



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 12, 2004
Time: 4:25 p.m.

Present:

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

Absent:

Councillors Entering
Meeting as Indicated:

Staff Present:

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

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL

NEWTON

- 1. 7903-0409-00**
14722 - 64 Avenue
Alpha Neon Ltd./Owners of Strata Lots 1 to 23, Strata Plan LMS557
Development Permit
To permit the development of a 14-foot high, double faced, free-standing sign.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 14722 - 64 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of a 14-foot high double-faced, free-standing sign.

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 Council approve the attached
 Development Permit No. 7903-0409-00 (Appendix V), 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.R04-1

Carried**RESIDENTIAL/INSTITUTIONAL****CLOVERDALE/CLAYTON**

2. **7903-0363-00**
6152 - 164 Street
Mike Helle/Arthur and Susan Willms
 Rezoning
*From A-1 to RF to allow consolidation with an adjacent parcel and further
 subdivision into approximately 17 single family lots and a remainder lot.*

Councillor Bose left the meeting at 4:24 p.m. due to a potential conflict of interest 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 6152 - 164 Street.

The applicant is proposing:

- a rezoning from A-1 to RF

in order to allow consolidation with the adjacent parcel and further subdivision into approximately 17 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 Higginbotham
 Seconded by Councillor Steele
 That:

1. a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and
- (c) registration of a "no build" Restrictive Covenant on proposed Lot 18 to secure future subdivision potential.

RES.R04-2

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15258" pass its first reading.

RES.R04-3

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, 2004, No. 15258" pass its second reading.

RES.R04-4

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15258" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-5

Carried

Councillor Bose returned to the meeting at 4:27 p.m.

**3. 7902-0260-00
 6238 - 192 Street
 Mr. Julio Gomberoff, c/o Gomberoff Bell Lyon Architects/
 CGR Holdings Ltd.**

Rezoning/Development Permit

*Rezone from RA to RM-15 and Development Permit to allow construction of
 approximately 29 townhouse units.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 6238 - 192 Street.

The applicant is proposing:

- a rezoning from RA to RM-15; and
- a Development Permit

in order to allow construction of approximately 29 townhouse units.

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

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

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 15 Zone (RM-15)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7902-0260-00 in accordance with the attached drawings (Appendix II).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a road dedication plan to the satisfaction of the Approving Officer;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (d) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space.
4. Council pass a resolution to amend the Cloverdale Local Area Plan to redesignate the land from Urban Residential to Multiple Residential (Townhouse) when the project is considered for final adoption.

RES.R04-6

Carried

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16085 - 110 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to permit the consolidation with an adjacent lot and subdivision into approximately 8 single family lots.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval by Council of the associated road exchange by-law; and
 - (e) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R04-10

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15261" pass its first reading.

RES.R04-11

Carried

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

- (c) removal of all existing greenhouses and accessory structures;
- (d) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (e) registration of a Section 219 Restrictive Covenant for "no build" on proposed Lots 20 and 25 until they are consolidated with the lot to the west and further subdivided.

RES.R04-14

Carried

It was

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

No. 12000, Amendment By-law, 2004, No. 15262" pass its first reading.

RES.R04-15

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, 2004, No. 15262" pass its second reading.

RES.R04-16

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, 2004, No. 15262" be held at the City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-17

Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

7. 7903-0384-00

13790 - 72 Avenue

**Jorg Helssen Architect Inc./Newton Shopping Plaza Inc., Inc. No. 424432C
 and 337805 B.C. Ltd., Inc. No. 337805**

Development Permit/Development Variance Permit

DP to permit the expansion of the Scotiabank into the remainder of the existing building with interior and exterior renovations. DVP to vary Surrey Sign By-law, 1999, No. 13656 to allow for additional fascia signs and a larger sign area.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 13790 - 72 Avenue.

