

Present:

Councillor Villeneuve - Chair
Councillor Gill
Councillor Hayne
Councillor Hepner
Councillor Hunt
Councillor Rasode
Councillor Steele

Absent:

Mayor Watts
Councillor Martin

Staff Present:

City Clerk
City Manager
City Solicitor
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Human Resources
General Manager, Parks, Recreation & Culture
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****SOUTH SURREY**

1. **7913-0048-00**
3020 - 152 Street
Heather Doherty, Rising Tide Consultants Ltd. / South Point Annex (1) Ltd.
Liquor License Amendment
in order to permit the extension of hours for a liquor primary licensed establishment (Ceili's Irish Pub and Restaurant).

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. Council approve the following proposed liquor primary license amendment in Planning Application No. 7913-0048-00 to proceed to Public Notification:
 - (a) The extension of hours from 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. on Friday and Saturday.

2. Council instruct staff to resolve the following issue prior to final approval:
- (a) Amend the Section 219 Restrictive Covenant on title which limits the hours of operation and land-uses permitted on-site (BV206881/BV206882); and
 - (b) Execution of a Good Neighbour Agreement with the City.
- RES.R13-810 Carried
with Councillor Hunt opposed

SURREY CITY CENTRE/WHALLEY

2. **7913-0038-00**
10926 and 10928 Scott Road
Gurtaj Grewal, 0960134 B C Ltd / Director Information: Gurtaj Grewal /
Arvinder Gill / No Officer Information Filed
 OCP Text Amendment / Temporary Industrial Use Permit
in order to permit a security guard training school for a 3-year period.

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 amend the OCP by declaring the subject site in Planning Application No. 7913-0038-00 a Temporary Industrial Use Permit 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 Industrial Use Permit No. 7913-0038-00 (Appendix III) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption and issuance of the Temporary Industrial 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) submission of adequate security to ensure the site is restored to its vacant state, upon expiration of the Temporary Industrial Use Permit;
- (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department; and
- (d) completion of all requirements to enable issuance of a Building Permit for the temporary trailer.

RES.R13-811

Carried

It was

Moved by Councillor Gill

Seconded by Councillor Steele

That "Surrey Official Community Plan By-

law, 1996, No. 12900, Text No. 122, Amendment By law, 2013, No. 17930" pass its first reading.

RES.R13-812

Carried

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

It was

Moved by Councillor Gill

Seconded by Councillor Steele

That "Surrey Official Community Plan By-

law, 1996, No. 12900, Text No. 122, Amendment By law, 2013, No. 17930" pass its second reading.

RES.R13-813

Carried

It was then

Moved by Councillor Gill

Seconded by Councillor Steele

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, Text No. 122, Amendment By law, 2013, No. 17930" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m.

RES.R13-814

Carried

RESIDENTIAL/INSTITUTIONAL

NEWTON

- 3. **7912-0180-00**
12725 - 56 Avenue
Clarence Arychuk, Hunter Laird Engineering Ltd. / Laurence R Mcguinness / William R Mcguinness / Susan P Baziuk / Clare T Pattison
 Rezoning from RA to RH
in order to allow subdivision into three (3) half-acre residential lots and one (1) future park lot.

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 the subject site in Planning Application No. 7912-0180-00 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) approval from the Ministry of Transportation & Infrastructure;
 - (d) approval from BC Hydro;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (f) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
 - (g) 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;
 - (h) completion of the transfer of parkland (proposed Lot 4) to the City in accordance with the West Panorama Ridge Local Area Plan and the Surrey Greenways Master Plan, to the satisfaction of the Parks, Recreation and Culture Department;
 - (i) the applicant provide cash-in-lieu of the construction of a fence, to the specifications of BC Hydro, around the Hydro tower structure on proposed Lot 4, to the satisfaction of the Parks, Recreation and Culture Department;
 - (j) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (k) registration of a Section 219 Restrictive Covenant to (i) prohibit a driveway on proposed Lot 1 from 56 Avenue, (ii) to increase the

setback requirement from 56 Avenue from 7.5 metres (25 ft.) to 10 metres (30 ft.), and (iii) for additional landscaping on 56 Avenue;

- (l) registration of a Section 219 Restrictive Covenant for tree preservation; and
- (m) registration of a Section 219 Restrictive Covenant for the installation of a 1.2 metre (4 ft.) permeable fence adjacent to proposed Lot 4 (future parkland) to the specifications and satisfaction of the Parks, Recreation and Culture Department, and to ensure that the fence is protected and maintained.

