



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, FEBRUARY 23, 2004
Time: 3:45 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
General Manager, Engineering
Manager, Long Range Planning & Policy
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/AGRICULTURAL

FLEETWOOD/GUILDFORD

1. **7903-0452-00**
18788 - 96 Avenue
Maria Kreykenbohm, W. Kreykenbohm Properties/Wilhelm Kreykenbohm
Development Permit
To permit the construction of an industrial building with ancillary office in Port Kells.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 18788 - 96 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of an industrial building with ancillary office on the northerly portion of a property in Port Kells.

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 Higginbotham
That:

1. Council authorize staff to draft Development Permit No. 7903-0452-00 in accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) approval from B.C. Hydro;
 - (b) submission of revised plans addressing the design comments to the satisfaction of the Planning & Development Department;
 - (c) submission of a revised landscaping plan and a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (d) removal of an illegal addition on the east side of an older existing building (Building F) located on the southerly portion of the site, to the satisfaction of the Building Division.

RES.R04-353

Carried**SOUTH SURREY**

2. **7903-0395-00**
1658 - 128 Street
**Tops Lighting & Electric Ltd., c/o Steph Blackburn/
Dan Hoy Gin and King Lui Gin**
Development Variance Permit
To vary the maximum number of fascia signs on a commercial premise.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 1658 - 128 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - the maximum number of fascia signs per premise is varied from one to two

in order to permit a second fascia sign on 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 Hunt
 Seconded by Councillor Higginbotham
 That:

1. Council approve Development Variance Permit No. 7903-0395-00 (Appendix II), varying the following, to proceed to Public Notification:
 - (a) the Sign By-law regulation relating to maximum number of fascia signs per premise is varied as follows:
 - i. the maximum number of fascia signs is increased from one to two.

RES.R04-354

Carried

SURREY CITY CENTRE/WHALLEY

3. **7903-0353-00**
11113 - 128 Street
Sicon Group/Mouse Holdings
 Development Permit
To permit the installation of a new free-standing sign on an industrial site in South Westminster.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 11113 - 128 Street.

The applicant is proposing:

- a Development Permit

in order to allow a new free-standing sign on an industrial site in South Westminster.

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 Higginbotham
 That Council approve the attached
 Development Permit No. 7903-0353-00 (Appendix IV), 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.R04-355

Carried

RESIDENTIAL/INSTITUTIONAL

FLEETWOOD/GUILDFORD

4. **7903-0450-00**
16088 - 112 Avenue
CitiWest Consulting Ltd./Gilbert Allan Nelson

Rezoning

From RA to RF in order to allow subdivision into approximately 4 single family lots and a remainder lot.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16088 - 112 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into approximately 4 single family lots and a 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 Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of 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.R04-356

Carried

RES.R04-357 It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15293" pass its first reading.
Carried

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

RES.R04-358 It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15293" pass its second reading.
Carried

RES.R04-359 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. 15293" be held at the
City Hall on March 22, 2004, at 7:00 p.m.
Carried

5. **7903-0341-00**
10335 - 168 Street
Coastland Engineering & Surveying Ltd./Duhra Holdings Ltd.,
Inc. No. 498144
Rezoning/Development Variance Permit
*Rezone from RA to RF to permit subdivision into approximately 5 single family
lots. Development Variance Permit to relax the rear yard setback for proposed
Lot 5.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on property located at 10335 - 168 Street.

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following by-law regulation:
 - to reduce the minimum rear yard setback of the RF Zone for proposed Lot 5 from 7.5 metres (25 ft.) to 4.5 metres (14.5 ft.)

in order to allow subdivision into 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 Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7903-0341-00 (Appendix IX), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4.5 metres (14.5 ft.) for proposed Lot 5.
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;
 - (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 Lot 5 until it is further subdivided.

RES.R04-360

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15294" pass its first reading.