The applicant is proposing:

- A Development Permit; and
- A Development Variance Permit to vary the following by-law regulations of the Surrey Sign By-law, 1999, No. 13656:
 - To vary the number of fascia signs permitted per premise from one (1) to six (6); and
 - To vary the sign area permitted from 30.0 square metres (322 sq. ft.) to 33.1 square metres (356 sq. ft.).

in order to permit the expansion of the existing Scotiabank into the remainder of an existing building, with interior and exterior renovations.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. Council authorize staff to draft Development Permit No. 7903-0384-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7903-0384-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to increase the number of fascia signs per premise from one (1) to six (6); and
 - (b) to vary the sign area of the fascia signs per premise from 30.0 square metres (322 sq.ft.) to 33.1 square metres (356 sq.ft.).

RES.R04-18

Carried

8. **7902-0340-00**
6814 - 152 Street
Gerry Blonski/648118 B.C. Ltd., Inc. No. 648118
Rezoning/Development Permit
Rezone from A-1 to CD (based on IB) and a DP to permit the construction of an approximately 4,542 m² (48,893 sq.ft.) multi-tenant industrial building and a 2,737 m² (29,463 sq.ft.) wedding palace containing a religious assembly area and two banquet facilities.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 6814 - 152 Street.

The applicant is proposing:

- a rezoning from A-1 to CD; and
- a Development Permit

to permit the development of an approximately 4,542 m² (48,893 sq.ft.) multi-tenant industrial building and a 2,737 m² (29,463 sq.ft.) wedding palace containing a religious assembly area and two banquet facilities. The proposed CD Zone also permits a limited area for specialty retail uses that cater to the proposed wedding palace.

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 "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) that will permit accessory retail uses limited to a specialty retail store catering to the proposed wedding palace and fabric/marriage planning stores and a date be set for Public Hearing (Appendix IV).
2. Council authorize staff to draft Development Permit No. 7902-0340-00 generally in accordance with the attached drawings (Appendix II).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and

(d) the applicant adequately address the tree cutting by-law infraction.

RES.R04-19 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15263" pass its first reading.

RES.R04-20 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 Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15263" pass its second reading.

RES.R04-21 Carried with Councillor Bose against.

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, 2004, No. 15263" be held at the
City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-22 Carried

RESIDENTIAL/INSTITUTIONAL

FLEETWOOD/GUILDFORD

9. **7903-0216-00**
11287 - 158A Street
Progressive Construction Ltd./City of Surrey
Rezoning
*From RA to RC to allow subdivision into approximately 21 cluster residential lots
and open space.*

The General Manager of Planning & Development submitted a report concerning
an application for rezoning on property located at 11287 - 158A Street.

The applicant is proposing:

- a rezoning from RA to RC

in order to allow subdivision into approximately 21 cluster residential lots and
open space.

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

Delegation

The representative from Progressive Construction was in attendance and commented that the retaining wall would be built along a portion of the frontage on the north side. He continued that his company has proposed using "ready-rock" which would allow for plantings along portions of the wall and that the maximum height would be approximately 3 m. (10 ft.).

It was

Moved by Councillor Bose

Seconded by Councillor Hunt

That Application No. 7903-0216-00 be tabled for further information on lot grading for the site, the potential for subdivision and the layout of such subdivision on the site to the north, and on the retaining walls and buffers proposed on the subject site and that the report back to Council include aerial photos, cross-sections, and information on comparable subdivisions.

RES.R04-23

Carried

NEWTON

10. **7902-0118-00**
12530 - 72 Avenue
Jolly Dhaliwal, c/o Kwantlen Square Development Ltd./Edward Holden and Stuart Ringer
 CD By-law Amendment
Amendment to CD By-law No. 13013 to permit subdivision into 2 lots, Block A and B and consolidation of Block B with 7115 - 126 Street.

The General Manager of Planning & Development submitted a report concerning an application to amend the CD By-law on property located at 12530 - 72 Avenue.

The applicant is proposing:

- to amend CD (By-law No. 13013)

in order to allow subdivision into two lots, Block A and Block B and consolidation of Block B with the adjacent site at 7115 - 126 Street.

