

NO: R048

COUNCIL DATE: **MARCH 31, 2014**

REGULAR COUNCIL

TO: **Mayor & Council** DATE: **March 31, 2014**

FROM: **General Manager, Planning and Development** FILE: **3900-20-18020
6440-20-10**

SUBJECT: **Summary and Response to Public Hearing Comments on
Surrey Official Community Plan Bylaw, 2013, No. 18020**

RECOMMENDATION

The Planning and Development Department recommends that Council:

1. Receive this report as information;
2. Grant Third Reading to Surrey Official Community Plan Bylaw, 2013 No. 18020; and
3. Authorize the City Clerk to submit the Regional Context Statement forming part of Bylaw No. 18020 to Metro Vancouver for acceptance by the Metro Vancouver Board following Third Reading of the Bylaw.

BACKGROUND

The draft new Official Community Plan (the "OCP") was developed with significant public consultation over several years, as documented in Appendix 1. At its Regular Meeting on December 16, 2013, Council considered Corporate Report No. R252;2013 and gave First and Second Readings to Surrey Official Community Plan Bylaw, 2013, No. 18020 ("Bylaw No. 18020").

Following First and Second Readings of Bylaw No. 18020, the entire draft OCP was prominently posted on the City's website. According to legislation, following First and Second Readings, the OCP was formally referred to the Agricultural Land Commission (the "ALC") for comment, and was also referred to Metro Vancouver staff, TransLink staff and neighbouring local governments (City of White Rock, City of Langley, Langley Township, Corporation of Delta, City of New Westminster and City of Coquitlam) for comment.

At its Regular Meeting on February 24, 2014, Council considered Corporate Report No. R034;2013, which included and discussed the comments received to date from the ALC, Metro Vancouver, TransLink and neighbouring local governments, and requested that Council set a date for a Public Hearing on Bylaw No. 18020. Council set the date for the Public Hearing for March 10, 2014.

Public Hearing notices were advertised in local newspapers in conformance with the requirements set out in the *Local Government Act* (Sec. 892) and on the City's website, and a special half page colour notice of the Public Hearing was placed in local newspapers during the week of March 3, 2014. A "front page" link to the entire OCP was also posted on the City's website through the week of March 3, 2014, inviting the public to review the OCP and attend the Public Hearing on March 10, 2014.

DISCUSSION

At the Public Hearing on March 10, 2014, 12 delegations spoke in relation to Bylaw No. 18020. Speakers expressed a number of positive comments on the OCP, along with concerns and suggested changes to Bylaw No. 18020. The concerns expressed at the Public Hearing can be categorized as content issues and process issues.

OCP Content Issues

1. A number of speakers were concerned about the increased densities permitted in the OCP for the Semiahmoo Town Centre area, and also presented concerns related to specific development projects in the area, particularly focused on building heights and traffic impacts.

Staff response:

- *The Semiahmoo Town Centre has been designated as the Town Centre for South Surrey since 1986, and is designated as a Municipal Town Centre (together with central White Rock) in the Metro Vancouver Regional Growth Strategy;*
 - *The draft OCP allows densities of up to 2.5 Floor Area Ratio (FAR) in each of the Town Centres along planned rapid transit corridors, including Semiahmoo Town Centre. Densities in specific areas within the Town Centre may be increased in exchange for the provision of significant public amenities, subject to rezoning approval by Council, including a public hearing;*
 - *Through the Surrey Rapid Transit Study, TransLink has identified Semiahmoo Town Centre as the terminus for a rapid transit line along King George Boulevard and 152 Street, and has indicated the need to support the provision of rapid transit service with appropriate land uses and densities;*
 - *The OCP does not speak to permitted building heights, which are considered by Council through specific rezoning applications and are subject to a public hearing; and*
 - *Staff is of the opinion that the proposed densities are appropriate for a Town Centre along a planned rapid transit corridor, and are sufficient to encourage the gradual redevelopment of properties to support the commercial vitality and pedestrian orientation of the Town Centre. The proposed densities have previously been supported by Council in considering the Stage 1 Semiahmoo Town Centre Plan and confirmed in response to Corporate Report No. R118 on May 28, 2012.*
2. Several speakers recommended changes in the way that Secondary Plans such as Neighbourhood Concept Plans (NCPs), City Centre and Town Centre Plans are developed and approved, recommending that Secondary Plans be adopted by bylaw and subject to Public Hearings.

