

NO: **L004**

COUNCIL DATE: **April 2, 2012**

REGULAR COUNCIL – LAND USE

TO: **Mayor & Council**

DATE: **April 2, 2012**

FROM: **General Manager, Planning and Development
General Manager, Engineering**

FILES: **7911-0180-00
7911-0263-00
7911-0270-00
7911-0282-00**

SUBJECT: **Development on Lots North of the East Clayton Neighbourhood Concept Plans**

RECOMMENDATION

The Planning and Development Department and the Engineering Department recommend that Council:

1. Receive this report as information;
2. Approve the course of action identified as Option 1 in this report, which is to withhold processing any development application related to any lots that fall outside the existing boundaries of the East Clayton Neighbourhood Concept Plan ("NCP") areas until an NCP process covering the land that is the subject of the application has advanced to Stage 1 approval;
3. Instruct staff that the NCP planning process for the North Clayton area (i.e., the area north of the East Clayton NCPs) not be considered until the West Clayton NCPs, which are currently being prepared, have been approved by Council; and
4. Instruct staff to forward a copy of this report and the related Council resolution to those entities that have submitted a development application to the City for the development of land that falls within the scope of recommendation 2 above.

INTENT

The purpose of this report is to advise Council of development applications that have been received by the Planning and Development Department for land development projects north of the area covered by the East Clayton NCPs and to recommend an approach in relation to such applications.

BACKGROUND

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 mainly

established as the limit to which gravity sanitary sewers could be installed to service the land north of 72 Avenue (Appendix I) while satisfying the following criteria:

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

To date, two land development applications have been approved that fall adjacent to, but immediately outside the boundary of the East Clayton North NCP. These development applications are No. 7905-0382-00 for the lots at 7287 - 192 Street and 19156 - 72A Avenue, and No. 7910-0177-00 for the lot at 7329 - 192 Street. In each case, the applicant was able to demonstrate how the development site was able to be serviced within the restrictions of the above-referenced design criteria.

The Clayton General Land Use Plan, which was approved by Council on December 14, 1998, anticipates urban development across all of the Clayton area, subject to the development of a series of NCPs, the first of which were the East Clayton NCPs. These are now being followed by the preparation of NCPs for West Clayton, immediately to the west of East Clayton, and will be followed in the future by NCPs in North Clayton, immediately to the north of East Clayton. The NCP plans are being prepared based on a logical extension of engineering servicing infrastructure to and through the Clayton area.

DISCUSSION

The City has received four development applications for lots east of 188 Street that are north of the East Clayton – North NCP boundary. The lots to which each of these applications apply are highlighted in Appendix I. In each case, the applicant is 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.

The following table describes more specifically each of the four applications:

Application No./ Applicant	Address	Proposal
7911-0180-00 / Sunmark Ventures Ltd.	7405 – 196 Street	Rezoning from RA to RM-30 and a Development Permit to facilitate the development of 77 townhouses units.
7911-0263-00 / Legendary Development Ltd.	7349 – 192 Street	Rezoning from RA to CD (based on RM-30) and a Development Permit to facilitate the development of 29 townhouses units.
7911-0270-00 / 0900117 BC Ltd.	7354 – 194 Street	Rezoning from RA to RF-9C to facilitate the development of 9 small urban lots with single family dwellings and coach houses.
7911-0282-00 / Xiao Ying Liang	7414 – 194 Street	Rezoning from RA to CD (based on RM-30) and a Development Permit to facilitate the development of 54 townhouse units.

The purpose of the City's NCPs is to provide a detailed, coordinated, planning framework for approving development applications in newly developing areas in the City. The NCPs address issues such as ensuring that land uses are laid out in a pattern that addresses interface issues, the provision of adequate public facilities, such as schools and parks, and the efficient installation of engineering infrastructure for servicing and mobility. The NCP process includes significant community engagement at numerous stages as the plan is being developed.

West Clayton NCPs

NCPs for each of West Clayton South and West Clayton North are currently being prepared. The boundaries of these NCP areas are illustrated on Appendix II. It is expected that the Stage 1 Land Use Concept (covering each of these NCP areas) will be completed in 2012.

Timeline for the Preparation of an NCP for North Clayton

In consideration of the fact that servicing of the North Clayton area will rely on engineering services that will be installed in West Clayton as the lands in West Clayton develop; there are no plans to initiate an NCP planning process for lands in North Clayton (i.e., the lands to the north of the East Clayton NCPs).

