



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
MONDAY, NOVEMBER 25, 2002  
Time: 3:30 p.m.

#### Present:

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

#### Absent:

Councillor Higginbotham  
Councillor Villeneuve

#### Staff Present:

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

#### Councillors Entering Meeting as Indicated:

## A. ADOPTION OF MINUTES

## B. LAND USE APPLICATIONS

### COMMERCIAL/INDUSTRIAL/AGRICULTURAL

#### CLOVERDALE

#### 1. 7902-0075-00

17236 – 56 Avenue

**Ralph A. May, Campbell Froh May and Rice\Thomas Keith Maddocks**

OCP Amendment/Rezoning/ALR

*Amend the ALR boundary to exclude a portion and include another portion; amend a portion of the OCP from AGR to IND and another portion from IND to AGR; and rezone a portion from A-1 to IL and another portion from IL to A-1, to allow repositioning of the industrial area.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and an Agricultural Land Reserve Amendment on property located at 17236 - 56 Avenue.

The applicant is proposing:

- ALR exclusion for the south-easterly portion and subdivision in the ALR under Sections 30(1) and 21(2) of the *Agricultural Land Commission Act*;
- ALR inclusion for the north-westerly portion and subdivision in the ALR under Sections 17(3) and 21(2) of the *Agricultural Land Commission Act*;
- an OCP amendment from Agricultural to Industrial for the south-easterly portion and from Industrial to Agricultural for the north-westerly portion of the property; and

- a rezoning from A-1 to IL for the south-easterly portion and from IL to A-1 for the north-westerly portion of the property

to permit the repositioning of the industrial area so it is adjacent to the existing industrial development on 172 Street. The applicant is also proposing to subdivide the property and the adjoining properties at 5574 - 168 Street and 5490 - 168 Street from three (3) lots into four (4) proposed lots, comprising three A-1 lots and one IL lot.

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

#### Delegation

Tom Maddocks was present and commented that should the property be turned away from the railway, it would benefit the industrial zoning and help the community. He added that he did not see why agricultural land should service industrial property and then indicated that there was no court case proceeding.

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That Council defer consideration of the  
 application until the policy framework, which includes criteria and guidelines that will form the basis for evaluating land development applications involving a request to exclude land from the Agricultural Land Reserve (ALR), has been adopted by Council and the Land Reserve Commission (LRC).

RES.R02-2654

Carried

### NEWTON

2. **7902-0186-00**  
**8586 - 120 Street**  
**David Cheung, c/o Gustavson Wylie Architects Inc., Robbie Sangha, c/o McDonald's Restaurants of Canada/McDonald's Restaurants of Canada Limited (Inc. No. 27829A)**  
 Development Permit  
*To permit interior and exterior renovations to an existing McDonald's Restaurant.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 8586 - 120 Street.

The applicant is proposing:

- a Development Permit;

in order to permit the development of interior and exterior renovations to an existing McDonald's restaurant.

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

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That Council approve the attached  
 Development Permit No. 7902-0186-00 (Appendix VII), 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.R02-2655

Carried

- 3. 7902-0344-00**  
**12091 - 88 Avenue**  
**Ted Baker/ Pacific Newspaper Group Inc., Inc. No. 53543A**  
 Development Variance Permit  
*To vary Surrey Sign By-law, 1999, No. 13656 to allow for an additional 2 directional signs and larger sign area.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 12091 - 88 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulation of the Surrey Sign By-law, 1999, No. 13656:
  - to vary the number of Directional Signs permitted on site from 1 to 3;
  - to vary the area measurements of 3 Directional signs:
    - for 2 Directional Signs, from 0.4 square metres (4.3 sq.ft.) to 2.0 square metres (21.6 sq.ft.); and
    - for 1 Directional Sign, from 0.4 square metres (4.3 sq.ft.) to 2.68 square metres (28.9 sq.ft.)

in order to permit the development of 3 Directional Signs to be located at the 88 Avenue entrance.

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. 7902-0344-00, varying the following, to proceed to Public Notification:



- (a) to vary the number of Directional Signs permitted on site by the Sign By-law, from 1 to 3; and
- (b) to vary the area measurements of a Directional Sign of the Sign By-law for 3 directional signs:
  - for 2 Directional Signs, from 0.5 square metres (4.3 sq.ft.) to 2.0 square metres (21.6 sq.ft.); and
  - for 1 Directional Sign from 0.4 square metres (4.3 sq.ft.) to 2.68 square metres (28.9 sq.ft.).

RES.R02-2656

Carried**SOUTH SURREY****4. 7902-0196-00****14936 - 32 Avenue****Oleg Verbenkov, Pacific Land Resource Group Inc./****Duvon Holdings, Inc. No. 78761**

Rezoning/Development Permit/Development Variance Permit

*Rezoned from RF to CD. Development Permit to allow the construction of a 1130.5 m<sup>2</sup> (12,170 sq. ft.) commercial building. Development Variance Permit to reduce the minimum setback required for a free-standing sign.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, a Development Permit and a Development Variance Permit on property located at 14936 - 32 Avenue.

The applicant is proposing:

- a rezoning from RF to CD; and
- a Development Permit;
- Development Variance Permit to vary the following by-law regulations:
- Surrey Sign By-law, 1999, By-law No. 13656 Part 5 "Signs in Commercial/Industrial Zones", Section 27 "Permit Required", Subsection 1 in order to reduce the minimum setback required for a free-standing sign from 2 metre (6.5 ft.) to 0.6 metre (2 ft.).

in order to permit the development of a two-storey 1130.5 m<sup>2</sup> (12,170 sq.ft.) commercial building.