3. Council pass a resolution to amend the West Panorama Ridge Local Area Plan to redesignate the land from "Suburban Residential (1 acre)" to "Suburban Residential (1/2 Acre)" when the project is considered for final adoption.

RES.R13-815

Carried

It was

Moved by Councillor Gill

Seconded by Councillor Steele

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

Amendment By-law, 2013, No. 17931" pass its first reading.

RES.R13-816

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, 2013, No. 17931" pass its second reading.

RES.R13-817

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, 2013, No. 17931" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m.

RES.R13-818

Carried

4. **7912-0333-00**
6979 - 150 Street
James Pernu, McElhanney Consulting Services Ltd. / 0952697 B C Ltd /
Director Information: Ravinder Singh Bhangu / Kulbir Singh Johal /
Kuljit Minhas / Kuldip Singh Rawan / No Officer Information Filed
 Rezoning from RA to RF-12 / Partial NCP Amendment from "Schools" and "Urban Single Family Residential" to "Single Family Small Lots"

in order to allow subdivision into approximately 29 single family small lots and additional park land.

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 the subject site in Planning Application No. 7912-0333-00 from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant adequately address the shortfall in tree replacement;
 - (e) registration of a Restrictive Covenant for Tree Protection;
 - (f) submission and registration of a Building Scheme Restrictive Covenant to the satisfaction of the General Manager, Planning & Development; and
 - (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department.
3. Council pass a resolution to amend the East Newton South NCP to redesignate the site from "Schools" and "Urban Single Family Residential" to "Single Family Small Lots" when the project is considered for final adoption.

RES.R13-819

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2013, No. 17932" pass its first reading.

RES.R13-820

Carried

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

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

- (b) submission of a road dedication plan to the satisfaction of the Approving Officer;
- (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
- (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
- (e) 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;
- (f) 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;
- (g) registration of Statutory Rights-of-Way and Section 219 Restrictive Covenants to support the installation and operation of the District Energy system;
- (h) registration of a Statutory Right-of-Way for pedestrian access within the plaza and the setback area between the building and the lot lines;
- (i) the applicant adequately address the impact of reduced indoor amenity space; and
- (j) the applicant adequately address the impact of reduced outdoor amenity space.

RES.R13-823

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Hepner
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2013, No. 17933" pass its first reading.

RES.R13-824

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Hepner
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2013, No. 17933" pass its second reading.

RES.R13-825

Carried

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| RES.R13-826 | <p>It was then</p> <p>By-law, 1993, No. 12000, Amendment</p> <p>Hall on May 27, 2013, at 7:00 p.m.</p> | <p>Moved by Councillor Hunt</p> <p>Seconded by Councillor Hepner</p> <p>That the Public Hearing on "Surrey Zoning By-law, 2013, No. 17933" be held at the City</p> <p><u>Carried</u></p> |
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COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

6. **7912-0160-00**
18899 - 32 Avenue
3515 - 192 Street
Oleg Verbenkov, Pacific Land Resource Group Inc. / City Of Surrey
 Amend CD By-law No. 17146
in order to adjust the boundary of the outdoor storage areas.

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| RES.R13-827 | <p>It was</p> <p>Application No. 7912-0160-00 to amend Comprehensive Development By-law No. 17146 (Appendix IV) and a date be set for Public Hearing.</p> | <p>Moved by Councillor Gill</p> <p>Seconded by Councillor Steele</p> <p>That a By-law be introduced as per Planning</p> <p><u>Carried</u></p> |
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| RES.R13-828 | <p>It was</p> <p>Amendment By-law, 2010, No. 17146, Amendment By-law, 2013, No. 17934" pass its first reading.</p> | <p>Moved by Councillor Gill</p> <p>Seconded by Councillor Steele</p> <p>That "Surrey Zoning By-law, 1993, No. 12000,</p> <p><u>Carried</u></p> |
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The said By-law was then read for the second time.

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| RES.R13-829 | <p>It was</p> <p>Amendment By-law, 2010, No. 17146, Amendment By-law, 2013, No. 17934" pass its second reading.</p> | <p>Moved by Councillor Gill</p> <p>Seconded by Councillor Steele</p> <p>That "Surrey Zoning By-law, 1993, No. 12000,</p> <p><u>Carried</u></p> |
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| RES.R13-830 | <p>It was then</p> <p>By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17146, Amendment By-law, 2013, No. 17934" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m.</p> | <p>Moved by Councillor Gill</p> <p>Seconded by Councillor Steele</p> <p>That the Public Hearing on "Surrey Zoning</p> <p><u>Carried</u></p> |
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7. **7913-0034-00**
1440 - 184 Street
Ryan Grieve, Hyline Construction Ltd / Simon J Wilcock / Rodney A Vines
 Development Variance Permit
To vary the farm residential footprint to permit construction of a 375m² (4040 sq.ft.) indoor pool accessory structure.

