



City of Surrey

Regular Council - Land Use

Minutes

Present:

Mayor McCallum
Councillor Tymoschuk
Councillor Steele
Councillor Priddy
Councillor Bose
Councillor Watts
Councillor Hunt
Councillor Higginbotham

Absent:

Councillor Villeneuve

**Councillors Entering
Meeting as Indicated:**

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
Manager, Long Range Planning & Policy
Development
General Manager, Parks, Recreation & Culture
Manager, Area Planning & Development, North
Division
Manager, Area Planning & Development, South
Division
Land Development Engineer
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

- 1. 7905-0040-00**
3290 King George Highway
Andy Aadmi/388 Construction Ltd., Inc. No. 698558
Rezoning/Development Permit
Rezone from RA to CD and a Development Permit to permit the development of an oil change building.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 3290 King George Highway.

The applicant is proposing:

- a rezoning from RA to CD; and
- a Development Permit

in order to permit the development of an oil change building.

Delegation

Mr. Farstad, representing the applicant, was in attendance and provided information on table to Council. He continued that he had been asked by the applicant to look at the project as he was concerned about staff's recommendation and felt that his development proposal has low impact on the neighbourhood. He noted that there has been no opposition to the proposed development, the site is currently sterilized with a no build covenant in place in the land assembly. He added that the applicant was given an alternative minor variation to the land use plan and given the size of the project and the fact that it is recessed well below the development on

33 Avenue, it would have low impact. He continued that the development would complement the commercial development across the street now under construction. He stated that the proposed design is of high quality and has been supported by the Advisory Design Panel (ADP). He also noted that the suggestion by the ADP that the applicant provide a strong buffer area and large setback along 148 Street on the interior lot line was agreed to by the applicant.

He continued that a strong, solid fence would be constructed and the buffer area would be heavily landscaped. He noted the development would be governed by two bays operating minimal service times for oil changes; all activities would take place within the building; there would be low traffic movement during the hours of operation of 8:00 a.m. to 5:00 p.m.; and would be an environmentally friendly land use. He stated that the owners swear the used products would be recycled and stated that the applicant would hold a public information meeting with residents to resolve any outstanding issues.

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Application No. 7905-0040-00 be referred to staff to instruct the applicant to hold a public information meeting to ascertain support for the proposed development.

RES.R05-1095

Carried with Councillor Bose against.

SURREY CITY CENTRE/WHALLEY

2. 7905-0061-00

11125 - 124 Street

Frank Kamiya Architect/Fernco Developments Ltd.;

Lenco Developments Ltd., Norco Developments Ltd.

Development Permit

Development Permit to enclose an existing covered area to accommodate a two storey, self-storage warehouse facility in South Westminster.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 11125 124 Street.

The applicant is proposing:

- a Development Permit

in order to enclose an existing covered area to accommodate a two-storey self-storage warehouse facility in South Westminster.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council approve the attached Development Permit No. 7905-0061-00 (Appendix V), authorize the Mayor and Clerk to sign the Development Permit, and 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.R05-1096

Carried

3. 7905-0054-00

13618 - 100 Avenue/9887 East Whalley Ring Road

Ron Yeun, Architect/Jung Ventures

Development Variance Permit

Development Variance Permit to vary regulations of the Sign By-law regulating the number, height and size of temporary real estate development signs, to permit the installation of temporary real estate development signage at King George Highway and 100 Avenue in Surrey City Centre.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 13618 - 100 Avenue and 9887 East Whalley Ring Road.

The applicant is proposing:

- a Development Variance Permit to vary the following Sign By-law regulations for temporary sales signs:
 - to increase the maximum sign area of a temporary real estate development fascia sign from 13.9 square metres (150 sq.ft.) to 177 square metres (1,900 sq.ft.);
 - to increase the number of free-standing temporary real estate development signs from 3 to 12;
 - to increase the height of 9 free-standing temporary real estate development signs from 4.6 metres (15 ft.) to 6.1 metres (20 ft.); and
 - to increase the maximum area of 3 free-standing temporary real estate development signs from 13.9 square metres (150 sq.ft.) to 82.9 square metres (960 sq.ft.); to 59.5 square metres (640 sq.ft.); and to 14.9 square metres (160 sq.ft.)

in order to permit the installation of temporary real estate development signage for the Jung Ventures project at King George Highway and 100 Avenue in Surrey City Centre.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. Council approve Development Variance Permit No. 7905-0054-00 (Appendix VI), varying the following regulations of Section 27(8), temporary real estate development signs, of the Sign By law, to proceed to Public Notification:
 - (a) to increase the maximum sign area of a temporary real estate development fascia sign from 13.9 square metres (150 sq. ft.) to 177 sq. m. (1,900 sq. ft.);
 - (b) to increase the maximum number of free-standing temporary real estate development signs permitted from 3 to 12;
 - (c) to increase the maximum height of 9 free-standing temporary real estate development signs (6 at the corner of 100 Avenue and King George Highway and 3 at the corner of 100 Avenue and East Whalley Ring Road) from 4.6 metres (15 ft.) to 6.1 metres (20 ft.); and
 - (d) to increase the maximum sign area of 3 free-standing temporary real estate development signs at the corner of 100 Avenue and King George Highway from 13.9 square metres (150 sq.ft.) to 89.2 square metres (960 sq. ft.), to 59.5 square metres (640 sq. ft.) and to 14.9 square metres (160 sq. ft.).

