



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 8, 2001
Time: 4:30 p.m.

Present:

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

Absent:

Councillor Watts

Staff Present:

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

A. ADOPTION OF MINUTES

B. CORPORATE REPORTS

Land Use Applications

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

- 1. 7900-0309-00**
19100 - 94 Avenue
Lermeyer Architects Inc. (Norbert Lermeyer)/
Finning International Inc.
Development Permit
To allow a 3,648 sq. m (39,275 sq. ft.) addition to the existing Finning facility for a parts distribution warehouse.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 19100 - 94 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit an approximately 3,648 square metres (39,275 sq. ft.) addition to the existing Finning facility in Port Kells for a parts distribution warehouse.

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. Council authorize staff to draft Development Permit No. 7900-0309-00 in accordance with the attached drawings (Appendix II).
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; and
 - (b) submission of a landscaping cost estimate to the satisfaction of the City Landscape Architect.

RES.R01-1

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE

Councillor Bose left the meeting at 4:38 p.m. due to a perceived conflict of interest relating to items 2 and 3.

2. **7996-0306-00**
16685 and 16745 - 63 Avenue
Coastland Engineering & Surveying Ltd./Morris Liao/Yueh-Chu Huang /
Fredrich & Erika Gunther
 Rezoning
From A-1 to RF to allow development of approximately 23 single family lots and 1 large remainder lot.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 16685 and 16745 - 63 Avenue.

The applicant is proposing:

- a rezoning from A-1 to RF

in order to permit the development of approximately 23 single family lots and 1 large remainder property.

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 "General Agricultural Zone (A-1)" (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;
 - (c) submission of an acceptable tree survey and statement regarding tree preservation; and
 - (d) registration of a Section 219 Restrictive Covenant for "no build" on proposed Lot 24 until future consolidation with the adjacent property east of the site for further development.

RES.R01-2 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14206" pass its first reading.

RES.R01-3 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, 2001, No. 14206" pass its second reading.

RES.R01-4 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, 2001, No. 14206" be held at the
 City Hall on January 22, 2001, at 7:00 p.m.
 RES.R01-5 Carried

3. **7900-0159-01**
16585, 16605, 16667 - 64 Avenue
Pacific Rim Architecture Ltd. (Ian Tingley)/456693 B.C. Ltd. (Inc.
No 456693)Mandarin Pacific Properties Inc.
 Development Variance Permit
To relax encroachment by roof overhangs, side yard setback and width of driving
aisle to accommodate a phased townhouse development.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 16585, 16605, 16667 - 64 Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - vary the definition of "setback" to permit wider than 0.6-metre (2 ft.) eaves to encroach into the setbacks;
 - relax the west side yard setback from a minimum of 7.5 metres (25 ft.) to the setback ranging from a minimum of 1.37 metres (4' 6") to 2.00 metres (6' 7"); and
 - vary the required width of the two-way drive aisle from 6.7 metres (22 ft.) to 6.1 metres (20 ft.) for 2.75-metre (9-ft.) wide parking spaces oriented at 90 degrees to the drive aisle

in order to permit the development of 74 townhouse units, as the first phase of a 194-unit townhouse development, in West Cloverdale North.

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. 7900-0159-01, varying the following, to proceed to Public Notification:
 - (a) to vary the definition of setback in Part 1 Definitions of the Zoning By-law to permit 0.76-metre (2' 6 ") wide encroachments by roof eaves into the required side yard setback and rear yard setback;

- (b) to relax the west side yard setback of the RM-15 Zone from a minimum of 7.5 metres (25 ft.) to a setback ranging from 1.37 metres (4' 6") to 2.00 metres (6' 7"); and
 - (c) to relax the required two-way drive aisle width in Part 5 Parking and Loading/Unloading of the Zoning By-law, from 6.7 metres (22 ft.) to 6.1 metres (20 ft.) where there are 2.75-metre (9 ft.) wide small car parking spaces oriented at 90 degrees to the drive aisle.
2. Council rescind approval of Development Variance Permit No. 7900-0159-00.
3. Council authorize staff to draft Development Permit No. 7900-0159-00 in accordance with the plans attached for phase 1 consisting of 74-unit townhouse units and that subsequent phases require new Development Permits.
4. Council instruct staff to resolve the following additional issues prior to final approval of the associated rezoning by-law no. 14127:
 - (a) registration of a Section 219 "No build" Restrictive Covenant on 16423 and 16585 – 64 Avenue and on proposed Lot 2 until all lots are consolidated and a Development Permit is approved by Council; and
 - (b) approval of Development Variance Permit No. 7900-0159-01.