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



Delegation

Oleg Verbenkoff, Pacific Land Resource Group, Inc. representative for the applicant, was in attendance and commented that the complex would have access, both in the front of the building and to the rear of the building.

Lance Barnett, Barnett Architects, was in attendance and commented that the building was designed to have access from the front and from the parking area. He added that both access points have been designed with glazing so that someone arriving from the parking area would have direct access into each retail space, as well as pedestrians. He continued that there is a necessity for the new tenants to locate their counters in a location somewhat at mid-point between accesses in order to keep an eye on both directions and that this was the intent by locating parking in the back. He added that there would be a degree of separation from the residential houses in the area and to provide the building with more street presence. He then stated that the building would act as a gateway point for the community. He continued that the intent was to be a professional building and not include convenience store usage. He then commented that the tenants would be in a better position to determine the circulation through the space.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
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. 7902-0196-00 generally in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No 7902-0196-00, varying the following to proceed to Public Notification:
  - (a) to reduce the required setback of a free-standing sign from 2 metres (6.5 ft.) to 0.6 metre (2 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, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) approval from the Ministry of Transportation;

- (c) submission of an acceptable tree survey and a statement regarding tree preservation;
- (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (e) completion of the proposed road exchange/closure at 32 Avenue and 32 Avenue Diversion to facilitate the realignment of 32 Avenue; and
- (f) registration of a reciprocal access agreement with 3140 King George Highway.

RES.R02-2657

Carried

It was

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

No. 12000, Amendment By-law 2002, No. 14861" pass its first reading.

RES.R02-2658

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 2002, No. 14861" pass its second reading.

RES.R02-2659

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 2002, No. 14861" be held at the City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2660

Carried

### SURREY CITY CENTRE/WHALLEY

#### 5. 7902-0236-00

**13733 - 116 Avenue**

**Raymond Ng, c/o Super Park Ltd./Super Park Ltd.**

**Temporary Use Permit**

*To allow for a truck parking facility for a period not to exceed two years.*

The General Manager of Planning & Development submitted a report concerning an application for a Temporary Use Permit on property located at 13733 - 116 Avenue.

The applicant is proposing:

- a Temporary Industrial Use Permit

in order to allow the temporary parking and storing of heavy trucks for a period not to exceed two years.

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

It was

Moved by Councillor Hunt  
Seconded by Councillor Steele  
That:

1. Council approve Temporary Industrial Use Permit No. 7902-0236-00 to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of adequate landscaping security;
  - (c) registration of a Section 219 Restrictive Covenant to prohibit truck washing, truck fuel storage or refilling, storage of waste petroleum fluids and vehicle maintenance on site; and
  - (d) submission of adequate security to ensure the vehicles are removed and the site is returned to its vacant state.

RES.R02-2661

Carried with Councillor Bose against.

**6. 7900-0006-01**  
**10766 Scott Road**  
**Burnaby Professional Driving School**  
Temporary Use Permit

*Renewal of Temporary Industrial Use Permit to allow a truck-driver training facility and parking of overweight vehicles for a period not to exceed two years from the original date of expiry.*

The General Manager of Planning & Development submitted a report concerning a Temporary Use Permit on property located at 10766 Scott Road.



The applicant is requesting:

- a renewal of Temporary Industrial Use Permit

in order to allow a truck-driver training facility and parking of overweight vehicles for a period not exceeding two years from the original date of expiry.

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 Council approve Temporary Industrial

Use Permit No. 7900-0006-01 to proceed to Public Notification.

RES.R02-2662

Carried

**RESIDENTIAL/INSTITUTIONAL**

**FLEETWOOD/GUILDFORD**

**7. 7902-0292-00**

**10613 - 168 Street**

**Richard Brooks, H.Y. Engineering Ltd., Warren Rossanagel/**

**Tage Kaur Shokker**

Rezoning

*From RA to RF to permit subdivision into approximately 28 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 10613 - 168 Street.

The applicant is proposing:

- a rezoning from RA to RF.

in order to permit the subdivision into approximately 28 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 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) approval from the Ministry of Transportation; and
  - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R02-2663

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14862" pass its first reading.

RES.R02-2664

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, 2002, No. 14862" pass its second reading.

RES.R02-2665

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, 2002, No. 14862" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2666

Carried

8. **7902-0215-00**  
**16474, 16480 & 16492 - 104 Avenue**  
**H.Y. Engineering/Cornelius and Victoria Klassen, Cherry Mary Gradecak**  
 Rezoning  
*From RA to RF to permit subdivision into approximately 22 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 16474, 16480 and 16492 - 104 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to permit subdivision into approximately 22 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 properties 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) approval from the Ministry of Transportation;
  - (d) submission of an acceptable tree survey and a statement regarding tree preservation; and
  - (e) registration of a Section 219 "no build" Restrictive Covenant for the landscaped buffer area along Highway No. 1.

RES.R02-2667

Carried with Councillor Bose against.

It was

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

No. 12000, Amendment By-law, 2002, No. 14863" pass its first reading.

RES.R02-2668

Carried with Councillor Bose against.



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

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14863" pass its second reading.  
 RES.R02-2669 Carried with Councillor Bose against.