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. 7913-0034-00 (Appendix VIII) varying the following, to proceed to
 Public Notification:

- (a) The provisions of the "farm residential footprint" in Section J.2. "Special Regulations" of Part 10 "General Agriculture Zone (A-1)" are varied to permit construction of a 375m² "accessory farm residential facility" in accordance with the drawings numbered "Drawing 1" through to and including "Drawing 3" (the "Drawings") which are attached hereto and form part of this development variance permit.

RES.R13-831

Carried

Councillor Hepner clarified that Development Variance Permit No. 7913-0034-00 had not been formally applied for before the new "Footprint Policy" was put in place; however the applicant had been in discussion with both staff and Council, therefore, this particular application was grandfathered as it was considered "in-stream".

8. **7912-0217-00**
15332 - 32 Avenue
15360 - 32 Avenue
Ralph Berezan, Berezan Management (BC) Ltd. /
Berezan Management (32nd Avenue) Ltd
 Discharge of Land Use Contract No. 11 / Rezoning from RA to IB-3
 OCP Text Amendment / Development Permit / Development Variance Permit
in order to permit the development of two business park buildings.

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:

1. a By-law be introduced to incorporate the "Business Park 3 Zone (IB-3)" into Zoning By-law 12000 (Appendix VII).and a date be set for Public Hearing

2. a By-law be introduced to amend the Official Community Plan By-law, 1996, No. 12900, as amended, to insert a new "Business Park 3 Zone (IB-3)" in Section 3.7 and Figure 7 (Appendix VIII) and a date be set for Public Hearing
3. a By-law be introduced to discharge Land Use Contract No.11 and a date for Public Hearing be set.
4. a By-law be introduced to rezone the subject site in Planning Application No. 7912-0217-00 from " One-Acre Residential Zone (RA)" (By-law No. 12000) to "Industrial Business Park 3 (IB-3)" (By-law No. 12000) and a date be set for Public Hearing.
5. Council direct staff to bring forward the necessary by-law amendments to complete the introduction of the IB-3 Zone, which include amending the following: Surrey Sign By-law, 1999, No. 13656, Surrey Subdivision and Development By-law, 1986, No. 8830, Surrey Land Use and Development Applications Fees Impositions By-law, 1993, No. 11631 and Surrey Development Cost Charge By-law, 2012, No. 17539.
6. 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.
7. Council authorize staff to draft Development Permit No. 7912-0217-00 generally in accordance with the attached drawings (Appendix VI).
8. Council approve Development Variance Permit No. 7912-0217-00 (Appendix IX) varying the following, to proceed to Public Notification:
 - (a) to reduce the east side yard setback of the IB-3 Zone from 7.5 metres (25 ft.) to 4.5 metres (15 ft.);
 - (b) to increase the maximum building height of the IB-3 Zone from 14.0 metres (46 ft.) to 17.8 metres (58 ft.).
9. 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) 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) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the Planning and Development Department;
- (f) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
- (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
- (h) registration of a Section 219 Restrictive Covenant requiring fire sprinklers to NFPA standards and to release and indemnify the City from liability;
- (i) 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;
- (j) resolution of Fire Department comments related to principal building access.

RES.R13-832

Carried

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 123, Amendment By-law, 2013, No. 17935" pass its first reading.

RES.R13-833

Carried

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

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 123, Amendment By-law, 2013, No. 17935" pass its second reading.

RES.R13-834

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Steele

That the Public Hearing on "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 123, Amendment By-law, 2013, No. 17935" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m.

