



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, NOVEMBER 20, 2000
Time: 4:18 p.m.

Present:

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

**Councillors Entering the Meeting
in Progress:**

Councillor Villeneuve

Staff Present:

City Manager
Acting City Clerk
General Manager, Planning & Development
Manager, Area Planning Division
Manager, South Surrey Section
Land Development Engineer

A. ADOPTION OF MINUTES**B. CORPORATE REPORTS****Land Use Applications****COMMERCIAL/INDUSTRIAL/AGRICULTURAL****SOUTH SURREY**

- 1. 7900-0292-00**
16737 - 20 Avenue
Harvey Schmidke, BMS Communications/Rogers Communications Inc.
Development Variance Permit
Development Variance Permit to vary the side yard setback for a principal building from 4.5 m (15 ft.) to 1.83 m (6 ft.) to permit development of a radio telecommunications equipment shelter and generator for E-Comm.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 16737 - 20 Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - side yard setback for a principal building in the One Acre Residential Zone (RA) from 4.5 metres (15 ft.) to 1.83 metres (6 ft.).

in order to permit the development of a radio telecommunication equipment shelter and generator for E-Comm Emergency Communications.

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. 7900-0292-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the required side yard setback for a principal building of the "One Acre Residential Zone (RA)" from 4.5 metres (15 ft.) to 1.83 metres (6 ft.).

RES.R00-2755

Carried

SURREY CITY CENTRE/WHALLEY

2. **7900-0289-00**
13893 Fraser Highway
Joe Minten/Mansukh Enterprises Ltd.
Development Permit/Development Variance Permit
Development Permit to construct a detached recreation building at the rear of the existing motel. Development Variance Permit to reduce the east side yard setback.

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 13893 Fraser Highway.

The applicant is proposing to construct a detached recreation building at the rear of the existing Super-8 Motel in Surrey City Centre.

The applicant is requesting a variance to the Zoning By-law to relax the eastern side yard setback from 7.5 metres (25 ft.) to 2.5 metres (7 ft.).

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

Councillor Villeneuve entered the meeting at 4:21 p.m.

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

1. Council rescind Development Permit No. 7999-0003-00.
2. Council rescind Development Variance Permit No. 7999-0003-00.

3. Council authorize staff to draft Development Permit No. 7900-0289-00 in accordance with the attached drawings (Appendix II).
4. Council approve Development Variance Permit No. 7900-0289-00, varying the following, to proceed to Public Notification:
 - (a) that the eastern side yard setback be reduced from 7.5 metres (25 feet) to 2.5 metres (7 feet).

RES.R00-2756

Carried with Councillor Bose against**RESIDENTIAL/INSTITUTIONAL****NEWTON**

3. **7900-0105-00**
7678 - 144 Street
Greg Sewell, Coastland Engineering & Surveying Ltd./
 Bagh Dhanda, Nachhatar Dhanda, Charanjit Sihota, Jasbir Sihota, Gurdial Sahota
 and Baljit Sahota
 Rezoning
From One-Acre Residential Zone (RA) to Single Family Residential Zone (RF) to allow for subdivision into approximately 11 single family lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13893 Fraser Highway.

The applicant is proposing:

- a rezoning from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF)

in order to allow for subdivision into approximately 11 single family 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 Watts
 That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (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 tree survey and a statement regarding tree preservation.

RES.R00-2757

Carried

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2000, No. 14177" pass its first reading.

RES.R00-2758

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, 2000, No. 14177" pass its second reading.

RES.R00-2759

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, 2000, No. 14177" be held at the City Hall on December 11, 2000 at 7:00 p.m.

RES.R00-2760

Carried

It was

Moved by Councillor Bose

Seconded by Councillor Eddington

That the project be referred to staff for

consultation with the School District to determine the appropriateness of placing restrictive covenants to restrict the issuance of building permits on these properties.

RES.R00-2761

Defeated with Councillors Tymoschuk, Steele, Watts, Hunt, Higginbotham and the Mayor against.

Land Use Applications cont'd**COMMERCIAL/INDUSTRIAL/AGRICULTURAL****FLEETWOOD/GUILDFORD**

4. **7998-0176-00**
15211/15227 Fraser Highway
Petro-Canada (Eric Fefer)/
Chantal Knoll, Werner Knoll, Marlyse Wegener, Edgar Wegener, Elisabeth Pfeifer, Helmut Pfeifer, Cornelia Weimer and George Pfeifer
Rezoning/Development Permit
Rezone from CG-2 and CHI to CD. Development Permit to allow the construction of a new combined self-service and full-service gasoline station and convenience store, and upgrade the existing car wash facility.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Permit application on properties located at 15211/15227 Fraser Highway.

The applicant is proposing:

- a rezoning from CG-2 and CHI to CD; and
- a Development Permit

in order to permit the development of a new combined self-service and full-service gasoline station with convenience store and upgrade the existing car wash facility.

