

Regular Council - Land Use Minutes

Council Chamber City Hall 14245 - 56 Avenue Surrey, B.C. MONDAY, JANUARY 24, 2011

Time: 5:30 p.m.

Present:

Mayor Watts
Councillor Bose
Councillor Gill
Councillor Hepner
Councillor Hunt
Councillor Martin
Councillor Rasode
Councillor Steele
Councillor Villeneuve

Absent:

Staff Present:

City Clerk
City Manager
City Solicitor
Deputy City Clerk
Deputy City Manager
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Human Resources
General Manager, Parks, Recreation & Culture
Acting General Manager, Planning & Development
Land Development Engineer
Manager, Area Planning & Development, North Division
Manager, Area Planning & Development, South Division

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

1. 7910-0295-00

12020 Nordel Way

Ryan Gaal, Steel Arts Sign Corp. /

Nordel Crossing Shopping Centre Ltd., Inc. No. 659315

Development Variance Permit

in order to permit two fascia signs for the north elevation and two fascia signs for the east elevation of the existing Tim Horton's restaurant.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Bose

Seconded by Councillor Villeneuve

That Council approve Development Variance

Permit No. 7910-0295-00 (Appendix II) varying the following provisions of the Sign By-law, to proceed to Public Notification:

(a) Section 27.2(a) to allow two fascia signs on the north elevation and two fascia signs on the east elevation.

RES.R11-137

Carried

2. 7910-0311-00

13438 - 72 Avenue

Peter Dandyk / Common Exchange Ltd., 448271

Amend CD By-law No. 16926

by increasing the maximum allowable floor area ratio, to permit second storey storage space within the existing pawnshop on the site.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Bose Seconded by Councillor Hepner That:

- 1. a By-law be introduced to amend Comprehensive Development By-law No. 16926 and a date be set for Public Hearing.
- 2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) Discharge of Restrictive Covenant (No. CA1456853) which prohibits the owner from using the attic space as a floor assembly or floor area.
 - (b) Registration of a Section 219 Restrictive Covenant requiring that the second storey floor space be used for storage only.

RES.R11-138

<u>Carried</u>

It was

Moved by Councillor Bose

Seconded by Councillor Hepner

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2009, No. 16926 Amendment By-law, 2011, No. 17357" pass its first reading.

RES.R11-139

Carried

The said By-law was then read for the second time.

It was

Moved by Councillor Bose

Seconded by Councillor Gill

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2009, No. 16926 Amendment By-law, 2011, No. 17357" pass its second reading.

RES.R11-140

It was then

Moved by Councillor Bose

Seconded by Councillor Martin

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2009, No. 16926 Amendment By-law, 2011, No. 17357" be held at the City Hall on Monday, February 7, 2011, at 7:00 p.m.

RES.R11-141

Carried

3. 7910-0289-00

12827 - 76 Avenue

Roger Jawanda, CitiWest Consulting Ltd. / 0879617 B.C. Ltd., Inc. No. 879617

<u>Director Information</u>: Shailinder Singh Bhullar

No Officer Information Filed

Amend CD By-law No. 10140, as amended

in order to include a pharmacy as a permitted use on Strata Lots 2, 4 and 6

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Martin

Seconded by Councillor Gill

That a By-law be introduced to amend

Comprehensive Development By-law No. 10140, as amended, and a date be set for

Public Hearing.

RES.R11-142

Carried

It was

Moved by Councillor Gill

Seconded by Councillor Hepner

That "Surrey Zoning By-law, 1979, No. 5942,

Amendment By-law, 1989, No. 10140, Amendment By-law, 2003, No. 15108,

Amendment By-law, 2010, No. 17216, Amendment By-law, 2011, No. 17358." pass its

first reading.

RES.R11-143

Carried

The said By-law was then read for the second time.

It was

Moved by Councillor Gill

Seconded by Councillor Hepner

That "Surrey Zoning By-law, 1979, No. 5942,

Amendment By-law, 1989, No. 10140, Amendment By-law, 2003, No. 15108,

Amendment By-law, 2010, No. 17216, Amendment By-law, 2011, No. 17358." pass its

second reading.

RES.R11-144

It was then

Moved by Councillor Gill

Seconded by Councillor Hepner

That the Public Hearing on "Surrey Zoning

By-law, 1979, No. 5942, Amendment By-law, 1989, No. 10140, Amendment By-law, 2003, No. 15108, Amendment By-law, 2010, No. 17216, Amendment By-law, 2011, No. 17358." be held at the City Hall on Monday, February 7, 2011, at 7:00 p.m.