RES.R01-6

Carried

Councillor Bose returned to the meeting at 4:40 p.m.

4. **7900-0190-00**
18762 Fraser Highway
Dwight Heintz, McElhanney Engineering/552425 B.C. Ltd.
NCP Amendment/Rezoning
Amend NCP from Townhouse/Cluster to Single Family Residential and rezone from RS to CD in order to allow subdivision into approximately 36 small single family lots.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan and a rezoning application on property located at 18762 Fraser Highway.

The applicant is proposing:

- an NCP amendment from Townhouse/Cluster to Single Family Residential; and
- a rezoning from RS to CD

in order to permit subdivision into approximately 36 small 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 Tymoschuk
That:

1. a By-law be introduced to rezone the property from "Suburban Residential Zone (RS)" (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix II).
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) payment of latecomer charges based on 55 units;
 - (c) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) provision of acceptable landscape plans and corresponding security deposits for the required landscaping of proposed buffer areas on proposed lots along Fraser Highway and 188 Street; and
 - (f) satisfactory resolution of providing adequate amenity contribution resulting from the proposed reduction in number of units anticipated on the subject site.
3. Council pass a resolution to amend the North Cloverdale East Neighbourhood Concept Plan to redesignate the land from Townhouse/Cluster to Single Family Residential when the project is considered for final adoption.

RES.R01-7

Carried with Councillor Eddington against.

RES.R01-8 It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14207" pass its first reading.
Carried with Councillor Eddington against.

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

RES.R01-9 It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14207" pass its second reading.
Carried with Councillor Eddington against.

RES.R01-10 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, 2001, No. 14207" be held at the
City Hall on January 22, 2001, at 7:00 p.m.
Carried with Councillor Eddington against.

- 5. 7900-0193-00**
18735 - 63A Avenue
Mr. Cecil Dion/Cecil and Anne Dion
Rezoning
From RF to RF-SS to permit one secondary suite in an owner-occupied, single family dwelling.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 18735 - 63A Avenue.

The applicant is proposing:

- a rezoning from RF to RF-SS

in order to permit one secondary suite in an owner-occupied 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 Steele
That:

1. a By-law be introduced to rezone the property from RF (By-law No. 12000) to RF-SS (By-law No. 12000) and a date be set for Public Hearing.

2. Council instruct staff to resolve the following issue 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.
3. The applicant resolve the issues identified by the Building Division for upgrading of the secondary suite, within six months following final adoption of the Rezoning By-law (Appendix II).

RES.R01-11

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14208" pass its first reading.

RES.R01-12

Carried with Councillor Bose against.

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14208" pass its second reading.
Carried with Councillor Bose against.

RES.R01-13

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14208" be held at the
 City Hall on January 22, 2001, at 7:00 p.m.

RES.R01-14

Carried

FLEETWOOD/GUILDFORD

6. 7996-0199-01

16436 - 104 Avenue

**A. Resanovic Architect/St. Sava Serbian Eastern Orthodox Church - School
 Congregation and Community of B.C.**

Development Variance Permit

*To relax the height and setbacks of the principal and accessory buildings; and to
 allow parking within the front yard setback to accommodate the development of a
 church.*

The General Manager of Planning & Development submitted a report concerning
 an application for a Development Variance Permit on property located at
 16436 - 104 Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations of the PA-2 Zone:
 - the minimum front yard setback of the accessory building (rectory) be reduced from 9.53 metres (31 ft.) to 7.63 metres (25 ft.);
 - the minimum east side yard setback of the principal building (church) be reduced from 9.53 metres (31 ft.) to 6.56 metres (21.6 ft.);
 - the minimum east side yard setback of the accessory building (rectory) be reduced from 9.53 metres (31 ft.) to 2.54 metres (8 ft.);
 - the minimum west side yard setback of the principal building be reduced from 9.53 metres (31 ft.) to 8.39 metres (27.6 ft.);
 - the maximum principal building height is relaxed from 9 metres (30 ft.) to 9.53 metres (31 ft.);
 - the maximum accessory building height is relaxed from 4.0 metres (13 ft.) to 5.95 metres (19.52 ft.); and
 - the location of the off-street parking be permitted within 6.41 metres (21 ft.) of the front lot line

in order to permit the development of a church and rectory.

