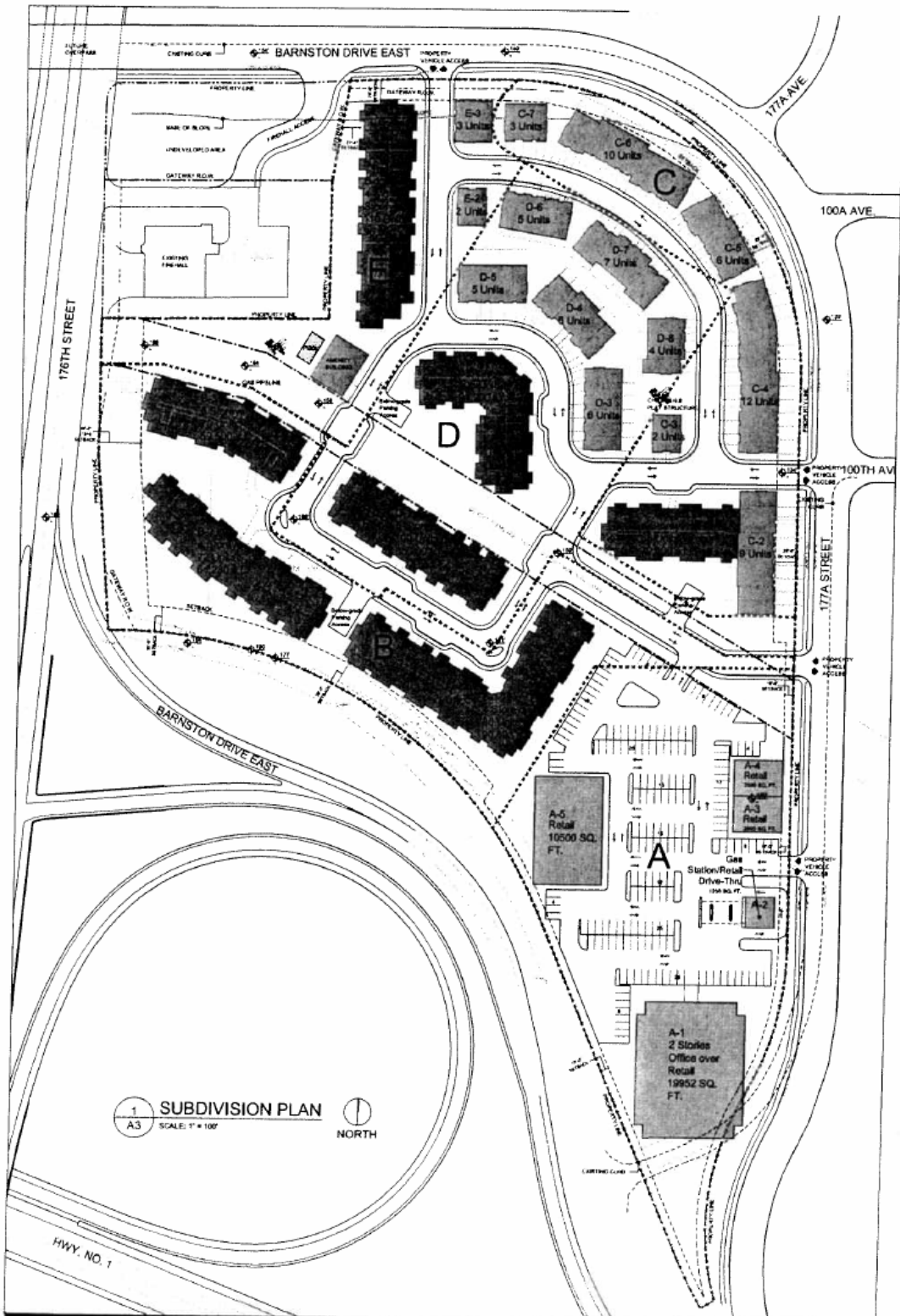
- Advise the applicant to conduct a Public Information Meeting on the modified proposal, which is described in this report and is illustrated in Appendix I;
- Instruct staff to provide a further report to Council complete with recommendations subsequent to the Public Information Meeting; and
- Instruct the City Clerk to forward a copy of this report and the related Council resolution to the applicant, the Fraser Heights Community Association, the Abbey Ridge Steering Committee and the South Port Kells Community Association.

