



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
MONDAY, FEBRUARY 3, 2003  
Time: 5:07 p.m.

**Present:**

Mayor McCallum  
Councillor Villeneuve  
Councillor Tymoschuk  
Councillor Steele  
Councillor Priddy  
Councillor Bose  
Councillor Hunt

**Absent:**

**Councillors Entering**  
**Meeting as Indicated:**

Councillor Watts  
Councillor Higginbotham

**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

It was Moved by Councillor Villeneuve  
Seconded by Councillor Hunt  
That Council vary the agenda to deal with  
the item referred from Closed Council, Douglas Developments Ltd. v. City of Surrey.

RES.R03-156

Carried

**Item No. CC001**

**Douglas Developments Ltd. V. City of Surrey**

File: 2430-20-045

It was Moved by Councillor Bose  
Seconded by Councillor Hunt  
That Council rescind the resolution on pages  
30 & 31 of the Minutes of Regular Council of November 4, 2002 (the "Resolution")  
approving in principle Development Permit 7902-0272-00 ("DP 7902-0272-00).

RES.R03-157

Carried

**A. ADOPTION OF MINUTES**

**B. LAND USE APPLICATIONS**

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL**

**CLOVERDALE**

**1. 7900-0358-00**  
**17525 - 64 Avenue; Portion of 6455 - 176 Street**

**Teck Construction/Edwin John and Jay Petursson, and  
Hendrik and Hendrika Visscher**

OCP Amendment/Rezoning/Development Permit

*OCP Amendment from Urban and Suburban to Industrial, rezone from RA to CD and Development Permit for Phase I to permit an industrial multi-tenant warehouse including the sale of new and used building materials.*

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 properties located at 17525 - 64 Avenue and portion of 6455 - 176 Street.

The applicant is proposing:

- an OCP amendment from Urban and Suburban to Industrial;
- a rezoning from RA to CD; and
- a Development Permit for Phase I

in order to permit the construction of an industrial multi-tenant warehouse which will include the sale of new and used building materials.

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 at 17525 - 64 Avenue from Urban and Suburban to Industrial and a date for Public Hearing be set.
2. a By-law be introduced to redesignate the west portion of 6455 - 176 Street from Suburban to Industrial.
3. a By-law be introduced to rezone the property at 17525 - 64 Avenue 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.
4. Council authorize staff to draft Development Permit No. 7900-0358-00 in accordance with the attached drawings (Appendix II).
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) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Transportation;
  - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
  - (e) removal of existing buildings and structures on 17525 - 64 Avenue.
6. Council determine 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.R03-158

Carried with Councillors Bose and Tymoschuk against.

Councillor Watts entered the meeting at 5:12 p.m., and Councillor Higginbotham entered the meeting at 5:14 p.m.

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 70 Amendment By-law 2003, No. 14912" pass its first reading.

RES.R03-159

Carried with Councillors Bose and Tymoschuk against.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 70 Amendment By-law 2003, No. 14912" pass its second reading.

RES.R03-160

Carried with Councillors Bose and Tymoschuk against.

It was then  
Moved by Councillor Hunt  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Official  
Community Plan By-law, 1996, No. 12900, No. 70 Amendment By-law 2003,  
No. 14912" be held at the City Hall on February 17, 2003, at 7:00 p.m.  
RES.R03-161 Carried

It was  
Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 71 Amendment By-law 2003, No. 14913" pass its  
first reading.  
RES.R03-162 Carried with Councillors Bose and  
Tymoschuk against.

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

It was  
Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 71 Amendment By-law 2003, No. 14913" pass its  
second reading.  
RES.R03-163 Carried with Councillors Bose and  
Tymoschuk against.

It was then  
Moved by Councillor Hunt  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Official  
Community Plan By-law, 1996, No. 12900, No. 71 Amendment By-law 2003,  
No. 14913" be held at the City Hall on February 17, 2003, at 7:00 p.m.  
RES.R03-164 Carried

It was  
Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14914" pass its first reading.  
RES.R03-165 Carried with Councillors Bose and  
Tymoschuk against.