RES.R04-361

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. 15294" pass its second reading.
 RES.R04-362 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. 15294" be held at the
 City Hall on March 22, 2004, at 7:00 p.m.
 RES.R04-363 Carried

SOUTH SURREY

6. **7903-0242-00**
2669 - 144 Street
Amrika Enterprises Ltd. (Amrik Purewal) and
Coastland Engineering & Surveying Ltd. (Greg Sewell)/
Amrik, Jisbinder & Manvir Purewal
 Rezoning
From RA to CD to permit the subdivision into 6 suburban single family residential lots.

Councillor Higginbotham left the meeting at 3:46 p.m. due to a potential conflict of interest as she owns property in the immediate vicinity.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 2669 - 144 Street.

The applicant is proposing:

- a rezoning from RA to CD

in order to allow subdivision into 6 suburban single family residential lots.

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

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

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "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) ensure Parks and Recreation requirements are met including cash in lieu of open space dedication;
 - (c) submission of a subdivision layout to the satisfaction of the Approving Officer; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R04-364

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15295" pass its first reading.

RES.R04-365

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. 15295" pass its second reading.

RES.R04-366

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. 15295" be held at the
 City Hall on March 22, 2004, at 7:00 p.m.

RES.R04-367

Carried

Councillor Higginbotham returned to the meeting at 3:47 p.m.

COMMERCIAL/INDUSTRIAL/AGRICULTURAL**NEWTON****7. 7902-0212-01****5446 - 152 Street****Norman Leavoy/Radicalis Montessori Society Inc. No. S38874**

Temporary Use Permit

Temporary Commercial Use Permit Extension to permit the development of a private elementary school and single family dwelling for a period not exceeding two years.

The General Manager of Planning & Development submitted a report concerning an application for a Temporary Use Permit on property located at 5446 - 152 Street.

The applicant is proposing:

- an extension for a Temporary Commercial Use Permit

in order to permit an extension of an existing Temporary Commercial Use Permit to permit a private daycare, preschool and elementary school, in addition to the single family dwelling permitted under the existing A-1 zone, for a period not to exceed two years.

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

It was

Moved by Councillor Watts
Seconded by Councillor Steele
That:

1. Council approve Temporary Use Permit No. 7902-0212-01 to proceed to Public Notification; and
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering.
 - (b) submission of sufficient bonding to ensure removal of the temporary school building and to return the site to its original condition.

RES.R04-368

Carried

FLEETWOOD/GUILDFORD

8. **7903-0447-00**
15988 Fraser Highway
Norman Zottenberg Architecture/Fleetwood Projects Inc.
 Development Permit
To permit an addition to the existing Royal Bank located in the Fleetwood Town Centre.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15988 Fraser Highway.

The applicant is proposing:

- a Development Permit

in order to permit the development of an addition to the existing Royal Bank located in the Fleetwood Town Centre.

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

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Hunt
 That Council approve the attached
 Development Permit No. 7903-0447-00 (Appendix III), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R04-369

Carried

SOUTH SURREY

9. **7904-0043-00**
2990, 3002 and 3020 - 152 Street
Gerry Olma/South Pointe Annex (1) Ltd. (Inc. No. 655649)
South Pointe Annex (2) Ltd. (Inc. No. 655650)
South Pointe Annex (3) Ltd. (Inc. No. 655651)
 Development Variance Permit
To vary the number of fascia signs.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 2990, 3002 and 3020 - 152 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - Building A: to vary the number of fascia signs to 3 on the north elevation; to 2 on the west elevation; to 1 on the east elevation; and to 3 on the south elevation;
 - Building C: to vary the number of fascia signs to 2 on the south elevation; to 1 on the west elevation; to 1 on the east elevation; and to 1 on the north elevation; and
 - Building E: to vary the number of fascia signs to 3 for one business premise

in order to permit the development of a commercial shopping centre.

