



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MARCH 12, 2001
Time: 3:30 p.m.

Present:

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

Absent:

Staff Present:

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

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE

1. 7900-0361-00

5639 - 176 Street

David Mah/Willetts Contracting Ltd.

Development Permit/Development Variance Permit

Development Permit to allow renovation of existing buildings and Development Variance Permit to allow relaxation of various setbacks, parking and landscaping requirements.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 5639 - 176 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations:
 - the minimum front yard setback be reduced from 2.0 metres (6.5 ft.) to 0.0 metre (0.0 ft.) for Building A and encroachment into 176 Street right-of-way by approximately 1.0 metre (3 ft.);
 - the minimum rear yard setback be reduced from 7.5 metres (25 ft.) to 4.78 metres (15.7 ft.) for Building B;

- the minimum side yard setback on a flanking street be reduced from 2.0 metres (6.5 ft.) to 0.0 metre (0.0 ft.) for Building A and from 2.0 metres (6.5 ft.) to 0.46 metre (1.5 ft.) for Building B and encroachment into 56A Avenue right-of-way by approximately 1.0 metre (3 ft.);
- the side yard setback be increased from 0.0 metre (0.0 ft.) to 0.46 metre (1.5 ft.) for Building B;
- the minimum required parking be reduced from 9 spaces to one space; and
- the required landscaping be deleted

in order to permit the renovation of two existing commercial buildings in the Cloverdale Town 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 authorize staff to draft Development Permit No. 7900-0361-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7900-0361-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the C-15 Zone from 2.0 metres (6.5 ft.) to 0.0 metre (0.0 ft.) for Building A and allow encroachment into the road right-of-way by 1.0 metre (3 ft.);
 - (b) to reduce the minimum rear yard setback of the C-15 Zone from 7.5 metres (25 ft.) to 4.78 metres (15.17 ft.) for Building B;
 - (c) to reduce the minimum side yard setback on a flanking street of the C-15 Zone from 2.0 metres (6.5 ft.) to 0.0 metre (0.0 ft.) for Building A and from 2.0 metres (6.5 ft.) to 0.46 metre (1.5 ft.) for Building B and allow encroachment into the road right-of-way by 1.0 metre (3 ft.);
 - (d) to increase the side yard setback abutting a commercial lot of the C-15 Zone from 0.0 metre (0.0 ft.) to 0.46 metre (1.5 ft.) for Building B;
 - (e) to reduce the minimum number of required on-site parking spaces from 9 to 1; and
 - (f) to delete landscaping requirements of the C-15 Zone.
3. Council instruct staff to resolve the following issues prior to approval:

- (a) registration of a right-of-way agreement for public passage; and
- (b) issuance of business license to one existing business unit.

RES.R01-472

Carried

2. **7900-0359-00**
17685 - 65A Avenue
Panstar Development Corp. (Kush Panatch)/Chumkaur and Karnail Berar,
Jagrup and Jagraj Berar
Rezoning/Development Permit/Development Variance Permit
Rezone from RA to IB, DP to allow construction of a multi-tenant industrial building and DVP to relax rear and north side yard setbacks.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, a Development Permit application and a Development Variance Permit application on property located at 17685 - 65A Avenue.

The applicant is proposing:

- a rezoning from RA to IB;
- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations:
 - the minimum rear yard setback of the IB Zone from 7.5 metres (25 ft.) to 0.3 metre (1 ft.); and
 - the minimum north side yard setback of the IB Zone from 3.6 metres (12 ft.) to 1.2 metres (4 ft.)

in order to permit the development of a multi-tenant industrial building of approximately 3,703 square metres (39,860 sq.ft.).

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 property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Business Park Zone (IB)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7900-0359-00 in accordance with the attached drawings (Appendix II).

3. Council approve Development Variance Permit No. 7900-0359-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the IB Zone from 7.5 metres (25 ft.) to 0.3 metre (1 ft.); and
 - (b) to reduce the minimum north side yard setback of the IB Zone from 3.6 metres (12 ft.) to 1.2 metres (4 ft.).

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 road dedication plan to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation and Highways;
 - (d) resolution of the design comments including signage, garbage enclosure and corner feature details to the satisfaction of the General Manager, Planning & Development Department;
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (f) removal of the existing house on the site; and
 - (g) issuance of Development Variance Permit No. 7900-0359-00.

RES.R01-473

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14348" pass its first reading.

RES.R01-474

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. 14348" pass its second reading.