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, 2002, No. 14863" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.  
 RES.R02-2670 Carried

### NEWTON

9. **7902-0241-00**  
**14920 and 14898 - 68 Avenue**  
**Rajinder Toor and Sandeep Bains/William Henry Gate and Mary Ann Gate**  
**Anthony Roger Slack and Lynn Mary Slack**  
 Rezoning  
*From RA to RF to permit the subdivision into 14 single family residential lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 14920 and 14898 - 68 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to permit the subdivision into 14 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 Hunt  
 Seconded by Councillor Tymoschuk  
 That:
1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "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.R02-2671

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14864" pass its first reading.

RES.R02-2672

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, 2002, No. 14864" pass its second reading.

RES.R02-2673

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, 2002, No. 14864" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2674

Carried**10. 7902-0114-00****14831 - 72 Avenue**

**Coastland Engineering & Surveying Ltd./Bagh Singh Dhanda,  
 Nachhatar Kaur Dhanda, Manjit Singh Dhanda, Kuldip Kaur Dhanda**  
 Rezoning

*From RA to RF to permit the subdivision into 14 single family residential lots*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 14831 - 72 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to permit the development of 14 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 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 Single Family Residential Zone (RF) (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolved the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications 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.R02-2675

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14865" pass its first reading.

RES.R02-2676

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, 2002, No. 14865" pass its second reading.

RES.R02-2677

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, 2002, No. 14865" be held at the  
City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2678

Carried



11. **7902-0096-00**  
**12693 and 12719 - 64 Avenue**  
**Stephan Luking, Lakewood 64 Developments Ltd./Satgur Investments Ltd.**  
**David and Mary Sawatzky**  
NCP Amendment/Rezoning/Development Permit/Development Variance Permit  
*NCP Amendment from Townhouses (15 upa) to Townhouses (30 upa). Rezone from RA to RM-30. Development Permit to permit the development of 131 townhouse units. Development Variance Permit to relax the minimum side and rear yard setbacks.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, an NCP Amendment, a Development Permit and a Development Variance Permit on properties located at 12693 and 12719 - 64 Avenue.

The applicant is proposing:

- an NCP amendment from Townhouses - 15 upa to Townhouses - 30 upa;
- a rezoning from RA to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - To reduce the minimum rear (north) yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.75 metres (19 ft.) to allow decks to encroach into the setback area.
  - To reduce the minimum east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.8 metres (20 ft.) to allow decks to encroach into the setback area.
  - To reduce the minimum west side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.75 metres (19 ft.) to allow decks to encroach into the setback area.

in order to permit the development of 131 townhouse units.

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

It was

Moved by Councillor Tymoschuk  
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 "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council authorize staff to draft Development Permit No. 7902-0096-00 generally in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7902-0096-00, varying the following, to proceed to Public Notification:
  - (a) to reduce the required (north) rear yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.75 metres (19 ft.).
  - (b) to reduce the required east side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.8 metres (20 ft.).
  - (c) to reduce the minimum west side yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 5.75 metres (19 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 subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (e) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space;
  - (f) applicant to adequately address the impact of the by-law deficit in indoor amenity space.
5. Council pass a resolution to amend the West Newton North Neighbourhood Concept Plan to redesignate the land from Townhouses - 15 upa to Townhouses - 30 upa before final adoption of the rezoning by-law.

RES.R02-2679

Carried

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14866" pass its first reading.  
 RES.R02-2680 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, 2002, No. 14866" pass its second reading.  
 RES.R02-2681 Carried

It was then Moved by Councillor Tymoschuk  
 Seconded by Councillor Hunt  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14866" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.  
 RES.R02-2682 Carried

### SURREY CITY CENTRE/WHALLEY

- 12. 7902-0265-00**  
**Units 1 to 73 - 8555 King George Highway**  
**Mr. Ronald Stanbra/Various**  
 Development Permit  
*To allow enclosures of carports in an existing townhouse development.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on properties located at Units 1 to 73, 8555 King George Highway.

The applicant is proposing:

- a Development Permit

to allow the enclosure of carports in an existing townhouse development.

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 approve the attached Development Permit No. 7902-0265-00 (Appendix II), 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.

2. Council instruct the owners to submit the necessary building permit applications for enclosures that have occurred and for any future enclosures proposed.

RES.R02-2683

Carried

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL**

**FLEETWOOD/GUILDFORD**

**13. 7902-0263-00**

**15250 - 104 Avenue**

**Peter Chu, Architect/Flag Chevrolet Geo-Oldsmobile Ltd.**

Land Use Contract Amendment

*Land Use Contract Amendment to allow for an addition to the existing building and to amend various provisions to be in compliance with current conditions.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Land Use Contract on property located at 15250 - 104 Avenue.

The applicant is proposing:

- a Land Use Contract Amendment

in order to permit the construction of an addition to the existing building and to amend various provisions to be in compliance with current conditions.

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 amend Land Use Contract No. 105, and a date for Public Hearing be set.

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.

RES.R02-2684 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Land Use Contract No. 105,  
Authorization By-law, 1974, No. 4393 Amendment By-law, 2002, No. 14867"  
pass its first reading.

RES.R02-2685 Carried

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

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Land Use Contract No. 105,  
Authorization By-law, 1974, No. 4393 Amendment By-law, 2002, No. 14867"  
pass its second reading.

RES.R02-2686 Carried

It was then Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That the Public Hearing on "Surrey Land  
Use Contract No. 105, Authorization By-law, 1974, No. 4393 Amendment  
By-law, 2002, No. 14867" be held at the City Hall on December 9, 2002, at 7:00  
p.m.