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

It was

Moved by Councillor Tymoschuk
 Seconded by Councillor Hunt
 That:

1. Council approve Development Variance Permit No. 7904-0043-00 (Appendix III), varying the following, to proceed to Public Notification:
 - (a) Building A: to vary the number of fascia signs to 3 on the north elevation; to 2 on the west elevation; to 1 on the east elevation; and to 3 on the south elevation;
 - (b) Building C: to vary the number of fascia signs to 2 on the south elevation; to 1 on the west elevation; to 1 on the east elevation; and to 1 on the north elevation; and
 - (c) Building E: to vary the number of fascia signs to 3 for one business premise.

RES.R04-370

Carried

**10. 7903-0342-00
 3208 - 140 Street**

Gus Da Rosa, c/o G3 Architects/Belle's Corner Ltd., Inc. No. 575177

Rezoning/Development Permit/Development Variance Permit

To rezone from C-4 to CD and a Development Permit to permit an expansion of Belle's Country Market, with additional building housing a licensed restaurant. Development Variance Permit to relax the on-site parking from 43 stalls to 33 stalls.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit and a Development Variance application on property located at 3208 - 140 Street.

The applicant is proposing:

- a rezoning from "Local Commercial Zone (C-4)" to "Comprehensive Development Zone (CD)";
- a Development Permit; and
- a Development Variance Permit to relax the following by-law regulations:
 - Part 5, Table C.2 of Zoning By-law No. 12000, varying the minimum onsite parking requirements from 43 stalls to 33 stalls

in order to permit the expansion of Belle's Country Market, to include a licensed restaurant.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone the property from "Local Commercial Zone (C-4)" to "Comprehensive Development Zone (CD)" and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7903-0342-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7903-0342-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the number of required on-site parking spaces from 43 to 33.
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;
 - (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;

- (d) registration of a Section 219 Restrictive Covenant to restrict the use of the proposed basement for storage purposes only.

RES.R04-371

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15296" pass its first reading.

RES.R04-372

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, 2004, No. 15296" pass its second reading.

RES.R04-373

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, 2004, No. 15296" be held at the
 City Hall on March 22, 2004, at 7:00 p.m.

RES.R04-374

Carried

SURREY CITY CENTRE/WHALLEY

11. 7903-0399-00

13853/89 - 104 Avenue

Roger Romses/D.M.H. Equities Ltd.

Development Permit/Development Variance Permit

Development Permit to permit an addition to an existing office building.

Development Variance Permit to vary the rear yard setback and covered parking regulations.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on properties located at 13853/89 - 104 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - reduce the minimum rear yard setback of the C-35 Zone; and
 - relax the covered parking requirement

in order to permit an addition to an existing office building in the 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 Hunt
Seconded by Councillor Tymoschuk
That:

1. Council authorize staff to draft Development Permit No. 7903-0399-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7903-0399-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the C-35 Zone from 7.5 metres (25 ft.) to 0 metre; and
 - (b) to waive the requirement of the C-35 Zone that all parking spaces be located underground or within a building envelope.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) the registration of a Section 219 Restrictive Covenant tying the parking on the adjoining lot at 10431 - 139 Street to the subject site.

RES.R04-375

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

12. **7903-0060-00**
19049, 19087 and 19135 - 68 Avenue
BFW Developments Ltd./Inter-Focus Investments Ltd., Inc. No. 464019,
Alice M. Zorzi, Benchmark Management Ltd., Inc. No. 282784
Rezoning/Development Variance Permit
Rezone from RA and A-1 to RF-12C, RF-9C and RF-9S to permit development of

approximately 91 small single family lots. DVP to vary the RF-12C Zone to permit driveways from either the front or the flanking lane for proposed Lots 69 and 74.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on properties located at 19049, 19087 and 19135 - 68 Avenue.

