



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MARCH 24, 2003
Time: 4:38 p.m.

Present:

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

Absent:

Councillor Watts
Councillor Hunt

Councillors Entering Meeting as Indicated:

Staff Present:

City Manager
Acting City Clerk
General Manager, Planning & Development
General Manager, Engineering
General Manager, Finance, Technology & HR
Manager, Area Planning Division
Manager, North Surrey Section
Manager, South Surrey Section
Land Development Manager
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

1. **7903-0023-00**
8898 - 152 Street (Evergreen Mall)
Bob Olma, Towncor Investment Group Inc./Shopper's Corner Ltd.,
Inc. No. 649310
Development Variance Permit
To vary specific Schedules of Land Use Contract No. 452 to allow building renovations to Evergreen Mall.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 8898 - 152 Street.

The applicant is proposing:

- a Development Variance Permit to vary Land Use Contract No. 452

in order to allow interior, exterior and site improvements to Evergreen Mall.

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. Council approve Development Variance Permit No. 7903-0023-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) amendments to Schedules C, D, E, F and G of Land Use Contract No. 452 and insertion of new drawings.

RES.R03-704

Carried

2. **7902-0128-02**
10608 - 151A Street
Howard McPherson, Hi Signs Manufacturing Ltd./Northland Properties Corporation
Development Variance Permit
To vary the Sign By-law to permit larger fascia signs on the north and south sides of the Sandman Suites Hotel building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 10608 - 151A Street.

The applicant is proposing:

- a Development Variance Permit to vary the following Sign By-law regulations:
 - the maximum allowable copy area of one fascia sign; and
 - fascia signs restricted to the lot lines with road frontages only

in order to allow the existing unauthorized fascia signs to remain on the north and south sides of the Sandman Suites Hotel building.

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

Mayor McCallum noted that correspondence had been received from Hi Signs Manufacturing Ltd. requesting postponement due to family illness.

It was Moved by Councillor Bose
 Seconded by Councillor Villeneuve
 That the Development Variance Permit
 Application No. 7902-0128-02 be deferred to the April 14, 2003 meeting.
 RES.R03-705 Carried

NEWTON

3. 7903-0004-00

Unit #700, 7380 King George Highway

Scott Adam, A.L. Scott Financial Inc./372363 British Columbia Ltd.

(Inc. No. 372363)

Neighbourhood Pub

To allow for the development of a neighbourhood pub, with a maximum seating capacity of 118 (98 indoor and 20 patio), and extended hours of operation to 1:00 a.m. on Friday and Saturday within an existing building.

The General Manager of Planning & Development submitted a report concerning an application for a Neighbourhood Pub on property located at Unit #700, 7380 King George Highway.

The applicant is proposing:

- permission to operate a neighbourhood pub

in order to permit the development of a maximum 118 seat (98 indoor and 20 patio) neighbourhood pub, with extended hours of operation to 1:00 a.m. on Friday and Saturday within an existing building.

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

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

1. a date for Public Hearing be set to solicit opinions from area residents regarding the proposed neighbourhood pub.
2. staff be instructed to prepare a Resolution for Council's consideration after the Public Hearing. The Resolution will indicate whether Council, after due consideration of the results of the Public Hearing, is in favour of the neighbourhood pub under a liquor-primary license, and if so, recommend to the Liquor Control & Licensing Branch (LCLB) any specific licensing conditions suggested by Council.

RES.R03-706

Carried

It was then
 Moved by Councillor Villeneuve
 Seconded by Councillor Tymoschuk
 That the Public Hearing on Neighbourhood
 Public Application 7903-0004-00 be held at the City Hall on Monday,
 April 28, 2003, at 7:00 p.m.

RES.R03-707

Carried**4. 7903-0010-00****14922 - 54A Avenue****John Kristianson/Zanatta Properties 54A Ltd., Inc. No. 641542**

Development Permit/Development Variance Permit

Development Permit to permit a two-storey industrial building. Development Variance Permit to vary a landscaping strip.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 14922 - 54A Avenue.

The applicant is proposing:

- a Development Permit;
- a Development Variance Permit to vary the following by-law regulation:
 - to vary a front yard landscaping strip from 3 metres (10 ft.) to 2.5 metres (8 ft. 2 inches)

in order to permit the development of an industrial building.