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 Tymoschuk
That:

1. Council approve Development Variance Permit No. 7996-0199-01, varying the following, to proceed to Public Notification (Appendix IV):
 - (a) the minimum front yard setback of the accessory building (rectory) be reduced from 9.53 metres (31 ft.) to 7.63 metres (25 ft.);
 - (b) the minimum east side yard setback of the principal building (church) be reduced from 9.53 metres (31 ft.) to 6.56 metres (21.6 ft.);

- (c) the minimum east side yard setback of the accessory building (rectory) be reduced from 9.53 metres (31 ft.) to 2.54 metres (8 ft.);
- (d) the minimum west side yard setback of the principal building be reduced from 9.53 metres (31 ft.) to 8.39 metres (27.6 ft.);
- (e) the maximum principal building height is relaxed from 9 metres (30 ft.) to 9.53 metres (31 ft.);
- (f) the maximum accessory building height is relaxed from 4.0 metres (13 ft.) to 5.95 metres (19.52 ft.); and
- (g) that off-street parking be permitted within 6.41 metres (21 ft.) of the front lot line.

RES.R01-15

Carried**7. 7900-0203-00****9146 and 9168 - 159 Street****Mr. Greg Sewell, Coastland Engineering/First Christian Reformed Church of North Surrey/Mattu Family Holdings Ltd.****Rezoning***From RA and RF to CD in order to allow subdivision into approximately 13 small single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 9146 and 9168 - 159 Street.

The applicant is proposing:

- a rezoning from RA and RF to CD

in order to allow subdivision into approximately 13 small 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 Steele
That:

1. a By-law be introduced to rezone the site from "Single Family Residential Zone (RF)" and "One Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix II).
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.R01-16 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14209" pass its first reading.

RES.R01-17 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14209" pass its second reading.

RES.R01-18 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14209" be held at the
 City Hall on January 22, 2001, at 7:00 p.m.

RES.R01-19 Carried

NEWTON

- 8. 7900-0119-00**
5825 - 156 Street
Gregory Kenneth Wilson/Gregory Kenneth Wilson & Meredith Yap Wilson
 Development Permit
To ensure adequate buffering along the Agricultural Land Reserve boundary.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 5825 - 156 Street.

The applicant is proposing to subdivide the existing "Half-Acre Residential Gross Density Zone (RH-G)" lot into 2 RH-G lots. Given that the site is adjacent to land in the ALR a Development Permit is required for the purpose of protecting farming operations.

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 Villeneuve
 Seconded by Councillor Steele
 That Council approve the attached
 Development Permit No. 7900-0119-00 (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.R01-20

Carried

9. 7900-0227-00
8037 King George Highway
Bob Cheema/I. Chohan and J. Gill
 Rezoning/Development Permit

Amend CD By-law No. 14125 to increase the FAR of a proposed motel from 0.761 to 0.896 to accommodate an indoor swimming pool and an increase in the size of the motel units.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Permit application on property located at 8037 King George Highway.

The applicant is proposing:

- an amendment to CD By-law No. 14125;
- a Development Permit

in order to increase the floor area ratio (FAR) of a proposed motel from 0.761 to 0.896 to accommodate an indoor swimming pool and an increase in the size of motel units averaging 3.3 square metres (35.75 sq.ft.) per unit.

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. Council rescind Third Reading of By-law No. 14125.
2. Council amend Sub-sections D.1 and F.1(d) of By-law No. 14125 to allow an increase in the floor area ratio (FAR) from 0.761 to 0.896 and to reduce the south side yard building setback from 2.7 metres (9 ft.) to 0-metre for a maximum of 12.8 metres (42 ft.) in horizontal length for an indoor swimming pool, respectively.

3. A date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7900-0227-00 in accordance with the attached drawings (Appendix III).
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.
6. Council pass a resolution to amend the Newton Local Area Plan to redesignate the easterly 92 metres (302 ft.) of the property from Urban Residential to Tourist Commercial when the project is considered for final adoption.