The applicant is proposing:

- a rezoning from RA to RF-12C, RF-9C and RF-9S; and
- a Development Variance Permit to vary the following regulation of the RF-12C Zone:
- to vary the off-street parking requirement for proposed Lots 69 and 74 to allow driveways either from the fronting street or the flanking lane

in order to permit the development of approximately 91 lots consisting of: 60 small single family lots with coach houses and 12 m (40 ft.) frontages; 7 small single family lots with coach houses and 9 m (30 ft.) frontages; and 24 Special Residential small single family lots with an optional commercial component on 9 m frontages.

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 portions of the properties from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential (12) Coach House Zone (RF-12C)" (By-law No. 12000) (Block A), "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) (Block C) and "Special Single Family Residential (9) Zone (RF-9S)" (By-law No. 12000) (Block B) as shown on the attached survey plan (Appendix I).
2. Council approve Development Variance Permit No. 7903-0060-00, varying the following to proceed to Public Notification:
 - (a) to vary the provision in the RF-12C Zone for proposed Lots 69 and 74, to allow driveways either from the fronting street or the flanking lane.

3. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of an acceptable landscaping plan and cost estimate for the landscape buffer on proposed Lots 70 - 73 and 89 - 91, to the specifications and satisfaction of the City Landscape Architect;
 - (e) removal of all existing buildings and structures to the satisfaction of the Building Division;
 - (f) finalize the RF-9S Zone components of the Building Scheme; and
 - (g) registration of a Section 219 Restrictive Covenant for "no build" on proposed Lots 32 and 51 and the eastern portions of proposed Lots 52 and 69 until future consolidation with the adjacent properties.

RES.R04-376

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15297" pass its first reading.

RES.R04-377

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15297" pass its second reading.

RES.R04-378

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15297" be held at the City Hall on March 22, 2004, at 7:00 p.m.

RES.R04-379

Carried

NEWTON

13. 7904-0045-00

14579, 14585, 14591, 14599, 14605, 14615, 14621,

14629, 14633, 14641, 14649, 14655, 14661, 14669 – 67B Avenue

Ran Chahal, Apex Design Group/657738 B.C. Ltd., Inc. No. 657738,

657739 B.C. Ltd., Inc. No. 657739/657738 B.C. Ltd., Inc. No. 657738, 657739

B.C. Ltd., Inc. No. 657739; transfer pending: Parminder Sangha,

Navtej Sangha, 657738 B.C. Ltd., Inc.No. 657738, 657739 B.C. Ltd.,

Inc. No. 657739; transfer pending: Amritpal Sangha, Jasbir Sangha

Development Variance Permit

Development Variance Permit to permit driveway access from the front of the lot.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 14579, 14585, 14591, 14599, 14605, 14615, 14621, 14629, 14633, 14641, 14649, 14655, 14661, 14669 – 67B Avenue .

The applicants are proposing:

- a Development Variance Permit to relax the following by-law regulations:
- provision of driveway access only from the lane where there is a lane up to or along the rear lot line or side lot line

in order to permit driveway access from the front of the 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 Hunt

Seconded by Councillor Steele

That:

1. Council approve Development Variance Permit No. 7904-0045-00, varying the following, to proceed to Public Notification:
 - (a) to waive the requirement of the RF-12 Zone to provide driveway access only from a lane where there is a lane up to or along the rear lot line or side lot line.

2. Council instruct staff to resolve the following issue 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.

RES.R04-380

Carried

The Mayor noted that the agenda order would be varied when the applicant for Item B.14 would be in attendance.

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

15. **7903-0323-00**
14620 - 64 Avenue
Gerard Thomas/Crichton Holdings Ltd., Inc. No. 533854
Development Variance Permit
Development Variance Permit to vary the maximum height of a telecommunication tower erected on top of a building, from 3.0 metres (10 ft.) to 11.38 metres (37 ft.).

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 14620 - 64 Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - to vary Part 4, Section A, General Provisions, to allow the maximum height of a tower to be erected on top of a building to be increased from 3.0 metres (10 ft.) to 11.38 metres (37 ft.)

in order to permit the construction of a telecommunication antenna support structure, consisting of a new mast, with two cellular antenna.