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

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

1. Council authorize staff to draft Development Permit No. 7903-0010-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7903-0010-00 (Appendix VII), varying the following, to proceed to Public Notification:
 - (a) to vary the minimum landscaping strip in the front yard from 3 metres (10 ft.) to 2.5 metres (8 ft. 2 inches).
3. Council instruct staff to resolve the following issues prior to approval:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) approval from the Ministry of Transportation;
- (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R03-708

Carried**SOUTH SURREY****5. 7903-0064-00****111 - 176 Street****West Coast Tax & Duty Free Store (Gary Holowaychuk)/White Rock Tudor Inn Ltd. (Inc. No. 57651)**

Development Variance Permit

To vary the requirement for provision of Works and Services to permit construction of an addition to a commercial building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 111 - 176 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following Subdivision and Development By-law regulations in Part V - Highway Dedication, Servicing and Construction Standards, Section 24(a):
 - Highways;
 - Sidewalks;
 - Water distribution;
 - Drainage;
 - Underground wiring; and
 - Street lighting

in order to permit the construction of an addition to a commercial building.

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

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

1. Council approve Development Variance Permit No. 7903-0064-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to waive the following requirements of the Subdivision and Development By-law, 1986, No. 8830 as amended:
 - Highways;
 - Sidewalks;
 - Water distribution;
 - Drainage;
 - Underground wiring; and
 - Street lighting
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) registration of a Section 219 Restrictive Covenant preventing further construction until a Servicing Agreement is entered into.

RES.R03-709

Carried

6. **7902-0401-00**
3394 - 168 Street
J.R. Pallan/Amrik and Manjit Bain
ALR
Subdivision within the ALR to create two lots.

The General Manager of Planning & Development submitted a report concerning an application for an ALR on property located at 3394 - 168 Street.

The applicant is proposing:

- a Subdivision within the ALR under Section 21(2) of the ALC Act;

to create two 14 ha/35 acres (approximately) parcels.

Delegation:

Mr. Pallan was in attendance and commented that the owners had informed him that they wished to split the farm as jointly-owned tenancy-in-common. He added that it would more beneficial to break the farm into two 38 acre parcels.

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Application 7902-0401-00 be denied.
Carried

RES.R03-710

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE

7. **7903-0076-00**

18631 - 64A Avenue

Michael G. Armstrong/Kartar and Jasmal Grewal

Development Variance Permit

To vary the front yard setback to allow construction of a single family dwelling.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 18631 - 64A Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to not less than 3.6 metres (12 ft.)

in order to permit construction of a single family dwelling.

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

It was

Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That:

1. Council approve Development Variance Permit No. 7903-0076-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.).

RES.R03-711

Carried

8. **7902-0343-00**
16469 - 60 Avenue
Coastland Engineering & Surveying Ltd./Mundi Holdings Ltd.
(Inc. No. 430266); Sindee's Investment Ltd. (Inc. No. 452698); KGN Holdings
Ltd. (Inc. No. 437665); Harchand and Parminder Bagri
Rezoning
A portion from RA to RF in order to allow subdivision into approximately six (6) single family lots and one remainder lot.

Councillor Bose left the meeting at 4:42 p.m. due to a potential conflict as his family has property holdings in the area.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16469 - 60 Avenue.

The applicant is proposing:

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

in order to allow subdivision into approximately six (6) single family lots and one remainder lot.

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 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 a Section 219 Restrictive Covenant for "no build" on a portion of 16469 - 60 Avenue until future consolidation with the adjacent property to the west.

RES.R03-712

Carried

It was

Moved by Councillor Villeneuve
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 14969" pass its first reading.

RES.R03-713

Carried

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

It was

Moved by Councillor Villeneuve
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 14969" pass its second reading.

RES.R03-714

Carried

It was then

Moved by Councillor Villeneuve
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14969" be held at the
 City Hall on Monday, April 28, 2003, at 7:00 p.m.

RES.R03-715

Carried

Councillor Bose returned to the meeting at 4:44 p.m.

FLEETWOOD/GUILDFORD

9. 7902-0371-00

11271 - 154A Street

**H.Y. Engineering Ltd. and Daljit Rattan/Ching Hui Chen and
 Pei Chih Cheng**

Rezoning/Development Variance Permit

Rezone from RA to RH-G to allow the development of 2 half-acre gross density lots. DVP to relax the minimum site area for subdivision in the RH-G Zone and the minimum lot width for proposed Lot 2.