RES.R02-2687 Carried

## RESIDENTIAL/INSTITUTIONAL

### CLOVERDALE

- 14. 7902-0092-00**  
**16597, 16615 & 16653 - 60 Avenue**  
**Mr. Dave Walls and Mr. Dan Dawson/No. 346 Sail View Ventures Ltd. and**  
**Progressive Construction**  
Rezoning/Development Permit  
*Rezoned from RA to CD and Development Permit to allow construction of*  
*approximately 77 townhouse units with a limited commercial component.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 16597, 16615 and 16653 - 60 Avenue.

The applicant is proposing:

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

to allow the development of 77 townhouse units with a limited commercial component at the corner of 166 Street and 60 Avenue.

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 site from "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.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7902-0092-00 in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision plan to the satisfaction of the Approving Officer;
  - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (d) applicants adequately address the impact of no indoor amenity space being provided; and
  - (e) registration of a cross access easement agreement between the subject site and the newly-approved townhouse site to the east.

RES.R02-2688

Carried



It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14868" pass its first reading.  
RES.R02-2689 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, 2002, No. 14868" pass its second reading.  
RES.R02-2690 Carried

It was then Moved by Councillor Hunt  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14868" be held at the  
City Hall on December 9, 2002, at 7:00 p.m.  
RES.R02-2691 Carried

### FLEETWOOD/GUILDFORD

15. **7902-0176-00**  
**8184 - 156 Street**  
**CitiWest Consulting Ltd. and Valerie Schiavone/Domenico and Maria Schiavone**  
Rezoning  
*From RA to RF to allow subdivision into two (2) single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 8184 - 156 Street.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into two (2) 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.R02-2692 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14869" pass its first reading.

RES.R02-2693 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, 2002, No. 14869" pass its second reading.

RES.R02-2694 Carried

It was then Moved by Councillor Hunt  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14869" be held at the  
City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2695 Carried

**16. 7902-0163-00****10137 - 161 Street****Clarence Arychuk, Hunter Laird Engineering Ltd./Valerie Ann Nyiri**

Rezoning/Development Variance Permit

*Rezoned from A-1 to RH-G to permit subdivision of approximately 7 single family residential half-acre gross density lots. DVP to relax side yards, lot widths and lot areas.*

Councillor Bose stated that he was inadvertently in attendance for Item 14 – Application No. 7902-0092-00, 16597, 16615 and 16653 – 60 Avenue.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit on property located at 10137 - 161 Street.

The applicant is proposing:

- a rezoning from A-1 to RH-G; and
- a Development Variance Permit to vary the following RH-G Zone regulations:
  - to reduce the minimum west and east side yard setbacks for proposed Lots 5, 6 and 7 from 3.0 metres (10 ft.) to 2.0 metres (6.6 ft.); and
  - to vary the lot dimensions as follows:
    - all of the lots must be a minimum of 1,000 square metres (10,764 sq.ft.), with minimum 18-metre (60-ft.) lot widths and 30 metre (100 ft.) lot depths; and
    - a minimum of 3 of the lots shall be a minimum of 1,120 square metres (12,000 sq.ft.) with minimum 24-metre (80-ft.) lot widths and 30 metre (100-ft.) lot depths

in order to permit the development of approximately 7 single family residential gross-density 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 "General Agriculture Zone (A-1)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7902-0163-00, varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum west and east side yard setback for proposed Lots 5, 6 and 7 from 3.0 metres (10 ft.) to 2.0 metres (6.6 ft.); and



- (b) to vary the lot dimensions of the RH-G Zone to permit the following:
  - all of the lots must be a minimum of 1,000 square metres (10,764 sq.ft.), with minimum 18-metre (60-ft.) lot widths and 30-metre (100-ft.) lot depths; and
  - a minimum of 3 of the lots shall be a minimum of 1,120 square metres (12,000 sq.ft.) with minimum 24-metre (80-ft.) lot widths and 30-metre (100-ft.) lot depths.

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; and
- (d) approval of Development Variance Permit No. 7902-0163-00.

RES.R02-2696

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14870" pass its first reading.

RES.R02-2697

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, 2002, No. 14870" pass its second reading.

RES.R02-2698

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, 2002, No. 14870" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2699

Carried

**NEWTON**

17. **7902-0144-00**  
**5827, 5861 - 146 Street**  
**Coastland Engineering & Surveying Ltd. (Greg Sewell) and**  
**Byhan Developments Ltd. (Hans Rawlins)/Terrance Stuart Shaw and**  
**Frank Moravec & Agnes Moravec**

Rezoning

*From RA to RF to permit subdivision into 25 single family lots and open space.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 5827, 5861 - 146 Street.

The applicant is proposing:

- a rezoning from RA to RF.

in order to permit the development of 25 single family lots and 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 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;
  - (c) approval from the Ministry of Transportation;

- (d) adherence to streamside protection guidelines; and
- (e) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R02-2700 Carried with Councillor Bose against.

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14871" pass its first reading.

RES.R02-2701 Carried with Councillor Bose against.

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

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14871" pass its second reading.

RES.R02-2702 Carried with Councillor Bose against.

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, 2002, No. 14871" be held at the  
City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2703 Carried

- 18. 5594-0281-00**  
**6887 - 132 Street**  
**School District No. 36/Conseil Scholaire Francophone de la Columbia-Britannique**  
Land Use Contract Discharge  
*Partial Discharge of LUC 119 and 121 to permit construction of a public school (École Gabrielle-Roy) under Land Use regulations specified in the underlying RF Zone.*

The General Manager of Planning & Development submitted a report concerning an application to discharge Land Use Contract Nos. 119 and 121 on property located at 6887 - 132 Street.