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



- (b) submission of Letters of Credit to ensure typical road cleaning measures are undertaken and to ensure the use is discontinued upon expiration of the Temporary Use Permit.

RES.R03-168

Carried**FLEETWOOD/GUILDFORD****3. 7902-0398-00**

**15291 Fraser Highway  
Signway/Raybell Holdings Ltd.**

Development Variance Permit

*To increase the maximum height and increase the maximum sign area of a directional sign.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15291 Fraser Highway.

The applicant is proposing:

- a Development Variance Permit to vary the following Sign By-law regulations:
  - increase the maximum height of a directional sign; and
  - increase the maximum sign area of a directional sign

in order to permit the installation of a new directional sign at an existing automotive dealership.

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 Development Variance Permit No. 7902-0398-00, varying the Sign By-law regulations, to proceed to Public Notification:
  - (a) to increase the maximum height of a directional sign from 1.2 metres (4 ft.) to 1.3 metres (4.25 ft.); and
  - (b) to increase the maximum directional sign area from 0.37 square metre (4 sq.ft.) to 1.5 square metres (16 sq.ft.).

RES.R03-169

Carried

4. **7902-0342-00**  
**15370 Fraser Highway**  
**Ray Fung, R. Fung & Associates Inc./Douglas Glen Morrow**

Development Permit/Development Variance Permit

*Development Permit to permit renovation and addition to an existing automotive service building. Development Variance Permit to relax the front and rear yard setbacks, parking, landscaping along the lane and fascia signage provision.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 15370 Fraser Highway.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - to reduce the minimum front yard setback of the CHI Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.);
  - to reduce the minimum rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
  - to reduce the minimum on-site parking provision from 14 spaces to 13 spaces;
  - to waive the landscaping requirement to provide a continuous landscaping strip of not less than 1.5 metres (5 ft.) in width along the lane; and
  - to allow one fascia sign on the east building elevation which does not front a street

in order to permit renovation and addition to an existing automotive service building at 15370 Fraser Highway in Fleetwood.

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

It was

Moved by Councillor Hunt  
Seconded by Councillor Watts  
That:

1. Council authorize staff to draft Development Permit No. 7902-0342-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7902-0342-00, varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback of the CHI Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.);

- (b) to reduce the minimum rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
  - (c) to reduce the minimum number of on-site parking spaces in Part 5 of Surrey Zoning By-law No. 12000, from 14 to 13;
  - (d) to waive the landscaping requirement to provide a continuous landscaping strip of not less than 1.5 metres (5 ft.) in width along the lane of the CHI Zone; and
  - (e) to vary the Sign By-law to allow one fascia sign on the east building elevation which does not front a street.
3. Council instruct staff to resolve the following issues prior to final approval:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) resolution of the Advisory Design Panel recommendations to the satisfaction of the Planning & Development Department;
  - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
  - (d) issuance of Development Variance Permit No. 7902-0342-00.

RES.R03-170

Carried**NEWTON****5. 7902-0390-00****7500 - 120 Street****Hardy Bains/Strata Plan LMS 4431**

Rezoning

*To amend CD By-law No. 13907 to amend the wording in the Intent Section and to include indoor recreation facilities as a permitted use.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 7500 - 120 Street.

The applicant is proposing to:

- amend CD By-law No. 13907 as follows:
  - to amend the Intent Section by deleting the existing wording and inserting: "not applicable to this by-law".



- to include indoor recreational facilities as a permitted use in order to allow a health and fitness facility in one of the strata 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 Hunt  
Seconded by Councillor Tymoschuk  
That a By-law be introduced to amend  
Comprehensive Development By-law No. 13907 and a date be set for Public  
Hearing.

RES.R03-171 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 1999, No. 13907 Amendment By-law, 2003,  
No. 14915" pass its first reading.