The General Manager of Planning & Development submitted a report concerning an application for rezoning and a Development Variance Permit on property located at 11271 – 154A Street.

The applicant is proposing:

- a rezoning from RA to RH-G;

- a Development Variance Permit to vary the following regulations of the RH-G Zone:
 - reduce the minimum site area for subdivision from 1 hectare (2.5 acre) to 0.40 hectare (1-acre); and
 - reduce the minimum lot width for proposed Lot 2 from 30.0 m (100 ft.) to 22.6 m (75 ft.).

in order to permit the development of 2 RH-G lots.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
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 approve Development Variance Permit No. 7902-0371-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum site area for subdivision in the RH-G Zone from 1 hectare (2.5 acre) to 0.40 hectare (1 acre); and
 - (b) to reduce the minimum lot width of the RH-G Zone for proposed Lot 2, from 30.0 metres (100 ft.) to 22.6 metres (75 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R03-716

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 14970" pass its first reading.
RES.R03-717 Carried

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 14970" pass its second reading.
RES.R03-718 Carried

It was then Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14970" be held at the
City Hall on Monday, April 28, 2003, at 7:00 p.m.
RES.R03-719 Carried

10. 7999-0215-00

10440 - 157 Street

**Mr. David Maxwell/The Trustees of the Tynehead Park Congregation of
Jehovah's Witnesses**

Rezoning/Development Variance Permit

*Rezone from RA to PA-1 to allow construction of a 730 m² (7,858 sq.ft.) church.
Development Variance Permit to allow a reduced side yard setback.*

The General Manager of Planning & Development submitted a report concerning
an application for rezoning and a Development Variance Permit on property
located at 10440 - 157 Street.

The applicant is proposing:

- a rezoning from RA to PA-1; and
- a Development Variance Permit to vary the south side yard setback of the
PA-1 Zone from 6.3 metres (20 ft.) to 3.6 metres (12 ft.)

to permit the construction of a 730 sq. m. (7,858 sq.ft.) church.

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 "Assembly Hall 1 Zone (PA-1)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7999-0215-00, varying the following, to proceed to Public Notification (Appendix II):
 - (a) to reduce the minimum side yard setback of the PA-1 Zone from 6.3 metres (20 ft.) to 3.6 metres (12 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval from the Ministry of Transportation;
 - (c) registration of a Section 219 Restrictive Covenant to regulate the design of the building and landscaping generally in accordance with the attached drawings (Appendix V);
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) demolition of the existing house; and
 - (f) approval by Council of Development Variance Permit No. 7999-0215-00.

RES.R03-720

Carried

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 14971" pass its first reading.

RES.R03-721

Carried

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

RES.R03-722 It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 14971" pass its second reading.
Carried

RES.R03-723 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. 14971" be held at the
City Hall on April 28, 2003, at 7:00 p.m.
Carried

11. **7903-0084-00**
6248 - 144 Street
Liane Ricou/Surrey School District No. 36

Development Variance Permit

To vary the number and sign area of identification signs for the Bell Performing Arts Centre.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 6248 - 144 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - the number of identification signs in agricultural zones is varied from one (1) to three (3); and
 - the maximum sign area of each sign is increased from 3 square metres (32 sq.ft.) to not more than 18.5 square metres (200 sq.ft.)

in order to permit three fascia signs to identify the "Bell Performing Arts Centre" within the school building located at 6248 - 144 Street.

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

Mary Polak, Chairperson, Surrey School Board

Ms. Polak was in attendance and commented that the Bell Performing Arts Centre is a unique facility because of the dual usage as a school and a theatre. She added that there has been confusion as to the theatre’s location in that the building does not look like a theatre and visual cues are not present. She continued that a third sign would be warranted given the unique use of theatre and school and would afford people the opportunity to know this is also a theatre as well as a school. She noted that the digitally produced renditions may show the sign facing 144 Street appearing closer, but would actually angle away from the viewer and that because of the unique placement of the building and its unique dual usage, additional signage would be warranted.