The applicant is proposing:

- a LUC discharge for LUC Nos. 119 and 121

in order to permit the construction of a French Immersion public school (École Gabrielle-Roy) under the regulations specified in the underlying RF Zone.



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 discharge Land Use Contracts 119 and 121 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 an acceptable tree survey and a statement regarding tree preservation.
3. Council pass a resolution to amend Newton Local Area Plan NCP/Local Area Plan to redesignate a portion of the land from Urban Residential to School when the project is considered for final adoption.

RES.R02-2704 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Land Use Contract No. 119, Authorization By-law, 1976, No. 4859 Partial Discharge By-law, 2002, No. 14872" pass its first reading.

RES.R02-2705 Carried

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

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Land Use Contract No. 119, Authorization By-law, 1976, No. 4859 Partial Discharge By-law, 2002, No. 14872" pass its second reading.

RES.R02-2706 Carried

It was then Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That the Public Hearing on "Surrey Land  
 Use Contract No. 119, Authorization By-law, 1976, No. 4859 Partial Discharge  
 By-law, 2002, No. 14872" be held at the City Hall on December 9, 2002, at 7:00  
 p.m.  
 RES.R02-2707 Carried

It was Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That "Surrey Land Use Contract No. 121,  
 Authorization By-law, 1975, No. 4506 Partial Discharge By-law, 2002,  
 No. 14873" pass its first reading.  
 RES.R02-2708 Carried

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

It was Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That "Surrey Land Use Contract No. 121,  
 Authorization By-law, 1975, No. 4506 Partial Discharge By-law, 2002,  
 No. 14873" pass its second reading.  
 RES.R02-2709 Carried

It was then Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That the Public Hearing on "Surrey Land  
 Use Contract No. 121, Authorization By-law, 1975, No. 4506 Partial Discharge  
 By-law, 2002, No. 14873" be held at the City Hall on December 9, 2002, at  
 7:00 p.m.  
 RES.R02-2710 Carried

### SOUTH SURREY

- 19. 7902-0278-00**  
**3370 - 144 Street**  
**Lisa Balsor, Ocean Park Developments/Mary Davis and Linda Jane Davis**  
 Rezoning  
*From RA to RH-G in order to permit the development of 10 suburban single  
 family lots.*

The General Manager of Planning & Development submitted a report concerning  
 an application for rezoning on property located at 3370 - 144 Street.

The applicant is proposing:

- a rezoning from RA to RH-G

in order to permit the development of 10 single family lots with a dedication of 15% parkland.

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 "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
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) ensure all Parks, Recreation & Culture Department's issues are addressed;
  - (c) submission of a subdivision layout to the satisfaction of the Approving Officer; and
  - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R02-2711 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14874" pass its first reading.

RES.R02-2712 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, 2002, No. 14874" pass its second reading.

RES.R02-2713 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, 2002, No. 14874" be held at the  
 City Hall on December 9, 2002, at 7:00 p.m.  
 RES.R02-2714 Carried

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL (Cont'd.)**

**FLEETWOOD/GUILDFORD**

**20. 7902-0105-00**

**10020 - 176 Street; Portion of 17626 Barnston Drive East  
 Rimark Consulting/Allan Johnson**

OCP Amendment/Rezoning/Development Permit/Development Variance Permit  
*OCP Amendment from Suburban to Commercial, rezoning from C-T(1) (By-law  
 No. 5942) to CD; DP to permit the construction of a neighbourhood shopping  
 centre; and DVP to relax the maximum height of a free-standing sign.*

The General Manager of Planning & Development submitted a report concerning  
 an application to amend the Official Community Plan, a rezoning application and  
 a Development Permit and a Development Variance Permit on properties located  
 at 10020 - 176 Street, and portion of 17626 Barnston Drive East.

The applicant is proposing:

- an OCP amendment from Suburban to Commercial;
- a rezoning from C-T(1) (By-law No. 5942) to CD;
- a Development Permit; and
- a Development Variance Permit to relax the maximum height of a  
 free-standing sign

in order to permit the development of a neighbourhood shopping 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 Steele  
 That:

1. a By-law be introduced to redesignate a portion of the site from Suburban  
 to Commercial and a date for Public Hearing be set.

2. a By-law be introduced to rezone a portion of the site from "Tourist Commercial Zone (C-T(1) (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council authorize staff to draft Development Permit No. 7902-0105-00 in accordance with the attached drawings (Appendix II).
4. Council approve Development Variance Permit No. 7902-0105-00 varying the following to proceed to Public Notification:
  - (a) to increase the maximum height of a free-standing sign from 4.5 metres (15 ft.) to 9.75 metres (32 ft.).
5. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) approval from the Ministry of Transportation;
  - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
  - (d) registration of a reciprocal access agreement between the two subject lots.
6. Council pass a resolution to amend the Local Area Plan to redesignate the land from Half-Acre Residential to Commercial when the project is considered for final adoption.
7. Council deem the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.

RES.R02-2715

Carried with Councillor Bose against.

It was

Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 68 Amendment By-law 2002, No. 14875" pass its first reading.

RES.R02-2716

Carried with Councillor Bose against.

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

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 68 Amendment By-law 2002, No. 14875" pass its  
second reading.