RES.R13-835

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000,
Text Amendment By-law, 2013, No. 17936" pass its first reading.
RES.R13-836 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000,
Text Amendment By-law, 2013, No. 17936" pass its second reading.
RES.R13-837 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Text Amendment By-law, 2013, No. 17936" be held at the
City Hall on Monday, May 27, 2013, at 7:00 p.m.
RES.R13-838 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 11,
Authorization By-law, 1974, No. 4185, Discharge By-law, 2013, No. 17937" pass its
first reading.
RES.R13-839 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 11,
Authorization By-law, 1974, No. 4185, Discharge By-law, 2013, No. 17937" pass its
second reading.
RES.R13-840 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Land Use
Contract No. 11, Authorization By-law, 1974, No. 4185, Discharge By-law, 2013, No.
17937" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m.
RES.R13-841 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2013, No. 17938" pass its first reading.
RES.R13-842 Carried

- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) approval from the Ministry of Transportation & Infrastructure;
- (d) approval from Kinder Morgan;
- (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
- (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) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
- (h) registration of a Section 219 Restrictive Covenant for "no build" on a portion of proposed Lot 1 until future consolidation with the adjacent property (16456 - 104A Avenue) and removal of the temporary access road; and
- (i) the applicant address the deficiency in tree replacement, to the satisfaction of the City Landscape Architect.

RES.R13-845

Carried

It was

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2013, No. 17939" pass its first reading.

RES.R13-846

Carried

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

It was

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2013, No. 17939" pass its second reading.

RES.R13-847

Carried

It was then

Moved by Councillor Gill
 Seconded by Councillor Hunt
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17939" be held at the City
 Hall on Monday, May 27, 2013, at 7:00 p.m.

RES.R13-848

Carried

C. ITEMS REFERRED BACK BY COUNCIL

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

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

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

Before the motion was put:

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

- 1. Application No. 7911-0202-00 be referred back to staff for clarification on the wholesale sales on the IL zone.
Defeated
with Councillors Rasode, Hepner, Steele and Gill opposed

RES.R13-849

The Chair called for the original motion of denial, as amended, be reinstated as follows:

It was Moved by Councillor Rasode
Seconded by Councillor Hepner
That

- 1. Council receive Planning Report 7911-0202-00 as information; and.
- 2. Council deny the proposed rezoning.
Carried
with Councillors Hunt and Hayne opposed

RES.R13-850

I. Kandawala, 13049 – 76 Avenue (Project Applicant): The delegation noted that he realizes now that they made a mistake regarding their interpretation of the zone bylaw for this location and that since it was brought to their attention by staff they have made an effort to package items for wholesale. Furthermore, they have and received support from the Strata Management Company to remove the restrictive covenant from the Halal Operation strictly to service the community's dietary needs.

Councillor Hepner noted that it looks like the business is a wholesale operation and questioned what the retail component is. In response, the applicant noted there is a very small component of retail that deals with bulk halal orders that are specifically prepared during the various celebrations.

Councillor Gill asked what year the delegation purchased the current unit. The delegation noted that they took ownership in 2009. Council requested clarification from staff regarding the business license requirement. In response, staff noted that specific information was provided to the applicant indicating that retail use was not permitted, only warehouse use. Councillor Gill asked what percentage is retail and in response, the delegation noted that less than 10% of their sales are retail.

Councillor Rasode expressed concerns raised by members of the public that City bylaws are not adhered to and noted that one of the items that the applicant was compelled to do was to find an alternative site that was properly zoned for the type of business he wished to operate. The delegation noted that they have tried their best to be in compliance but cannot afford to find an alternate location.

Councillor Hayne toured the operation and commented that there is a vast percentage of the business that is operating wholesale and suggested that with respect to the meats that are ordered on a retail basis, it is an interpretation issue and it appears that the applicant is operating as a wholesaler.

Planning clarified that the zoning only allows warehousing and not wholesale or retail operations. The confusion with this application denial is that it is not wholesale versus retail; the area supports zoning for warehouse use only.

The applicant noted that he understood, based on the information they were provided, it appears that he may be able to have a small percentage of retail but the zoning is for wholesale only. Predominantly, even the meat section is sold in bulk and they believe it does comply.

Staff again specified that it is warehouse only; there is no mention of retail in the zone, the by-law is based on IL which does not allow retail.

Councillor Rasode noted that the applicant has been before Council before on this matter and she is in support of a full denial without the 6 months extension and expressed concern that Council is attempting to define a grey area when the bylaw is very clearly black and white.

RESIDENTIAL/INSTITUTIONALSOUTH SURREY

2. **7911-0223-00**
16636 - 32 Avenue / 16686 - 32 Avenue / 16664 - 32 Avenue / 16722 - 32 Avenue /
2979 - 168 Street / 3047 - 168 Street / 3005 - 168 Street
Alison Davies . Infinity Properties Ltd. /
April Creek Developments Ltd / Alison Sanghe / Sukhwinder Sanghe /
Charnjit K Sanghe / Maghar S Sanghe
 NCP Amendment to update the local road network, add a community detention facility and to redesignate a portion of the site from Open Space/ Linear Open Space to Single Detached (2 upa) / Rezoning from RA to CD (Based on RH-G) / Development Variance Permit
in order to allow subdivision into 67 single family lots, a community detention pond and a park.