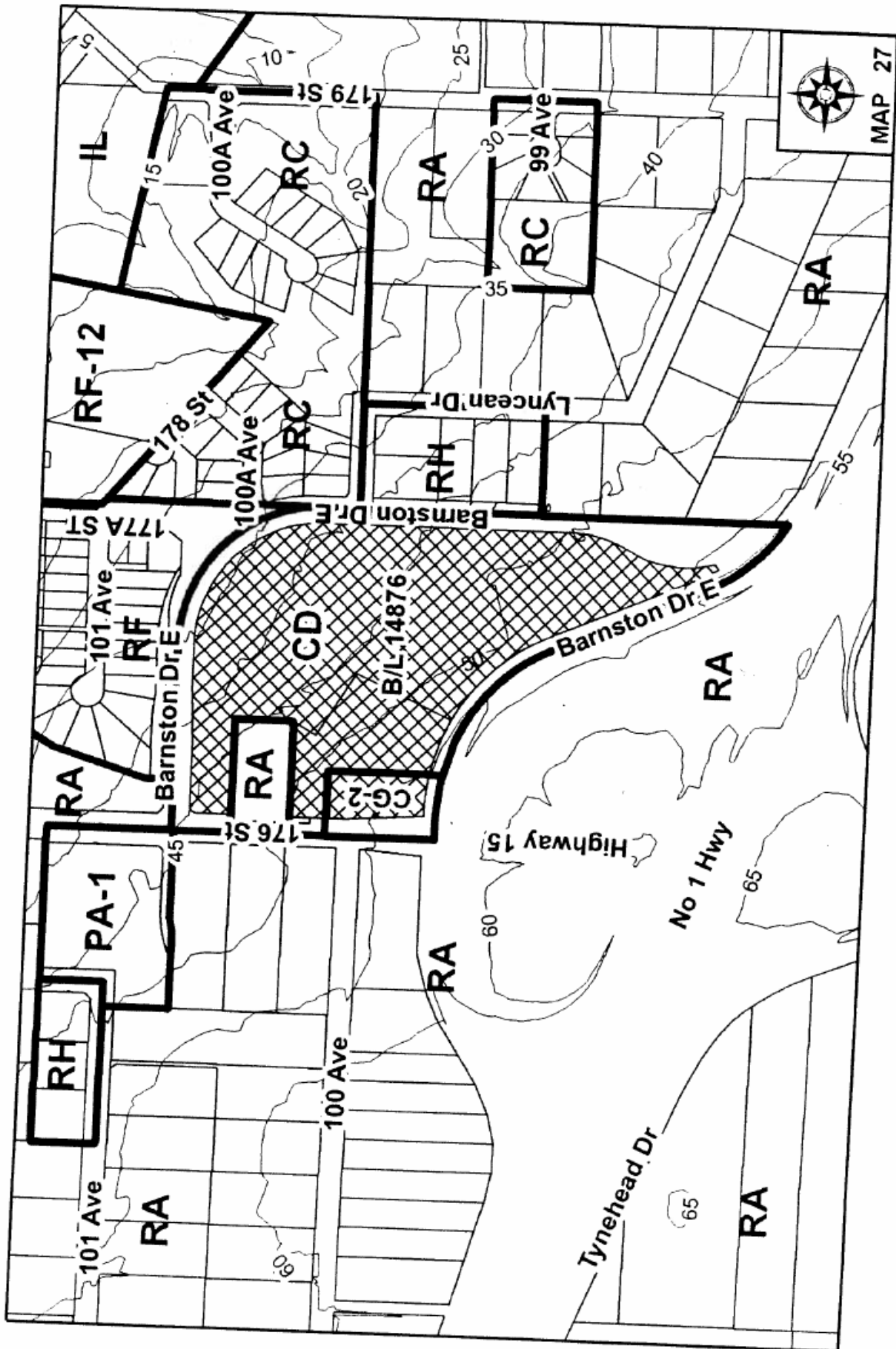
Original signed by
Jean Lamontagne
General Manager
Planning and Development