RES.R05-1097

Carried

4. **7904-0382-00**
12349 King George Highway
Dave Gilbert, c/o Galaxy Signs/Anil and Saraswati Mangal
Development Permit

Development Permit to permit a free-standing sign for a highway commercial industrial site.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 12349 King George Highway.

The applicant is proposing:

- a Development Permit

in order to permit a free-standing sign for a highway commercial industrial site.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council approve the attached Development Permit No. 7904-0382-00 (Appendix III), authorize the Mayor and Clerk to sign the Development Permit, and 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.R05-1098

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

5. 7904-0360-00

19191 - 68 Avenue

Richard Brooks, H.Y. Engineering Ltd./Werner and Rita Ulatowski

Rezoning

Rezone from RA to RF-9C, RF-12C and RF-9S to permit subdivision with 3 adjoining lots, into approximately 12 small single family lots with coach houses and 2 small single family lots with limited commercial uses.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 19191 - 68 Avenue.

The applicant is proposing:

- a rezoning from RA to RF-9C, RF-12C and RF-9S;

in order to allow subdivision with 3 adjoining lots into approximately 12 small single family lots with coach houses and 2 small single family lots with limited commercial uses.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to rezone portions of the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) (Block A on Survey Plan), "Single Family Residential Coach House Zone (RF-12C)" (By-law No. 12000) (Block B on Survey Plan) and "Special Single Family Residential (9) Zone (RF-9S)" (Block C on Survey Plan) and a date be set for Public Hearing (Appendix I).
2. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) discharge of the "no build" covenants on proposed Lots 9, 11 and 13 (currently Lots 51, 52 and 69, BCP13142);
- (d) submission of a finalized acceptable tree survey and a statement regarding tree preservation; and
- (e) submission of an acceptable landscaping plan and cost estimate for the landscape buffer on proposed Lots 1 - 8 to the specifications and satisfaction of the City Landscape Architect.

RES.R05-1099

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15732" pass its first reading.

RES.R05-1100

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15732" pass its second reading.

RES.R05-1101

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15732" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1102

Carried

FLEETWOOD/GUILDFORD

6. 7904-0400-00

**16170 - 84 Avenue/16230/88 Fraser Highway,
and Portion of 84 Avenue**

Norm Couttie, Adera/Leonardus Warmerdam and Joanne Henrietta Warmerdam

Rezoning/Development Permit/Development Variance Permit

Rezone from RA and CHI to RM-30 and Development Permit to permit 200, 3 storey townhouse units in the Fleetwood Town Centre. Development Variance Permit to reduce setbacks.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit and a Development Variance Permit on properties located at 16170 - 84 Avenue, and 16280/88 Fraser Highway.

The applicant is proposing:

- a rezoning from RA and CHI to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following RM-30 Zone regulations:

- to vary building setbacks along the southern and western property lines;
- to vary setbacks along internal lot lines;
- to permit visitor parking spaces in required setbacks; and
- to permit 5 small car tandem parking spaces

in order to permit the development of 200, 3-storey townhouse units in the Fleetwood Town Centre.

Delegation

The applicant's representative was in attendance and provided renders of the proposed development. He noted there would be a landscaped berm in front of the homes backing onto Fraser Highway.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That:

1. a By-law be introduced to rezone the site and portion of 84 Avenue as shown on the attached Survey Plan (Appendix I) from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Highway Commercial Industrial Zone (CHI)" (by-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7904-0400-00 generally in accordance with the attached drawings (Appendix III).
4. Council approve Development Variance Permit No. 7904-0400-00 (Appendix X), varying the following Zoning By-law regulations, to proceed to Public Notification:
 - (a) in Section F. Yards and Setbacks of Part 22 Multiple Residential 30 Zone (RM-30) the minimum southern yard setback is reduced from 7.5 metres (25 ft.) to 4.0 metres (16 ft.) to the building face, to 3.0 metres (10 ft.) to the deck and veranda posts, and to 1.0 metre (3 ft.) to the first stair riser of exterior stairs for proposed buildings 10 and 11 on Lot 1 and for proposed buildings 16, 19 and 21 on proposed Lot 2;
 - (b) in Section F. Yards and Setbacks of Part 22 Multiple Residential 30 Zone (RM-30) the minimum western yard setback on proposed Lot 2 is reduced from 7.5 metres (25 ft.) to 5.2 metres (17 ft.) to the deck posts;
 - (c) in Section F. Yards and Setbacks of Part 22 Multiple Residential 30 Zone (RM-30) the minimum western yard setback on proposed Lot 1 is reduced from 7.5 metres (25 ft.) to 1.6 metres (5 ft.) to the building face for proposed building 11, to 5.0 metres (16 ft.) to the building face and to 3.0 metres (10 ft.) for deck and veranda posts for proposed buildings 14 and 15;
 - (d) in Section F. Yards and Setbacks of Part 22 Multiple Residential 30 Zone (RM-30) the minimum eastern yard setback on proposed Lot 2 is reduced from 7.5 metres (25 ft.) to 1.6 metres (5 ft.) to the building face for proposed building 16, to 4.0 metres (13 ft.) to the building face and to 2.0 metres (6 ft.) for deck and veranda posts for proposed buildings 17 and 26;
 - (e) in Section H. 3. of Part 22 Multiple Residential 30 (RM-30) Zone the location of visitor parking spaces is varied to permit 8 in the required setback on proposed Lot 2; and
 - (f) in Section B.1. of Part 5 Off-Street Parking and Loading/Unloading the minimum length of tandem parking spaces located on a driveway is reduced from 6.0 metres (20 ft.) to 4.9 metres (16 ft.) for one unit only in each of buildings 4 and 6 on proposed Lot 1 and for one unit only

in each of buildings 17, 18 and 20 on proposed Lot 2.

5. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from Fisheries & Oceans Canada with respect to the mitigation proposed for reduced setback requirements for the watercourse along the west side of the site;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (f) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space;
 - (g) registration of a right-of-way to permit north-south pedestrian access through the site;
 - (h) acquisition of the surplus portion of 84 Avenue road and consolidation with the subject site;
 - (h) the applicant adequately address the impact of no indoor amenity space; and
 - (i) registration of a Section 219 Restrictive Covenant and the submission of securities to ensure all buildings on-site are removed within one year of the adoption of the rezoning by-law.

RES.R05-1103

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15733" pass its first reading.

RES.R05-1104

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15733" pass its second reading.

RES.R05-1105

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15733" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1106

Carried

7. 7904-0395-00

16294 - 90 Avenue

Holden J. Yip/Jerry Masuo Tasaka and Rebecca Louise Tasaka

Rezoning

Rezone from RA to RH to allow subdivision into three half-acre residential lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16294 - 90 Avenue.

The applicant is proposing:

- a rezoning from RA to RH

in order to allow subdivision into three (3) half-acre residential lots.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to rezone the property 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, 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; and
 - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation.

RES.R05-1107

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law,
2005, No. 15734" pass its first reading.

RES.R05-1108

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law,
2005, No. 15734" pass its second reading.

RES.R05-1109

Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15734" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at
7:00 p.m.

RES.R05-1110

Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

8. **7904-0404-00
6280 - 120 Street**

Grower Yeung & Associates/Ed Klassen Pontiac Buick GMC (1994) Ltd.

Development Variance Permit

Development Variance Permit in order to allow for an existing free-standing sign.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 6280 120 Street.

The applicant is proposing:

- a Development Variance Permit to vary the Sign By-law regulations:
 - to vary the minimum distance required between free-standing signs from 30 metres (100 ft.) to 10 metres (33 ft.); and
 - to reduce the required setback from 2 m (6.6 ft.) to 1.5 m (5 ft.)

in order to allow for an existing free-standing sign.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. Council approve Development Variance Permit No. 7904-0404-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to vary the minimum distance between free-standing signs from 30 metres (100 ft.) to 10 metres (33 ft.); and
 - (b) to vary the required setback for a free-standing sign from 2 metres (6.6 ft.) to 1.5 metres (5 ft.).

RES.R05-1111

Carried

9. 7903-0379-00
7767 - 128 Street
Karan Gill/Karan Gill and Budhparkash Kaur Gill
Temporary Use Permit

Temporary Industrial Use Permit to allow a temporary truck parking facility for a period of 2 years.

The General Manager of Planning & Development submitted a report concerning an application for a Temporary Use Permit on property located at 7767 128 Street.