RES.R01-475

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. 14348" be held at the City Hall on March 26, 2001, at 7:00 p.m.

RES.R01-476

Carried

NEWTON

3. 7995-0050-00

12561 - 80 Avenue

Budget Building and Landscaping Supplies Ltd.

Development Permit to permit recreational vehicle parking and storage, horticultural uses, warehousing and associated office and retail use.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 12561 - 80 Avenue.

The applicant is proposing:

- a Development Permit;

in order to permit the development of recreational vehicle parking and storage and horticultural uses; and construction of two industrial buildings to accommodate warehousing, and limited office and retail 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. Council authorize staff to draft Development Permit No. 7995-0050-00 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 required to be completed under Rezoning Application No. 7995-0050-00 and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) completion of all requirements identified as part of Rezoning Application No. 7995-0050-00 (Rezoning By-law No. 12777), including: finalization of Ministry of Environment conditions of

approval and registration of a Restrictive Covenant for creek protection; registration of a public right-of-passage and construction of a public walkway; registration of a "no build" Restrictive Covenant to specifically prohibit truck parking and wrecked vehicle storage; and provision and maintenance of site landscaping.

RES.R01-477

Carried with Councillor Bose against.

Councillor Watts entered the meeting at 3:40 p.m.

4. 7900-0363-00

14375 - 72 Avenue

Mainland Engineering Corp. /Nachattar Singh Kooner/

Bhupinder Kaur Kooner

Development Permit/Development Variance Permit

A Development Permit and a Development Variance Permit to vary front yard and east side yard setbacks to allow construction of a two-storey commercial/residential building.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 14375 - 72 Avenue.

A delegation was in attendance and advised that to relieve the blank wall, they would put a design on the wall and use different concrete blocks.

The applicant is proposing:

- a Development Permit;
- a Development Variance Permit to relax the following by-law regulations:
- to reduce the east side yard setback of the C-4 Zone from 6.0 metres (20 ft.) to 0.0 metres (0.0 ft.); and
- to reduce the front yard setback of the C-4 Zone from 7.5 metres (25 ft.) to 4.2 metres (14 ft.);

in order to permit the development of a two-storey commercial/residential 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 Steele
That:

1. Council authorize staff to draft Development Permit No. 7900-0363-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7900-0363-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the required side yard setback of the C-4 Zone from 6.0 metres (20 ft.) to 0.0 metres (0.0 ft.).
 - (b) to reduce the required front yard setback of the C-4 Zone from 7.5 metres (25 ft.) to 4.2 metres (14 ft.).
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.

RES.R01-478

Carried

5. **7901-0020-00**
7227 - 128 Street
Gerry Blonski/Darshan S. Dhesa and Modhan S. Dhesa
Rezoning/Development Permit
Rezone from RF to CD; and Development Permit to allow the development of a "Lube" Centre, and fast food take-out establishment and caretaker unit as an accessory uses.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Permit application on property located at 7227 - 128 Street.

The applicant is proposing:

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

in order to permit the development of a "Lube" Centre limited to vehicles less than 5,000 kilograms (11,023 lbs.) G.V.W., plus a residential caretaker unit and a fast food take-out establishment.

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

A delegation was in attendance and displayed a plan of the project.

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

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (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. 7901-0020-00 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) registration of reciprocal access and cross lot access easement with the property to the south; and
 - (c) successful closure of the lane abutting the west property line.
4. Council pass a resolution to amend the Newton Local Area Plan to redesignate the land from Urban Residential to Commercial when the project is considered for final adoption.

RES.R01-479 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14349" pass its first reading.

RES.R01-480 Carried

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

RES.R01-481 It was Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14349" pass its second reading.
Carried

RES.R01-482 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, 2001, No. 14349" be held at the
City Hall on March 26, 2001, at 7:00 p.m.
Carried

SOUTH SURREY

6. **7900-0269-00**
2289 King George Highway
Hardy Bains/British Columbia Telephone Company
Rezoning/Development Permit
Rezoning from CHI to RF and CD to allow development of 2 single family residential lots and a 3-storey hotel.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Permit application on property located at 2289 King George Highway.

The applicant is proposing:

- a rezoning from CHI to RF and CD;
- a Development Permit;

in order to permit the development of 2 single family lots on the westerly portion of the site fronting Madrona Place and a 3-storey, 38-unit hotel on the easterly portion of the site fronting King George Highway.

