



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, SEPTEMBER 18, 2000
Time: 5:00 p.m.

Present:

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

Absent:

Councillor Villeneuve

Staff Present:

City Manager
Deputy City Clerk
General Manager, Planning & Development
Manager, Area Planning Division
Manager, North Surrey Section
Manager, South Surrey Section
Land Development Engineer
City Solicitor

Councillors Entering Meeting in Progress:

A. ADOPTION OF MINUTES

B. CORPORATE REPORTS

Land Use Applications

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

- 1. 7900-0207-00**
15988 Fraser Highway
Norman Zottenberg Architecture/Fleetwood Projects Inc.
Development Variance Permit
To relax the east side yard setback to allow a restaurant patio.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15988 Fraser Highway.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulation:
- the east side yard setback from 2.0 metres (6.6 ft.) to 0 metre

in order to permit the construction of a patio enclosure for the Sunny Dragon Restaurant.

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 Watts
That:

1. Council approve Development Variance Permit No. 7900-0207-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the required east side yard setback of Comprehensive Development Zone By-law No. 9535 from 2.0 metres (6.6 ft.) to 0 metre.

RES.R00-2128

Carried

NEWTON

2. **7900-0204-00**
7380 King George Highway
Urban Design Group Architects Ltd./372363 B.C. Ltd. (Inc. No. 372363)
Development Variance Permit
To permit an increased height for three free-standing signs.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 7380 King George Highway.

The applicant is proposing:

- a Development Variance Permit to relax Section 38 of Part 8 Special Sign Areas of Surrey Sign By-law (No. 13656)

in order to permit an increase in the allowable height of three (3) free-standing signs in the Newton Village Shopping Centre site (1 replacement and 2 additional) as follows:

- from 2.4 metres (8 feet) to 4.3 metres (14 feet) for a sign fronting 74 Avenue; and
- from 4.6 metres (15 feet) to 7.2 metres (23.5 feet) for two (2) signs fronting King George Highway.

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

Mr. Paul Chui was in attendance on behalf of the applicant, and advised that his client wants a variance for the height of the signs on the site. He pointed out that the applicant has tried to improve the site, and noted that the maintenance of the property is significantly better. Mr. Chui referenced an earlier application for a development variance permit, noting that they had requested a 25 foot sign height for signs along King George Highway, and a 25 foot sign height for signs along 74 Avenue. Mr. Chui then referenced the new sign by-law, commenting that signs that were previously permitted are now disallowed. Mr. Chui pointed out that the applicant is now requesting a variance to have a sign height of 23.5 feet along King George Highway, and a sign height of 14 feet along 74 Avenue. Mr. Chui concluded his comments by pointing out that this is a hardship for his client as his client cannot lease his properties with the signage permitted in the new sign by-law.

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

1. Council deny the following variances:
 - (a) to vary Section 38 of Part 8 Special Sign Areas of Surrey Sign By-law (No. 13656) to permit an increase in the allowable height of three (3) free-standing signs as follows:
 - from 2.4 metres (8 feet) to 4.3 metres (14 feet) for a sign fronting 74 Avenue; and
 - from 4.6 metres (15 feet) to 7.2 metres (23.5 feet) for two (2) signs fronting King George Highway.

Before the motion was put:-

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That this application be referred back to staff
to discuss the issues raised by Council with the applicant, and bring the
application back to Council for further consideration.

RES.R00-2129

Carried

SURREY CITY CENTRE/WHALLEY**3. 7900-0166-00
9985 Grace Rd.****WesGroup Investments (No. 8) Ltd./Grace Road Investments Ltd.**

Development Permit/Development Variance Permit

Development Permit to regulate site improvements and Development Variance Permit to relax various by-law regulations to allow for an outside storage yard.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit and a Development Variance Permit on property located at 9985 Grace Road.

The owner is proposing a Development Permit to regulate site improvements and a Development Variance Permit to vary the following by-law regulations:

- Surrey Zoning By-law, 1993, No. 12000:
 - relax the requirement, in Part 4 General Provisions, to allow an industrial land use without the construction of a building; and
 - relax the requirement in the IL zone regarding the siting of outdoor storage.
- Surrey Subdivision and Development By-law, 1986, No. 8830:
 - relax the fire flow requirements; and
 - relax the sanitary sewer requirement

in order to permit an outside storage yard 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 Watts
That:

1. Council authorize staff to draft Development Permit No. 7999-0166-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7999-0166-00, varying the following, to proceed to Public Notification:
 - (a) Relax the requirement, in Part 4 General Provisions of Surrey Zoning By-law No. 12000, to allow an industrial land use without the construction of a permanent building that exceeds 100 square metres (1,076 sq. ft.);

- (b) Relax the requirement in the IL Zone regarding the siting of outdoor storage;
 - (c) Relax the fire flow requirements in Surrey Subdivision and Development By-law No. 8830; and
 - (d) Relax the sanitary sewer requirement in Surrey Subdivision and Development By-law No. 8830.
3. Council instruct staff to resolve the following issues prior to approval:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) registration of a Section 219 Restrictive Covenant for "no build" or no development of the site unless all City utilities are provided;
 - (c) registration of a Section 219 Restrictive Covenant to indemnify and save the City harmless from liability for damages in the event of a fire; and
 - (d) submission of an appropriate landscaping estimate and bonding for the provision and maintenance of the proposed landscaping.