The applicant is proposing:

- an OCP amendment to declare the site as a Temporary Industrial Use Permit area;
- a Temporary Industrial Use Permit

in order to allow the subject site to be used for temporary truck parking for a period of 2 years.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to declare the property a Temporary Use Area and a date for Public Hearing be set.
2. Council approve Temporary Use Permit No. 7903-0379-00 (Appendix V) to proceed to Public Notification.
3. Council instruct staff to resolve the following issue prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering.
 - (b) registration of a Section 219 Restrictive Covenant to prohibit on-site truck washing, truck fuel storage or refueling, storage of waste petroleum fluids and vehicle maintenance on the site, and to prohibit the parking and storage of vehicles containing dangerous goods as defined by the *Transport of Dangerous Goods Act*; and
 - (c) submission of adequate security to ensure the vehicles are removed and the site is returned to its vacant state upon expiration of the Temporary Industrial Use Permit.
 - (d) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City landscape architect, and submission of appropriate securities to ensure compliance with the landscaping plan.
 - (e) registration of a Section 219 Restrictive Covenant to prohibit trucks from entering or leaving the lot or manoeuvring on the lot between 8:00 p.m. and 6:00 a.m. daily,

RES.R05-1112

Carried with Councillor Bose against

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 54 Amendment By-law 2005, No. 15743" pass its first reading.

RES.R05-1113

Carried with Councillor Bose against

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 54 Amendment By-law 2005, No. 15743" pass its second reading.

RES.R05-1114

Carried with Councillor Bose against

It was then

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 54 Amendment By-law 2005, No. 15743" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1115

Carried

RESIDENTIAL/INSTITUTIONAL

NEWTON

10. 7904-0255-00

6892 - 144 Street; 6910, 6934, 6960 and 6996 - 144 Street

**OPD Ventures Ltd. (Clarence Arychuk)/Jozef & Josepha Mocnik/OPD Ventures Ltd., Inc. No. 380003
NCP Amendment/Rezoning/Development Permit**

NCP amendment from Townhouse to Semi-Detached & Single Family Small Lots Residential. Rezone from RA to RF-9 (26 lots), RF-SD (26 lots) and RM-23 (6 lots). Development Permit to permit development of two RM-23 zoned residential buildings.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan on properties located at 6892 - 144 Street, 6910, 6934, 6960 and 6996 - 144 Street.

The applicant is proposing:

- an NCP amendment from Townhouse to Semi-Detached and Single Family Small Lots Residential (Appendix XIII);
- a rezoning from RA to RF-9, RF-SD and RM-23; and
- a Development Permit on Block C

in order to permit the development of 26 single family small lots, 26 semi-detached units and 6 triplex units.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to proceed with text amendments to the Zoning By-law regarding maximum unit density for the "Semi-Detached Residential Zone (RF-SD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix XII).
2. a By-law be introduced to rezone Block A from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000), Block B from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Semi-Detached Residential Zone (RF-SD)" (By-law No. 12000) and Block C from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 23 Zone (RM-23)" (By-law No. 12000) and a date be set for Public Hearing (Appendix III).
3. Council authorize staff to draft Development Permit No. 7904-0255-00 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, 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 an acceptable finalized tree survey and a statement regarding tree preservation; and
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect for Block C.
5. Council pass a resolution to amend the East Newton South NCP to redesignate the land from townhouse to Semi-Detached and Single Family Small Lots Residential when the project is considered for final adoption.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2005, No. 15744" pass its first reading.

RES.R05-1117

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2005, No. 15744" pass its second reading.

RES.R05-1118

Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2005, No. 15744" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1119

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15745" pass its first reading.

RES.R05-1120

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15745" pass its second reading.

RES.R05-1121

Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15745" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1122

Carried

**11. 7905-0059-00
6962 - 124 Street
Jasbir Singh Bhatia, Satnam Education Society of BC/Satnam Education Society of BC, Inc. No. S21979
Development Variance Permit
*Development Variance Permit to vary the minimum side yard setbacks in order to permit a second floor addition to an existing school building.***

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 6962 124 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to vary the minimum side yard setback requirements of the PA-2 Zone as follows:
 - (a) 7.62 metres (25 ft.) to 3.66 metres (12 ft.) from the south property line; and

- (b) to 7.04 metres (23.1 ft.) from the north property line, provided that up to 9% of the portion of the building may be further reduced to 4.9 metres (16 ft.).

in order to permit the development of a second floor addition to an existing school building.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. Council approve Development Variance Permit No. 7905-0059-00 (Appendix VI), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback of the PA-2 Zone from 7.62 metres (25 ft.) to 3.66 metres (12 ft.) from the south property line; and
 - (b) to reduce the minimum side yard setback of the PA-2 Zone from 7.62 metres (25 ft.) to 7.04 metres (23.1 ft.) from the north property line provided that up to 9% of the portion of the building may be further reduced to 4.9 metres (16 ft.) setback.

RES.R05-1123

Carried

SOUTH SURREY

12. **7904-0407-00**
1755 Ocean Park Road
Clarence Arychuk, Hunter Laird Engineering Ltd./Leonard Klassen
Rezoning
Rezone from RF to RF-O to permit the development of a larger single family dwelling.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 1755 Ocean Park Road.