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

Mr. Bains was in attendance and displayed a rendering of the project. Mr. Bains advised that it is not his intention to hold a public information meeting on this project.

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

1. a By-law be introduced to rezone the property from "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and "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. 7900-0269-00 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 subdivision layout to the satisfaction of the Approving Officer;
 - (c) ensure that the applicant acquires a 4.5 metre (14.8 ft.) wide surplus right-of-way along King George Highway from the City; and
 - (d) ensure that a reciprocal access agreement in favour of the neighbouring properties is completed to allow shared driveway access in the future.

RES.R01-483

Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14226" pass its first reading.

RES.R01-484

Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14226" pass its second reading.

RES.R01-485

Carried

It was then

Moved by Councillor Higginbotham

Seconded by Councillor Tymoschuk

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14226" be held at the City Hall on March 26, 2001, at 7:00 p.m.

RES.R01-486

Carried

7. 7900-0345-00

15070 - 32 Avenue

Rimark Consulting Services (Rick Johnson)/John Myring and Ian Mankey

Rezoning/Development Permit

Rezone from RF to CD to permit development of a self-storage facility and future commercial development.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Permit on property located at 15070 - 32 Avenue.

The applicant is proposing:

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

in order to permit the development of a self-storage facility on the rear (southerly) portion of the property, and allow future commercial development on the remainder of the site.

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

Mr. Johnson was in attendance on behalf of the applicants, and advised that this project will be well screened from the South Pointe development. He displayed an aerial photograph of the site for the information of Council.

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 "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. 7900-0345-00 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) final approval from the Ministry of Transportation and Highways; and
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City landscape Architect.
4. Council pass a resolution to amend the King George Highway Corridor Study to redesignate the land from Industrial/Business Park to Highway Commercial when the project is considered for final adoption.

RES.R01-487

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14350" pass its first reading.

RES.R01-488

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14350" pass its second reading.

RES.R01-489

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14350" be held at the
 City Hall on March 26, 2001, at 7:00 p.m.

RES.R01-490

Carried

SURREY CITY CENTRE/WHALLEY

8. **7901-0041-00**
13710 - 94A Avenue
Chris Mansfield/309393 B.C. Ltd./Progressive Construction Ltd.
 Development Permit
To reclad an existing 3-storey office building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 13710 - 94A Avenue.

The applicant is proposing:

- a Development Permit;

in order to permit the recladding of an existing three-storey office 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 Watts
 That:

1. Council approve the attached Development Permit No. 7901-0041-00 (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.R01-491

Carried

9. 7900-0293-00
10662 King George Highway and
10667 East Whalley Ring Road
Kirk Fisher/A.M.P.M. Holdings Ltd. & Saylor Enterprises Inc.

Development Permit/Development Variance Permit

Development Permit to permit the renovation of the existing Beer & Wine store and the addition of a new restaurant. DVP to relax rear and side yard setbacks and perimeter landscaping.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit and a Development Variance Permit application on property located at 10662 King George Highway and 10667 East Whalley Ring Road.

The applicant is proposing:

- a Development Permit;
- a Development Variance Permit to relax the following by-law regulations:
- to reduce the minimum northern side yard setback from 7.5 m (25 ft.) to 3.0 m (10 ft.)

- to reduce the minimum rear yard setback from 7.5 m (25 ft.) to 3.6 m (12 ft.) for the buildings and 0.6 m (2 ft.) for stairs, ramps and loading docks;
- to delete the 1.5 m (5 ft.) wide landscaping strip along the front and rear lot lines; and
- to replace grassed boulevards with hard surfaced boulevards

in order to permit the renovation of the existing Beer & Wine store and the addition of a new restaurant.

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

A delegation was in attendance to discuss the application for a Development Permit/Development Variance Permit to permit renovation of a beer and wine store and to add a new restaurant.

The delegation advised that liquor license approvals would be the second step in the process. The application will be to move the license for the beer parlor to a reduced seating capacity restaurant. The delegation pointed out that the existing facility is licensed for 300 seats plus 75 patio seats. The delegation commented that they want to get away from the beer hall atmosphere, and are proposing a 126 seat restaurant plus 75 patio seats, similar in nature to Milestones. The delegation added that the pub will be closed. He indicated that they currently hold five licenses: lounge, dining room, pub, restaurant and beer and wine store.