Liam Coughlin, School District #36 (Surrey)

Mr. Coughlin was in attendance and commented that some members of the public have commented that it has been difficult to locate the theatre. He noted that the letters on the sign would be backlit with floodlights.

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

1. The proposed fascia sign on the south elevation not be approved.
2. Council approve Development Variance Permit No. 7903-0084-00 (Appendix III), varying the following, to proceed to Public Notification:
 - (a) to increase the number of identification signs per lot in agricultural zones from one (1) to three (3); and
 - (b) to increase the maximum sign area of each identification sign from 3 square metres (32 sq.ft.) to 18.5 square metres (200 sq.ft.).

Before the question was called:

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Item 1 be amended by deleting the

word “not”.

RES.R03-724

Carried

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

RES.R03-725

Carried

SOUTH SURREY**12. 7903-0058-00****17516 - 4 Avenue****Don Andrew, Creekside Architects/Douglas Developments Ltd.**

Development Permit

To permit the construction of 3 townhouses (Phase II) as part of a 75-unit townhouse development under construction.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 17516 - 4 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of 3 townhouses in one building as Phase II of a 75-unit seniors oriented townhouse development approved under Development Permit No. 7902-0131-00 (Appendix IV).

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Tymoschuk

That:

1. Council approve the attached Development Permit No. 7903-0058-00 (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.

RES.R03-726

Carried

13. 7902-0402-00**12618 - 20 Avenue****Jon Moss, Homelife Realty/Gladys Maude Sankey & Gerald Robert Sankey**

Development Variance Permit

To vary the maximum height of an existing accessory structure.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 12618 - 20 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to vary the maximum height of the existing accessory structure from 4 metres (13 ft.) to 6.5 metres (21 ft.) at the roof peak

in order to retain the existing accessory structure and subdivide the parcel into two single family lots.

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

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

1. Council approve Development Variance Permit No. 7902-0402-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to vary the maximum height for an existing accessory structure within the RF Zone allowed from 4 metres (13 ft.) to 6.5 metres (21 ft.) at the roof peak.

RES.R03-727

Carried

- 14. 7902-0056-00**
16277 High Park Avenue
Jon Van Geel, Park Lane Ventures (Morgan Creek) Ltd./Park Lane Ventures (Morgan Creek) Ltd.
Restrictive Covenant Amendment
To amend the Restrictive Covenant for the Building Scheme.

The General Manager of Planning & Development submitted a report concerning an application to amend the Restrictive Covenant on property located at 16277 High Park Avenue.

The applicant is proposing:

- a Restrictive Covenant Building Scheme

in order to allow subdivision into 46 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.

John van Geel, Parkland Homes

Mr. Van Geel was in attendance and commented that the land area where the fill was added was actually a hole approximately 2 metres below road grade. He noted that the drawing shown on the overhead screen was prepared pre-development and that since then, engineered plans had been done and were somewhat altered. He added that the original approval suggests that the cul-de-sac lots be no more than two storey elevation to allow for a better interface with existing homes.

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That Council approve the proposed

amendment to the Restrictive Covenant for the Building Scheme to allow two-storey homes in the cul-de-sac.

RES.R03-728

Carried with Councillor Bose against.

SURREY CITY CENTRE/WHALLEY

15. 7903-0052-00

11008 - 132 Street

Larry Anderson, True West Investments

True West Investments Ltd.

Development Variance Permit

To vary the rear yard setback and the side yard setback along a flanking street to allow construction of a single family dwelling.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 11008 - 132 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to reduce the minimum rear yard setback in the RF Zone from 7.5 metres (25 ft.) to 2.4 metres (8 ft.); and
 - to reduce the minimum side yard setback along a flanking street in the RF Zone from 3.6 metres (12 ft.) to 2.4 metres (8 ft.)

in order to permit the construction of a single family residence.

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

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

1. Council approve Development Variance Permit No. 7903-0052-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback in the RF Zone from 7.5 metres (25 ft.) to 2.4 metres (8 ft.); and
 - (b) to reduce the minimum side yard setback along a flanking street in the RF Zone from 3.6 metres (12 ft.) to 2.4 metres (8 ft.).
2. Council instruct staff to resolve the following issue prior to approval:
 - (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.

RES.R03-729

Carried with Councillors Villeneuve and Bose against.