RES.R03-172 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, 1999, No. 13907 Amendment By-law, 2003,  
No. 14915" pass its second reading.

RES.R03-173 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, 1999, No. 13907 Amendment  
By-law, 2003, No. 14915" be held at the City Hall on February 17, 2003, at 7:00  
p.m.

RES.R03-174 Carried

6. **7902-0326-00**  
**13745 - 72 Avenue**  
**Paul Chiu, Urban Design Group Architects Ltd./Newton Park Centre Inc.**  
Development Permit/Development Variance Permit  
*DP to alter the exterior of the existing buildings and a DVP to permit the erection  
of additional signage for the existing shopping centre.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 13745 - 72 Avenue.

The applicant is proposing:

- a Development Permit;
- a Development Variance Permit to vary the following Sign By-law regulations:
  - to vary the number of permitted fascia signs per premise in order to permit channel letter signs on the corner towers on all four buildings; and
  - to vary the number of fascia signs per premise and the number of awning signs per premise to permit either an awning sign or fascia sign on the same facade of all four buildings, except for exterior walls adjacent to the east and west property lines

in order to provide an integrated signage scheme to the existing shopping centre and to remove an existing corner tower on Building A along 72 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 Villeneuve  
Seconded by Councillor Watts  
That:

1. Council authorize staff to draft Development Permit No. 7902-0326-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7902-0326-00, varying the following Sections of the Surrey Sign By-law, 1999 (No. 13656), to proceed to Public Notification:
  - (a) to vary Section 2(a) to permit additional fascia signs per premise in order to permit channel letter signs on the towers on all four buildings; and
  - (b) to vary Section 2(a) and 3(a) to allow additional fascia signs and awning signs per premise to permit either an awning sign or fascia sign on the façade of all four buildings, except for exterior walls adjacent to the east and west property lines.

RES.R03-175

Carried

7. **7999-0131-00/01**  
**13122 - 80 Avenue**  
**Mr. Sam Chan, Ionic Architecture Inc. /Carol Investments Inc.**  
Rezoning/Development Permit/Development Variance Permit  
*Rezone from RA to IL. Development Permit to allow the development of two multi-tenant industrial buildings. Development Variance Permit to vary side yard and rear yard setbacks.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and Development Permit, and Development Variance Permit applications on property located at 13122 - 80 Avenue.

The applicant is proposing:

- a rezoning from RA to IL;
- a Development Permit; and
- Development Variance Permit (No. 7999-0131-01) to vary the following by-law regulations:
  - the minimum side yard is reduced from 7.5 metres (25 ft.) to 1.2 metres (4 ft.); and
  - the minimum rear yard setback is reduced from 7.5 metres to 1.2 metres (4 ft.)

in order to allow the development of two multi-tenant industrial buildings.

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. Council rescind Third Reading to By-law No. 13923 and a new Public Hearing date be set.
2. Council authorize staff to draft Development Permit No. 7999-0131-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7999-0131-01 (Appendix III), varying the following to proceed to Public Notification:
  - (a) to reduce the minimum side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.2 metres (4 ft.); and
  - (b) to reduce the minimum rear yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.2 metres (4 ft.).

4. 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.R03-176

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That Council rescind Resolution

No. R00-101 of the January 17, 2000 Regular Council - Public Hearing minutes passing third reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13923", in order to set a new Public Hearing date to address substantial revisions to the original proposal.

RES.R03-177

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, 1999, No. 13923" be held at the City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-178

Carried

### SURREY CITY CENTRE/WHALLEY

#### 8. 7902-0178-00

**12830 - 96 Avenue**

**Joseph King, Rogers Wireless Inc./Cedar Hills Plaza Corp.**

Development Variance Permit

*To vary the height of a free-standing telecommunication tower from 12 metres (40 ft.) to 31 metres (102 ft.) within the Cedar Hills Shopping Plaza.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 12830 - 96 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the Zoning By-law regulation to increase the maximum height of a free-standing telecommunication tower from 12 metres (40 ft.) to 31 metres (102 ft.)

in order to permit the installation of a 31.0-metre (102 ft.) high monopole within the Cedar Hills Shopping Plaza in Whalley.