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

Gerard Thomas, Crichton Holdings Ltd.

Gerard Thomas was in attendance and commented that he did not have a topographical map for viewing at this time. He stated that trees located closer to King George Highway may pose a problem, not the trees to the west.

It was

Moved by Councillor Hunt

Seconded by Councillor Higginbotham

That Council table the application and refer

the application back to the applicant to locate the proposed antenna support structure on Building B of the site.

RES.R04-381

Carried with Councillors Priddy,

Tymoschuk and Villeneuve against.

SOUTH SURREY

14. 7903-0360-00

1335 - 136 Street

Joe Frank/Joe and Jill Frank

Development Variance Permit

To vary the Subdivision and Development By-law requirement to not construct rollover curb and gutter and street lighting, for a 2-lot single family subdivision.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 1335 - 136 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
- Subdivision and Development By-law to waive the requirement for the construction of rollover curb and gutter and street lighting as part of the development of a two-lot single family residential subdivision.

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

Joe Frank

Joe Frank was in attendance and commented that the neighbouring properties have a rural feel with no curbs, few street lamps, and trees. He continued that he is trying to keep a country feel to his proposed two-lot subdivision. He agreed to provide funds in lieu of construction.

It was
7903-0360-00 be filed.
RES.R04-382

Moved by Councillor Bose
Seconded by Councillor Hunt
That Development Variance Application
Carried

It was
RES.R04-383

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the applicant be required to contribute
cash-in-lieu of construction for the rollover curb and gutter and street lighting.
Carried

Mayor McCallum advised that Council had agreed to adjourn the Regular Council - Land Use meeting at 4:23 p.m. and reconvene after the Council-in-Committee meeting.

Mayor McCallum called the Regular Council Land Use meeting to order at 4:59 p.m. and the meeting reconvened with all members of Council present.

C. CORPORATE REPORTS

- The Corporate Reports under date of February 23, 2004 were considered and dealt with as follows:

Item No. L003 Wheelhouse Pub Change in Hours of Operation
and Policy for Hours of Operation for Liquor-primary
Establishments in Surrey
File: 7903-0436-00

The General Manager, Planning & Development submitted a report concerning a general guide for proposed amendments to hours of operation for liquor primary establishments, specifically the Wheelhouse Pub application.

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

The Mayor noted that the following motion would be divided

It was
RES.R04-383

Moved by Councillor Villeneuve
Seconded by Councillor Watts
That Council:

- Pass the following resolution with regard to the proposed amendment to the hours of operation for the Wheelhouse Pub at 12811 – 96 Avenue:

"After taking into account the following criteria in the Planning Report dated February 9, 2004, attached as Appendix "A":

- (a) The potential for noise if the application is approved;
- (b) The impact on the community if the application is approved; and
- (c) Whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose; and

after having the developer post a Development Proposal Sign on the subject site to gather the views of residents and businesses with respect to the proposed Liquor License Amendment application, Surrey City Council does not support the proposed change in the hours of operation for the Wheelhouse Pub at 12811 -96 Avenue".

RES.R04-384

Carried

It was

Moved by Councillor Villeneuve
 Seconded by Councillor Watts
 That Council:

- 2. Instruct the City Clerk to advise the General Manager, Liquor Control and Licensing Branch in accordance with the resolution contained in 1. regarding the Wheelhouse Pub application.

RES.R04-385

Carried

It was

Moved by Councillor Bose
 Seconded by Councillor Villeneuve
 That Council:

- 3. Adopt the following operating hours as a policy for considering liquor license applications or liquor license amendment applications for liquor-primary establishments in the City:

- (d) Sunday through Thursday 11:00 a.m. to no later than 1:00 a.m.;
 and
- (e) Friday and Saturday 11:00 a.m. to no later than 2:00 a.m.;

Before the motion was put:-

It was Moved by Councillor Bose
Seconded by Councillor Villeneuve
That the above motion be amended to insert
the following words: "...however, where special circumstances exist,
hours of operation may be further restricted".