RES.R02-2717 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt  
Seconded by Councillor Steele  
That the Public Hearing on "Surrey Official  
Community Plan By-law, 1996, No. 12900, No. 68 Amendment By-law 2002,  
No. 14875" be held at the City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2718 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14876" pass its first reading.

RES.R02-2719 Carried with Councillor Bose against.

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

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14876" pass its second reading.

RES.R02-2720 Carried with Councillor Bose against.

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, 2002, No. 14876" be held at the  
City Hall on December 9, 2002, at 7:00 p.m.

RES.R02-2721 Carried



RESIDENTIAL/INDSITUTIONALNEWTON**21. 7902-0039-00****15155 - 76 Avenue****640842 B.C. Ltd./Mose Bros. Holdings Inc.**

OCP Amendment/Rezoning/Development Permit

*OCP amendment from Suburban to Urban. Rezone from RA to RF and CD to facilitate subdivision into approx. 21 single family lots and a 0.48 ha (1.18 ac) commercial lot. DP to permit a 1,535 sq.m. (16,500 sq.ft.) commercial plaza.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a Rezoning application, and a Development Permit application on property located at 15155 - 76 Avenue.

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- a rezoning from RA to RF (Block A) and CD (Block B);
- a Development Permit

in order to permit subdivision into approximately 22 single family lots and development of neighbourhood commercial plaza having 1,535 square metres (16,500 sq.ft.) of floor 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 Steele  
That:

1. a By-law be introduced to redesignate the property in the OCP from Suburban to Urban and a date for Public Hearing be set.
2. a By-law be introduced to rezone the western portion of the property identified as "Block A" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and to rezone the eastern portion of the property identified as "Block B" from "One-Acre Residential Zone (RA)" (By-law No. 12000 to "Comprehensive Development Zone (CD)" (By-law No. 12000).
3. Council authorize staff to draft Development Permit No. 7902-0039-00 in accordance with the attached drawings (Appendix II).

4. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (e) address alternative access for the proposed residential lot north of the subject site;
  - (f) address the installation of a Traffic signal at the 76 Avenue/ 152 Street intersection concurrent with development of the commercial plaza on the easterly portion of the site; and
  - (g) registration of a Restrictive Covenant to limit the hours of operation of commercial uses from 6:00 a.m. to 11:00 p.m.
5. Council pass a resolution to amend the Newton Local Area Plan to redesignate the land from "Suburban Residential (1 acre)" to Urban Residential" (west portion) and "Retail Commercial" (east portion).
6. Council deem the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan as described in the Report to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.

RES.R02-2722

Defeated with Councillors Eddington, Watts, Bose, and Tymoschuk against.

It was

Moved by Councillor Bose  
 Seconded by Councillor Watts  
 That Resolution R02-2722 defeating the

approval to Proceed on application 7902-0039-00 be reconsidered.

RES.R02-2723

Carried with Councillor Eddington against.

The following motion was then before Council:

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

1. a By-law be introduced to redesignate the property in the OCP from Suburban to Urban and a date for Public Hearing be set.
2. a By-law be introduced to rezone the western portion of the property identified as "Block A" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and to rezone the eastern portion of the property identified as "Block B" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000).
3. Council authorize staff to draft Development Permit No. 7902-0039-00 in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (e) address alternative access for the proposed residential lot north of the subject site;
  - (f) address the installation of a Traffic signal at the 76 Avenue/ 152 Street intersection concurrent with development of the commercial plaza on the easterly portion of the site; and
  - (g) registration of a Restrictive Covenant to limit the hours of operation of commercial uses from 6:00 a.m. to 11:00 p.m.
5. Council pass a resolution to amend the Newton Local Area Plan to redesignate the land from "Suburban Residential (1 acre)" to Urban Residential" (west portion) and "Retail Commercial" (east portion).



6. Council deem the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan as described in the Report to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.

It was Moved by Councillor Bose  
 Seconded by Councillor Watts  
 That the matter be tabled and referred to  
 staff for a more thorough review and examination of the ingress and egress.  
 RES.R02-2724 Carried with Councillor Eddington against.

### C. CORPORATE REPORTS

1. The Corporate Reports under date of November 25, 2002 were considered and dealt with as follows:

**Item No. L012** Proposed Rezoning to RC Zone, By-law No. 14724 for Property at 9219 - 168 Street: NRT Development Ltd. & Marco Development Corp.  
 File: 7900-0161-00

The General Manager of Planning & Development submitted a report to obtain Council direction with respect to the further processing of a rezoning by-law for the site located at 9219 – 168 Street, which is south of Bothwell Park, between 164 and 168 Streets.

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 Council receive this report as  
 information.  
 RES.R02-2725 Carried

The motion by Councillor Hunt that Council approve Option 1, namely, give Third Reading to the By-law No. 14724 to rezone the entire site to the RC zone did not receive a Secunder.

It was Moved by Councillor Eddington  
 Seconded by Councillor Bose  
 That Council approve Option 2; namely,  
 deny the application.  
 RES.R02-2726 Defeated with Councillors Tymoschuk, Steele, Watts, Hunt and the Mayor against.

It was Moved by Councillor Steele  
 Seconded by Councillor Watts  
 That Council give Third Reading to rezone  
 only the westerly part of the subject site to the RC zone and retain the A-1 zoning  
 on the easterly portion.

RES.R02-2727

Carried with Councillors Hunt, Eddington,  
 and the Mayor against.

