

Present:

Mayor Watts
Councillor Gill
Councillor Hayne
Councillor Hepner
Councillor Hunt
Councillor Martin
Councillor Rasode
Councillor Steele

Absent:

Councillor Villeneuve

Staff Present:

City Clerk
City Manager
City Solicitor
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. **7912-0051-00**
15250 - 54A Avenue
Leighton Stenner, / Prado Holdings Ltd., Inc. No. 514567
Development Permit
in order to permit the development of landscaping and a parking area for a daycare in an existing heritage house.

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:

1. Council authorize staff to draft Development Permit No. 7912-0051-00 generally in accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) submission of a finalized tree survey and statement regarding tree preservation to the satisfaction of the City Landscape Architect; and

- (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department.

RES.R12-2013

Carried

2. **7912-0268-00**
13479 and 13535 - 77 Avenue
Nirmal Takhar, Phoenix Homes (2011) Ltd./Cornett Holdings Ltd.,
Inc. No. 0703758
OCP Text Amendment / Temporary Use Permit
in order to permit a temporary private elementary school for a maximum of 450 students in an existing industrial complex.

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

It was

Moved by Councillor Hepner
Seconded by Councillor Martin
That:

1. a By-law be introduced to amend the OCP by declaring the subject site in Planning Application No. 7912-0268-00 a Temporary Use Area and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. Council approve Temporary Use Permit No. 7912-0268-00 (Appendix V) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption and issuance of the Temporary Use Permit:
 - (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) completion, inspection and approval of parking lot modifications in accordance with the site plan attached in Appendix II, to the satisfaction of the City;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant address the deficit in replacement trees;

- (e) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department; and
- (f) submission of building permit drawings that satisfactorily address Building Code requirements.

RES.R12-2014

Carried

Mayor Watts asked staff if there was a plan for student drop-off. In response, staff noted that there was a plan for drop off on the east side of the development. The staff will work with the applicant, and transportation engineering to ensure that school traffic will be located in a suitable and safe location.

It was

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 117 Amendment By-law, 2012, No. 17775" pass its first reading.

RES.R12-2015

Carried

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

It was

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 117 Amendment By-law, 2012, No. 17775" pass its second reading.

RES.R12-2016

Carried

It was then

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, Text No. 117 Amendment By-law, 2012, No. 17775" be held at the City Hall on October 22, 2012, at 7:00 p.m.

RES.R12-2017

Carried

- 3. **7912-0242-00**
8407 King George Boulevard
Andy Aadmi, A & A Construction / Devon Estates Limited
 Land Use Contract No. 505 discharge / Rezoning from C-4 to CD (based on CG-1) Development Permit
in order to permit the development of car wash facility

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

It was Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That:

1. a By-law be introduced to discharge Land Use Contract No. 505 and a date for Public Hearing be set.
2. a By-law be introduced to rezone the subject site in Planning Application No. 7912-0242-00 from (underlying) "Local Commercial Zone (C-4)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix IV).
3. Council authorize staff to draft Development Permit No. 7912-0242-00 generally in accordance with the attached drawings (Appendix III).
4. 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 landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (c) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
 - (d) approval from BC Hydro; and
 - (e) registration of a Section 219 Restrictive Covenant to adequately address the City's needs with respect to public art, to the satisfaction of the General Manager Parks, Recreation and Culture.
5. Council pass a resolution to amend the Central Newton Local Area Plan to redesignate the land from Highway Commercial and Open Space to Commercial and Open Space when the project is considered for final adoption.

RES.R12-2018

Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Land Use Contract No. 505,
 Authorization By-law, 1978, No. 5718 Discharge By-law, 2012, No. 17776" pass its
 first reading.

RES.R12-2019

Carried

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

RES.R12-2020 It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Land Use Contract No. 505,
Authorization By-law, 1978, No. 5718 Discharge By-law, 2012, No. 17776" pass its
second reading.
Carried

RES.R12-2021 It was then Moved by Councillor Hunt
Seconded by Councillor Gill
That the Public Hearing on "Surrey Land Use
Contract No. 505, Authorization By-law, 1978, No. 5718 Discharge By-law, 2012,
No. 17776" be held at the City Hall on October 22, 2012, at 7:00 p.m.
Carried

RES.R12-2022 It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2012, No. 17777" pass its first reading.
Carried

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

RES.R12-2023 It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2012, No. 17777" pass its second reading.
Carried

RES.R12-2024 It was then Moved by Councillor Hunt
Seconded by Councillor Gill
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17777" be held at the City
Hall on October 22, 2012, at 7:00 p.m.
Carried

SOUTH SURREY

4. **7912-0094-00**
3255 - 176 Street
Roger Jawanda, CitiWest Consulting Ltd. / Robert J Mangat /
Donald D Mangat
Subdivision within the ALR under Section 21(2) of the ALC Act
in order to create 2 lots.