The applicant is proposing:

- a rezoning from RF to RF-O

in order to permit the development of a larger single family dwelling.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential Oceanfront Zone (RF-O)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of an acceptable finalized tree survey and a statement regarding tree preservation;

and

- (c) registration of a Section 219 Restrictive Covenant for the building design and geotechnical report.

RES.R05-1124

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15746" pass its first reading.

RES.R05-1125

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15746" pass its second reading.

RES.R05-1126

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15746" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1127

Carried

**13. 7904-0403-00
12992 - 13 Avenue
Clarence Arychuk, Hunter Laird Engineering Ltd./James and Marianne Emmerton
Rezoning
From RM-D to RF-O to permit development of a single family dwelling.**

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 12992 - 13 Avenue.

The applicant is proposing:

- a rezoning from RM-D to RF-O

in order to permit the development of a single family dwelling.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That:

1. a By-law be introduced to rezone the property from "Duplex Residential Zone (RM-D)" (By-law No. 12000) to "Single Family Residential Oceanfront Zone (RF-O)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

and

- (b) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (c) registration of a Section 219 Restrictive Covenant for the building design and geotechnical report.

RES.R05-1128

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15747" pass its first reading.

RES.R05-1129

Carried

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15747" pass its second reading.

RES.R05-1130

Carried

It was then

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15747" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1131

Carried

14. 7904-0388-00

15452 - 36 Avenue; 3540 - 154 Street; Portion of 15423 - 34 Avenue

Clarence Arychuk, Hunter Laird Engineering Ltd./Rosemary Crest Developments Inc. No. 706816, Qualico Developments (Vancouver) Inc.

Rezoning

From A-1 and RF-G to RF-G and RF-12 to permit the development of 18 single family small lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 15452 - 36 Avenue; 3540 154 Street; Portion of 15423 34 Avenue.

The applicant is proposing:

- a rezoning from A-1 and RF-G to RF-G and RF-12

in order to allow subdivision into 18 single family small lots.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That:

1. a By-law be introduced to rezone a portion of the property (Block A) from "General Agriculture Zone (A 1)" (By-law No. 12000) and "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) to "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) and a portion of the property (Block B) from "Single Family Residential Gross Density Zone (RF-G)" (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, 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; and
 - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation.

RES.R05-1132

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

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

2005, No. 15748" pass its first reading.

RES.R05-1133

Carried

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

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

2005, No. 15748" pass its second reading.

RES.R05-1134

Carried

It was then

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000,

Amendment By-law, 2005, No. 15748" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1135

Carried

15. 7904-0273-00

13058 - 24 Avenue

Mark Peers/Mark Henry Peers and Janet Barbara Peers

Development Variance Permit

Development Variance Permit to vary the rear yard setback requirements for principal buildings in order to permit an existing sundeck to be retained after the property is subdivided.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 13058 24 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - vary the minimum rear yard setback for principal buildings of the RH-G Zone from 7.5 metres (25 ft.) to 3.85 metres (12.6 ft.)

in order to permit an existing sundeck to be retained after the property is subdivided.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That:

1. Council approve Development Variance Permit No. 7904-0273-00 (Appendix VII), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RH-G Zone from 7.5 metres (25 ft.) to 3.85 metres (12.6 ft.).

RES.R05-1136

Carried

SURREY CITY CENTRE/WHALLEY

16. 7905-0064-00

13618 - 100 Avenue and 9887 East Whalley Ring Road

Ron Yeun, Architect/Jung Ventures

Development Permit/Development Variance Permit

Development Permit to permit a 36-storey, 345-unit apartment building and two, one storey commercial buildings. A Development Variance Permit to reduce resident parking requirements.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on properties located at 13618 - 100 Avenue and 9887 East Whalley Ring Road.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to reduce the minimum number of parking spaces for the 209, two-bedroom dwelling units from 251 to 213

to permit the development of a 36-storey, 345-unit apartment building and two, one-storey commercial buildings.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That:

1. Council approve the applicant's request to defer the remaining 811 square metres (8,730 sq. ft.) of required indoor amenity space and the entire 1,035 square metres (11,140 sq. ft.) of outdoor amenity space to Phase II.
2. Council authorize staff to draft Development Permit No. 7905-0064-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7904-0064-00, varying Table C.6 of Part 5 of Zoning By-law No. 12000, to proceed to Public Notification:
 - (a) to reduce the number of required resident off-street parking spaces for the 209, two-bedroom dwelling units from 251 to 213.
4. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) completion of Rezoning Application No. 7904-0434-00;
- (c) registration of a Section 215 Restrictive Covenant to defer the remaining 811 square metres (8,730 sq. ft.) of indoor amenity space to Phase II of the development;
- (d) registration of a Section 215 Restrictive Covenant to defer the 1,035 square metres (11,140 sq. ft.) of outdoor amenity space to Phase II of the development;
- (e) registration of appropriate access agreements to ensure residents in the Phase I development are entitled to use indoor and outdoor amenity spaces in Phase II; and
- (f) issuance of Development Variance Permit No. 7905-0064-00.