**Item No. L013** Liquor Licensing of Coffee Shops in the Light Impact  
 Industrial Zone (IL) - Request from Mr. Tom Pangalia  
 File: 3900-01; 0550-20-10

The General Manager of Planning & Development submitted a report to provide a response to the delegations to Council from Mr. Tom Pangalia and Mr. Paxton and examines the current restriction within the Light Impact Industrial (IL) Zone which does not permit a licensed dining room or dining lounge and evaluates the relative merits of a licensed dining room at #9 - 13025 - 84 Avenue in the Newton industrial area.

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 Council:

1. Receive this report as information;
2. Maintain the current restriction within the Light Impact Industrial Zone (IL) of permitting a coffee shop as an accessory use provided the seating does not exceed 35 seats and the coffee shop is not licensed by the *Liquor Control and Licensing Act*, R.S.B.C., 1996, as amended (the "*Liquor Control and Licensing Act*"); and
3. Instruct the Acting City Clerk to forward a copy of this report and Council's resolution to Mr. Tom Pangalia, owner/operator of the Lagoon Café & Catering Ltd.

RES.R02-2728

Carried

#### D. ITEMS TABLED BY COUNCIL

The Mayor then indicated that the agenda order would be varied.

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

FINAL ADOPTION

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14756"

7901-0249-00 - David and Farkhondeh Marasco

RA (BL 12000) to CD (BL 12000) - 13195 - 24 Avenue - to permit the development of a pre-school with a maximum of 20 children within an existing house.

Approved by Council: July 8, 2002

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2002, No. 14756" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R02-2729

Carried

TO BE FILED

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1998, No. 13375"

7997-0255-00 - 595900 B.C. Ltd.

RS (BL 5942) to RM-15 (BL 12000) - 18822 Fraser Highway - to permit development of 31 townhouse units.

Approved by Council: March 24, 1998

- \* Planning & Development advise that (reference memorandum dated November 14, 2002 in by-law back-up) By-law No. 13375 should be filed as the application has been inactive for several years and the new owner of the property has requested that the file be closed (see letter from applicant dated June 4, 2002 in by-law back-up). The application has been replaced by a new application No. 7902-0332-00.



**Note:** See Development Permit No. 7997-0255-00 to be filed under Clerk's Report Item I.1(a) of this agenda.

- \* Planning & Development advise that (reference memorandum dated November 14, 2002 in by-law back-up) By-law No. 13375 should be filed as the application has been inactive for several years and the new owner of the property has requested that the file be closed (see letter from applicant dated June 4, 2002 in by-law back-up). The application has been replaced by a new application No. 7902-0332-00.

It was

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

No. 12000, Amendment By-law, 1998, No. 13375" be filed.

RES.R02-2730

Carried

## I. CLERK'S REPORT

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

- (a) **Development Variance Permit 7997-0255-00**  
**595900 BC Ltd.**  
18822 Fraser Highway

Memo from the Manager, North Surrey, Planning & Development, advising that the application has been inactive for several year; the subject property has recently changed ownership, and the new owner has requested the file be closed. The application has been replaced by a new application (No. 7902-0332-00).

Planning & Development are recommending to Council that Development Variance Permit 7997-0255-00 be filed.

**Note:** See By-law 13375, Item H.2 of this agenda.

It was

Moved by Councillor Hunt  
Seconded by Councillor Watts  
That Development Variance Permit

7997-0255-00 be filed.

RES.R02-2731

Carried

**E. DELEGATIONS**

Mayor McCallum indicated Mr. Alexander Cox would speak first.

**5. Alexander Cox  
File: 7902-0272-00; 0550-20-10**

Susan Horne, George McIntosh & Associates, was in attendance and stated that she was representing Alexander Cox of Douglas Development Ltd. She commented that the company is the owner of the adjacent lands to the property at 17565 – 2 Avenue and borders on the west side of 175A Street. She referenced a letter addressed to Mayor and Council dated November 18, 2002 advising that the City Council's approval-in-principle at the Council meeting held November 4, 2002, of the proposed banquet facility was unlawful.

Ms. Horne then indicated that her purpose was to put, on record, that Douglas Development Ltd. does take exception to this process and that there ought not to be further consideration of the Development Variance Permit application for the proposed banquet without first rescinding the approval-in-principle. She then commented that what follows today is said Without Prejudice to Douglas Development Ltd.'s challenge in the Supreme Court to the approval-in-principle of the Development Variance permit application. She added that the Zoning By-law in place regarding this property does not permit banquet facility use as proposed in the Development Permit application and that use was not contemplated at the time that the first Development Permit application which led to the consideration of By-law No. 13488. She stated that the By-law itself stipulates the intention of the by-law to regulate the development of a community shopping center and tourist center, not a 1200-seat banquet facility. She added that this was not contemplated in the by-law or the first development permit application, and was not contemplated when Council held the Public Hearing.

Ms. Horne stated that, in effect, approving-in-principle, this Development Permit application, Council has effectively denied the public their statutory right to comment as found under Section 894 (1) and Section 920 (4) of the *Local Government Act*. She continued that Council should rescind the approval-in-principle and proceed to a full Public Hearing in accordance to the *Local Government Act*. She added that this process of hearing delegations after the fact was not a Public Hearing and does not give full notice. She continued that Douglas Development Ltd. was proceeding in this manner today regarding the decision of Council's approval-in-principle and that everything that follows is Without Prejudice; that her client would bring to the Supreme Court as to the approval-in-principle in the event that Council does not rescind that approval-in-principle.