The General Manager, Planning & Development was recommending that the application be denied.

As the Applicant was not yet present, Council requested Application 7912-0094-00 be deferred until the conclusion of the Regular Council Land Use Meeting.

It was Moved by Councillor Hunt
Seconded by Councillor Hayne
That Application 7912 0094-00 be deferred
until the end of the Regular Council Public Hearing meeting.

RES.R12-2025

CarriedSURREY CITY CENTRE/WHALLEY

5. 7912-0121-00
9583 - 132 Street
Tong Ngo, Tong NGO Engineering Ltd. / 361179 BC Limited, Inc. No. 361179
Director Information: Jaswinder Sandhar
Officer Information as at March 7, 2012: Jaswinder Sandhard (President)
Development Permit
in order to allow a replacement free-standing sign on a commercial site.

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

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That Council approve Development Permit
No. 7912-0121-00 and authorize the Mayor and Clerk to execute the Permit.

RES.R12-2026

CarriedRESIDENTIAL/INSTITUTIONALCLOVERDALE/CLAYTON

6. 7912-0039-00
5556, 5544, 5532 and 5520 - 188 Street
Roger Jawanda, Citiwest Consulting Ltd. / Cloverdale Hill
Development Ltd., Inc. No. 736975
Development Variance Permit
in order to reduce the front yard setback for 5 proposed single family lots and the west side yard flanking street setback for 1 proposed lot impacted by the road allowance requirements.

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

It was Moved by Councillor Hunt
Seconded by Councillor Rasode
That Council approve Development Variance
Permit No. 7912-0039-00 (Appendix III) varying the following, to proceed to Public
Notification:

- (a) to reduce the minimum front yard setback of the RF Zone for the principal building from 7.5 metres (25 ft.) to 6.5 metres (21 ft.) for proposed Lots 3-7; and
- (b) to reduce the minimum west side yard setback on a flanking street of the RF Zone for the principal building from 3.6 metres (12 ft.) to 2.6 metres (9 ft.) for proposed Lot 1.

RES.R12-2027

Carried

NEWTON

- 7. **7912-0241-00**
5997 – 137A Street
Harjot K Virk
Development Variance Permit
in order to vary the side, front, and rear yard setback requirements of the RF Zone.

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Council approve Development Variance
Permit No. 7912-0241-00 (Appendix III) 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 3.6 metres (12 ft.);
- (b) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.); and
- (c) to increase the minimum internal side yard setback of the RF Zone from 1.8 metres (6 ft.) to 6 metres (20 ft.) along 50% of the length of the side and 7.5 metres (25 ft.) along the remaining 50% of the same side yard.

RES.R12-2028

Carried

SOUTH SURREY

8. **7912-0161-00**
3066 - 140 Street
Dexter Hirabe, Hunter Laird Engineering Ltd. / Amrik Singh Sidhu,
Harcharan Kaur Sidhu
 Development Variance Permit
in order to reduce the front yard setback for proposed Lots 1 and 2 impacted by the road allowance requirements for an 8-lot subdivision.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That Council approve Development Variance Permit No. 7912-0161-00 (Appendix IV) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard setback of the RH-G Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for proposed Lots 1 and 2.