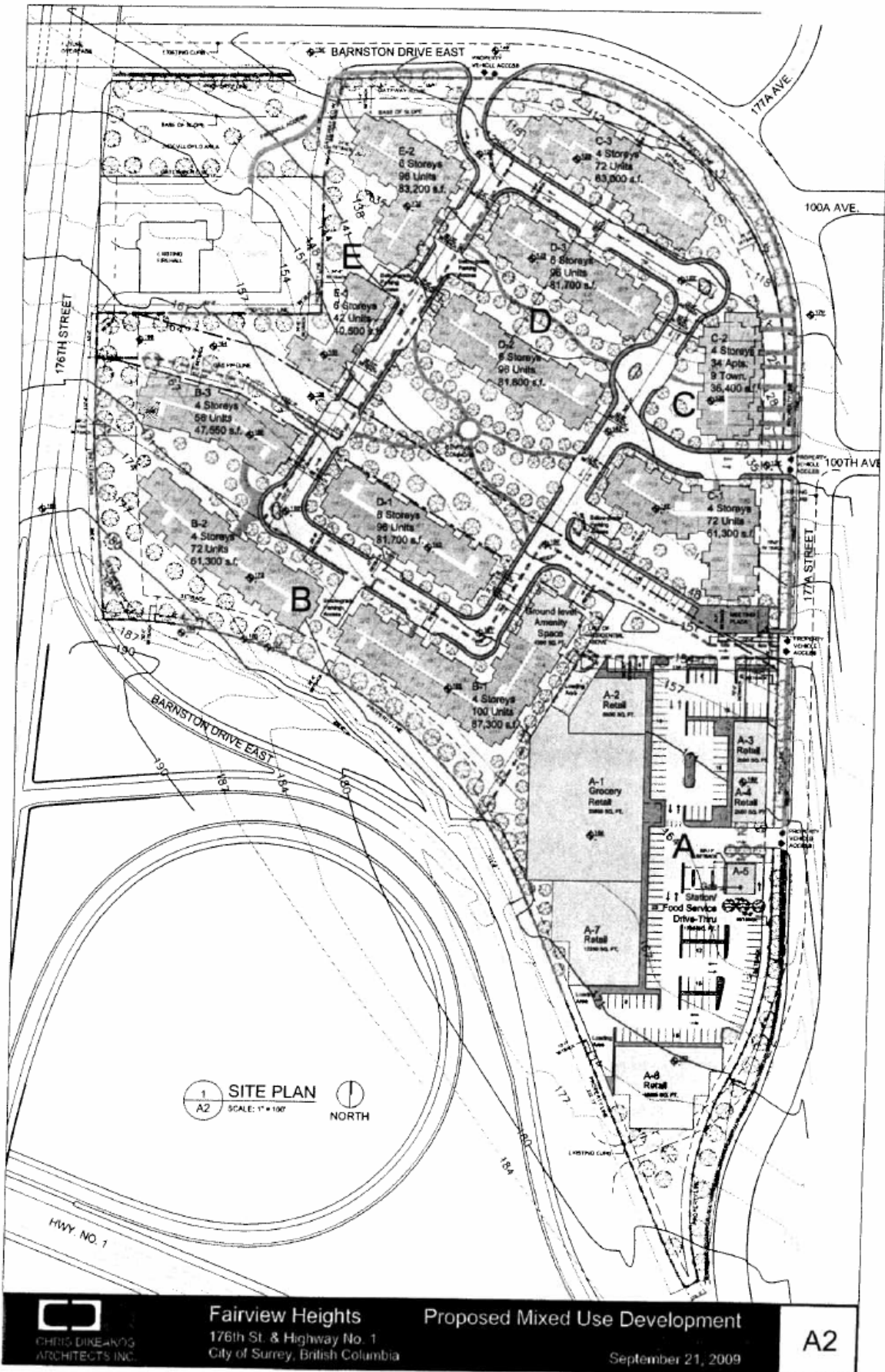
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Attachments:

- Appendix I Modified Development Concept and Project Renderings
- Appendix II Location Plan
- Appendix III Original Development Concept Presented at Public Hearing
- Appendix IV Urban Design Guidelines for the Site







CHRIS DIKE AND ASSOCIATES ARCHITECTS INC.