RES.R11-145

Carried

4. 7910-0246-00

12850 - 87 Avenue

Rodney C. Lyons of Rodney C. Lyons Architect /

0875519 B.C. Ltd., Inc. No. BC0875519

Director Information: Brian David Blann / Brad Clarke

No Officer Information Filed

Development Permit / Development Variance Permit

in order to relax the minimum side yard and rear yard setback thereby permitting an addition to an existing building and construction of another industrial building on-site.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Gill Seconded by Councillor Hepner That:

- 1. Council authorize staff to draft Development Permit No. 7910-0246-00 in accordance with the attached drawings (Appendix II).
- 2. Council approve Development Variance Permit No. 7910-0246-00, (Appendix IV) varying the following setback provisions of the IL Zone, to proceed to Public Notification:
 - (a) reduce the minimum side yard setback from 7.5 metres (25 ft.) to 0.3 metres (1 ft.); and
 - (b) reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 0.3 metres (1 ft.).
- 3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;

- (c) resolution of all urban design issues to the satisfaction of the Planning and Development Department; and
- (d) the applicant is required to discharge the Section 219 Restrictive Covenant (BK 194151) currently registered on title which prevents access/egress of commercial vehicles onto 87 Avenue.

RES.R11-146

Carried

SOUTH SURREY

5. 7910-0144-00 18866 – 32 Avenue Oleg Verbenkov, Pacific Land Group / Never Idle Holdings Ltd., Inc. No. BC0458799

Rezoning from A-2 to IB-1 / Development Permit / Development Variance Permit to permit the development of a cold storage facility in the Campbell Heights area. A DVP is needed to vary off-street parking requirement.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

In response to Council query, the applicant shared that the development has set aside a substantial green space area and offered that if the building use should ever change, the green space could be revised to accommodate future parking requirements. The applicant stated that the preference would be to retain the parking stalls as outlined in the development plans.

It was

Moved by Councillor Hepner Seconded by Councillor Gill That:

- a By-law be introduced to rezone the subject site from "Intensive Agriculture Zone (A-2)" (By-law No. 12000) to "Business Park 1 Zone (IB-1)" (By-law No. 12000) and a date be set for Public Hearing.
- 2. Council authorize staff to draft Development Permit No. 7910-0144-00 in accordance with the attached drawings.
- 3. Council approve Development Variance Permit No. 7910-0144-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum number of on site parking spaces from 206 to 78.
- 4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, access from 188 Street and rights-of-way

where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) submission of a subdivision plan for road dedication to the satisfaction of the Approving Officer;
- (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
- (d) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (e) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
- (f) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
- (g) registration of Section 219 Restrictive Covenant to require the full parking requirements should the use change in the future.

RES.R11-147

Carried

It was

Moved by Councillor Gill Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17359" pass its first reading.

RES.R11-148

Carried

The said By-law was then read for the second time.

It was

Moved by Councillor Gill

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17359" pass its second reading.

RES.R11-149

Carried

It was then

Moved by Councillor Gill

Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17359" be held at the City

Hall on Monday, February 7, 2011, at 7:00 p.m.

RES.R11-150

Moved by Councillor Hunt Seconded by Mayor Watts

That staff review and report back to Council

regarding permeable surface treatment alternatives to improve aesthetics in industrial areas where maximization of allotted parking stalls will not be a requirement for a number of years.

RES.R11-151

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

6. 7910-0269-00

16732 - 64 Avenue

Jug Bilg / Jugpal Singh Bilg and Mandip Kaur Bilg

Development Variance Permit

in order to reduce the rear yard setback to retain an existing uncovered deck on proposed Lot 3.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Gill

Seconded by Councillor Villeneuve

That Council approve Development Variance

Permit No. 7910-0269-00, (Appendix II) varying the following, to proceed to Public Notification:

(a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.3 metres (14.1 ft.) for an existing deck on proposed Lot 3.

RES.R11-152

Carried

7. 7910-0265-00

Portion of 19407 and 19501 - 68 Avenue and a portion of

194A Street; 19495 - 68 Avenue

Thomas Woo, Townline Group / City of Surrey /

BPRT Holdings Ltd., Inc. No. 773636

Rezoning from RA to RM-30 / Development Permit /

Development Variance Permit

in order to permit the development of approximately 144 three-storey townhouse units with variances to setbacks, parking and signage.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

Council stated that the area for the proposed development happens to be in the catchment area of Hazelgrove Elementary School that was built in 2009 and is already experiencing classroom shortages.

Council stated a letter should be sent to the School Board requesting their expansion plans for Hazelgrove Elementary School and obtain clarification from the Province relative to a recent announcement pertaining to modular schools and whether any relief would be provided to Surrey schools in terms of classroom space.