RES.R12-2029

Carried

9. **7911-0076-00**
3242 and 3224 - 140 Street
Bryan Ference / Shamaine R Ference / Bryan W Ference
Pao-Feng Lee / Vladimir Ferancik / Marianna Ferancik
 Rezoning from RA to RH
in order to allow subdivision into 4 half-acre single family lots.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That:

1. A By-law be introduced to rezone subject site in Planning Application No. 7911-0076-00 from "One-Acre Residential Zone" (RA) (By-law No. 12000) to "Half-Acre Residential Zone" (RH) (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, 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) resolution of tree retention issues, as per the arborist report approved on February 22, 2012;
 - (d) registration of a Section 219 Restrictive Covenant (No Build) for on-site tree preservation;
 - (e) the applicant address the shortfall in tree replacement;
 - (f) submission of a landscape buffer plan (containing trees, shrubs and ground cover plants, and similar in nature to the approved buffer on the parcel to the immediate north) and landscape cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (g) registration of a Section 219 Restrictive Covenant on proposed Lot 1 to ensure installation (prior to issuance of a Building Permit), maintenance and protection of the landscape buffer along 140 Street and to establish an additional 5 metre (16 feet) rear yard setback adjacent to the buffer;
 - (h) submission of security for the proposed landscape buffer;
 - (i) registration of a Section 219 Restrictive Covenant for the purposes of house design (i.e. the Building Scheme);
 - (j) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
 - (k) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation and Culture.
3. Council pass a resolution to amend the Central Semiahmoo Peninsula Local Area Plan to redesignate the land from "One-Acre Residential" to "Half-Acre Residential" when the project is considered for final adoption.

Before the motion was put:

It was Moved by Councillor Hunt
Seconded by Councillor Hepner
That Council:

1. Adopt the recommendations as presented with the exception of Items F and G;
2. Recommend that staff work with the applicant to address comments made during the Regular Council Land Use Meeting relative to Items F & G; and
3. Recommend that staff explore what has been done historically with other developments of a similar context and provide a further report with recommendations to Council.

RES.R12-2030

Carried

The applicant was asked to explain the landscape buffer requirement. In response, the applicant explained the buffer they are proposing is larger than what was proposed by staff. The applicant's counterproposal includes a 6 – 7 foot hedge to provide increased screening. The grass on the boulevard would provide a more upscale entrance to the development (off of 140th).

Council asked for clarification regarding as to why staff is not supportive of the enhancements proposed by the applicant. In response staff clarified that the applicant has not installed some of the required components of the landscape buffer. The proponent is proposing to put in something different in terms of the width in order to achieve a greater rear lawn setback. The proposed modified buffer (as suggested by the applicant) is 5600 square feet of backyard real-estate that could be better used. Staff is proposing, after the right-of-way, that the applicant install a row of hedges and sod that is upgraded and more visually appealing. There would be a 5 metre setback from the rear of the property, staff is asking for an additional 8 metres to match the context of the neighbourhood.

Council noted that they understand the need for consistency of residential neighbourhoods and that the 8.5 metre buffer seems large. In response staff clarified that the 8.5 metre buffer was established because, the initial proposal/contemplation of the rear lane was not desirable from the applicant's point of view. Staff were concerned with a double fronting lot, the privacy of the backyard and trying to create enough depth of the buffer to create privacy on behalf of the property owner and that there is some depth and separation to the private realm.

Council understand the theory of what staff is presenting; however, there are similar cul-de-sacs to this that have not had the same treatment on 32nd (there are 6 double-fronting lots). In response, staff noted that it depends on how the homes are designed; there is room for a rear setback area. Staff has looked at siting of homes and it there are not as many opportunities, as a double-fronting lot, there are downfalls.

The applicant noted that they have been working on this project for 2 years and the landscape architect for the original project acted on directives from the City of Surrey Arbourist.

Council is willing to support the project going to Public Hearing but have concerns and would like to move the recommendations except for Items F and G which address the buffer.

RES.R12-2031	It was Amendment By-law, 2012, No. 17778"	Moved by Councillor Hunt Seconded by Councillor Hepner That "Surrey Zoning By-law, 1993, No. 12000, pass its first reading as amended. <u>Carried</u>
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The said By-law was then read for the second time.

RES.R12-2032	It was Amendment By-law, 2012, No. 17778"	Moved by Councillor Hunt Seconded by Councillor Hepner That "Surrey Zoning By-law, 1993, No. 12000, pass its second reading as amended. <u>Carried</u>
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RES.R12-2033	It was then By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17778"	Moved by Councillor Hunt Seconded by Councillor Hepner That the Public Hearing on "Surrey Zoning be held at the City Hall on October 22, 2012, at 7:00 p.m. <u>Carried</u>
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- 10. **7912-0258-00**
3106 O'Hara Lane
Brock N Dorward / Elva J Dorward / Brock N Dorward
Development Variance Permit
in order to allow construction of a 249m² 2-bedroom single family residence.