RES.R05-1137

Carried

RESIDENTIAL/INDUSTRIAL

SOUTH SURREY

17. 7904-0390-00

1210, 1222, 1238 King George Highway

Gustavson Wylie Architects (David Cheung)/CPAC (Crescent Gardens) Inc., 403083 B.C. Ltd., Owners of Crescent Gardens - Strata Lots 1-184 LMS2925

Rezoning/Development Permit

Rezone from CD (By-law No. 9577) to CD. Development Permit to permit two four-storey seniors' oriented buildings with 4 related commercial retail units.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 1210, 1222, 1238 King George Highway.

The applicant is proposing:

- a rezoning from CD (By-law No. 9577) to CD; and
- a Development Permit

in order to permit the development of an expansion of Crescent Gardens Senior's Facility with two four-storey buildings with senior's units, licensed care and four accessory commercial/retail units.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That :

1. a By-law be introduced to rezone the property from "Comprehensive Development Zone (CD)" (By-law No. 9577) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0390-00 generally in accordance with the attached drawings (Appendix III).
3. Council instruct staff to resolve the following issues prior to final adoption/approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) input from Department of Fisheries & Oceans on the setback from the top-of-bank and compensation scheme;
 - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) address Parks, Recreation & Culture concerns related to the pressure this development places on existing facilities in South Surrey;
 - (f) resolution of outstanding legal and parking issues to the satisfaction of the City;
 - (g) discharge of Restrictive Covenant No. 168768 registered in 1989 securing land uses on the property;
 - (h) registration of mutual access agreements on properties involved in the zoning;
 - (i) the applicant enter into a Housing Agreement with the City; and
 - (j) discharge of Section 216 Building Scheme registered in 1989.
4. Council pass a resolution to amend the King George Highway Corridor Land Use Plan to redesignate the land from Tourist Commercial to Multifamily/Care Facility when the project is considered for final adoption.

RES.R05-1138

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" pass its first reading.

RES.R05-1139

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" pass its second reading.

RES.R05-1140

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1141

Carried

It was

Moved by Councillor Bose
Seconded by Councillor Higginbotham
That Resolution R05-1141 setting the Public Hearing for Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" be rescinded.

RES.R05-1142

Carried

It was

Moved by Councillor Bose
Seconded by Councillor Higginbotham
That Resolution R05-1140 giving second reading to Surrey Zoning By-

law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" be rescinded.

RES.R05-1143

Carried

It was

Moved by Councillor Bose
Seconded by Councillor Higginbotham
That Resolution R05-1139 giving first reading to "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15749" be rescinded.

RES.R05-1144

Carried

It was

Moved by Councillor Bose
Seconded by Councillor Higginbotham
That Resolution R05-1138 approving Application 7504-0390-00 be rescinded.

RES.R05-1145

Carried

It was

Moved by Councillor Bose
Seconded by Councillor Higginbotham
That the proposed development be approved in principle and staff forward an appropriate By-law for introductions and scheduling of a Public Hearing.

RES.R05-1146

Carried

18. 7904-0375-00

**15423 - 34 Avenue, 3486 - 154 Street, 3502 - 154 Street,
3450 Rosemary Drive**

Clarence Arychuk, Hunter Laird Engineering Ltd./Qualico Developents (Vancouver) Inc., Diane Schouter, Taxhar Construction, Lisa Balsor and Mathew Lewis

NCP Amendment/Rezoning

NCP amendment from Clustering at Single Family Density to Single Family Small Lot. Rezone from A-1 and RF-G to RF-12 and RF-G to allow subdivision in 38 single family lots.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan on properties located at 15423 - 34 Avenue, 3486 - 154 Street, 3502 - 154 Street, and 3450 Rosemary Drive.

The applicant is proposing:

- an NCP amendment from Clustering at Single Family Density to Single Family Small Lot; and
- a rezoning from A-1 and RF-G to RF-12 and RF-G

in order to allow subdivision into 38 single family small lots.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone a portion of the property (Block B) from "General Agriculture Zone (A-1)" (By-law No. 12000) and "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a portion of the property (Block A) from "General Agricultural Zone (A-1)" (By law No. 12000) and "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) to "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and
 - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation.
3. Council pass a resolution to amend the Rosemary Heights Central NCP to redesignate the land from Clustering at Single Family Density to Single Family Small Lot when the project is considered for final adoption.

RES.R05-1147

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15750" pass its first reading.

RES.R05-1148

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15750" pass its second reading.