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 in Planning Application No. 7911-0223-00 from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7911-0223-00 (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the "Comprehensive Development Zone (CD)" from 7.5 metres (25 feet) to 6 metres (20 feet) for proposed Lots 27, 32, 33, 34, 39, 40, 47, 57, 58 and 67;
 - (b) to reduce one (1) minimum side yard setback of the "Comprehensive Development Zone (CD)" from 3 metres (10 feet) to 2 metres (6.6 feet) for proposed Lots 3, 4, 7, 8, 9, 26, 27, 30, 39, 41, 47, 57, 58, 64, 65 and 66; and
 - (c) to reduce the minimum side yard flanking street setback of the "Comprehensive Development Zone (CD)" from 7.5 metres (25 feet) to 4.5 metres (14.7 feet) for proposed Lots 32, 33 and 40.
3. 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) input from Senior Government Environmental Agencies;
 - (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 tree replacement deficit to the satisfaction of the Planning and Development Department;
 - (f) the applicant provide bonding for the post construction hydrology and monitoring required for the proposed tree preservation;
 - (g) submission of a finalized lot grading plan including proposed retaining wall details to the satisfaction of the Planning and Development Department;
 - (h) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (i) the applicant enter into a P-15 agreement for monitoring and maintenance of replanting in the dedicated riparian areas;
 - (j) registration of a Section 219 Restrictive Covenant on lots within 200 metres (656 feet) of the Agricultural Land Reserve (ALR) to advise of agricultural practices in the area;
 - (k) registration of a Section 219 Restrictive Covenant for tree preservation and associated building envelopes; and
 - (l) registration of a Section 219 Restrictive Covenant advising future homeowners that only a double car garage can be built on proposed Lots 8, 30, 41 and 47.
4. Council pass a resolution to amend the North Grandview Heights Neighbourhood Concept Plan (NCP) to update the local road network, to add a community detention facility and to redesignate a portion of the land from Open Space/ Linear Open Space to Single Detached (2 upa) when the project is considered for final adoption (Appendix VI).

RES.R13-851

Carried

RES.R13-852

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| It was | Moved by Councillor Gill Seconded by Councillor Steele That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17940" pass its first reading. |
| | <u>Carried</u> |

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

RES.R13-853

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| It was | Moved by Councillor Gill Seconded by Councillor Steele That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17940" pass its second reading. |
| | <u>Carried</u> |

RES.R13-854

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| It was then | Moved by Councillor Gill Seconded by Councillor Hayne That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2013, No. 17940" be held at the City Hall on Monday, May 27, 2013, at 7:00 p.m. |
| | <u>Carried</u> |

Council requested the applicant to play a video presentation and explain how more lots can yield more tree retention. Staff explained that the savings were achieved by reducing the lot sizes.

Alison Davies, Infinity Properties Ltd. was in attendance on behalf of the Applicants and noted that the video representation is based on information contained in the Arborist Report and every size of proposed and existing tree was overlaid onto the project. It was clarified that there is no distance change in the buffer from the proposed property lines to 32nd Avenue, there was always a 20-metre buffer in place.

D. CORPORATE REPORTS

1. The Corporate Reports under date of May 6, 2013 were considered and dealt with as follows:

| | |
|----------------------|--|
| Item No. L003 | Extension of the Moratorium on the Application of the Interim Density Bonus Policy No. O-54 in Surrey City Centre File: 6630-01 |
|----------------------|--|

The General Manager, Planning and Development submitted a report to obtain approval to extend the moratorium on the application of the Density Bonus Policy in Surrey City Centre to the end of 2013.

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 amendments, as
 described in Corporate Report L003, to the Interim Density Bonus Policy No. O-54
 (the "Policy") to further extend the moratorium on the application of the Policy to
 prescribed projects in Surrey City Centre to December 31, 2013.

RES.R13-855

Carried**E. DELEGATIONS****F. CORRESPONDENCE****G. NOTICE OF MOTION****H. BY-LAWS**

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010, No. 17131,
 Amendment By-law, 2013, No. 17889"
 7913-0024-00 – 0931151 BC Ltd. c/o Sukhi Sanghe
 To amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2010,
 No. 17131", as amended, in Part 2. B. 1. F. and Section 2. J.4 to add "*Child Care
 Centres*"
 This amendment will permit a commercial daycare centre to operate on the
 subject site located at 14187 - 62 Avenue.