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

It was	Moved by Councillor Hunt Seconded by Councillor Hepner That Council approve Development Variance Permit No. 7912-0258-00 (Appendix III) varying the following, to proceed to Public Notification:
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- (a) to eliminate the 20% second storey floor-area reduction requirement of the RF Zone; and

- (b) to vary the front yard minimum setback of the RF Zone for a second floor sundeck from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) for 50% of the width of the dwelling.

RES.R12-2034

Carried

- 11. 7912-0230-00**
2862 and 2866 - 160 Street
Jolly Saluja / 0859905 B C Ltd
Director Information: Parminder Kaur Dhillon / Tripat K. Saluja
Officer Information: Parminder Kaur Dhillon / Tripat K. Saluja
 Development Variance Permit
in order to permit the construction of double-car garages on two existing RF-9 lots.

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Hepner
 That:

1. Council approve Development Variance Permit No. 7912-0230-00 (Appendix III) varying the following, to proceed to Public Notification:
 - (a) On Lot 6 to reduce the RF-9 zone minimum side yard setback for Accessory Buildings and Structures from 2.8 metres (9.2 ft.) to 1.4 metres (4.6 ft.);
 - (b) On Lot 7 to reduce the minimum side yard setback for Accessory Buildings and Structures of the RF-9 Zone from 2.8 metres (9.2 ft.) to 0.75 metres (2.46 ft.).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant prohibiting a secondary suite.
 - (b) registration of a Section 219 Restrictive Covenant specifying a minimum garage width of 6.0 metres between interior walls.
 - (c) Submission of a finalized site plan to the satisfaction of the Planning & Development Department.

RES.R12-2035

Carried

Council requested clarification of the lots for RF-9. In response, staff clarified that the residents will not be permitted to have a suite due to limited residential parking availability and that the backyard requirement is 6 metres between the principle dwelling and the actual garage. Staff further explained there is no coach house but the homes will have a sunken patio with basement access.

Council requested clarification regarding the garage design. In response staff noted that it is regular garage, not a coach house and it does not have a secondary suite due to parking.

Council expressed concern regarding the sunken patio entrance; staff noted that the zoning by-law does not exclude a rear-access, but clarified there is a restrictive covenant on the property.

SURREY CITY CENTRE/WHALLEY

12. **7912-0247-00**
8868 - 128 Street
Jeremy Sabell, Stenberg College / Pentecostal Assemblies Of Canada
 Temporary Commercial Use Permit
to allow the renewal of an existing TUP to permit an adult education program to operate on a public assembly site for an additional 2 years.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That Council approve Temporary
 Commercial Use Permit No. 7912-0247-00 (Appendix II) to proceed to Public
 Notification.

RES.R12-2036

Carried

13. **7909-0254-00**
13674 Grosvenor Road
Patrick Cotter / Tien Sher Hilton (2010) Investment Group Inc.,
Inc. No. BCo870448
 OCP Amendment / Rezoning a portion of the site from CD (By-law No. 14533) to
 CD (based on RM-70) / Development Permit /Development Variance Permit
in order to permit the development of a four-storey apartment building.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That:

1. a By-law be introduced to amend the OCP by redesignating the subject site in Planning Application No. 7909-0254-00 from Urban to Multiple Residential and a date for Public Hearing be set.

2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone a portion of the subject site in Planning Application No. 7909-0254-00 from "Comprehensive Development Zone (CD)" (By-law No. 14533) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council approve the applicant's request to reduce the amount of required indoor amenity space from 168 square metres (1,800 sq. ft.) to 29 square metres (312 sq. ft.).
5. Council approve the applicant's request to reduce the amount of required outdoor amenity space from 168 square metres (1,800 sq. ft.) to 61 square metres (655 sq. ft.).
6. Council approve Development Variance Permit No. 7909-0254-00 (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to vary Section K, Subdivision, of Comprehensive Development Zone By-law No. 14533 to permit the subdivision of parcels less than 6,800 square metres (1.6 acres) in area and less than 80 metres (260 ft.) in width and depth;
 - (b) to vary Section H.1 Off-Street Parking of the proposed Comprehensive Development Zone to reduce the number of required resident parking spaces from 42 to 33; and
 - (c) to vary the Surrey Subdivision and Development By-law, No. 8830, by deferring all the works and services and servicing connections for the balance of the subject site until further subdivision, rezoning, or submission of a building permit.
7. 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) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation and Culture;
- (g) the applicant adequately address the impact of reduced indoor amenity space;
- (h) the applicant adequately address the impact of reduced outdoor amenity space;
- (i) registration of a volumetric Statutory Right-of-Way along the easterly property line to permit public passage through the site;
- (j) registration of a reciprocal access easement over the underground parking garage to permit vehicle access to the balance of the subject site; and
- (k) mitigation of reduced parking standards to the specifications and satisfaction of the General Manager, Engineering.