- 16. 7902-0284-00**
12135, 12153, 12167 - 96 Avenue and
Portions of 12162, 12174 and 12178 - 97 Avenue
McElhanney Consulting Services Ltd./Parmjit Clair and Rajvir Athwal,
Amrik and Manmohan Bhullar, Atmajit and Kashmir Aujla, Gurmej and
Parmjit Clair, Resham and Gurmej Singh and Atmajit and Kashmir Aujla
 Rezoning
A portion from RF to RF-12 to allow subdivision into approximately 21 small single family lots and 3 RF lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 12135, 12153, 12167 - 96 Avenue and portions of 12162, 12174 and 12178 - 97 Avenue.

The applicant is proposing:

- a rezoning of a portion of the site from RF to RF-12

in order to allow subdivision into approximately 21 RF-12 and 3 RF 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 Steele
That:

1. a By-law be introduced to rezone a portion of the site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (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) the existing buildings located at 12162 and 12178 - 97 Avenue are returned to single family dwellings, to the satisfaction of the Building Division.

RES.R03-730 Carried with Councillor Bose against.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 14972" pass its first reading.

RES.R03-731 Carried with Councillor Bose against.

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. 14972" pass its second reading.

RES.R03-732 Carried with Councillors Villeneuve and Bose against.

It was then

Moved by Councillor Villeneuve

Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14972" be held at the City Hall on Monday, April 28, 2003, at 7:00 p.m.

RES.R03-733

Carried

C. CORPORATE REPORTS

D. ITEMS REFERRED BY COUNCIL

1. 7902-0170-00

13374 King George Highway

Doug Johnson/644137 B.C. Ltd.

Development Permit

To allow a used car dealership and auto loan business.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 13374 King George Highway.

The applicant is proposing:

- a Development Permit

in order to permit the development of a used car dealership and auto loan business at 13374 King George Highway in Surrey City 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 Tymoschuk

Seconded by Councillor Steele

That Development Permit

No. 7902-0170-00 be denied.

Before the question was called:

It was

Moved by Councillor Bose

Seconded by Councillor Tymoschuk

That the matter be tabled and referred to the

Solicitor to report back to Council on how the concerns discussed by Council could be addressed.

RES.R03-734

Carried

E. DELEGATIONS

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14868"

7902-0092-00 - Dawson Clover Ridge Developments Ltd.
c/o Mr. Dan Dawson

RA (BL 12000) to CD (BL 12000) - 16597, 16615, and
16653 - 60 Avenue - to permit the development of 77 townhouse units
with a limited commercial component at the corner of 166 Street and
60 Avenue.

Councillor Bose left the meeting at 5:14 p.m. due to a potential conflict as his family has property holdings in the area.

Approved by Council: November 25, 2002

Note: A Development Permit (7902-0092-00) on the site is to be considered for Final Approval under Item I.1(a).

- * At the December 9, 2002 Regular Council-Public Hearing meeting, four residents whose lots directly abut the site to the north raised concerns regarding the lack of buffering between the site and their homes. Subsequently, Council passed the following resolution:

"That staff advise Council regarding the buffer area concerns raised at the Public Hearing prior to final approval".

In response, Planning & Development advise that the applicants have submitted a revised landscape plan indicating additional trees (from a total of 26 to 47 trees) to be planted along the north property line adjacent to the single family lots. The City Landscape Architect has approved the revised landscape plans. On February 25, 2003, the applicants met with several of the concerned residents (5 property owners, 3 of whom spoke against the proposal at the Public Hearing due to lack of buffering) and they have confirmed their agreement to the revised landscaping.

It was Moved by Councillor Steele
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2002, No. 14868" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R03-735 Carried

Councillor Bose returned to the meeting at 5:15 p.m.

2. "Surrey Land Use Contract No. 175, Authorization By-law, 1977, No. 4296
Partial Discharge By-law, 2000, No. 14201"

7900-0164-00 - City of Surrey, c/o Lisa Donahoe, Realty Section

To discharge LUC 175 from the property at 13951 Crescent Road to allow the
underlying zone (CPG) to come into effect.

Approved by Council: December 4, 2000

This By-law is proceeding in conjunction with By-laws 14202 and 14203.