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 amend Comprehensive Development By-law No. 13013 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; and
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

RES.R04-24 Carried

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 1997, No. 13013 Amendment By-law, 2004,
No. 15265" pass its first reading.

RES.R04-25 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, 1997, No. 13013 Amendment By-law, 2004,
No. 15265" pass its second reading.

RES.R04-26 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, 1997, No. 13013 Amendment
By-law, 2004, No. 15265", be held at the City Hall on January 26, 2004, at
7:00 p.m.

RES.R04-27 Carried

SURREY CITY CENTRE/WHALLEY

11. **7903-0337-00**
13686 - 94A Avenue
Chip Barrett/Phoenix Drug & Alcohol Recovery and Education Society
Rezoning/Development Permit
Rezone from RA to CD and Development Permit to permit the development of a facility consisting of an alcohol and drug recovery centre and supported transitional housing.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 13686 - 94A Avenue.

The applicant is proposing:

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

in order to permit the development of a facility consisting of an alcohol and drug recovery centre and supported transitional housing at 13686 - 94A Avenue 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.

Delegation

Mike Wilson, Executive Director, Phoenix Drug & Alcohol Education Society, was in attendance and advised that 80% of funding requirements have been confirmed: Skippy grant \$1.5 million; B.C. Housing \$1.2 million; value of land \$850,000; Real Estate Foundation \$25,000; City of Surrey \$20,000; City Foundation \$15,000; among others. He added that the projected mortgage costs are assumed on a budget of \$575,000. He then noted that the balance of required funding of \$4.295 million represents 80% of capital costs and a strategy is in place to carry out the balance of work based on the capital strategy. He continued that he envisioned continued B.C. Gaming funding and that an application is before them. He added that there may be another major corporate funder coming on board. In addition, he stated that 32 major foundations or granting organizations have been identified that range in eligibility to provide funding from \$50,000 to \$200,000 that fit within the funding criteria. He stated that operation costs have been confirmed and that the base line sustainable core funding is in place to carry out the existing project.

Mike Wilson stated that 30 medical detox beds would be moving to Surrey to be operated in-house by the Fraser Health Authority.

Discussion ensued with respect to the provision of women's services and Mr. Wilson confirmed that there are ongoing discussions with funding sources for women's housing.

RES.R04-28 It was Moved by Councillor Watts
Seconded by Councillor Hunt
That the information provided by the
Executive Director, Phoenix Drug & Alcohol Education Society be received.
Carried

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

1. Council file Zoning By-law Amendment No. 14507 and Rezoning Application No. 7901-0109-00.
2. 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.
3. Council authorize staff to draft Development Permit No. 7903-0337-00 generally in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) dedication of a 0.942 metre (3 ft.) wide strip of land along 94A Avenue for future road widening;
 - (c) input from the Department of Fisheries & Oceans Canada;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a landscaping plan and a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (f) registration of a Section 219 Restrictive Covenant to provide for joint access to the adjoining lot at 13670 - 94A Avenue; and
 - (g) registration of a Section 219 Restrictive Covenant for consolidation with the adjacent stream setback protection.

RES.R04-29

Carried

It was

Moved by Councillor Bose
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14507" be filed.

RES.R04-30

Carried

It was

Moved by Councillor Bose
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15266" pass its first reading.

RES.R04-31

Carried

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

It was

Moved by Councillor Bose
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15266" pass its second reading.

RES.R04-32

Carried

It was then

Moved by Councillor Watts
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15266" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-33

Carried**12. 7903-0368-00****12822 - 16 Avenue and 1575 - 128A Street**

Mark Ankenman & Darrin Collie, Ankenman Associates Architects Inc.;
Rob Kay, Kay, Matthews & Associates; Linda and George Docolas, Nicosta
Holdings Ltd./Nicosta Holdings Ltd., Inc. No. 531267

OCP Amendment/Rezoning/Development Permit/Development Variance
Permit/Liquor Permit

OCP Amendment from Urban to Commercial and rezone from RF to C-8 for
1575 - 128A St. DP, DPV and Liquor Permit for the entire site.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and applications for a Development Permit, a Development Variance Permit, and a Liquor Permit on properties located at 12822 - 16 Avenue and 1575 - 128A Street.