Concerns with Allowing Additional Development to the North of the East Clayton NCPs

The following sections discuss specific issues that have been identified in relation to allowing additional development north of the East Clayton NCPs.

Engineering Concerns

A number of engineering servicing issues arise in relation to allowing development north of the current East Clayton – North NCP boundary. These are:

- The existing sanitary sewer system does not have the capacity to support additional development beyond the currently approved NCP boundaries. Additional development could potentially result in sanitary sewer overflows during significant rainfall events and odour problems during periods of warm weather; and
- The existing stormwater management system, including the existing stormwater detention ponds, does not have capacity to support additional development outside of the already approved servicing areas. The capacity of the existing stormwater detention ponds is fully maximized. Given the advanced state of development in the East Clayton neighbourhood, there is no land available to dedicate and construct additional community detention pond capacity nor would sufficient funding be available to support the construction of such works.

Parks, Recreation and Culture Department Concerns

The Parks, Recreation and Culture Department advise that the additional residents, resulting from the proposed developments, were not accounted for in the preparation of parks plans for the East Clayton – North NCP. Residents from the proposed developments (totalling approximately 169 units) would utilize community parks and amenities located within the East Clayton NCP areas and would cause additional strain on available park space and community amenities in East Clayton.

Surrey School District No. 36 Concerns

The School District has advised that an NCP for the areas north of East Clayton should be finalized before higher density development in this area is approved. It is difficult for the School District to plan for schools without a comprehensive NCP planning process being undertaken.

The School District has also advised that there would be approximately 29 elementary school age and 14 secondary school age students generated by the developments as proposed in the four applications that involve lots not contained within the East Clayton NCP areas. The School District has not planned for student growth to the north of East Clayton and, as such, does not have funds for capital infrastructure or operating costs to support such growth at this time.

Planning Concerns

The OCP includes policies that promote a holistic approach to land development. 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. Allowing piecemeal development in the absence of an NCP will result in less orderly land development, will lead to expensive engineering servicing infrastructure that is difficult to operate and maintain and potential problems with things like ineffective transitions between land uses that affect the quality of life in the community. Lands not covered by an NCP, even lands immediately adjacent an NCP, should not be developed without a thorough planning process, which includes community consultation. The NCP process was developed as a result of the problems that the City experienced in relation to allowing development to occur in the absence of a proper holistic plan.

Optional Courses of Action in Relation to Addressing the Development Applications for Lots North of the East Clayton NCPs

The following options have been evaluated in relation to addressing the four applications that have been received for land north of the East Clayton – North NCP boundaries:

Option 1 – *Withhold processing of development applications until an NCP for the North Clayton area has been prepared.*

Pros:

- Supports existing City policy related to contiguous, coordinated development that equitably and efficiently utilizes the available land base;
- Supports the public expectations related to the East Clayton - North NCP regarding the northern-most limit of development; and
- 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 (i.e., the NCP process allows for a fulsome 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), which aligns with the City's Sustainability Charter related to objectives around planned and orderly development.

Cons:

- The applicants 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 2 – *Process applications beyond the East Clayton NCP boundaries, based on their individual merit.*

Pros:

- New opportunities for additional housing in Surrey could be created, which may help to influence housing affordability in the area.
- The applicants will be satisfied that they are allowed to proceed with the applications.

Cons:

- Proceeding with 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 servicing, such as sanitary sewers and storm sewers, will require expensive upgrades to accommodate the related developments, which costs will probably go beyond the financial ability afforded by the scale of the applications. This will lead to frustration on the part of the applicants and will put pressure on the City to compromise design standards to "make the developments work". This tends to lead to problems for the City over time;
- Parks and other amenities in East Clayton will be over-subscribed due to the additional development that was not anticipated in the development of the East Clayton NCPs; and
- Schools in the area will experience increased pressures on their capacity by virtue of this unanticipated growth in the student population in the area.

Evaluation of Options

Based on the above listing of the "pros" and "cons" related to each option, staff recommends that Council adopt Option 1.

If Council decides to proceed with the course of action identified as Option 2, Council should resolve to:

- Instruct staff to bring forward individual Planning Reports for consideration by Council related to each of the following development applications, respectively:
 - No. 7911-0180-00, being a proposed 77-unit townhouse development at 7405 - 196 Street;
 - No. 7911-0263-00, being a proposed 29-unit townhouse development at 7349 - 192 Street;
 - No. 7911-0270-00, being a proposed 9-lot subdivision at 7354 - 194 Street; and
 - No. 7911-0282-00, being a proposed 54-unit townhouse development at 7414 - 194 Street.