Staff response:

- *The draft new OCP changes the way in which land uses in approved Secondary Plans are incorporated into the OCP. In the existing OCP, the land uses in approved Secondary Plans are incorporated into the OCP on a site-by-site basis as rezoning occurs. The draft new OCP incorporates Council-approved detailed NCP land uses and densities into the more general OCP in a single amendment, subject to bylaw adoption procedures including a Public Hearing. This approach provides the certainty and transparency of adopting the land uses in Secondary Plans into the OCP while maintaining the flexibility to amend the very detailed land uses typical of NCPs at the rezoning stage.*

3. Several speakers expressed regret that Development Permit areas and guidelines for protection of the natural environment are not yet incorporated into the draft new OCP.

Staff response:

- *Development Permit areas and guidelines for the protection of the natural environment will be incorporated into the OCP through an OCP amendment in conjunction with Council approval of the Biodiversity Conservation Strategy (BCS), expected by Summer 2014;*
- *The draft new OCP anticipates this inclusion by showing a "placeholder" where the Development Permit guidelines will be inserted into the document; and*
- *Environmental Development Permits are new for Surrey, and will provide a greater level of certainty and biodiversity protection than in the past.*

4. Two speakers suggested designating the Fergus Creek Watershed Park as Conservation-Recreation.

Staff response:

- *The Fergus Creek Watershed Park has natural habitat conservation as its primary focus, and the speakers' suggestion has merit. The full assembly of land for the conservation area and the planning for the park is on-going, and at its conclusion it is likely that the entire natural area park will be designated as suggested by the speakers.*

5. One speaker suggested an amendment to Policy E3.12 to limit anaerobic digestion facilities to industrial land.

Staff response:

- *The ALC approves the placement of anaerobic digestion facilities, which convert agricultural waste into energy as either a biogas or as an on-farm heat source, on agricultural land under certain conditions. The Ministry of Agriculture also supports these facilities on farms, provided the waste is derived from the farm operation, as a benefit to agricultural operations. Some larger facilities which import waste material including non-agricultural waste are indeed appropriate only on industrial land, but smaller-scale facilities can be appropriate on agricultural land, and provide a benefit to farmers.*

6. One speaker suggested an addition to the "2:1" policy on inclusion of lands into the ALR in exchange for excluded lands, requiring that the included lands be of a soil capability rating equal to or higher than that of lands proposed for exclusion.

Staff response:

- *There is merit in discussing this suggestion further with the City's Agriculture and Food Security Committee (AFSAC), the ALC and the Ministry of Agriculture. Each of these groups have reviewed and supported the policy as currently worded.*

7. Miscellaneous suggestions on specific wording, formatting, pagination in the document.

Staff response:

- *Spelling errors, formatting of photographs and text, and pagination can be corrected without amending the bylaw, prior to Final Adoption.*

Process

1. Several speakers expressed concern that the draft OCP had not been developed with adequate public consultation,.

Staff response:

- *Appendix 1 indicates that there have been multiple, repeated opportunities for public and stakeholder input into the OCP as it was developed, including:*
 - *Six public meetings, advertised in local media and on the City website, and by direct invitation to anyone on a mailing list of those expressing interest;*
 - *16 stakeholder consultation sessions and workshops including environmental, social-cultural, economic and community association groups;*
 - *On-line drafts and presentations posted on the City's website, with direct email notification to everyone on the OCP mailing list;*
 - *10 presentations at Council Committees, and inter-agency consultation.*

2. Several speakers were concerned that there was not adequate notification of the Public Hearing, or availability of information related to the draft OCP and prior to the Public Hearing.

Staff response:

- *Public Hearing notices were posted in the Surrey Leader and Peace Arch News, both in a standard notification on the "City Page" and in an extraordinary half page colour spread in these same newspapers;*
- *The full draft OCP posted on the City website under Plans and Strategies, with a "front page" link on the City's website linking to the complete document;*
- *Mailing list of stakeholders including community associations, social agencies and non-profits, business associations, environmental groups and participants in the various stakeholder workshops notifying them of the complete OCP available for viewing on the website, and gave instructions on finding it;*
- *One delegation noted that a search of "OCP" on the City's website returned hundreds of pages, creating confusion. This is due to the type of internet search performed, which returned every OCP amendment related to development applications over the years. Staff communicated directly with this delegation to ensure that she was able to find the OCP on-line prior to the Public Hearing, and this was clearly the case.*

CONCLUSION

Based on an analysis of the comments received at Public Hearing, staff is of the opinion that the OCP document is complete in its current state. As a "living document", the OCP is expected to be amended from time to time as policy is further developed, and as significant plans such as NCPs, Town Centre Plans and the Biodiversity Conservation Strategy are completed and approved by Council. Minor and "housekeeping" amendments to clarify wording or update reference maps or tables will also be brought to Council from time to time to keep the OCP current. Each of these amendments will be subject to bylaw readings and a Public Hearing, ensuring the continued input of the public into the OCP.