The applicant is proposing:

- an OCP amendment for 1575 - 128A Street from Urban to Commercial;
- a rezoning of 1575 - 128A Street from RF to C-8;
- permission to operate a Liquor Primary Neighbourhood Pub;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - to vary the front (north) and east side yard from 7.5 m (25 ft.) to 2 m (6.5 ft.) and west side yard from 7.5 m (25 ft.) to 0 m; and
 - to vary the number of required parking stalls from 70 to 19

to permit the development of a neighborhood pub.

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

Delegation

The applicant was in attendance and stated that there are 98 inside seats and 40 patio seats, and that the patio closes at 10:00 p.m. She added that the hours of operation for the pub would be the same as the restaurant except for one night a week when the pub would remain open longer. She stated that weekend closing times would remain at 1:00 a.m. and that the scale of the proposed pub would result in a smaller venue than other pubs in the surrounding area. She continued that the pub would be one level with children and families permitted in the 58-seat restaurant area only. In order to address community concerns, she stated that access would be provided from 128A Street and egress from 128 Street, as well as a landscaping buffer, speed bump, parking and improved road signage.

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

1. a By-law be introduced to redesignate 1575 - 128A Street in the Official Community Plan from Urban to Commercial and a date for Public Hearing be set.
2. 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*.
3. a By-law be introduced to rezone the property at 1575 - 128A Street from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Community Commercial Zone (C-8)" (By-law No. 12000) and a date be set for Public Hearing.

4. a date for Public Hearing to be set to solicit opinions from area residents regarding the proposed Liquor Primary License (neighbourhood pub).
5. Council authorize staff to prepare a resolution for Council's consideration after the Public Hearing. This 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.
6. Council authorize staff to draft Development Permit No. 7903-0368-00 in accordance with the attached drawings (Appendix II).
7. Council approve Development Variance Permit No. 7903-0368-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front (north) yard and east yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 2 metres (6.5 ft.);
 - (b) to reduce the minimum west side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metres (0 ft.); and
 - (c) to reduce the number of required on-site parking spaces from 70 to 19.
8. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) registration of a Restrictive Covenant to limit use of the second floor to office use associated with the restaurant;
 - (e) registration of a Restrictive Covenant to limit use of the basement to storage for the restaurant;
 - (f) registration of a Restrictive Covenant to limit operating hours of the restaurant to evenings only (after 4:00 p.m.); and

- (g) establishment of an access and parking agreement with adjacent sites to the west to the satisfaction of the City.

9. Council pass a resolution to amend the Semiahmoo Peninsula Local Area Plan to redesignate the land at 1575 - 128A Street from Urban Residential to Commercial when the project is considered for final adoption.

RES.R04-34 Carried with Councillors Hunt and Priddy against.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 90 Amendment By-law 2004, No. 15267" pass its first reading.

RES.R04-35 Carried

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

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 90 Amendment By-law 2004, No. 15267" pass its second reading.

RES.R04-36 Carried

It was then Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That the Public Hearing on "Surrey Official
Community Plan By-law, 1996, No. 12900, No. 90 Amendment By-law 2004,
No. 15267" be held at the City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-37 Carried

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15268" pass its first reading.

RES.R04-38 Carried with Councillor Hunt 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, 2004, No. 15268" pass its second reading.

RES.R04-39 Carried with Councillor Hunt against.

It was then
By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15268" be held at the City Hall on January 26, 2004, at 7:00 p.m.
RES.R04-40

Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
Carried with Councillor Hunt against.

It was
RES.R04-41

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the Public Hearing to solicit comments from the area residents regarding the proposed Liquor Primary License (neighbourhood pub) be held at the City Hall on January 26, 2004, at 7:00 p.m.
Carried with Councillor Hunt against.