RES.R01-21

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Council rescind third reading of

By-law No. 14125.

RES.R01-22

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Council amend By-law 14125 as

described in the report.

RES.R01-23

Carried

It was then

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on By-law 14125 be

held at the City Hall on January 22, 2001, at 7:00 p.m.

RES.R01-24

Carried

- 10. 7900-0253-00**
14487 - 76 Avenue
Roger Jawanda, Citiwest Consulting Ltd./Terence J. Bieker
 Rezoning/Development Variance Permit
To rezone from RA to RF to allow subdivision into approximately 5 single family lots. Development Variance Permit to relax rear yard and north side yard setbacks for proposed Lot 5.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Variance Permit application on property located at 14487 - 76 Avenue.

The applicant is proposing:

- a rezoning from RA to RF;
- a Development Variance Permit to relax the following by-law regulations:
 - rear yard setback for proposed Lot 5 from 7.5 m (25 ft.) to 3.7 m (12 ft.)
 - north side yard setback for proposed Lot 5 from 1.2 m (4 ft.) to 1.1 m (3.6 ft.)

in order to permit the development of approximately five 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 Villeneuve
Seconded by Councillor Steele
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 approve Development Variance Permit No. 7900-0253-00, varying the following for proposed Lot 5, to proceed to Public Notification:
 - (a) to reduce the required rear yard setback of the Single Family Residential (RF) Zone from 7.5 metres (25 ft.) to 3.7 metres (12 ft.).
 - (b) to reduce the required north side yard setback of the Single Family Residential (RF) Zone from 1.2 metres (4 ft.) to 1.1 metres (3.6 ft.).
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 subdivision layout to the satisfaction of the Approving Officer; and

- (c) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R01-25 Carried

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law 2001, No. 14210" pass its first reading.

RES.R01-26 Carried

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law 2001, No. 14210" pass its second reading.

RES.R01-27 Carried

It was then Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law 2001, No. 14210" be held at the
City Hall on January 22, 2001, at 7:00 p.m.

RES.R01-28 Carried

SURREY CITY CENTRE/WHALLEY

11. 7900-0268-00
9123 - 126 Street
Jasmal S. Sran/Daljit Singh Gill
Land Use Contract Discharge

Discharge a portion of Land Use Contract No. 525 to permit subdivision into two single family lots based on the underlying RF Zone.

The General Manager of Planning & Development submitted a report to discharge Land Use Contract on property located at 9123 - 126 Street.

The applicant is proposing:

- a partial Land Use Contract discharge

in order to permit the subdivision into two single family 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 Higginbotham
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to discharge a portion of Land Use Contract 525 and a date for Public Hearing be set.
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 a subdivision layout to the satisfaction of the Approving Officer.

RES.R01-29

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Land Use Contract No. 525,
Authorization By-law, 1978, No. 5679 Partial Discharge By-law, 2001,
No. 14211" pass its first reading.

RES.R01-30

Carried

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Land Use Contract No. 525,
Authorization By-law, 1978, No. 5679 Partial Discharge By-law, 2001,
No. 14211" pass its second reading.

RES.R01-31

Carried

It was then Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Land
Use Contract No. 525, Authorization By-law, 1978, No. 5679 Partial Discharge
By-law, 2001, No. 14211" be held at the City Hall on January 22, 2001, at 7:00
p.m.

RES.R01-32

Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL**CLOVERDALE****12. 7900-0288-00****17765 and 17779 - 64 Avenue****WG Architecture/Mainland Developments Ltd.**

Development Permit/Development Variance Permit

Development Permit and Development Variance Permit to reduce the west and east side yard setbacks and to increase the lot coverage to allow the development of 3 industrial buildings.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations of the IB Zone:
 - relax the minimum side yard setback (east) from 7.5 metres (25 ft.) to 0.0 metre;
 - relax the minimum side yard setback (west) from 7.5 metres (25 ft.) to 1.89 metres (6.2 ft.); and
 - relax the maximum lot coverage from 45% to 49%

in order to permit the development of three light impact industrial buildings.

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

Delegation

The Architect for the project introduced the developer, and advised that issues raised by the Advisory Design Panel had been discussed with the Planning Department at several meetings. The Architect reviewed the site plan and rendering; commented on the right-of-way, and attempts to address Cloverdale streetscape features. He advised that landscaping will include several features similar to treatment of the McDonalds building at 64th and 176th.