RES.R04-386

Carried with Councillor Higginbotham
against

The motion as amended, was put and:-

RES.R04-387

Carried with Councillors Priddy, Hunt, and
Higginbotham against.

Item No. L004 Highway 99 Corridor Local Area Plan - Final Plan
File: 6520-20 (Highway 99 Corridor)

The General Manager, Planning & Development submitted a report to provide background information to Council and to obtain Council approval of:

1. The complete and final LAP for the Highway 99 Corridor including a Land Use Plan, environmental management plan, urban design guidelines, engineering servicing and a financing strategy;
2. The funding mechanisms for amenities proposed for the Highway 99 Corridor LAP and the associated Zoning By-law amendments; and
3. A process for OCP and Zoning By-law amendments necessary to allow development in accordance with the Highway 99 Corridor LAP.

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. Page 34 of the Highway 99 Corridor Local Area Plan be replaced with the revised page 34;
2. Appendix "B" being a copy of Corporate Report No. R027, be included as Appendix "B" in the Highway 99 Corridor Local Area Plan;
3. The Table of Contents in the Highway 99 Corridor Local Area Plan be replaced with the Table of Contents that includes reference to Appendix "B"; and

4. Appendix VI attached to Corporate Report No. L004 be replaced with the revised Appendix VI.

RES.R04-388

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council:

1. Receive this report as information; and
3. Instruct the City Clerk to introduce the necessary by-law to amend the Surrey Zoning By-law, 1993, No. 12000 (the "Zoning By-law"), as documented in Appendix VI, to include amenity contributions for the Highway 99 Corridor area, based on the density bonus concept outlined in this report;
4. Instruct staff to bring forward an amendment to the Official Community Plan (the "OCP") to establish the entire Highway 99 Corridor plan area as a Development Permit Area pursuant to the provisions of the OCP; and
5. Authorize staff to bring forward amendments to the Surrey Sign By-law, 1999, No 13656 to reflect the provisions of the Highway 99 Corridor Design Guidelines.

Before the question was called, Councillor Bose asked that item 2 be divided from the main motion:

The question was called on the main motion and it was:-

RES.R04-389

Carried

The Chair advised that the following portion of the motion was on the table, and it was:

2. Approve the Local Area Plan ("LAP") for the Highway 99 Corridor, attached to this report as Appendix I, which includes the proposed land use plan and policies, environmental management plan, urban design guidelines and the engineering servicing and financing strategies that will act to guide development and provide amenities in the Highway 99 Corridor plan area;

RES.R04-390

Carried with Councillors Villeneuve, Priddy, Bose, and Watts , against.

Note: See By-law No. 15298, Item H.8, of the Regular Council - Land Use - Agenda (Clerk's).

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, 2003, No. 15012"

7902-0361-00 - Carol Charlton, Michael Richards (Executor to the Will of Milton Starford Richards), c/o Ankenman and Associates Architects (Mr. Yong Cho)

RA (BL 12000) to CD (BL 12000) - 15395 - 100 Avenue - to allow construction of a 40-unit townhouse development.

Approved by Council: May 5, 2003

Note: See Development Permit No. 7902-0361-00 to be rescinded under Clerk's Report Item I.2(b) of this Agenda.

- * Planning & Development advise that (see memorandum dated February 10, 2004 in by-law back-up) By-law No. 15012 should be filed as the owners have requested that the initial application on the subject site be filed as a new rezoning and development permit application have been submitted under application 7903-0418-00.

It was
No. 12000, Amendment By-law, 2003, No. 15012" be filed.

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

RES.R04-391

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14733"

7902-0107-00 - Teresa Snaith, c/o 600890 B.C. Ltd. (Jason Ratzlaff) and Site Lines Architecture Inc. (Gord Klassen)

RF (BL 12000) to C-15 (BL 12000) - 10427 - 154 Street - to permit the development of a two-storey office building in the Guildford Town Centre.