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

Delegation

Eric Fefer of Petro Canada stated that they have had discussions with staff and the City Architect and that they are trying to design a project which reflects CPTED standards; that they have established a general concept for the corner feature but some details still need to be ironed out; that they are trying to ensure they do not have solid rows of trees or hedges to avoid areas where people can hide unnoticed; that lighting is through yard or site lights which are required to comply with design guidelines. Mr. Fefer advised that this will be a 24 hour operation, and that he will have to confirm whether or not there will be two people working at the same time.

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

1. a By-law be introduced to rezone the property from "Combined Service Gas Station Zone (CG-2)" (By-law No. 12000) and "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) 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. 7998-0176-00 in accordance with the attached drawings (Appendix II).
3. 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 lot consolidation and road dedication plan to the satisfaction of the Approving Officer;
 - (c) compliance with the site profile requirements to the satisfaction of the Ministry of Environment, Lands & Parks (Waste Management Branch);
 - (d) registration of a Section 219 Restrictive Covenant to restrict driveway access from Fraser Highway to right-in/right-out only;
 - (e) resolution of the Advisory Design panel recommendations to the satisfaction of the General Manager, Planning & Development Department; and
 - (f) submission of landscaping plans and a landscaping cost estimate to the satisfaction of the City Landscape Architect.

RES.R00-2762

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2000, No. 14178" pass its first reading.

RES.R00-2763

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, 2000, No. 14178" pass its second reading.
 RES.R00-2764 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, 2000, No. 14178" be held at the
 City Hall on Monday, December 11, 2000, at 7:00 p.m.
 RES.R00-2765 Carried

RESIDENTIAL/INSTITUTIONAL

SOUTH SURREY

5. **7900-0280-00**
South of 34 Avenue & East of Rosemary Heights Crescent
Mr. Jake Friesen, Qualico Developments Inc./Qualico Developments Ltd.
 Restrictive Covenant Amendment
*Amend Registered Building Scheme to allow various changes affecting roofing,
 cladding and balconies.*

The General Manager of Planning & Development submitted a report concerning an application for a Restrictive Covenant Amendment on property located south of 34 Avenue and east of Rosemary Heights Crescent.

The applicant is proposing:

- a Restrictive Covenant [Building Scheme] amendment in order to allow:
 - use of low profile concrete tile as a roofing material;
 - limited use of stucco to a maximum of 25% on street fronting and flanking building elevations;
 - use of other approved cladding materials on the rest of the building faces;
 - the integration of a balcony within the front elevation of the proposed dwelling units that will be constructed on the small lots; and
 - other incidental amendments described in this report.

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

Delegation:

Jake Friesen stated that he is with Qualico and that the Rosemary Heights residents have approved the development and that Planning staff can verify this; that they have incorporated porches over the garage to soften the streetscape.

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That:

1. Council approve the proposed Registered Building Scheme amendments as follows:
 - (a) allow low profile concrete tile as a roofing material;
 - (b) if stucco is used as a cladding material, limit the amount of stucco to a maximum of 25% on street fronting and flanking elevations;
 - (c) allow the use of other approved cladding materials on the rest of the building face;
 - (d) allow the integration of a balcony within the front elevation of the proposed dwelling units that will be constructed on the small lots; and
 - (e) other incidental changes described in this report.

RES.R00-2766

Carried

C. ITEMS DEFERRED BY COUNCIL

FLEETWOOD/GUILDFORD

1. **7900-0079-00**
15685 Fraser Highway
Mainland Engineering Corp./590728 B.C. Ltd.
Development Permit
To allow the construction of a highway commercial/industrial building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15685 Fraser Highway.

The applicant is proposing:

- a Development Permit

in order to permit the construction of a 858.8-square metre (9,320 sq. ft.) (excluding any future mezzanine area) highway commercial/industrial building.

The following resolution is now before Council:

It was Moved by Councillor Watts
Seconded by Councillor Villeneuve
That:

1. Council authorize staff to draft Development Permit No. 7900-0079-00 in accordance with the attached drawings (Appendix II).
2. 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 additional road right-of-way required for the future widening of Fraser Highway to the satisfaction of the General Manager, Engineering; and
 - (c) submission of a landscaping cost estimate to the satisfaction of the City's Landscape Architect.

Before the motion was put : -

It was Moved by Councillor Hunt
Seconded by Councillor Eddington
That this matter be tabled for one week to
allow staff to discuss with the owner the feasibility of putting a less permanent
building on the site.

RES.R00-2767

Carried with Councillors Watts,
Higginbotham and the Mayor against.

A motion by Councillor Bose that staff provide a report on the advisability of introducing an appropriate rezoning by-law for this property and the property immediately to the east, received no seconder.

D. DELEGATIONS

1. **Zdenka Gerkrath**
Crescent Park Annex Property Owners
File: 0065-012; 7999-0227-00

Zdenka Gerkrath, Crescent Park Annex Property Owners, was in attendance to request the rezoning of the Crescent Park area, 24 Avenue to 128 Street and 22 Avenue, from RF to RH.

Councillor Higginbotham left the meeting at 4:51 p.m.

Zdenka Gerkrath introduced Wendy Easton and Gary Falkirk who are residents from South Surrey, and part of the delegation.