In response to questions, the Architect stated that the landscaping complies with the guidelines and would provide a break every 6 to 7 parking spaces.

The Developer advised that numerous meetings had been held to discuss a hallway inside the building, but for reasons of fire safety they had created exits

outside which are easier to monitor and look after; that in order to create a hallway within the building, they would require zero lot lines. The Developer continued that walls will be protected by a fence and gates to prevent graffiti; that there is uncertainty as to whether the road will go through, but that they have met all Engineering requirements.

It was

Moved by Councillor Hunt

Seconded by Councillor Higginbotham

That:

1. Council authorize staff to draft Development Permit No. 7900-0288-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7900-0288-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the required west side yard setback of the IB Zone from 7.5 metres (25 ft.) to 1.89 metres (6.2 ft.);
 - (b) to reduce the required east side yard setback of the IB Zone from 3.6 metres (12 ft.) to 0.0 metre (0 ft.); and
 - (c) to increase the maximum lot coverage of the IB Zone from 45% to 49%.
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) submission of a consolidation plan with road dedications to the satisfaction of the Approving Officer;
 - (c) registration of a Section 219 Restrictive Covenant restricting access to the site from 64 Avenue to prohibit left-out turning movements;
 - (d) registration of a statutory right-of-way for public access with or without vehicles through the site, parallel to 64 Avenue, as an alternative to a dedicated lane;
 - (e) registration of a Section 219 Restrictive Covenant to ensure that the 90-degree angled parking stalls located adjacent to the right-of-way through the site will be converted to 60-degree angled parking upon completion of the road network connection from 176A Street to 178 Street between 64 and 65A Avenues;

- (f) resolution of design issues including amendments to the proposed pylon sign design to conform with the design objectives of the Cloverdale area; revisions to the colour scheme to better relate to the surrounding area; additional pergola elements to integrate with the established design character of the area; and revision of landscape plans, to the satisfaction of the General Manager, Planning & Development Department; and
- (g) issuance of Development Variance Permit No. 7900-0288-00.

RES.R01-33

Defeated with Councillors Bose, Eddington, Steele, Tymoschuk, and Villeneuve Against

It was

Moved by Councillor Villeneuve
 Seconded by Councillor Steele
 That the application be referred back to staff
 to work with the applicant on the issues raised in the report.

RES.R01-34

Carried with Councillor Eddington against.

FLEETWOOD/GUILDFORD

13. 7900-0270-00

18590 - 96 Avenue

U-Haul/CST Nominee

Land Use Contract Discharge/Development Variance Permit

Discharge Land Use Contract No. 317 and Development Variance Permit to vary setbacks and parking, to allow a mini-warehouse and truck rental business in the underlying IL Zone.

The General Manager of Planning & Development submitted a report concerning an application to discharge Land Use Contract No. 317 and a Development Variance application on property located at 18590 - 96 Avenue.

The applicant is proposing:

- a Land Use Contract discharge; and
- a Development Variance Permit to:
 - relax the minimum front yard setback from 7.5 metres (25 ft.) to 1.5 metres (4.9 ft.);
 - relax the minimum rear yard setback from 7.5 metres (25 ft.) to 1.5 metres (4.9 ft.);
 - relax the minimum east and west side yard setbacks from 7.5 metres (25 ft.) to 1.5 metres (4.9 ft.); and
 - reduce the number of required on-site parking spaces from 90 to 6 for the mini-warehouse business

in order to allow the Light Impact Industrial Zone to regulate the property and allow a mini-warehouse and truck rental business.

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

Delegation

In response to questions, the Applicant advised that there would be 3 to 5 trucks with one truck on the lot at all times.

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

1. a By-law be introduced to discharge Land Use Contract 317 and a date for Public Hearing be set.
2. Council approve Development Variance Permit No. 7900-0270-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the IL Zone from 7.5 metres (25 ft.) to 7.4 metres (24.2 ft.);
 - (b) to reduce the minimum rear side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (4.9 ft.);
 - (c) to vary the minimum required east and west side yard setbacks of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (4.9 ft.); and
 - (d) to reduce the number of required on-site parking spaces from 90 to 6 for the mini-warehouse business.
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; and
 - (b) approval from the Ministry of Transportation and Highways.