RES.R05-1149

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Watts
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15750" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1150

Carried

19. 7904-0300-00

15070 - 27B Avenue, Portion of 27B Avenue

Lloyd Hughes/Brad Hughes/Theodore & Elizabeth Vanzanten

Rezoning/Development Permit/Development Variance Permit

Rezone from RA and RM-D to RM-15. Development Permit to permit development of 13 semi-detached strata residential units. Development Variance Permit to vary the west, east and south yard setbacks.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and permit applications for a Development Permit and a Development Variance Permit on property located at 15070 - 27B Avenue.

The applicant is proposing:

- a rezoning from RA and RM-D to RM-15;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - the east yard setback from 7.5 metres (25 ft.) to 5.5 metres (18 ft.);
 - the west yard setback from 7.5 metres (25 ft.) to 6.1 metres (20 ft.); and
 - the south yard setback from 7.5 metres (25 ft.) to 6.1 metres (20 ft.)

in order to permit the development of 13 semi-detached strata residential units.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to rezone the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Duplex Residential Zone (RM-D)" to "Multiple Residential 15 Zone (RM 15)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7904-0300-00 in accordance with the attached drawings (Appendix VII).
4. Council approve Development Variance Permit No. 7904-0300-00 (Appendix VIII), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum west yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6.1 metres (20 ft.);
 - (b) to reduce the minimum east side yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.); and
 - (c) to reduce the western portion of the south side yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6.1 metres (20 ft.).
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of an acceptable finalized tree survey and a statement regarding tree preservation;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (d) the applicant adequately address the impact of no indoor amenity space.

RES.R05-1151 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15751" pass its first reading.

RES.R05-1152 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15751" pass its second reading.

RES.R05-1153 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Tymoschuk

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15751" be held at the Surrey Sport & Leisure Complex on May 30, 2005, at 7:00 p.m.

RES.R05-1154

Carried

C. CORPORATE REPORTS

1. The Corporate Reports under date of May 18, 2005 were considered and dealt with as follows:

Item No. L004 Additional Conditions for Proposed Rezoning to Child Care Zone (CCR) - 10672 - 164A Street - Application No. 7903-0188-00
Owners: Kerry Jocelyn and Lee Jocelyn

The General Manager of Planning & Development submitted a report to respond to Council's directive to:

1. Determine conditions that could be applied to achieve parking restrictions in the cul-de-sac for pick-up and drop-off for the proposed child care facility; and
2. Report on the applicant's willingness to limit the hours of operation to before and after school care, from September to June, by way of a Restrictive Covenant.

The General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

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

1. Receive this report as information;
2. Instruct the applicant to submit to the City, in registrable form, an executed Restrictive Covenant, for registration by the City immediately subsequent to the adoption of Zoning By-law No. 15314, that contains the following restrictions:
 - a. The operation of the child care facility on the lot is to be restricted to:
 - i. before and after school care to a maximum of 20 children in care for the months from September to June inclusive; and
 - ii. family child care to a maximum of 7 children in care for the months of July and August of each year;
 - b. The hours of operation for the before and after school care use are to be restricted to the hours:
 - i. between 7:00 a.m. and 9:00 a.m. and between 2:30 p.m. and 6:00 p.m. on regularly scheduled school days except for the care of children in kindergarten;
 - ii. for children in kindergarten, between 7:00 a.m. and 6:00 p.m. on regularly scheduled school days; and
 - iii. between 7:00 a.m. and 6:00 p.m. for all school children on non statutory holidays that would normally be school days, but when school children are not required to attend school, such as "professional development" days; and
 - c. The hours of operation for the family child care use is to be restricted to weekdays only and on those days to between the hours of 7:00 a.m. and 6:00 p.m.; and
3. Instruct the City Clerk to forward a copy of this report, together with a copy of the related Council resolution, to Kerry and Lee Jocelyn and the Fraser Health Authority.

Before the question was called:-

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the matter be tabled to a meeting with full Council in attendance.
Carried with Councillor Bose against.

RES.R05-1155

D. ITEMS TABLED BY COUNCIL

The Chair noted that the agenda order would be varied.

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15618"

7904-0097-00 - Athwal Construction Inc. and Fleetwood Commerce Court Inc., c/o Athwal Construction Inc.
(Kewal Athwal)

RA (BL 12000) to RF (BL 12000) - 16765 - 104 Avenue - to allow subdivision into approximately 4 single family lots and 1 remainder lot.

Approved by Council: January 10, 2005

- * Planning & Development advise that (see memorandum dated May 11, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 2000, Amendment By-law,
2005, No. 15618" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R05-1156 Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15640"

7904-0265-00 - Ferguson Properties Ltd., c/o Creekside Architects (Don Andrew)

RF (BL 12000) to CD (BL 12000) 13908 and 13918 - 108 Avenue, 10768 139 Street - to permit the development of a four-storey, 79-unit apartment building in Surrey City Centre.