RES.R12-2037

Carried

It was

Moved by Councillor Hunt

Seconded by Councillor Hayne

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 339 Amendment By law, 2012, No. 17779" pass its first reading.

RES.R12-2038

Carried

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

It was

Moved by Councillor Hunt

Seconded by Councillor Hayne

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 339 Amendment By law, 2012, No. 17779" pass its second reading.

RES.R12-2039

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Hayne

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 339 Amendment By law, 2012, No. 17779" be held at the City Hall on October 22, 2012, at 7:00 p.m.

RES.R12-2040

Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2012, No. 17780" pass its first reading.
 RES.R12-2041 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2012, No. 17780" pass its second reading.
 RES.R12-2042 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17780" be held at the City
 Hall on October 22, 2012, at 7:00 p.m.
 RES.R12-2043 Carried

C. CORPORATE REPORTS

D. ITEMS REFERRED BACK BY COUNCIL

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

1. **7911-0202-00**
13033 and 13049 – 76 Avenue
Oleg Verbenkov, Pacific Land Group / Azizahmed Kandawala
Mohmedshafik Mehmud Kandawala / Imran Mohmedshafik Kandawala
 Amend CD By-law No. 15379
in order to permit a retail grocery store on Strata Lot 13 and 14.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Hayne
 That:

1. Council receive Additional Planning Comments regarding Application No. 7911-0202-00 as information.

2. Council denies the proposed rezoning.

Before the motion was put:

It was
Moved by Councillor Gill
Seconded by Councillor Rasode
That:

1. Application No. 7911-0202-00 be referred back to staff; and that
2. The applicant be granted 6 months to bring their retail business into compliance with zoning requirements associated with a wholesale operation.

RES.R12-2044

Carried

Mayor Watts asked the applicant what their plan is. The applicant requested more time to work with staff to come up with a solution as they had very little time to prepare.

Council noted that within months of the people occupying the property, by-law enforcement visited to ask what was going on. Council noted that there has been two years of delay. It looks like the business is regular retail. All the walk-in coolers are used for storage.

The applicant clarified that customers typically call and place their orders and the items are packaged. Council noted that the shelving units are not normal warehouse shelves used for picking orders. The configuration is retail store geared instead of warehousing.

Council requested the owner to explain what has been done to bring the retail store into conformance with their business licence. The applicant noted that as soon as they received notification they have worked with staff toward applying for rezoning. The applicant noted that they have not had regular contact with staff on this matter and that the signage took several months to resolve.

Council asked the delegation to provide detail on the total floor area of the percentage of retail vs. wholesale. The delegation noted that only 5% was retail and 95% was wholesale.

Councillor Gill asked the applicant for detail regarding how much time they need to address this matter to come back to the City. The applicant requested another 6 months.

2. 7910-0237-00
 5829 132 Street; 13150 and 13152 - 58A Avenue
 Lance Barnett, Barnett Dembek Architects Inc. / o881113 BC Ltd.,
 Inc. No. 881113 / City of Surrey
Director Information: Harminder Grewal / Prabjot Randhawa
Officer Information as at May 14, 2011: Harminder K. Grewal (President)
 Prabjot K. Randhawa (Secretary)
 OCP Amendment / NCP Amendment
 Rezoning from RA and RF-12 to CD (based on C-5 and CHI) / Development Permit
*To allow for the development of a commercial building accommodating a drive
 through restaurant and other C-5 commercial uses*

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That:

1. A By-law be introduced to amend the Official Community Plan (OCP) by re-designating the site in Planning Application No. 7910-0237-00 from 'Suburban' and 'Urban' to 'Commercial' and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. A By-law be introduced to rezone the subject site in Planning Application No. 7910-0237-00 from "One-Acre Residential Zone (RA)" and "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7910-0237-00 generally in accordance with the attached drawings (Appendix II).
5. 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) final approval from the Ministry of Transportation & Infrastructure;

- (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
- (e) the applicant address the replacement tree deficit;
- (f) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
- (g) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
- (h) registration of Section 219 covenant regulating the hours of business operations on-site, including the Tim Horton's drive through and restaurant which will operate from 5 am to 11 pm on a daily basis; and
- (i) completion of the sale of City's land at 13152 58A Ave to the developer to the satisfaction of the Parks Department.

6. Council pass a resolution to amend West Newton/Highway No. 10 Neighbourhood Community Plan to re-designate the land from 'Proposed Local Commercial', 'Small Lot (10 upa)', and 'Walkway' (Park) to 'Local Commercial' when the project is considered for final adoption.

RES.R12-2045 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Official Community Plan By-law, 1996, No. 12900, No. 336 Amendment By-law, 2012, No. 17761" pass its first reading.

RES.R12-2046 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Official Community Plan By-law, 1996, No. 12900, No. 336 Amendment By-law, 2012, No. 17761" pass its second reading.

RES.R12-2047 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Official Community Plan By-law, 1996, No. 12900, No. 336 Amendment By-law, 2012, No. 17761" be held at the City Hall on October 22, 2012, at 7:00 p.m.

RES.R12-2048 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Hepner
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2011, No. 17511" be finally adopted, signed by the Mayor and
 Clerk, and sealed with the Corporate Seal.

RES.R12-2052

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14510,
 Amendment By-law, 2012, No. 17731"
 7912-0133-00 - 606200 B.C. Ltd., 559006 B.C. Ltd., Sullivan Station Annex Ltd.,
 c/o P.J. Lovick Architect Ltd. (Peter Lovick)

To amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law,
 2001, No. 14510" as follows:

- (a) Part 2, Section B., Sub-section B. 1. (a) (Permitted Uses), is deleted
 and replaced with the following:

- (a) *Retail stores:*
 i. Including a *small-scale drug store*
 ii. Excluding the following:
 a. *Adult entertainment stores; and*
 b. *Secondhand stores and pawnshops.*

- (b) Part 2, Section B., Permitted Uses, is amended by inserting a new
 Sub-section B.1. (j) as follows:

Indoor recreational facilities .

This amendment will allow an indoor recreational facility as a permitted
 use and ensure a small-scale drug store is operated in conjunction with a
 medical office.

Approved by Council: July 23, 2012

Note: See Development Variance Permit No. 7912-0133-00 under Clerk's Report,
 Item I.1(a).

- * Planning & Development advise (see memorandum dated
 September 25, 2012 in by-law back-up) that all subject conditions have been
 met. Council may consider the By-law for Third Reading and Final
 Adoption

- RES.R12-2053
- It was Moved by Councillor Hunt
Seconded by Councillor Hepner
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2001, No. 14510, Amendment By-law, 2012, No. 17731" pass its
third reading.
- Carried
- RES.R12-2054
- It was Moved by Councillor Hunt
Seconded by Councillor Hepner
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2001, No. 14510, Amendment By-law, 2012, No. 17731" be finally
adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
- Carried

3. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 83 Amendment
By-law, 2008, No. 16812"
7908-0018-00 – 421854 B.C. Ltd., 421851 B.C. Ltd.
c/o Ron Zeeman
To amend "Surrey Official Community Plan By-law, 1996, No. 12900" as
amended, in Division A. Schedule B Temporary Use Permit Areas, under
the heading "Temporary Industrial Use Permit Areas" by adding a new
heading "Temporary Industrial Use Permit Area No. 27 – Temporary Truck
Parking Facility". This application will allow the operation of a truck
parking facility for a period not to exceed two years

Approved by Council: November 24, 2008

Note: See Temporary Industrial Use Permit No. 7908-0018-00 under
Clerk's Report, Item No. I.2(a).