RESIDENTIAL/INSTITUTIONAL

FLEETWOOD/ GUILDFORD

13. **7903-0350-00**
17368 and 17442 - 104 Avenue
Bob Cheema; James Pernu, McElhanney Consulting Services Ltd./Bruce and Valerie McIntosh; Ronald and Riitta Pearson
OCP Amendment/Rezoning
OCP Amendment from Suburban and Industrial to Urban. Rezone a portion from RA to RH and RF to allow subdivision into approximately 9 half-acre lots; 50 urban lots and a large remainder RA lot.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and a rezoning application on properties located at 17368 and 17442 - 104 Avenue.

The applicant is proposing:

- an OCP amendment on portions of the site from Suburban and Industrial to Urban; and
- a rezoning of a portion of the site from RA to RH and RF

in order to allow subdivision into approximately 9 half-acre lots; 50 urban single family lots; and a large remainder RA lot.

To implement Council's previous decision granting approval to proceed to this project, the General Manager of Planning & Development was recommending that the application be approved, subject to the conditions outlined in the report.

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. a By-law be introduced to redesignate portions of the site from Suburban and Industrial to Urban and a date for Public Hearing be set (Appendix II).
2. 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*.
3. a By-law be introduced to rezone portions of the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) (Block A) and "Single Family Residential Zone (RF)" (By-law No. 12000) (Block B) and a date be set for Public Hearing (Appendix III).
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering (Appendix IV);
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Department of Fisheries & Oceans;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a landscaping cost estimate for the required landscaping on the proposed buffer area to the specifications and satisfaction of the City Landscape Architect;
 - (f) provision of community benefit to satisfy the OCP Amendment policy for Type 2 applications;
 - (g) registration of a Restrictive Covenant on proposed Lots 1 to 55 to require mitigating measures to reduce the impact of external noise

sources, in particular the railway and South Fraser Perimeter Road;
and

- (h) submission of an acceptable lot grading plan.

RES.R04-42

Carried

It was

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

By-law, 1996, No. 12900, No. 91 Amendment By-law 2004, No. 15269" pass its first reading.

RES.R04-43

Carried with Councillor Bose against.

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

It was

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

By-law, 1996, No. 12900, No. 91 Amendment By-law 2004, No. 15269" pass its second reading.

RES.R04-44

Carried with Councillor Bose against.

It was then

Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 91 Amendment By-law 2004, No. 15269" be held at the City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-45

Carried with Councillor Bose against.

It was

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

No. 12000, Amendment By-law, 2004, No. 15270" pass its first reading.

RES.R04-46

Carried with Councillor Bose against.

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

It was

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

No. 12000, Amendment By-law, 2004, No. 15270" pass its second reading.

RES.R04-47

Carried with Councillor Bose against.

It was then

Moved by Councillor Hunt

Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15270" be held at the City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-48

Carried with Councillor Bose against.

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

1. At the December 15, 2003 Regular Council - Land Use meeting, Council deferred Corporate Report L018 to the next Regular Council - Land Use for a staff presentation:

Item No. L018

West Newton/Highway 10 Neighbourhood Concept Plan - Stage 1
File: 6520-20 (West Newton/Hwy 10)

The General Manager, Planning & Development submitted a report to:

1. Provide an overview of the Stage 1 component of the NCP for West Newton/Highway 10, including the process followed in preparing the plan, public consultation that was undertaken as part of the planning process and a description of the proposed Land Use Concept Plan;
2. Seek Council approval of the Stage 1 component of the NCP, including the proposed Land Use Concept Plan as the basis for more detailed planning necessary to complete the Stage 2 component of the plan; and
3. Provide Council with a summary of outstanding land use issues that will be addressed as part of the Stage 2 component.

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 Steele

Seconded by Councillor Higginbotham

That Item No. L018 West Newton/Highway 10 Neighbourhood Concept Plan - stage 1 be tabled to the next Regular Council - Land Use meeting and placed at the beginning of the agenda.