Wendy Easton stated that two years ago they formed the Crescent Park Annex Property Owners, and had presented a petition to Council. Ms. Easton pointed out that a development two years ago had radically changed the neighbourhood; that there are now 21 large, 3 storey houses in the neighbourhood. Ms. Easton commented that they have lost trees, experienced altered water flow and lost peace and tranquility. She expressed concern that developers are aggressively canvassing the neighbourhood; that so far, owners have only received market or below market value for their homes. Ms. Easton advised that they had conducted a survey of the neighbourhood to see if neighbours would like to rezone back to half-acre; that over 90% of residents support half-acre zoning; and that residents do not want any more piecemeal development. Ms. Easton added that the residents wish to live among nature and to preserve the area for future generations. Ms. Easton asked for Council's consideration of the request.

Councillor Higginbotham returned to the meeting at 4:53 p.m.

Gary Falkirk stated that the majority of houses are currently half acre lots, but developers can assemble two or three properties and subdivide. Mr. Falkirk noted that residents wish to maintain the half-acre zoning on 22, 23 and 24 Avenues. He expressed concern that a developer can go ahead by simply erecting a sign and without notifying the residents.

E. CORRESPONDENCE

There was no correspondence.

F. NOTICE OF MOTION

There were no notices of motion.

G. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1996, No. 12769"

5694-0089-00 - Gurdip S. and Gurmeet K.Moor

RF (BL 12000) to RM-D (BL 12000) - 7659 - 140 Street - to allow the construction of a duplex.

Approved by Council: February 6, 1996

- * Planning & Development advise that (reference memorandum dated November 9, 2000 in by-law back-up) that a Section 219 Covenant to control and document the design and to restrict the number of dwelling units in the proposed building to two (2) only has been registered at the Land Title Office.

In addition, the Public Hearing on this application was held on February 26, 1996. As more than two years have passed since the Public Hearing, Council may wish to hold a new Public Hearing. Planning & Development advise that the project was inactive for 2 ½ years because the applicant was seriously ill with cancer.

It was Moved by Councillor Watts
Seconded by Councillor Villeneuve
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 1996, No. 12769" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R00-2768

Carried with Councillor Bose against.

2. "Surrey Land Use Contract No. 554 Authorization By-law, 1978, No. 5712
Partial Discharge By-law, 2000, No. 14036"

7997-0238-00 - City of Surrey and Sher-a-Punjab Community Centre
Corporation, c/o Ken Woodward, City of Surrey Real
Estate Section

To discharge a portion of Land Use Contract No. 554 over the land at
8630 - 132 Street to allow the underlying RA Zone to come into effect.

Approved by Council: May 15, 2000

This By-law is proceeding in conjunction with By-law 14037.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Land Use Contract No. 554
Authorization By-law, 1978, No. 5712 Partial Discharge By-law, 2000,
No. 14036" be finally adopted, signed by the Mayor and Clerk, and sealed with
the Corporate Seal.

RES.R00-2769

Carried with Councillor Bose against.

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2000,
No. 14037"

7997-0238-00 - City of Surrey and Sher-a-Punjab Community Centre
Corporation, c/o Ken Woodward, City of Surrey Real
Estate Section

PA-1 (BL 12000) to RA (BL 12000) - Portion of 8580 - 132 Street - to facilitate an exchange involving City land.

Approved by Council: May 15, 2000

This By-law is proceeding in conjunction with By-law 14036.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2000, No. 14037" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R00-2770

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2000, No. 13934"

7999-0145-00 - Ajit Singh and Amarjit Kaur Gill; Dalbagh Singh
and Swarnjeet Kaur Gill

RA & IL to IL - 12038 and 12050 - 90 Avenue - to permit the expansion
of an existing industrial building.

Approved by Council: January 24, 2000

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2000, No. 13934" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R00-2771

Carried

H. CLERK'S REPORT

1. Application/By-laws/Permits to be Filed

- (a) **Development Permit 7997-0095-00**
Ellenton Estates Ltd.
13672 Hilton Road

Memo from the Manager, North Surrey Section, Planning & Development Department advising that the file has been inactive for three years, and the applicant has not responded to a letter sent August 21, 2000 outlining outstanding items.

Planning & Development are recommending to Council that Development Permit 7997-0095-00 be filed.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Development Permit 7997-0095-00 be
 filed. Carried
 RES.R00-2772

2. Formal Approval of Development Permits

(a) **Development Permit 7999-0145-00**
Ajit and Amarjit Gill
Dalbagh and Swarnjeet Gill
 12038 and 12050 - 90 Avenue

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

"That Development Permit No. 7999-0145-00 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. 7999-0145-00 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.
Carried
 RES.R00-2773

I. ADJOURNMENT

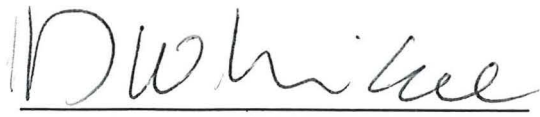
It was Moved by Councillor Watts
 Seconded by Councillor Hunt
 That the Regular Council - Land Use
 meeting do now adjourn.
Carried
 RES.R00-2774

The Regular Council - Land Use meeting adjourned at 5:22 p.m.

Certified correct:



 Acting City Clerk



 Mayor