RES.R00-2130

Carried**RESIDENTIAL/INSTITUTIONAL****FLEETWOOD/GUILDFORD**

4. **7900-0198-00**
15611/19/31/41/49/57/65/75/83/93 - 102B Avenue
Cameron Anderson, Hardeep/Sukh/Navtej Jouhal, Feroz/Nazreen Aiyub,
Sadhu Gill/Hubert Culham Architect & Planner
Restrictive Covenant Amendment
Amend Restrictive Covenant [Building Scheme] to permit the use of shake profile concrete roof tiles and stucco siding on the rear and side elevations, when cedar siding is used on the front elevation.

The General Manager of Planning & Development submitted a report concerning a Restrictive Covenant Amendment on properties located at 15611/19/31/41/49/57/65/75/83/93 - 102B Avenue.

The applicant is proposing:

- a Restrictive Covenant [Building Scheme] amendment

in order to permit the use of shake profile concrete roof tile and stucco siding on the rear and side elevations of houses in a recently approved 10-lot subdivision.

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 Watts
That:

1. Council approve the proposed amendments and authorize staff to amend the Restrictive Covenant [Building Scheme] as described in this report.

RES.R00-2131

Carried

Councillor Watts left the meeting at 5:35 p.m. due to a perceived conflict of interest, stating that she owns a secondary suite.

NEWTON

5. **7900-0056-00**
7669 - 126A Street
Shingara Ram Aujla/Shingara Ram Aujla/Madhu Bala Aujla
Rezoning/Land Use Contract Discharge
From RF to RF-SS to permit legalization of an existing unauthorized secondary suite and discharge Land Use Contract No. 394.

The General Manager of Planning & Development submitted a report concerning an application to amend Land Use Contract No. 394 and an application for rezoning from RF to RF-SS on property located at 7669 - 126A Street.

The applicant is proposing:

- a Land Use Contract discharge;
- a rezoning from RF to RF-SS;

in order to permit legalization of an existing unauthorized secondary suite.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That application 7900-0056-00 for rezoning

from RF to RF-SS, and to discharge Land Use Contract No. 394 be denied.

RES.R00-2132

Carried

Councillor Watts returned to the meeting at 5:36 p.m.

RESIDENTIAL

FLEETWOOD/GUILDFORD

6. 7900-0201-00

11016/28/40 - 159 Street; 15913/25/37/49 - 110 Avenue;

11015/27/39 - 159A Street

Tynan Consulting Ltd./Kent Sillars

Restrictive Covenant Amendment

Amend Restrictive Covenant [Building Scheme] to permit the use of shake profile concrete roof tiles for all 10 lots and to permit vinyl siding for Lots 1 to 7 only.

The General Manager of Planning & Development submitted a report concerning a Restrictive Covenant Amendment.

The applicant is proposing:

- a Restrictive Covenant [Building Scheme] amendment

in order to permit the use of shake profile concrete roof tiles for Lots 1 to 10 and to permit vinyl siding for Lots 1 to 7 only.

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 proposal amendments and authorize staff to amend the Restrictive Covenant [Building Scheme] as described in this report.

RES.R00-2133

Carried

C. ITEMS REFERRED BY COUNCIL

D. DELEGATION

E. CORRESPONDENCE

F. NOTICE OF MOTION

G. BY-LAWS

FINAL ADOPTION

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13205"

5694-0364-00 - Progressive Homes Ltd.
c/o Gomberoff-Policzer-Bell Lyon Architects Inc.

RA (BL 12000) to RM-15 (BL 12000) - 6935 - 122 Street - to permit the development of a 40-unit townhouse project.

Approved by Council: July 22, 1997

Note: A Development Permit (6794-0364-00) on the site is to be considered for Final Approval under Item H.1(a).

Note: The Public Hearing on this application was held on September 16, 1997. As more than two years have passed since the Public Hearing, Council may wish to hold a new Public Hearing. The project was initially impacted by the poor housing market and was inactive for two years. Subsequently further delay occurred when the project was awarded conditional allocation for conversion to a 40-unit townhouse housing co-op.

- * Planning & Development advise that (reference memorandum dated September 12, 2000 in by-law back-up) that Final Adoption of the By-law was scheduled for consideration by Council on July 24, 2000, but was not in order at that time due to non-completion of the required Servicing Agreement. Final Adoption is now in order for consideration because the Servicing Agreement has been completed.

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 1997, No. 13205" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R00-2134 Carried

H. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 6794-0364-00**
Progressive Homes Ltd.
 6935 - 122 Street

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

"That Development Permit No. 6794-0364-00 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 Watts
 That Development Permit
 No. 6794-0364-00 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.R00-2135 Carried

- (b) **Development Permit No. 7900-0117-00**
Surrey Golf Course Ltd.
 7700 - 168 Street

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

"That Development Permit No. 7900-0117-00 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 Watts
That Development Permit

No. 7900-0117-00 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.R00-2136

Carried

- (c) **Development Permit No. 7900-0114-00**
ICBC Properties Ltd.
Surrey City Centre Mall Ltd.
Hudson's Bay Company Real Estate Limited
 102 Avenue and West Whalley Ring Road

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

"That Development Permit No. 7900-0114-00 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 Higginbotham
That Development Permit

No. 7900-0114-00 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.R00-2137

Carried

I. ADJOURNMENT

It was

Moved by Councillor Watts
Seconded by Councillor Tymoschuk
That the Regular Council - Land Use

meeting do now adjourn.

RES.R00-2138

Carried

The Regular Council- Land Use meeting adjourned at 5:40 p.m.

Certified Correct:



Deputy Clerk



Mayor