**1. Walter Serron, 17573 – 2 Avenue  
File: 7902-0272-00; 0550-20-10**

Walter Serron was in attendance to express concerns regarding the proposed project at 17565 - 2 Avenue.

He reported that, in 1991, he enquired at City Hall as to the plans for the Douglas Community area before he purchased property in the area. He purchased a copy of the Douglas Community Plan and was informed that there would be a school on 2 Avenue and that the property in question would probably be used for a small hotel, some retail stores for tourists and that the truck transfer station, that would be zoned Industrial, would be located at the end of Zero Avenue and 176 Street.

He stated his concerns with respect to increased traffic and traffic congestion backing up to 168 Street. He added that he was not opposed to development but that the proposed development of a 1200 seat banquet hall and parking for 700 cars would not be suitable for the community. He referred to examples where traffic was so heavy that the area residents have difficulty getting in and out of their properties.

**2. Gary Briggs, 17414 – 2 Avenue  
File: 7902-0272-00; 0550-20-10**

Gary Briggs was in attendance to express concerns regarding the proposed project at 17565 - 2 Avenue. He stated that he had lived in the area since 1980 and questioned if the convention center would be used as a church.

Councillor Tymoschuk left the meeting at 4:16 p.m.

Mr. Briggs then continued with concerns that the road system would not facilitate cars for 1200 people. He commented that truck traffic bypass the weigh scales by using 2 Avenue and that should the proposed development proceed, there would be an increase of traffic along this route.

Mr. Briggs then continued that he was not in favour of the proposed development because of increased traffic and noise and that it goes against the original area concept plan.

Councillor Tymoschuk returned to the meeting at 4:19 p.m.

**3. Bill Reid, Chamber President  
Cloverdale District Chamber of Commerce  
File: 7902-0272-00; 0550-20-10**

Bill Reid, Chamber President, Cloverdale District Chamber of Commerce was in attendance to express concerns regarding the proposed project at 17565 - 2 Avenue. Mr. Reid commented that he is a member of the Task Force



to improve the border crossing for north and southbound tourists and truck traffic. He commended Surrey Council, the Provincial and Federal governments for last week's announcement with respect to improving conditions at the border crossing, however, he added that Council should give serious consideration to the egress and access to Nexus, bus and trucking lanes for the border crossing. He stated that he wished to ensure Council made provision, as a partner, in making the border crossing work by ensuring land be made available to enable the creation of a fast lane for the border crossing. He added that the funding by all three levels of government has been earmarked to improve and upgrade the Douglas Border crossing area.

**4. Ina Paton**

**File: 7902-0272-00; 0550-20-10**

Andy Johnston of 17037 Zero Avenue was in attendance to represent Ina Paton, who was unable to attend the meeting.

It was

Moved by Councillor Watts

Seconded by Councillor Hunt

That the letter written by Ina Paton

requesting Mr. Andy Johnston's representation be received.

RES.R02-2732

Carried

Mr. Johnston continued that he wished to advise Council of the concerns of the Douglas community residents.. He added that he had visited the area in question and noticed that heavy machinery was already clearing to prepare the site and that the developer was proceeding. He continued that the Douglas Neighbourhood Concept Plan identified the future of the land and that residents had wanted a small commercial development. He stated that the Douglas community is a rural area with no sidewalks, boulevards and few street lights. He continued that the area is bound by three highways and the Canada/USA boarder.

Mr. Johnston commented on speeding, traffic gridlock, and poor lighting in the area and the concerns for increased traffic and improved road infrastructure.

It was

Moved by Councillor Eddington

Seconded by Councillor Watts

That the petition with 111 signatures be

received as submitted.

RES.R02-2733

Carried

**6. Mr. Don Andrew, Creekside Architects**

**File: 7902-0272-00; 0550-20-10**

Mr. Don Andrew was in attendance to express concerns regarding the proposed project at 17565 - 2 Avenue and stated that the comments he would make were Without Prejudice. He stated that he was the Architect for the townhouse

development currently under construction and situated adjacent to the proposed development.

Mr. Andrews referred to the November 4, 2002 Council meeting and commented that a small hotel and neighbourhood commercial center was supposed to be built on the property in question and that he only received the plans and coloured drawings regarding the proposal recently. He then commented on the change from a 200-seat facility to a 1200-seat banquet facility. He then stated concerns with respect to increased traffic and the concern that the Holiday Inn had no record of the developers paying an \$80,000 franchise fee. Mr. Andrews also raised concerns with respect to site access and egress, increased noise levels, CPTED issues, and buffering.

**7. Mr. Harry Trommel**  
**File: 7902-0272-00; 0550-20-10**

Mr. Harry Trommel was in attendance to express concerns regarding the proposed project at 17565 - 2 Avenue. He stated that he purchased his property in 1970 and expressed concerns regarding increased traffic congestion, speeding vehicles, and difficulty for emergency services accessing the area residents. He also stated that he was in the greenhouse business and that the increased traffic congestion would affect his business.

Mr. Trommel continued that the community's way of life would be affected by the large numbers of people driving to and from the proposed facility at the same time. He also stated his concerns with respect to the closing of 2 Avenue.

**J. ADJOURNMENT**

It was

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

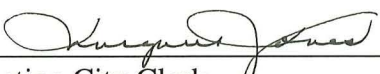
meeting do now adjourn.


RES.R02-2734

Carried

The Regular Council- Land Use meeting adjourned at 5:05 p.m.

Certified Correct:

  
\_\_\_\_\_  
Acting City Clerk

  
\_\_\_\_\_  
Mayor