



# CLOSED REPORT TO COUNCIL

To: **Mayor and Councillors**

Subject: Overarching Supportive Policies Agreement (O-SPA)  
Surrey-Langley SkyTrain Project

File #: 6410.00

Doc #:

From: Carl Johannsen RPP, MCIP  
Director of Development Services

Date: May 4, 2022

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## RECOMMENDATION:

1. THAT Council endorses the Overarching Supportive Policies Agreement (O-SPA) as attached to the report of the Director of Development Services dated May 4, 2022;
2. THAT Council authorizes the Mayor and Corporate Officer to execute the Overarching Supportive Policies Agreement (O-SPA);
3. THAT Council directs staff to publicly release the Agreement and this staff report, following endorsement of the Agreement by the Mayors Council/TransLink and the subsequent Provincial announcement of O-SPA endorsement by all signatories.

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## PURPOSE:

This report presents the 'Overarching Supportive Policies Agreement' ('O-SPA', attached) for Council's consideration of endorsement. Like the Supportive Policies Agreement (SPA) that Council endorsed at the April 25, 2022 Closed Council meeting (see the applicable April 20, 2022 staff report and attached SPA for details), the O-SPA is also a non-binding agreement that outlines how the City will support the Surrey-Langley SkyTrain (SLS) project, but with a specific focus on how the Province intends to assist in supporting and coordinating Transit Oriented Development (TOD) opportunities within the three municipalities along the SLS corridor.

Given this scope, the O-SPA includes the City, the Township of Langley, the City of Surrey, TransLink and the Province as signatories. Once endorsed by the City, the Province, the Township, Surrey and the Joint Mayors Council/TransLink Board, the O-SPA will be provided to the Province alongside the SLS business case submission.

The endorsement of the SPA and O-SPA is a critical step towards ensuring the SLS is included in the TransLink Investment Plan, and will reinforce municipal commitment when the SLS business case proceeds to Treasury Board. Once the SLS business case is approved, it can enter the procurement and construction phase.

The Province has already signed the attached O-SPA, represented by the Minister of Environment and Climate Change Strategy and the Minister Responsible for TransLink, and the Minister of Transportation and Infrastructure.

## **POLICY:**

The City's Official Community Plan (OCP) is a City-scale TOD plan that seeks to focus almost 90 percent of the City's projected population and job growth within a 10 minute walk of the 196 Street and 203 Street SLS stations by the year 2050. This involves concentrating taller, denser developments within easy walking distance of SLS stations and with a range of housing types and affordability levels, ensuring new amenities accompany growth, and that new development is well integrated and tied together with pedestrian-friendly streetscapes that provide active transportation options and create 'great and safe' public places.

Over time, TOD development will improve access to SkyTrain/transit for residents and employees, create more affordable housing, support local economic development, generate ridership for the SkyTrain system and reduce climate change-causing emissions, among other key benefits. The OCP strongly supports the Metro Vancouver Regional Growth Strategy (RGS), by directing the majority of the City's future growth into the Langley Regional City Centre (which the RGS identifies as a rapid transit-served growth node) and directly aligns with TransLink's 'Transit Oriented Communities Design Guidelines', which have been used to guide the content framework of the SPA and O-SPA.

The OCP also includes implementation actions that support the SLS Project over time, including Zoning Bylaw, Master Transportation Plan, Parks, Recreation and Culture Plan and Affordable Housing Strategy updates, and the Innovation Boulevard Plan, among others. The OCP land use plan also identifies land use study areas along the Langley Bypass, as candidates for future TOD that will support the SLS well beyond the OCP's 2050 timeframe. In terms of specific OCP policies, Policy 2.31 'Align Land Use and Transportation' identifies collaboration between TransLink and the City, and the creation of a SPA between the City and TransLink.

As outlined above, the City's OCP identifies the policy basis and much of the content (i.e. 'commitments') in the City's SPA and O-SPA documents. However, it is also important to note that while the SPA and O-SPA are 'good faith' agreements between the City, TransLink and the Province, Council is not bound to undertaking anything in the SPA and O-SPA. As provided through the authority of the *Local Government Act* (LGA), Council is unfettered in their current and future decision making regarding land use, zoning, future development, capital plans and other matters as applicable.