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

1. Council authorize staff to draft Development Permit No. 7900-0293-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7900-0293-00 varying the following to proceed to Public Notification:
 - (a) to reduce the minimum northern side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.);
 - (b) to reduce the minimum rear yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.) for the building and to 0.6 metre (2 ft.) for any unenclosed stairways, ramps or loading docks;
 - (c) to delete the required 1.5-metre (5 ft.) wide landscaping strip of the C-8 Zone along the front and rear lot lines; and

- (d) to replace the required grassed boulevard of the C-8 Zone with hard surfacing in accordance with the Surrey City Centre sidewalk standards.
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 landscape cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (c) issuance of Development Variance Permit No. 7900-0293-00.
- (d) issue of liquor license be resolved.

RES.R01-492

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

10. **7999-0111-00**
8966 - 144 Street
Coastland Engineering & Surveying Ltd./Master Tools Canada Ltd. & Harjit & Jaswinder Gill
Rezoning
From RA to RF to permit subdivision into approximately four single family lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 8966 - 144 Street.

The applicant is proposing:

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

in order to permit the development of approximately four 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.

Mr. Sewell of Coastland Engineering was in attendance on behalf of the applicant. Mr. Sewell advised that his client purchased the site with a fire damaged home which he demolished. Mr. Sewell commented that his client cut the lower branches of the walnut tree as he was concerned for the safety of the children

playing on the tree, and there was no malicious attempt to remove the tree. Mr. Sewell noted that his client intends to save the tree and protect it with a restrictive covenant.

Councillor Villeneuve left the meeting at 4:59 p.m.

It was Moved by Councillor Watts
Seconded by Councillor Higginbotham
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;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation including replacement trees;
 - (d) completion of the proposed road exchange/closure (144A Street) consolidation;
 - (e) registration of a Restrictive Covenant on proposed Lots 1 and 2 that stipulates the following:
 - the new houses on the two lots to be located within the confines of the proposed building envelopes;
 - no basements to be permitted on the two lots; and
 - no pavement of any kind with hard surface materials including, but not limited to, asphalt, concrete or brick to be installed within the drip-line of the existing Walnut tree;
 - (f) registration of a Restrictive Covenant on proposed Lot 1 that stipulates the following:
 - the Walnut tree is to be maintained in accordance with good arboricultural practice;

- the owners to acknowledge that a tree-cutting permit is to be first obtained from the City in the event that the existing Walnut tree has to be removed;
- the driveway for the new house to be in the same location as that of the existing driveway and to be no wider than 5 metres (16 ft. 6 in.) or the width of the existing driveway whichever is less unless otherwise approved in writing by the General Manager, Planning & Development; and
- no underground service or utility connections to be installed in the front yard except under the driveway unless otherwise approved in writing by a certified arborist and a professional engineer, to the satisfaction of the City, that the installation of any such connection outside the driveway will not harm the survival of the Walnut tree.

RES.R01-493

Carried with Councillors Eddington and Bose against.

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14351" pass its first reading.

RES.R01-494

Carried with Councillors Eddington and Bose against.

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2001, No. 14351" pass its second reading.

RES.R01-495

Carried with Councillors Eddington and Bose against.

It was then

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14351" be held at the
City Hall on March 26, 2001, at 7:00 p.m.

RES.R01-496

Carried

SOUTH SURREY

11. **7900-0338-00**
13755 - 24 Avenue
Ken Sully/617396 B.C. Ltd.

Rezoning

From RA to CD to allow a subdivision into approximately 5 RH-G type lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13755 - 24 Avenue.

The applicant is proposing:

- a rezoning from RA to CD;

in order to permit the development of 5 Half-Acre Gross Density type 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 Tymoschuk

Seconded by Councillor Watts

That:

1. a By-law be introduced to redesignate the property from "One-Acre Residential Zone (RA)"(By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) (Appendix VI) 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;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) ensure the applicant addresses the requirement of cash-in-lieu of a 15% parkland dedication; and
 - (d) ensure the applicant addresses all requirements imposed by the Ministry of Environment regarding two creeks on the site.