RES.R01-35

Carried

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Land Use Contract No. 317
 Authorization By-law, 1977, No. 5234, Discharge By-law No. 2001, No. 14212"
 pass its first reading.

RES.R01-36 Carried

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

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Land Use Contract No. 317
 Authorization By-law, 1977, No. 5234, Discharge By-law No. 2001, No. 14212"
 pass its second reading.

RES.R01-37 Carried

It was then Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Land
 Use Contract No. 317 Authorization By-law, 1977, No. 5234, Discharge By-law
 No. 2001, No. 14212" be held at the City Hall on January 22, 2001, at 7:00 p.m.

RES.R01-38 Carried

SURREY CITY CENTRE/WHALLEY

- 14. 7900-0243-00**
9430 to 9444 - 120 Street and 9470 to 9490 - 120 Street
Mattu Properties Compagnie Ltd. (Terry Mattu)
Tseng Developments Inc. and Tseng Investments Ltd.
 Development Permit/Development Variance Permit
DP to allow construction of two new commercial buildings. DVP to relax height of principal building, side yard setbacks of two existing buildings effected by the proposed subdivision, and to allow one additional free-standing sign on proposed Lot 2.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations:
 - the minimum north side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 4.87 metres (16 ft.) for an existing building on proposed Lot 1;

- the minimum south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 3.65 metres (12 ft.) for an existing building on proposed Lot 3;
- the maximum building height of the C-8 Zone from 12.0 metres (40 ft.) to 13.5 metres (45 ft.) for the proposed northerly building on proposed Lot 2; and
- vary the Sign By-law to allow for one additional free-standing sign on proposed Lot 2

in order to permit the development of two new commercial buildings including movie theatre, banquet hall and retail uses, in an existing shopping plaza (Norscott Centre). The applicant is also proposing a subdivision from two existing lots into three proposed lots under C-8 zoning.

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

Delegation

N. Viridi, Architect for the project, reviewed the site plan and proposed development; advised that there will be commercial use on the first floor with a banquet hall on the second floor; that there would be a theatre in the other building; and stated that setbacks would mitigate the impact. Mr. Viridi reviewed the surrounding zoning and future designated zoning, reviewed the landscaping strip which is designed in 7 layers to mitigate impact on the neighbours. He advised that the setbacks were in compliance with the bylaw, and went on to review pedestrian circulation. Mr. Viridi pointed out that there would be 425 parking spaces for the entire site.

It was

Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That:

1. Council authorize staff to draft Development Permit No. 7900-0243-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7900-0243-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum north side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 4.87 metres (16 ft.) for an existing building on proposed Lot 1;
 - (b) to reduce the minimum south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 3.65 metres (12 ft.) for an existing building on proposed Lot 3;

- (c) to relax the maximum building height of the C-8 Zone from 12.0 metres (40 ft.) to 13.5 metres (45 ft.) for the proposed northerly building (Building F) on proposed Lot 2; and
 - (d) vary the Sign By-law to allow for one additional free-standing sign on proposed Lot 2.
3. 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 a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) implementation of the recommendations of the Traffic Impact Study to the satisfaction of the General Manager, Engineering;
 - (e) registration of an easement and Section 219 Restrictive Covenant for reciprocal access and shared parking across each of the properties in favour of the other properties under application;
 - (f) resolution of the Advisory Design Panel recommendations to the satisfaction of the General Manager, Planning & Development Department;
 - (g) submission of revised landscaping plans and a landscaping cost estimate to the satisfaction of the City Landscape Architect; and
 - (h) issuance of Development Variance Permit No. 7900-0243-00.

Before the motion was put:-

It was Moved by Councillor Eddington
 Seconded by Councillor Higginbotham
 That the motion be amended by adding that
 the developer be required to hold a public information meeting prior to approval
 of the Development Variance Permit.

RES.R01-38A Carried

The main motion, as amended, was then put and:-

RES.R01-39 Carried

C. ITEMS TABLED BY COUNCIL**D. DELEGATIONS****(a) Newton Community Protection Group**

File: 0065-012; 7004-13100

Newton Community Protection Group was in attendance to discuss the preservation of their neighbourhood community at 130 Street eastbound to 132 Street and 69A Avenue northbound to 70B Avenue.