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

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

1. Council approve Development Variance Permit No. 7902-0178-00, varying the following, to proceed to Public Notification:
  - (a) to increase the maximum height of a free-standing telecommunication tower under Part 4 General Provisions of Zoning By-law No. 12000, from 12 metres (40 ft.) to 31 metres (102 ft.).
2. Council instruct the Acting City Clerk to set a date for a Public Information Meeting in the form of a Public Hearing to solicit opinions from area residents regarding the proposed telecommunication tower.

RES.R03-179

Carried with Mayor McCallum and Councillor Priddy against.

Delegation:

Joseph King, Rogers Wireless, was present and commented that the proposed tower design is a tapered monopole, and the antennae would be installed as close as possible to the monopole. He continued that Rogers Wireless realizes this is a residential area, has followed policy regarding the design of the structure, and that the proposed location was first identified in 2000. He added that there are certain areas within the municipality where it is difficult to find structures to service needs and there are no tall buildings in the Cedar Heights area. He noted that the feeling is that the location is a good one, placed at the back of a commercial plaza. The tower would be placed on the lot allowing 272 ft. to the south and 360 ft. to the west. He added that Rogers Wireless circulated information to the residents in a 620 ft. notification area last summer and allowed four weeks for response. He pointed out there was no response from the area residents with respect to concerns or issues about the tower.

**RESIDENTIAL/INSTITUTIONAL**

**FLEETWOOD/GUILDFORD**

9. **7902-0322-00**  
**6569 Claytonhill Place**  
**Art Doyle, Jadco Consultants Inc./Stephen and Erika Nash**  
Rezoning  
From RH to RF to allow subdivision into 2 single family lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6569 Claytonhill Place.

The applicant is proposing:

- a rezoning from RH to RF

in order to permit the subdivision into 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 Tymoschuk  
That:

1. a By-law be introduced to rezone the property from "Half-Acre Residential Zone (RH)" (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; and
  - (d) provision of amenity contributions in accordance with the North Cloverdale Neighbourhood Concept Plan (Infill Area).

RES.R03-180

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14916" pass its first reading.

RES.R03-181

Carried

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



- (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (d) provision of amenity contributions in accordance with the North Cloverdale Neighbourhood Concept Plan (Infill Area).

RES.R03-184 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14917" pass its first reading.

RES.R03-185 Carried

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

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14917" pass its second reading.

RES.R03-186 Carried

It was then Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14917" be held at the  
City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-187 Carried

**11. 7902-0194-00**

**A portion of 8971 - 160 Street**

**Coastland Engineering & Surveying Ltd. and Tass Homes Ltd./**

**Henry and Eila Lewis**

Rezoning

*A portion of the site from RA to RF to permit the development of approximately 24 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at a portion of 8971 - 160 Street.

The applicant is proposing:

- a rezoning of a portion of the site from RA to RF

in order to permit the development of approximately 24 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 Higginbotham  
Seconded by Councillor Tymoschuk  
That:

1. a By-law be introduced to rezone a portion of 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; and
  - (d) registration of three "no build" Restrictive Covenants" over proposed Lots 4, 5 and 6 to prohibit construction of any buildings until proposed Lot 1 is further developed.

RES.R03-188 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14918" pass its first reading.

RES.R03-189 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, 2003, No. 14918" pass its second reading.

RES.R03-190 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, 2003, No. 14918" be held at the  
 City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-191

Carried

## NEWTON

### 12. 7902-0350-00

**6665 - 128 Street**

**McElhanney Consulting Services Ltd./PKS Investments Ltd. and  
 Paramjit Singh Pandher**

Rezoning

*From RA to CD to permit subdivision into 15 compact single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6665 - 128 Street.