Fairview Heights
176th St. & Highway No. 1
City of Surrey, British Columbia

Proposed Mixed Use Development
September 21, 2009

A2

URBAN DESIGN GUIDELINES

Project Name: Fairview Heights
 Location: 176 Street and Barnston Drive

In addition to the specific urban design guidelines noted below, please reference OCP Schedule C – Development Permit Guidelines.

Overall Site Concept

Create a new medium density mixed-use retail and residential “village” with a character theme that incorporates place - making principles including:

- a public open space and pathway amenity network,
- response to local heritage and character,
- response to local natural habitat,
- response to site topography,
- stormwater management natural features,
- taking advantage of river, bridge and mountain views,
- curving road forms,
- active building interfaces with streets and pedestrian walkways
- legible consistent public realm treatments.

1. **Create a “Market Street/Square” public space associated with the retail component including:**

- 1.1 a central internal road;
- 1.2 Perpendicular or angled parking with continuous street trees;
- 1.3 locate and orient smaller retail units along Barnston Drive frontage with walk-thru from internal road and parking;
- 1.4 widened sidewalks along retail frontages;
- 1.5 pedestrian connections as a promenade around the retail square;
- 1.6 take advantage of any view opportunities;
- 1.7 consider the creation of a market plaza on the north side of Retail building A-4;
- 1.8 this square should be visually linked to the residential common green with the amenity building on axis; and
- 1.9 avoid large paved areas by increasing landscaped areas which could incorporate stormwater management features.

2. **Create a significant residential “Common Green” linked to a green amenity and network including:**

- 2.1 an identifiable common green area for use by residents through the site which includes a variety of programmable uses such as children’s play area, walking loop, natural areas, seating area at view location, water feature to reduce noise impacts from highway, a viewpoint plaza;

- 2.2 linkages between residential and commercial precincts;
- 2.3 connection to any greenways or bikeways alongside site; and
- 2.4 Consider reorienting apartment building B-6 to create a larger common green along the Terasen right-of-way. Buildings should be setback 3.0 metres from the ROW to allow for outdoor space and building overhangs/weather protection.

3. Create a legible site layout and building forms which:

- 3.1 takes advantage of topography and views, steps with grade;
- 3.2 orients residential and commercial along Barnston Drive;
- 3.3 has a visually well resolved interface with the highway off ramp and 176th;
- 3.4 incorporates the scale of the building with the adjacent single family neighbourhood;
- 3.5 locates taller buildings in the middle of the site to minimize scale impacts on the streets and to the adjacent single family neighbourhood;
- 3.6 steps floor levels to meet adjacent grades – avoid retaining walls;
- 3.7 scales down building forms to a length of 60m (200') with a significant articulation of both roof and façade to accomplish this;
- 3.8 utilizes passive features to respond to solar orientation;
- 3.9 provides separate and secure parking for each residential building; and
- 3.10 incorporates high quality materials, treatments and details.

4. Create a legible consistent public realm treatment including:

- 4.1 designs which incorporate theme of site;
- 4.2 specialty paving, motifs and furnishings;
- 4.3 light poles with attachments for hanging basket/banners;
- 4.4 public art features; and
- 4.5 stormwater management.

5. Create innovative buffers to the highway off ramp, the new connector and 176th:

- 5.1 incorporate highway noise mitigation features; and
- 5.2 green roof on commercial buildings where roofs are visible due to slopes.

6. Incorporate sustainable environmental features including:

(reference the Sustainability Charter)

- natural areas,
- Visible stormwater features,
- Consider garden plots for residents.