Ian McLean stated that there is a concern with the building of mega houses in the Newton community; that he will lose his privacy if a large house is built behind his. Mr. McLean pointed out that mega houses are intrusive and ruin the aesthetics of the neighbourhood; and that construction of a mega house will ruin a unique community.

Teresa Couture and Monica Moore advised that they want to protect their neighborhood from construction of further mega houses. They advised that they had presented a petition asking that no permits be issued until they had an opportunity to speak to Council, noting that permits have been issued for demolition of a 5-bedroom, well maintained rancher. The delegation advised that they are not against change, but against the overwhelming intrusive size of the houses being built. The delegation further added that these houses do not belong in areas of existing communities; that there are different rights for citizens in Surrey depending on where they live; that Land Use Contracts are outdated and should be amended. The delegation asked Council to direct staff to investigate Land Use Contracts and to submit to the UBCM a proposed amendment to legislation to allow municipalities to be able to address Land Use Contracts.

The Mayor advised that Council will continue to lobby on behalf of the residents, and that a staff report will be prepared in the near future which will be available to the residents.

Councillor Eddington recommended that the residents also contact their local MLA.

(b) Development Variance Permit No. 7900-0292-00

Rogers Communications Inc.

Harvey Schmidke, BMS Communications

16737 - 20 Avenue

At the December 4, 2000 Regular Council meeting, Council passed a resolution that Development Variance Permit No. 7900-0292-00 be tabled and that the applicant be asked to appear before a Council Land Use meeting to discuss the

question of an alternate location for the building, and to address noise from the generator.

Harvey Schmidke, BMS Communications was in attendance to discuss the questions of an alternate location for the building and address noise from the generator.

Harvey Schmidke reviewed a plan of the proposed development and advised that due to existing facilities and space constraints on the site, the only location available for the building is the one outlined in the application. He commented that their first consideration had been to use the existing building, but this was ruled out because it was too small, and expansion was needed by the landlord.

Mr. Schmidke continued that they recognize that noise of the generators could cause concern to neighbours; that the audio levels of generators are only slightly higher than residential ambient noise; and that the generators will only run during a power outage. He also advised that existing trees and the addition of a 10 foot cedar hedge will reduce noise.

Mr. Schmidke advised that they chose the Shaw property because Surrey encourages companies to co-locate, and that this location will reduce the need for an additional tower in the area. Mr. Schmidke concluded that design of the site has been executed in a responsible manner with a view to reducing the impact on the surrounding neighborhood, and that approval of the setback variance is vital to emergency services.

E. CORRESPONDENCE

F. NOTICE OF MOTION

G. BY-LAWS

H. CLERK'S REPORT

- 1. Development Permit Application 7997-0032-00
545662 BC Ltd.
15715 Fraser Highway**

Memorandum received from the Manager, Area Planning & Development Division, Planning & Development, advising Council that the owner has decided

not to proceed with the development as approved, and has submitted a letter requesting that the Development Permit be rescinded.

Council is requested to pass a resolution to rescind R99-82 of the January 4, 1999 Regular Minutes.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Resolution R99-82 of the
January 4, 1999 Regular Minutes be rescinded.
Carried

RES.R01-40

2. Formal Approval of Development Permits

- (a) **Development Permit No. 7999-0092-00**
Bhugra Holdings Ltd.
15820 and 15946 - 104 Avenue

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

"That Development Permit No. 7999-0092-00 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 Steele
That Development Permit
No. 7999-0092-00 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.R01-41

Carried

- (b) **Development Permit No. 7900-0239-00**
Gold Key Pontiac Buick (1984) Ltd.
T.J. Mager Architect
19545 Highway No. 10

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

"That Development Permit No. 7900-0239-00 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 Development Variance Permit 7900-0239-00, Item I.1.(d) of the Regular Council agenda.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Development Permit
No. 7900-0239-00 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.R01-42 Carried

I. ADJOURNMENT

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Regular Council - Land Use
meeting do now adjourn.

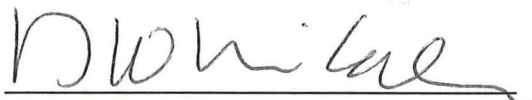
RES.R01-43 Carried

The Regular Council - Land Use meeting adjourned at 6:13 p.m.

Certified correct:



Acting City Clerk



Mayor