The applicant is proposing:

- to rezone a 0.90 ha. (2.23 ac) property at 6665 - 128 Street in West Newton North from RA to CD;

in order to permit the development of 15 compact single family residential lots.

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

It was

Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That:

1. a By-law be introduced to rezone the property 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 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; and
- (e) registration of a Section 219 Restrictive Covenant for a landscape buffer equivalent to 10% of each lot area plus securities to ensure the proper installation of replacement trees.

RES.R03-192

Carried

It was

Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No. 14919" pass its first reading.

RES.R03-193

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, 2003, No. 14919" pass its second reading.

RES.R03-194

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, 2003, No. 14919" be held at the  
 City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-195

Carried

- 13. 7902-0216-00**  
**7435 - 148 Street**  
**Martinique Developments (Wayne Sawatzky)/Gordon Schmidt &**  
**Marilyn Schmidt**  
 Rezoning  
*From RA to RF for the development of 5 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 7435 - 1148 Street.

The applicant is proposing:

- a rezoning from RA to RF;

in order to permit the development of approximately 5 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 Higginbotham  
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.R03-196

Carried

It was Moved by Councillor Watts  
Seconded by Councillor Hunt  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14920" pass its first reading.

RES.R03-197

Carried

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

It was Moved by Councillor Watts  
Seconded by Councillor Hunt  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2003, No. 14920" pass its second reading.

RES.R03-198

Carried

It was then Moved by Councillor Watts  
Seconded by Councillor Hunt  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14920" be held at the  
City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-199

Carried

**SOUTH SURREY**

14. **7902-0268-00**  
**13438 - 24 Avenue**  
**Clarence Arychuk, Hunter Laird Engineering Ltd./**  
**Allan Stjernstroem and Dorte Flint-Petersen**  
Rezoning  
*From RA to RH to allow for the development of 3 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13438 - 24 Avenue.

The applicant is proposing:

- a rezoning from RA to RH;

in order to permit the development of 3 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 Tymoschuk  
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 Zone (RH)" (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.R03-200

Carried



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 Fraser Health Authority; and
  - (d) submission of an acceptable statement regarding tree preservation.

RES.R03-204

Carried

It was

Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No 14922" pass its first reading.

RES.R03-205

Carried

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

It was

Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No 14922" pass its second reading.

RES.R03-206

Carried

It was then

Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2003, No 14922" be held at the  
 City Hall on February 17, 2003, at 7:00 p.m.

RES.R03-207

Carried**16. 7901-0195-00****3270 - 152 Street****Ken Woodward, City of Surrey/City of Surrey**

Development Variance Permit

*Development Variance Permit to reduce the minimum lot width requirement of  
 the RH Zone.*

The General Manager of Planning & Development submitted a report concerning  
 an application for a Development Variance Permit on property located at  
 3270 - 152 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
  - Surrey Zoning By-law, 1993, No. 12000 Part 14 "Half-Acre Residential Zone", Section K. "Subdivision" in order to reduce the minimum lot width requirement from 30 metres (100 ft.) to 23 metres (75 ft.)

in order to permit the development of a half acre residential lot for future consolidation with the adjacent parcel to the north.

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

It was

Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That:

1. Council approve Development Variance Permit No. 7901-0195-00, varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot width requirement of the Half-Acre Residential Zone (RH) from 30 metres (100 ft.) to 23 metres (75 ft.).
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; and
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

RES.R03-208

Carried

17. **7902-0377-00**  
**12905 - 80 Avenue**  
**Joe Dhaliwal/Mainland Demo Contracting Ltd.**  
OCP Amendment/Rezoning/Temporary Use Permit  
*Rezone from IH to CD in order to permit the future development of a combined Light Impact Industrial/Business Park complex. Temporary Industrial Use Permit to permit a soil screening operation and outside storage of material & equipment on a portion of the site for a period not exceeding two years.*



The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and a Temporary Use Permit application on property located at 12905 - 80 Avenue.