It was Moved by Councillor Steele
Seconded by Councillor Tymoschuk
That "Surrey Land Use Contract No. 175,
Authorization By-law, 1977, No. 4296 Partial Discharge By-law, 2000,
No. 14201" be finally adopted, signed by the Mayor and Clerk, and sealed with
the Corporate Seal.
RES.R03-736 Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2000, No. 14202"

7900-0164-00 - City of Surrey, c/o Lisa Donahoe, Realty Section

A-1 (BL 12000), RA (BL 12000) & CPG (BL 12000) to RA (BL 12000) –
13931 & 13951 Crescent Road - to permit subdivision of two residential
lots with retention of a heritage house on one of these lots, and one
remainder lot as a park.

Approved by Council: December 4, 2000

This By-law is proceeding in conjunction with By-laws 14201 and 14203.

It was Moved by Councillor Steele
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2000, No. 14202" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R03-737 Carried

4. "Surrey Heritage Revitalization Agreement By-law, 2000, No. 14203"

7900-0164-00 - City of Surrey, c/o Lisa Donahoe, Realty Section

To allow for a Heritage Revitalization Agreement for the Daniel Johnson House,
 to apply to proposed Lot 2 - 13951 Crescent Road. The purpose of this
 Agreement is to ensure the on-site retention and restoration of the Johnson House.

Approved by Council: December 4, 2000

This By-law is proceeding in conjunction with By-laws 14201 and 14202.

It was Moved by Councillor Steele
 Seconded by Councillor Tymoschuk
 That "Surrey Heritage Revitalization
 Agreement By-law, 2000, No. 14203" be finally adopted, signed by the Mayor
 and Clerk, and sealed with the Corporate Seal.
 RES.R03-738 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14597"

7901-0187-00 - Gerardo and Francesca Frustaci,
 c/o Hunter Laird Engineering Ltd.

RA (BL 12000) to RF (BL 12000) - 16119 - 110 Avenue - to permit
 subdivision into approximately twelve (12) single family lots.

Approved by Council: December 10, 2001

- * Planning & Development advise that (reference memorandum dated
 March 17, 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.

pass a resolution amending the East Newton South NCP to redesignate the land from "Urban Single Family" designation to "Townhouses (max 15 upa)".

It was Moved by Councillor Steele
Seconded by Councillor Tymoschuk
That the Newton South NCP be amended to redesignate the land from "Urban Single Family" designation to "Townhouses (max 15 upa)".

RES.R03-741 Carried with Councillor Bose against.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14817" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R03-742 Carried with Councillor Bose against.

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7902-0092-00**
Mr. Dave Walls and Mr. Dan Dawson
Dawson Clover Ridge Developments Ltd.
16597, 16615 & 16653 - 60 Avenue

Councillor Bose left the meeting at 5:18 p.m. due to a potential conflict of interest as his family has property holdings in the area.

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

"That Development Permit No. 7902-0092-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

Note: See By-law 14868, H.1. of this agenda.

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

No. 7902-0092-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R03-743

Carried

Councillor Bose returned to the meeting at 5:19 p.m.

- (b) **Development Permit No. 7902-0355-00**
E.H. Talboh & Associates/Peter Mioch
12391 Industrial Road

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

"That Development Permit No. 7902-0355-00 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 Higginbotham
Seconded by Councillor Tymoschuk
That Development Permit

No. 7902-0355-00 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.R03-744

Carried

- (c) **Development Permit No. 7902-0229-00**
Shergar Holdings Ltd.
c/o SYM IT (Mr. Moize Dossa)
15158, 15170 - 66A Avenue and 6583 & 6611 - 152 Street

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

"That Development Permit No. 7902-0229-00 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 14817, Item H.7 of this agenda.

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

No. 7902-0229-00 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.R03-745

Carried

J. ADJOURNMENT

It was
Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the Regular Council - Land Use

meeting do now adjourn.

RES.R03-746

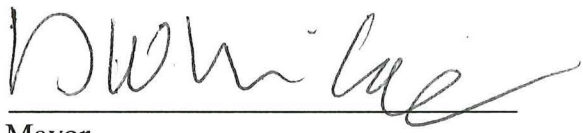
Carried

The Regular Council- Land Use meeting adjourned at 5:20 p.m.

Certified Correct:



Acting City Clerk



Mayor