RES.R04-49

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, 2003, No. 15203"

7903-0327-00 - Morgan Creek Corporate Centre Inc., c/o Ken Sully and Rick Friesen

IB (BL 12000) to CD (BL 12000) - 15252 - 32 Avenue - to permit a pharmacy as an accessory retail use.

Approved by Council: December 1, 2003

It was Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15203" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-50

Carried

- 2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14641, Amendment By-law, 2003, No. 15218"

7903-0285-00 - R & D Maan Enterprises Inc., c/o Dr. Ravi Maan

To amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14641" in Section 2.B. Permitted Uses, in sub-section 1.(d) and 1. (e) and by inserting new sub-sections 1(f), (g) and (h) to permit expanded uses on the property located at 2828 - 152 Street for a commercial building presently under construction.

Approved by Council: December 1, 2003

It was Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2002, No. 14641, Amendment By-law, 2003,
 No. 15218" be finally adopted, signed by the Mayor and Clerk, and sealed with
 the Corporate Seal.

RES.R04-51

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15112"

7903-0094-00 - Dr. Parmjit Kang

RA (BL 12000) to RM-30 (BL 12000) - 12726 - 66 Avenue - to permit the
 development of a 52-unit townhouse complex.

Approved by Council: September 8, 2003

Note: A Development Permit (7903-0094-00) on the site is to be considered for
 Final Approval under Item I.1(a).

It was Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15112" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-52

Carried

TO BE FILED

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14507"

7901-0109-00 - Figela Enterprises Co. Ltd., c/o Phoenix Drug & Alcohol
 Recovery and Education Society

RA (BL 12000) to RMS-1A (BL 12000) - 13686 - 94A Avenue - to permit
 the existing 10-bed drug and alcohol recovery house.

Approved by Council: September 4, 2001

Note: This By-law will be in order for consideration to be Filed, should Council
 approve Land Use Application 7903-0337-00, Item B.11 of the Land Use
 Addendum Agenda #1.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2001, No. 14507" be filed.
 RES.R04-53 Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7903-0094-00**
Dr. Parmjit Kang
 12720 - 66 Avenue and 12726 - 66 Avenue

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

"That Development Permit No. 7903-0094-00 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 15112, Item H.3 of this agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Permit
 No. 7903-0094-00 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.R04-54 Carried

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

- (a) **Temporary Use Permit No. 7902-0259-00**
Abdul & Mehair Rahman & Rajendra Dayal
 10368 - 123A Street

Memo from the Manager, North Surrey Section, Planning & Development, advising that the applicant has not responded to a registered letter dated October 20, 2003 regarding outstanding requirements.

Planning & Development further advised that Council considered and approved a report from the Realty Services Division concerning the acquisition of the above noted property and that the owner will be vacating the property by June 16, 2004.

Planning & Development are recommending to Council that the Temporary Use Permit No. 7902-0259-00 be filed.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Temporary Use Permit

No. 7902-0259-00 be filed.

RES.R04-55

Carried

- (b) **Temporary Use Permit No. 7902-0330-00**
Sukhwinder Aujla and Gurdip Uppal, c/o Avtar Uppal
11618 - 130 Street

Manager, North Surrey Section, Planning & Development, advising that the file has been inactive for 10 months and the applicant has not responded to a registered letter dated October 20, 2003 regarding outstanding requirements.

Planning & Development are recommending to Council that the Temporary Use Permit No. 7902-0330-00 be filed.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Temporary Use Permit

No. 7902-0330-00 be filed.

RES.R04-56

Carried

J. OTHER BUSINESS

K. ADJOURNMENT

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


meeting do now adjourn.

RES.R04-57

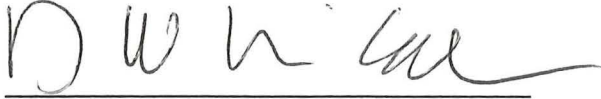
Carried

The Regular Council- Land Use meeting adjourned at 5:46 p.m.

Certified Correct:



City Clerk



Mayor