The applicant is proposing:

- a rezoning from IH to CD;
- an OCP amendment to declare the property a Temporary Industrial Use Permit Area; and
- a Temporary Industrial Use Permit;

in order to permit the future development of a combined Light Impact Industrial/Business Park complex. The Temporary Industrial Use Permit is to permit a soil screening operation and outside storage of material and equipment on a portion of the site for a period not exceeding two years.

To implement council's previous decision to allow for a comprehensive development zone for the site, the General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

#### Delegation

Joe Dhaliwal, Mainland Demo Contracting Ltd., was present and commented that the intention is to develop a business park complex. He continued that he has built similar complexes: one on 64 Avenue and one in the Panorama area. He noted that the developments fell under IB zoning, featuring manufacturing, light impact industry, and included wholesale and retail use on site. He added that he bid on other projects, and that he would work with the IB zoning and follow the zoning requirements.

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That:

1. a By-law be introduced to declare the property a Temporary Industrial Use Permit Area and a date for Public Hearing be set.
2. a By-law be introduced to rezone the property from "High Impact Industrial Zone (IH)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date for Public Hearing be set.
3. Council approve Temporary Industrial Use Permit No. 7902-0377-00 to proceed to Public Notification.

4. 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.
5. Council pass a resolution to amend the Central Newton Local Area Plan to redesignate the subject site from High Impact Industrial to Business Park Industrial when the project is considered for final adoption.
6. Council pass a resolution to amend City Policy No. 0-47 to remove the subject site from the policy area when the project is considered for final adoption.

RES.R03-209

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That Council request staff work with the applicant to preclude any retail outlets dealing with dress shops, grocery stores, jewelry shops, sweet shops, and video shops

RES.R03-210

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That CD By-law No. 14926 be amended to prohibit clothing stores, grocery stores, sweet stores, video stores and jewelry stores except where the products being sold through any such store are manufactured and warehoused on the same business premises as the store is located.

RES.R03-211

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Tymoschuk

That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 32 Amendment By-law 2003, No. 14925" pass its first reading.

RES.R03-212

Carried with Councillor Bose against.

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Tymoschuk

That "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 32 Amendment By-law 2003, No. 14925" pass its second reading.

RES.R03-213

Carried with Councillor Bose against.

It was then  
 Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That the Public Hearing on "Surrey Official  
 Community Plan By-law, 1996, No. 12900, Text No. 32 Amendment By-law  
 2003, No. 14925" be held at the City Hall on February 17, 2003, at 7:00 p.m.  
 RES.R03-214 Carried

It was  
 Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No. 14926", pass its first reading.  
 RES.R03-215 Carried with Councillor Bose against.

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

It was  
 Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No. 14926" pass its second reading.  
 RES.R03-216 Carried with Councillor 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, 2003, No. 14926" be held at the  
 City Hall on February 17, 2003, at 7:00 p.m.  
 RES.R03-217 Carried

## RESIDENTIAL/INSTITUTIONAL

### SOUTH SURREY

18. **7901-0243-00**  
**3696 - 156 Street**  
**Jon Van Geel/Susan Margaret Van Geel**  
 OCP Amendment/Rezoning  
*Rezone from CD (By-law No. 13615) to RH and RF. Amend the OCP for a  
 portion of the site from Suburban to Urban to permit the development of 2 lots.*

The General Manager of Planning & Development submitted a report concerning  
 an application to amend the Official Community Plan, and a rezoning application  
 on property located at 3696 - 156 Street.

The applicant is proposing:

- an OCP amendment for the northern portion of the site from Suburban to Urban; and
- a rezoning from CD (By-law No. 13615) to RH and RF;

in order to permit the development of one single family residential lot and a half-acre residential lot.