- RES.R12-2055
- It was Moved by Councillor Hunt
Seconded by Councillor Hepner
That "Surrey Official Community Plan
By-law, 1996, No. 12900, Text No. 83 Amendment By-law, 2008, No. 16812 be finally
adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
- Carried

4. "Surrey Land Use Contract No. 181, Authorization By-law, 1976, No. 4905,
Amendment By-law, 2012, No. 17732"
7911-0232-00 - 0694723 B.C. Ltd.
c/o Gerry Blonski Architect (Gerry Blonski)
To amend Land Use Contract No. 181, which regulates the form and
character of the building exterior, to permit exterior renovations to the
existing building

Approved by Council: July 23, 2012

It was Moved by Councillor Hunt
 Seconded by Councillor Hepner
 That " Surrey Land Use Contract No. 181,
 Authorization By-law, 1976, No. 4905, Amendment By-law, 2012, No. 17732" be
 finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
 Seal.

RES.R12-2056

Carried

I. CLERK'S REPORT

1. Approval of Development Variance Permits

It is in order for Council to now pass resolutions authorizing the Mayor and Clerk to sign the following permits:

- (a) **Development Variance Permit No. 7912-0133-00**
606200 B.C. Ltd., 559006 B.C. Ltd., Sullivan Station Annex Ltd.,
c/o P.J. Lovick Architect Ltd. (Peter Lovick)
 5630 and 5680 – 152 Street; 15255, 15295, 15325, 15335, 15345, 15365 and
 15385 – 56 Avenue (Highway No. 10)

Note: See By-law No. 17731 under Item H.2.

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 4, Section 28, as follows:

To reduce the minimum separation requirement between a small-scale drug store and existing drug store or small-scale drug store from 400 metres (1,300 ft.) to 28 metres (92 ft.).

This amendment and development variance permit will allow an indoor recreational facility as a permitted use and ensure a small-scale drug store is operated in conjunction with a medical office.

No concerns had been expressed by abutting property owners prior to printing of the Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Martin
 That Development Variance Permit
 No. 7912-0133-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R12-2057

Carried

2. Approval of Temporary Industrial Use Permits

- (a) **Temporary Industrial Use Permit No. 7908-0018-00**
421854 B.C. Ltd. and 421851 B.C. Ltd.
c/o Ron Zeeman
 12175 – 104 Avenue

Note: See By-law No. 16812 under Item H.3

Memo received from the Manager, Area Planning & Development North Division, Planning & Development, requesting Council to pass the following resolution:

It was Moved by Councillor Hunt
Seconded by Councillor Martin
That Temporary Industrial Use Permit
 No. 7908-0018-00 be issued to 421854 B.C. Ltd. and 421851 B.C. Ltd.
 c/o Ron Zeeman to allow a truck parking facility for a period not to exceed
 two years on the site more particularly described as Parcel Identifier:
 027-451-232 Lot A Section 19 Block 5 North Range 2 West New Westminster
 District Plan BCP35595 and that the Mayor and Clerk be authorized to sign
 the necessary documents."

RES.R12-2058

Carried

3. Application to be Closed

- (a) **Rezoning and Development Permit Application No. 7902-0223-00**
Vickram Developments Ltd., Inc. No. 679273
 14467 – 64 Avenue

* Planning and Development advise (see memorandum dated September 24, 2012 in back-up) that a registered letter was sent to the applicant on August 22, 2012, advising that unless outstanding requirements were addressed within 30 days, the file would be closed. The applicant has not responded and Council is requested to close the application and associated By-law.

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That Council close Application
 No. 7902-0223-00 and file "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2004, No. 15442".

RES.R12-2059

Carried

SOUTH SURREY (continued)

- 4. **7912-0094-00**
3255 - 176 Street
Roger Jawanda, CitiWest Consulting Ltd. / Robert J Mangat /
Donald D Mangat
Subdivision within the ALR under Section 21(2) of the ALC Act
in order to create 2 lots.

RES.R12-2060	It was	Moved by Councillor Hunt Seconded by Councillor Hepner That Application 7912 0094-00 be denied. <u>Carried</u>
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J. OTHER BUSINESS

K. ADJOURNMENT

RES.R12-2061	It was	Moved by Councillor Hunt Seconded by Councillor Hayne That the Regular Council - Land Use meeting do now adjourn.
		<u>Carried</u>

The Regular Council- Land Use meeting adjourned at 6:06 p.m.

Certified Correct:



Jane Sullivan, City Clerk



Mayor Dianne Watts