Based on the above discussion it is recommended that Council:

- Grant Third Reading to Surrey Official Community Plan Bylaw, 2013 No. 18020; and
- Authorize the City Clerk to submit the Regional Context Statement forming part of Bylaw No. 18020 to Metro Vancouver for acceptance by the Metro Vancouver Board following Third Reading of the Bylaw.

Original signed by
Jean Lamontagne
General Manager,
Planning and Development

DL:saw

Attachment:

Appendix 1 Official Community Plan Public Process

**Official Community Plan Public Process
Open Houses, Meetings, Requests and Materials**

Date	Action
April 21, 2009	Public Open House – Guildford Recreation Centre
April 28, 2009	Public Open House – Newton Recreation Centre
April 30, 2009	Public Open House – Sunnyside Hall
May 5, 2009	Public Open House – Surrey Museum
October 27, 2010	Committee Meeting – EAC
November 2, 2010	Stakeholder Meeting – Economic Group
November 4, 2010	Committee Meeting – AFSAC
November 4, 2010	Stakeholder Meeting – Environmental Group
November 8, 2010	Stakeholder Meeting – Social Agencies
November 8, 2010	Stakeholder Meeting – Inter-Agency Representatives
November 9, 2010	Stakeholder Meeting – Community Associations
November 18, 2010	Stakeholder Meeting – Art Committee
November 24, 2010	Committee Meeting – SPAC
October 6, 2011	Additional Stakeholder Workshop – AFSAC for Ag DP Guidelines
May 2012	OCP Overview Booklet Produced – distributed at all stakeholder meetings
May 22, 2012	Stakeholder Meeting – Social Group
May 30, 2012	Committee Meeting – HAC
June 4, 2012	Stakeholder Meeting – Environmental Group
June 5, 2012	Additional Stakeholder Meeting Request – Fraser Health
June 6, 2012	Stakeholder Meeting – Economic Group
June 12, 2012	Additional Stakeholder Meeting Request – Board of Trade
June 13, 2012	Stakeholder Meeting – Community Associations
June 14, 2012	Committee Meeting – AFSAC
June 15, 2012	Stakeholder Meeting – Inter-agency Representatives
June 18, 2012	Committee Meeting – TAC
June 20, 2012	Committee Meeting – PRCSTAC
June 25, 2012	Additional Stakeholder Meeting Request – w/ Children First Surrey-White Rock, South Surrey-White Rock Early Childhood Table, Middle Childhood Matters Steering Committee and Surrey Child and Youth Committee
June 27, 2012	Committee Meeting – EAC
June 28, 2012	Committee Meeting – DAC
September 11, 2012	Additional Stakeholder Meeting Request – Cloverdale BIA
April 6, 2013	Community Summit Presentation
June 27, 2013	Public Open House – City Hall
July 11, 2013	Joint Stakeholder Meeting (All Groups) – Review Draft Policy and OCP
March 10, 2014	Public Hearing

Written Correspondence Received and Reviewed

Date	Action
November 8, 2010	Christine Mohr, Options Community Services Society
June 18, 2012	Robert Strang
June 27, 2012	Little Campbell Watershed Society
September 9, 2012	Susan Papadioissiou, Children's Partner's Surrey-White Rock
April 6, 2013	Brian Woudstra, President CBPOA
July 10, 2013	Karen Barry, Bird Studies Canada
July 11, 2013	Metro Vancouver
July 15, 2013	Fraser Health
July 25, 2013	Fraser Health
September 19, 2013	TransLink
January 28, 2014	Agricultural Land Commission
January 29, 2014	City of Langley
January 29, 2014	Metro Vancouver
January 30, 2014	Township of Langley
February 21, 2014	TransLink

Email Correspondence Received and Reviewed

Date	Action
November 30, 2010	Kathleen Zimmermann, Ministry of Agriculture
June 29, 2012	Fraser Health
May 13, 2013	Karen Barry, Bird Studies Canada
July 4, 2013	Ed Beauregard
July 9, 2013	Ken Breaks
July 11, 2013	Debra Davis
July 12, 2013	Kathleen Zimmermann, Ministry of Agriculture
July 17, 2013	Fraser Health
July 22, 2013	Deirdre Goudriaan, Food Action Coalition
July 23, 2013	Erik Seiz, President, CBPOA
August 12, 2013	Liz Walker
September 7, 2013	Robyn Wark, BC Hydro
	Kathleen Zimmermann, Ministry of Agriculture