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

It was

Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That Council:

1. Refer Application 7901-0243-00 to staff to review Option 2: Maintain Comprehensive Development Zone Dimensions; and
2. That all lots south of this site be full half acre lots.

RES.R03-218

Carried

**C. CORPORATE REPORTS**

**D. ITEMS TABLED BY COUNCIL**

**E. DELEGATIONS**

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

## TO BE FILED

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13031"

7996-0268-00 - Celestino & Bernardita Dimaapi

RF (BL 5942) to C-8 (BL 12000) - 10562 - 136A Street - to permit the development of a two-storey retail building.

Approved by Council: February 18, 1997

**Note:** See Development Permit No. 7996-0268-00 to be filed under Clerk's Report Item I.2(a) of this agenda.

\* Planning & Development advise that (reference memorandum dated January 27, 2003 in by-law back-up) By-law No. 13031 should be filed as the application has been inactive for six years. A letter was forwarded to the applicant on August 16, 2000 advising that unless outstanding requirements were addressed within 30 days, the file would be closed. The applicant responded by telephone asking that the application be kept open. A second registered letter was sent to the applicant on January 21, 2003, and was returned indicating that the applicants no longer reside at the address on file and their new address was unknown. As a result of the inactivity on the project, Council is requested to file the rezoning application and the development permit application.

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 1997, No. 13031" be filed.

RES.R03-219

Carried

## FINAL ADOPTIONS

2. "Surrey Land Use Contract No. 208, Authorization By-law, 1976, No. 4963, Partial Discharge By-law, 2002, No. 14796"

7901-0340-00 - Bassano Properties Corp., c/o Maciej Dembek,  
Barnett Dembek Architects Inc.

To discharge Land Use Contract 208 from the property located at 14885 - 105 Avenue - to allow the underlying "Multiple Residential 45 Zone (RM-45)" to come into effect.

Approved by Council: September 3, 2002

This by-law is proceeding in conjunction with By-law 14797.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Land Use Contract No. 208,  
 Authorization By-law, 1976, No. 4963, Partial Discharge By-law, 2002,  
 No. 14796" be finally adopted, signed by the Mayor and Clerk, and sealed with  
 the Corporate Seal.

RES.R03-220

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14797"

7901-0340-00 - Bassano Properties Corp., c/o Maciej Dembek,  
 Barnett Dembek Architects Inc.

RM-45 (BL 12000) to CD (BL 12000) - 14885 - 105 Avenue - to permit  
 the development of a three-storey apartment building.

Approved by Council: September 3, 2002

This by-law is proceeding in conjunction with By-law 14796.

**Note:** A Development Permit (7901-0340-00) on the site is to be considered for  
 Final Approval under Item I.1(a).

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14797" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R03-221

Carried

4. "Surrey Land Use Contract No. 105 Authorization By-law, 1974, No. 4393,  
 Amendment By-law, 2002, No. 14867"

7902-0263-00 - Flag Chevrolet-Geo-Oldsmobile Ltd., c/o Peter Chu, Architect

To amend Land Use Contract No. 105 to permit the construction of an addition to  
 the existing building on property located at 15250 - 104 Avenue and to amend  
 various provisions to be in compliance with current conditions.

Approved by Council: November 25, 2002

- \* At the December 9, 2002 Regular Council-Public Hearing meeting, Council  
 passed the following resolution:

"That staff report on the Restrictive Covenant, access and egress issues  
 prior to final approval."

In response, Planning & Development advise that (reference memorandum dated January 29, 2003 in by-law back-up) the staff have met with the applicant to discuss future road widening impacts and driveway access locations. The Engineering Department staff had advised the applicant that this proposed development can proceed at this time modifying the access to right-in/right-out and have agreed to waive the requirement of the registration of a Section 219 Restrictive Covenant.

In addition, the City is planning to undertake improvements along this portion of 104 Avenue during 2003 including lengthening of the raised median, which will restrict the left-out turning movement from the property. The applicant has been advised to consider the relocation of the existing access to the northeast corner of the property, which will provide permanent westbound left-in turning movement. The Engineering Department staff will continue to liaise with the applicant prior to the construction along 104 Avenue in order to finalize a satisfactory driveway access to the site.