It was

Moved by Councillor Gill Seconded by Councillor Steele That:

- a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
- 2. Council approve the applicant's request to reduce the amount of required indoor amenity space from 432 square metres (4,650 sq. ft.) to 407 square metres (4,381 sq. ft.).
- 3. Council authorize staff to draft Development Permit No. 7910-0265-00 in accordance with the attached drawings (Appendix II).
- 4. Council approve Development Variance Permit No. 7910-0265-00, (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.7 metres (15 ft.) along all lot lines to the building face, and 4.0 metres (13 ft.) for roof overhangs, bay or boxed windows, hutches, eaves, balconies and columns;
 - (b) to reduce the minimum east side yard setback of the RM-30 Zone for proposed Building No. 10 from 7.5 metres (25 ft.) to 3.2 metres (10.5 ft.) to the building face, and to 2.4 metres (7.9 ft.) for roof overhangs, and bay or boxed windows;
 - (c) to vary the setback requirements in Part 4 General Provisions of Zoning By-law No. 12000 to allow four (4) risers to encroach into the setback along all lot lines;
 - (d) to vary the enclosed tandem parking space requirements of the RM-30 Zone to permit one outside tandem parking space for 66 of the 288 residential parking spaces;
 - (e) to vary the parking requirements of the RM-30 Zone to permit one (1) visitor parking space to be located within the east side-yard setback; and

- (f) to vary the Sign By-law to increase the maximum number of free-standing identification signs from one (1) to two (2).
- 5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (f) completion of the road closure and acquisition of a portion of 194A Street with the Realty Services Division;
 - (g) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space; and
 - (h) the applicant adequately address the impact of reduced indoor amenity space.

RES.R11-153

Carried

With Councillor Bose opposed

It was

Moved by Councillor Gill Seconded by Councillor Martin

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17360" pass its first reading.

RES.R11-154

Carried

with Councillor Bose opposed

The said By-law was then read for the second time.

It was

Moved by Councillor Gill

Seconded by Councillor Martin

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17360" pass its second reading.

RES.R11-155

<u>Carried</u>

with Councillor Bose opposed

It was then

Moved by Councillor Gill

Seconded by Councillor Martin

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17360" be held at the City

Hall on Monday, February 7, 2011, at 7:00 p.m.

RES.R11-156

Carried

FLEETWOOD/GUILDFORD

8. 7910-0231-00

15260 - 88 Avenue

Mike Helle, Coastland Engineering and Surveying Ltd. /

Bhajan Singh Hans and Balwinder Kaur Hans

Development Variance Permit

in order to reduce the front yard setback to retain an existing house on proposed Lot 2.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Gill

Seconded by Councillor Martin

That Council approve Development Variance

Permit No. 7910-0231-00, (Appendix II) varying the following, to proceed to Public Notification:

(a) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 6.4 metres (21 ft.) for the existing house on proposed Lot 2.

RES.R11-157

Carried

9. 7910-0290-00

9962 - 156 Street

Avnash Banwait / Baldev Singh Brar and Jagtar Kaur Brar

Rezoning from RF to RF-SD

in order to permit the development of 1 semi-detached (duplex-style) residential building on 2 small single family residential lots.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was

Moved by Councillor Gill Seconded by Councillor Steele

That:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Semi-Detached Residential Zone (RF-SD)" (By-law No. 12000) and a date be set for Public Hearing.

- 2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (e) registration of the following Section 219 "no build" Restrictive Covenants for:
 - i. increased setbacks for tree preservation purposes on proposed Lot 1;
 - ii. increased front and external side yard setbacks on proposed Lots 1 and 2; and
 - iii. structural independence on proposed Lots 1 and 2;
 - (f) registration of the following easements on proposed Lots 1 and 2:
 - i. maintenance of exterior finishes and drainage facilities; and
 - ii. party wall; and
 - (g) resolution of all urban design issues to the satisfaction of the Planning and Development Department.

RES.R11-158

<u>Carried</u>

with Councillor Bose opposed

It was

Moved by Councillor Gill

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17361" pass its first reading.

RES.R11-159

Carried

with Councillor Bose opposed

The said By-law was then read for the second time.

Moved by Councillor Gill

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2011, No. 17361" pass its second reading.

RES.R11-160

Carried

with Councillor Bose opposed

It was then

Moved by Councillor Gill Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2011, No. 17361" be held at the City

Hall on Monday, February 7, 2011, at 7:00 p.m.