Approved by Council: March 11, 2013

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2010, No. 17131, Amendment By-law, 2013, No. 17889" be finally
 adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R13-856

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2012, No. 17767"
 7912-0055-00 – Dawson & Sawyer Developments (Peace Portal) Ltd.
 c/o Dawson & Sawyer Lands Ltd. (Samuel Hooge)
 RA to RM-30 (BL 12000) - 249 and 255 - 171 Street - to permit the
 development of 26 townhouse units.

Approved by Council: September 10, 2012

Note: Change in ownership.

Note: See Development Variance Permit No. 7912-0055-00 under Clerk's Report, Item I.1(a).

Note: See Development Permit No. 7912-0055-00 under Clerk's Report, Item I.2(a).

- * Planning and Development advise (see memorandum dated April 30, 2013 in by-law back up) that it is in order for Council to pass a resolution amending the Douglas Local Area Plan to redesignate the site from Townhouses 15 u.p.a. to Townhouses 30 u.p.a.

RES.R13-857 It was Moved by Councillor Hunt
Seconded by Councillor Gill
That Council amend the Douglas Local Area
Plan to redesignate the site from Townhouses 15 u.p.a. to Townhouses 30 u.p.a.
Carried

RES.R13-858 It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2012, No. 17767" be finally adopted, signed by the Mayor and
Clerk, and sealed with the Corporate Seal.
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. 7912-0055-00**
Dawson & Sawyer Developments (Peace Portal) Ltd.
c/o Dawson & Sawyer Lands Ltd. (Samuel Hooge)
249 and 255 – 171 Street

Note: See By-law No. 17767 under Item H.2 and Development Permit No. 7912-0055-00 under Item I.2(a).

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 22, Section F as follows:

- (a) To reduce the minimum front (east) yard setback from 7.5 metres (25 ft.) to 5.1 metres (16.7 ft.) and 4.5 metres (14.7 ft.);
- (b) To reduce the minimum (north) side yard setback from 7.5 metres (25 ft.) to 6.0 metres (19.6 ft.), 3.0 metres (10 ft.) and 3.5 metres (11.5 ft.); and

- (c) To reduce the minimum (south) side yard setback from 7.5 metres (25 ft.) to 6.0 metres (19.6 ft.), 3.0 metres (10 ft.) and 3.5 metres (11.5 ft.).

The purpose of the rezoning and development variance permit is to permit the development of 26 townhouse units.

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That Development Variance Permit No. 7912-0055-00 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.R13-859

Carried

- (b) **Development Variance Permit No. 7912-0230-00**
 0859905 B.C. Ltd.
 c/o Jolly Saluja
 2862 and 2866 – 160 Street

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 17C, Section F.1(4), as follows:

- (a) To reduce the minimum side yard setback for Accessory Buildings and Structures from 2.8 metres (9.2 ft.) to 1.4 metres (4.6 ft.) on Lot 6; and
- (b) To reduce the minimum side yard setback for Accessory Buildings and Structures from 2.8 metres (9.2 ft.) to 0.75 metres (2.46 ft.) on Lot 7.

The proposal is to permit the construction of double-car garages at the rear of two existing lots.

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That Development Variance Permit No. 7912-0230-00 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.R13-860

Carried

2. Formal Issuance of Development Permits

- (a) **Development Permit No. 7912-0055-00**
 Dawson & Sawyer Developments (Peace Portal) Ltd.
 c/o Dawson & Sawyer Lands Ltd. (Samuel Hooge)
 249 and 255 - 171 Street

Note: See By-law No. 17767 under Item H.2 and Development Variance Permit No. 7912-0055-00 under Item I.1(a).

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

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| It was | Moved by Councillor Hunt Seconded by Councillor Gill That the Mayor and Clerk be authorized to execute Development Permit No. 7912-0055-00. |
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RES.R13-861

Carried

J. OTHER BUSINESS

K. ADJOURNMENT

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| It was | Moved by Councillor Gill Seconded by Councillor Hunt That the Regular Council - Land Use meeting do now adjourn. |
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RES.R13-862

Carried

The Regular Council- Land Use meeting adjourned at 6:17 p.m.

Certified Correct:



 Jane Sullivan, City Clerk



 Councillor Villeneuve, Acting Mayor