- A detailed review of the applications will be required prior to these applications being considered by Council. This review will include:
 - a comprehensive detailed engineering servicing analysis for the area, inclusive of Aloha Estates;
 - a detailed review of the planning and land use impacts;
 - a detailed review of the parks and recreation impacts;
 - a detailed review by the School District;
 - a review by each affected external referral agency;
 - completion of a public notification process for each application; and
 - confirmation by the applicant of payment of an acceptable Community Benefit in accordance with the provisions in the OCP for Type II applications.

CONCLUSION

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

- Approve the course of action identified as Option 1 in this report, which is to withhold processing any development application related to any lots that fall outside the existing boundaries of the East Clayton NCP areas until an NCP process covering the land that is the subject of the application has advanced to Stage 1 approval;
- Instruct staff that the NCP planning process for the North Clayton area (i.e., the area north of the East Clayton NCPs) not be considered until the West Clayton NCPs, which are currently being prepared, have been approved by Council; and
- Instruct staff to forward a copy of this report and the related Council resolution to those entities that have submitted a development application to the City for the development of land that falls outside the existing East Clayton NCP boundaries.

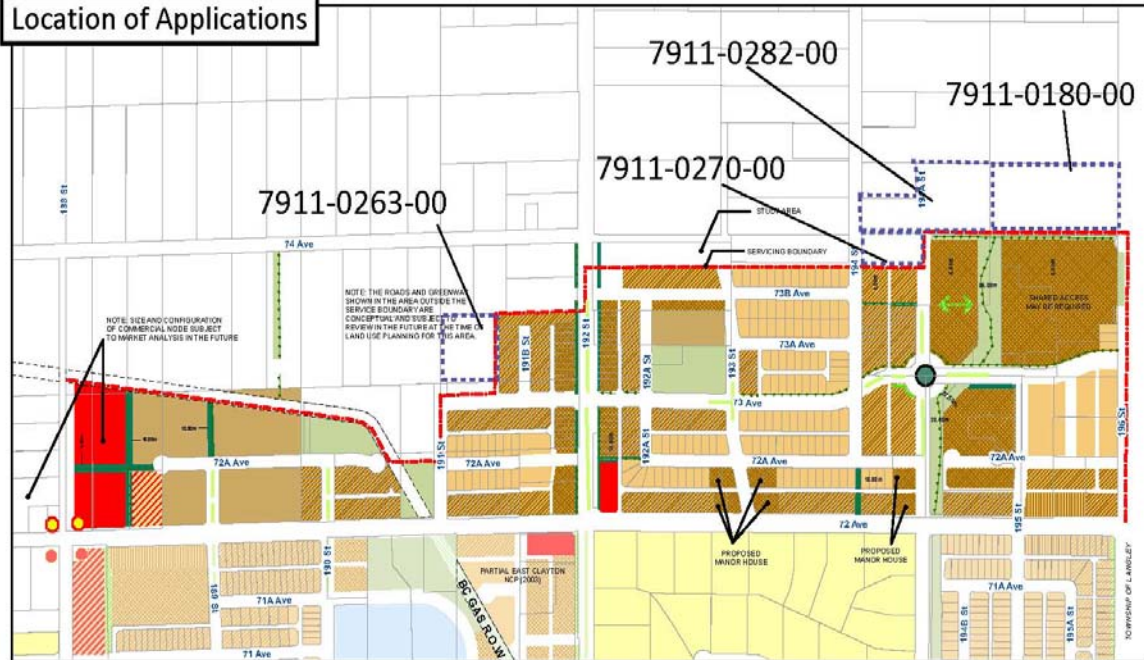
Original signed by
Jean Lamontagne
General Manager
Planning and Development

Original signed by
Vincent Lalonde, P.Eng.
General Manager
Engineering

SML/kms/saw

Appendix I: Location of Development Applications North of East Clayton
Appendix II: NCP boundaries in the Clayton Area

Location of Applications



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|------------------------------------|--|---|
| 6-10 u.p.a. (Low Density) | 22-45 u.p.a. (High Density) | Public Open Space / Park |
| 10-15 u.p.a. Special Residential | Neighbourhood Commercial | Special Setback, Landscaping Buffers or Corridors (Landscaping Areas on Private Property) |
| 10-15 u.p.a. (Medium Density) | Commercial / Residential | Urban Landmark |
| 15-25 u.p.a. (Medium-High Density) | Special Treatment of Street, Traffic Calming | 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
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