RES.R01-497

Carried

RES.R01-498 It was Moved by Councillor Watts
 No. 12000, Amendment By-law, 2001, No. 14352" pass its first reading.
 Secoded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
Carried

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

RES.R01-499 It was Moved by Councillor Watts
 No. 12000, Amendment By-law, 2001, No. 14352" pass its second reading.
 Secoded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
Carried

RES.R01-500 It was then Moved by Councillor Watts
 Secoded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14352" be held at the
 City Hall on March 26, 2001, at 7:00 p.m.
Carried

NEWTON

12. **7901-0028-00**
8206 and 8234 - 140 Street
Bob Cheema/H.H. Lai, H.E. Lai and M.C. Lai
 Rezoning/Develoapment Variance Permit
Rezone from A-1 and RH to RC (Type 1) to permit subdivision into approximately
16 single family lots plus open space. DVP to vary minimum lot width
requirements from 18.0 m to 13.7 m for 7 lots and lot area from 700 sq.m. to
649 sq.m. for 6 lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Variance Permit application on properties located at 8206 and 8234 - 140 Street.

The applicant is proposing:

- a rezoning from A-1 and RH to RC (Type 1);
- a Development Variance Permit to relax the following by-law regulations;
- to reduce the required minimum lot width of the RC Zone from 18.0 metres (59 ft.) to 13.7 metres (45 ft.) for 7 lots; and
- to reduce the required minimum lot area of the RC Zone from 700 square metres (7,535 ft.) to 649 square metres (6,986 ft.) for 6 lots;

in order to permit the subdivision into approximately 16 single family lots plus open space.

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 "General Agriculture Zone (A-1)" (By-law No. 12000) and "Half-Acre Residential Zone (RH)" (By-law No. 12000) to "Cluster Residential Zone (RC)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7901-0028-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the required minimum lot width of the RC Zone from 18.0 metres (59 ft.) to 13.7 metres (45 ft.) for 6 lots (Lots 1 to 7).
 - (b) to reduce the required lot area requirement of the RC Zone from 700 square metres (7,535 ft.) to 649 square metres (6,986 ft.) for 6 lots (Lots 1 to 6).
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;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) registration of a Section 219 Restrictive Covenant to establish a 10.0 metre (32.8 ft.) rear yard setback for proposed lots 8 through 16;
 - (e) registration of a Section 219 Restrictive Covenant to establish a 2.5 metre (8.2 ft.) landscape strip on the south side of lots 8 through 16 plus securities to ensure the installation of landscaping; and
 - (f) Council pass a resolution to amend Newton Local Area Plan to redesignate the land from Suburban Residential Half Acre to Suburban Cluster Residential when the project is considered for final adoption.

RES.R01-501

Carried

H. BY-LAWS

FINAL ADOPTION

- 1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2000, No. 14079"

7900-0144-00 - McGivern Enterprises Ltd., c/o Mr. Harvey Hatch, HR Hatch Architect

RF (BL 12000) to CHI (BL 12000) - Portion of 2466 King George Highway - to allow expansion of the existing car dealership and renovation of the existing building.

Approved by Council: July 10, 2000

Note: A Development Permit (7900-0144-00) on the site is to be considered for Final Approval under Item I.1(b).

- * At the July 25, 2000 Regular Council-Public Hearing meeting Council passed the following resolution:

"That the applicant meet with the neighbouring strata council and staff to address the concerns with lighting and noise".

Planning and Development advise that (reference memorandum dated March 2, 2001 in By-law back-up) that staff met with the applicant and representatives of the adjacent townhouse development on September 11, 2000. The representatives of the townhouse development support the incorporation of a berm and landscaping between the subject site and the townhouse development to mitigate the impact of the proposed development on the adjacent residential development, and encourage the City to make it a requirement for similar developments in the area.

It was
 Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2000, No. 14079" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R01-505

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7900-0204-00**
372363 BC Ltd. (Inc. No. 372363)
 7380 King George Highway

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

"That Development Permit No. 7900-0204-00 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."

Councillor Villeneuve returned to the meeting at 5:02 p.m.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Development Permit
 No. 7900-0204-00 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.R01-506

Carried

- (b) **Development Permit No. 7900-0144-00**
McGivern Enterprises
 Portion of 2466 King George Highway

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

"That Development Permit No. 7900-0144-00 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. 7900-0144-00 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.R01-507

Carried

- (c) **Development Permit No. 7900-0317-00**
545662 BC Ltd.
 15715 Fraser Highway

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

"That Development Permit No. 7900-0317-00 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 Letter from R.A. (Rick) Johnson, President, Rimark Consulting Services regarding this Development Permit.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Permit

No. 7900-0317-00 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.R01-508

Carried

J. ADJOURNMENT

It was

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


meeting do now adjourn.

RES.R01-509


Carried

The Regular Council - Land Use adjourned at 5:02 p.m.

Certified correct:



Acting City Clerk



Mayor