RES.R11-161

Carried

- C. CORPORATE REPORTS
- D. ITEMS TABLED BY COUNCIL
- E. DELEGATIONS
- F. CORRESPONDENCE
- G. NOTICE OF MOTION
- H. BY-LAWS

FINAL ADOPTIONS

"Surrey Land Use Contract No. 222, Authorization By-law, 1976, No. 4925,
Partial Discharge By-law, 2009, No. 16995"
7908-0269-00 – Hardeep and Veerpal Thind, c/o Avnash Banwait
To discharge LUC No. 222 from the property located at 13497 – 64 Avenue to allow the underlying RF-Zone to come into effect and permit subdivision into two (2) single family lots.

Approved by Council: July 27, 2009

* Planning & Development advise that (see memorandum dated January 19, 2011 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. This building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act.

A Section 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

Moved by Councillor Villeneuve Seconded by Councillor Martin

That "Surrey Land Use Contract No. 222,

Authorization By-law, 1976, No. 4925, Partial Discharge By-law, 2009, No. 16995" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R11-162

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17194"
7909-0213-00 - Gurcharan S. Sekhon, Mandeep S. Biran and Kanwar S. Brar,
c/o Coastland Engineering & Surveying Ltd. (Mike Helle)
RA to RF (12000) - 14970 - 68A Avenue and Portion of Lane - to permit subdivision into 3 single family lots.

Approved by Council: June 7, 2010

- * Planning & Development advise that (see memorandum dated January 19, 2011 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. This building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A Section 219 Restrictive Covenant will also be registered to tie the building scheme to the land.
- * Planning & Development further advise that following public hearing and third reading of By-law 17194, the proposed lane closure will not be required and will not form a portion of the lots. Council is requested to amend By-law 17194 accordingly. This amendment does not impact the land use, density, or ultimate subdivision layout, and Council is advised that a new Public Hearing is not necessary.

It was

Moved by Councillor Villeneuve

Seconded by Councillor Gill

That Council rescind Resolution R10-1160 of

the June 21, 2010 Regular Council-Public Hearing meeting passing Third Reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17194"

RES.R11-163

Carried

It was

Moved by Councillor Villeneuve

Seconded by Councillor Hepner

That Council amend "Surrey Zoning By-law,

1993, No. 12000, Amendment By-law, 2010, No. 17194" by deleting the portion of lane contributing 155.7 square metres as shown on the Preliminary Survey Plan from the subject site as stated in the memorandum in by-law back-up.

RES.R11-164

Moved by Councillor Villeneuve

Seconded by Councillor Hepner

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2010, No. 17194" pass its third reading as amended.

RES.R11-165

Carried

It was

Moved by Councillor Villeneuve

Seconded by Councillor Hepner

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2010, No. 17194" be finally adopted, signed by the Mayor and

Clerk, and sealed with the Corporate Seal.

RES.R11-166

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16766" 7907-0335-00 - Peace Portal Holdings Ltd., c/o H.Y. Engineering Ltd. (Lori Joyce) RA to RF-9 and RF-12 (BL 12000) - 17448 - 2 Avenue - to allow subdivision into 30 single family small lots.

Approved by Council: September 8, 2008

Note: The Public Hearing on this application was held on September 29, 2008.

* Planning & Development advise that (see memorandum dated January 19, 2011 in bylaw back-up) it is now in order for Council to pass a resolution to amend the Douglas Neighbourhood Concept Plan (NCP) to redesignate the site from Urban Single Family Residential (6 upa) to Single Family Residential Flex (6-14.5 upa).

It was

Moved by Councillor Gill

Seconded by Councillor Hepner

That Council amend the Douglas

Neighbourhood Concept Plan (NCP) to redesignate the site from Urban Single Family Residential (6 upa) to Single Family Residential Flex (6-14.5 upa).

RES.R11-167

Carried

It was

Moved by Councillor Villeneuve

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2008, No. 16766" be finally adopted, signed by the Mayor and

Clerk, and sealed with the Corporate Seal.

RES.R11-168

Carried

with Councillor Bose opposed

I. CLERK'S REPORT

J. OTHER BUSINESS

1. Hazelgrove Elementary Expansion Plans

It was

Moved by Councillor Hepner

Seconded by Councillor Villeneuve

That staff send a letter to the School District

36 and copied to the Ministry of Education requesting information with regards to their expansion plans for Hazelgrove Elementary and a further letter to the Ministry of Education to obtain clarification from the Province relative to a recent announcement pertaining to modular schools and whether any relief would be provided to Surrey schools in terms of classroom space.

RES.R11-169

Carried

K. ADJOURNMENT

It was

Moved by Councillor Villeneuve Seconded by Councillor Martin

That the Regular Council - Land Use meeting

do now adjourn.

RES.R11-170

Carried

The Regular Council- Land Use meeting adjourned at 5:52 p.m.

Certified Correct:

Jane/Sullivan, City Clerk

Mayor Dianne Watts