Approved by Council: January 24, 2005

Note: A Development Permit (7904-0265-00) on the site is to be considered for Final Approval under Item I.1(a).

- * Planning & Development advise that (see memorandum dated May 12, 2005 in by-law back-up) at the February 7, 2005 Public Hearing, residents' expressed concern with the lack of east-west road linkages within the blocks surrounding the subject site. The Engineering Department concurs that there is a need to improve vehicle and pedestrian linkages in the area and is currently undertaking a study to determine where these

linkages are best located.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15640" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R05-1157 Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15670"

7904-0424-00 - Royale Development Ltd., c/o Coastland Engineering & Surveying Ltd. (Michael Helle)

RA (BL 12000) to RF (BL 12000) - 15730 - 84 Avenue - to allow subdivision into approximately six single family lots.

Approved by Council: February 21, 2005

- * Planning & Development advise that (see memorandum dated May 11, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15670" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R05-1158 Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15430"

7904-0010-00 - No. 262 Seabright Holdings Ltd., c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RA (BL 12000) to RF-12 and RF-9 (BL 12000) - 3433, 3447, 3463 148 Street, Portions of 3497 and 3519 - 148 Street - to allow subdivision into approximately 58 single family residential small lots.

Approved by Council: July 5, 2004

- * Planning & Development advise that (see memorandum dated May 13, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

- * In addition, at the July 5, 2004 Regular Council-Land Use meeting, Council passed the following resolution:

"That the Engineering Department look at the narrowing of the asphalt surface and move the asphalt further to the south in order to increase the landscaping buffer north of the right-of-way and report back in subsequent processes with the next application;"

In response, Planning & Development advise that the issue of the landscape buffer along Highway #99 has been addressed, as documented in a letter to Mayor and Council in by-law back-up dated July 19, 2004.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15430" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1159

Carried with Councillor Bose against.

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7904-0265-00**
Don Andrew, Creekside Architects/Ferguson Properties Ltd.
13908/18 - 108 Avenue & 10768 - 139 Street

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

"That Development Permit No. 7904-0265-00 be approved; that the Mayor and Clerk be authorized to sign the Development 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."

Note: See By-law 15640 under Item H.2.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That **Development Permit No. 7904 0265 00** be approved; that the Mayor and Clerk be authorized to sign the Development 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.R05-1160

Carried

- (b) **Development Permit No. 7904-0386-00**
Teck Construction/Marcol Holdings Inc.
5525 - 192 Street

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

"That Development Permit No. 7904-0386-00 be approved; that the Mayor and Clerk be authorized to sign the Development 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."

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That **Development Permit No. 7904 0386 00** be approved; that the Mayor and Clerk be authorized to sign the Development 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.R05-1161

Carried

J. OTHER BUSINESS

1. Design Review of Major Projects

It was

Moved by Councillor Bose
Seconded by Councillor Watts

That staff review the City of Vancouver's review process for major developments with specific reference to international peer review and advise Council accordingly.

RES.R05-1162

Defeated on a tie vote with Councillors Tymoschuk, Steele, Hunt and the Mayor against.

E. DELEGATIONS

1. Wendy Campbell

File: 3760-15; 0550-20-10

Wendy Campbell was in attendance regarding illegal suites in the Cloverdale area.

Wendy Campbell provided the following comments:

- She had collected a 134-signature petition from the area residents.
- She was before Council 11 months ago and has yet to receive a report from staff regarding secondary suites.
- She questioned what has been done to correct the illegal suite problem.
- She advised that she still did not have any answers and asked why the City accepts subdivision proposals and building schemes that state no secondary suites are allowed, when the City has no intention of upholding such building schemes and by-laws, and does not protect citizens.
- She stated that she is a law-abiding citizen who had faith in the system and the City's word, but, a year later, her neighbourhood is experiencing parking problems, narrow roads, and she noted that some property owners were blacktopping their front yards for additional parking.
- There is a need for housing – why not allow the proper zoning for houses with secondary suites. This would allow people to have secondary suites to help out with their mortgages, but allow those who wish to live in a secondary suite-free area.
- She added that she is not opposed to suites in the area, but that she would like to see specific zoning for such areas.
- She noted that the cost of secondary suites is high with respect to adequate space in schools for additional students, extra utilities, etc.
- Has the City started an inspection and removal process for illegal suites at the owners' expense?
- Is the City still profiting from the utility fees charged.

It was

Moved by Councillor Bose
Seconded by Councillor Hunt

That the petition as submitted by Wendy Campbell be received.

RES.R05-1163

Carried

K. ADJOURNMENT

It was

Moved by Councillor Tymoschuk

Seconded by Councillor Hunt
That the Regular Council - Land Use meeting do now adjourn.
Carried

RES.R05-1164

The Regular Council- Land Use meeting adjourned at 5:30 p.m.

Certified Correct:

City Clerk

Mayor