Council's independence is expressly described in O-SPA Section 1.2 'Status of Agreement', by stating that 'all Municipal policies, bylaws, plans or other regulations suggested or required to be amended or adopted under this Agreement are subject to the approval of the then constituted Municipal Council.' In this case 'Municipal' includes the City of Langley. Staff also note that Council's consideration of approval of OCP and Zoning Bylaw updates that implement O-SPA commitments would only take place following public consultation and public hearing(s), as required by the LGA.

The attached O-SPA has been reviewed by the City's solicitor, and updated accordingly to ensure that Council's independence and unfettered decision making ability is clearly identified.

## **COMMENTS/ANALYSIS:**

### O-SPA Components and Commitments

The first component of the O-SPA (Preamble and Sections 1-2) contains recitals, definitions, acknowledgements of how the O-SPA is to be read and interpreted (such as 'Status of Agreement', as described above), and principles and objectives.

The second component (Sections 3-9) outlines O-SPA commitments and references the commitments that SLS municipalities have made in their SPAs, but differs from the SPAs by way of specifically highlighting how the Province intends to:

1. Collaborate with the City of Langley, the Township of Langley, City of Surrey, TransLink, Metro Vancouver, the federal government and/or non-market housing partners in considering/undertaking new housing developments (with a range of housing types, tenures and affordability levels) on Provincial government or Crown-corporation owned properties in the SLS corridor;
2. Support new TOD developments with housing and institutional and office space in the City of Langley, Township of Langley and City of Surrey, on Province or TransLink owned lands along the SLS and according to municipal OCPs;
3. Explore the acquisition of property and development opportunities to support the SLS Project objectives (i.e. leveraging and maximizing TOD development along the SLS corridor to support this investment over the long term); and
4. Contribute to/participate in the Joint TOD Study for the 196 Street Station.

Staff also note that the O-SPA includes language stating the Province will explore opportunities ‘to support the location of community amenities along the SLS Corridor, including but not limited to childcare facilities, arts and culture centres, parks and greenspaces and active transportation infrastructure.’

#### *O-SPA Monitoring*

The O-SPA does not include any monitoring requirements or clauses, with the intent of relying on the SPA to address these items.

As described in the April 20, 2022 staff report regarding the SPA, the third component of the SPA (Sections 10-12) includes establishing a monitoring committee consisting of City and TransLink staff (and possibly Provincial, Metro Vancouver staff), to track land use and transportation outcomes for the SLS corridor.

This committee is to use performance measures to track population and employment growth, new net affordable housing supply, transit performance, and mode split, among other items. The committee will also produce Annual Reports and a 5 Year Performance Report, to present to Council and the Mayors Council/TransLink Board, to ensure the City and TransLink are aware of TOD development activity within the SLS corridor and to track progress on the implementation of commitments in the SPA.

Staff have agreed to participating in this monitoring committee to support the fulfillment of the City’s OCP objectives, and to show good faith in working towards completing the City’s commitments in the SPA and O-SPA and collaborating with TransLink and the Province in ensuring the best possible land use, affordable housing and transportation outcomes around the SLS - with the caveat of Council being unfettered in their decision making, and not being legally bound to SPA and O-SPA commitments. Similar to the SPA, the O-SPA includes a dispute resolution mechanism, should the need ever arise.

#### Next Steps for the SPA and O-SPA

Following endorsement of the O-SPA by Council, it will be considered at a closed meeting of the Mayors Council Finance Committee (May 18, 2022), and then at a closed meeting of the Joint Mayors Council/TransLink Board (May 26, 2022). Staff recommend that the O-SPA and this staff cover report be publicly released at the appropriate time, following the endorsement of the Agreement by the Mayors Council and signing by TransLink, and a subsequent Provincial announcement on the endorsement of the O-SPA by all signatories.

#### **BUDGET IMPLICATIONS:**

The SPA and O-SPA are non-binding agreements that generally do not have budget implications. However, future projects identified in the SPA and O-SPA may require new capital funding for planning studies as required. Funding proposals for these

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projects will be identified by staff in future Financial Plan processes, for Council's consideration. Staff also note that monitoring committee work may require some additional staff resources, which may in turn require additional operational funding in future Financial Plans.

**ALTERNATIVES:**

1. Update the O-SPA according to Council direction, prior to consideration of endorsement of the O-SPA by Council.

Respectfully Submitted,



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Carl Johannsen, RPP, MCIP  
Director of Development Services

Attachment(s):

1. Draft Overarching Supportive Policies Agreement (O-SPA)

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I support the recommendation.



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Francis Cheung, P. Eng.  
Chief Administrative Officer