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" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R03-222

Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14348"

7900-0359-00 - Uniko Holdings Ltd.

RA (BL 12000) to IB (BL 12000) - 17685 - 65A Avenue - to permit the development of a multi-tenant industrial building of approximately 3,703 square metres (39,860 sq.ft.).

Approved by Council: March 12, 2001

**Note:** A Development Permit (7900-0359-00) on the site is to be considered for Final Approval under Item I.1(b).

- \* Planning & Development advise that (reference memorandum dated January 30, 2003 in by-law back-up) the application had been inactive since Third Reading. The ownership of the property changed on November 29, 2002. The design of the building has been revised to meet the owner's operational requirements for a printing shop. The proposed minor revisions are acceptable to the Planning & Development Department. As well, the new owner commenced the engineering servicing agreement process in December 2002 and a servicing agreement has now been secured by the Engineering Department.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2001, No. 14348" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R03-223 Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14775"

7902-0064-00 - Richard and Michelle Podgurski, c/o H.Y. Engineering Ltd. and  
 553120 BC Ltd.

RA (BL 12000) to RF (BL 12000) - 15555 - 109 Avenue - to permit  
 subdivision in conjunction with the property to the west, into six single  
 family lots and retention of the existing home.

Approved by Council: July 22, 2002

- \* Planning & Development advise that (reference memorandum dated  
 January 29, 2003 in By-law back-up) the building scheme which has been filed  
 with the City Clerk has been developed by a Design Consultant based on a  
 character study of the surrounding neighbourhood. The building scheme will be  
 registered concurrently with the subdivision plan pursuant to Section 220 of the  
 Land Title Act. A 219 Restrictive Covenant will also be registered to tie the  
 building scheme to the land.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2002, No. 14775" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R03-224 Carried

## I. CLERK'S REPORT

### 1. Formal Approval of Development Permits

- (a) **Development Permit No. 7901-0340-00**  
**Bassano Properties Corp., c/o Maciej Dembek,**  
**Barnett Dembek Architects Inc.**  
 14885 - 105 Avenue

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



"That Development Permit No. 7901-0340-00 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 By-law 14797, Items H.3 of this agenda.

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

No. 7901-0340-00 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.R03-225

Carried

- (b) **Development Permit No. 7900-0359-00**  
**Uniko Holdings Ltd.**  
17685 - 65A Avenue

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

"That Development Permit No. 7900-0359-00 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 By-law 14348, Item H.5 of this agenda.

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

No. 7900-0359-00 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.R03-226

Carried with Councillor Bose against.

- (c) **Development Permit No. 7900-0202-00**  
**Mainland Engineering Corporation**  
**All Canadian Shopping Centre Ltd.**  
 8363/8385 - 128 Street  
 Memo received from the Manager, Area Planning & Development Division, Planning & Development, requesting Council to pass the following resolution:

"That Development Permit No. 7900-0202-00 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.  
 7900-0202-00 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.R03-227

Carried

## 2. Applications/By-laws/Permits to be Filed

- (a) **Development Permit No. 7996-0268-00**  
**Celestino and Bernardita Dimaapi**  
 10562 - 136A Street

Memo from the Manager, North Surrey Section, Planning & Development Department, advising that the file has been inactive for six years.

The applicant, in response to registered letter dated August 16, 2000 regarding outstanding requirements, requested that the application be kept open.

Despite the file being kept open, the file remained inactive, and the applicant did not respond to a second registered letter dated January 21, 2003, as the registered letter was returned indicating that the applicants no longer reside at the address on file and their new address was unknown.

Planning & Development are recommending to Council that the Development Permit 7996-0268-00 be filed.

**Note:** See By-law 13031, Item H.1 of this agenda.