Approved by Council: June 24, 2002

Note: See Development Variance Permit No. 7902-0107-00 to be rescinded under Clerk's Report Item I.2(a) of this Agenda.

- * Planning & Development advise that (see memorandum dated February 16, 2004 in by-law back-up) By-law No. 14733 should be filed as the file has been inactive for 18 months and the applicant has advised they will not be pursuing the application. (See letter from applicant in by-law back-up.)

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2002, No. 14733" be filed.

RES.R04-392

Carried

FINAL ADOPTION

Councillor Higginbotham left the meeting at 5:22 p.m. due to a potential conflict of interest.

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15083"

7903-0107-00 - Hazelmere Golf and Tennis Club Ltd., c/o Paul Christie, Talisman Land Resource Consultants

A-1 (BL 12000) to CPG (BL 12000) - Portion of 18115 Zero Avenue - to allow the continued use of the site for two golf holes (greens).

Approved by Council: July 7, 2003

- * Planning & Development advise (see memorandum dated February 18, 2004 in by-law back-up) that it is now in order for Council to pass a resolution amending the South-East Surrey Local Area Plan to redesignate the site from Agricultural to Recreational.

Council is requested to pass a resolution amending the South-East Surrey Local Area Plan to redesignate the site from Agricultural to Recreational.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15083" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-393 Carried with Councillor Bose against.

Councillor Higginbotham returned to the meeting at 5:23 p.m.

- 4. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 87 Amendment By-law, 2003, No. 15234"

7903-0213-00 - Fleetwood Villa Holdings Ltd., c/o Lark Group

To authorize the redesignation of the properties located at 8252, 8266, 8282 and 8292 - 160 Street from Urban (URB) to Multiple Residential (RM).

Approved by Council: December 1, 2003

Note: This by-law will be in order for consideration of final adoption, should Council approve final adoption of By-laws 15235 and 15287, Items H.5 and H.6, of this Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 87 Amendment By-law, 2003, No. 15234" be
 finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
 Seal.
 RES.R04-394 Carried

- 5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15235"

7903-0213-00 - Fleetwood Villa Holdings Ltd., c/o Lark Group

RA (BL 12000) to CD (BL 12000) - 8252, 8266, 8282 and 8292 - 160 Street - to permit the development of a 171-unit, assisted living, seniors-oriented, 3-storey apartment building.

Approved by Council: December 1, 2003

Note: A Development Permit (7903-0213-00) on the site is to be considered for Final Approval under Item I. 1(b).

Note: This by-law will be in order for consideration of final adoption, should Council approve final adoption of By-laws 15234 and 15287, Items H.4 and H.6 of this Agenda.

- * Planning & Development advise that (see memorandum dated February 18, 2004 in by-law back-up) it is now in order for Council to pass a resolution amending the Fleetwood Town Centre Local Area Plan to redesignate the land from Medium Density Townhouses to Apartments.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council amend the Fleetwood Town
Centre Local Area Plan to redesignate the land from Medium Density
Townhouses to Apartments.

RES.R04-395 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 15235" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-396 Carried

6. "Fleetwood Villa Holdings Ltd. Housing Agreement, Authorization By-law, 2004, No. 15287"

3900-20-15287/7903-0213-00 - Fleetwood Villa Holdings Ltd., c/o Lark Group

A by-law to authorize the City of Surrey to enter into a Housing Agreement. The purpose of the Agreement is to ensure the proposed development is restricted to those 70 years of age or older.

Approved by Council: February 9, 2004

Note: This by-law will be in order for consideration of final adoption, should Council approve final adoption of By-laws 15234 and 15235, Items H.4 and H.5, of this Agenda.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Fleetwood Villa Holdings Ltd.
Housing Agreement, Authorization By-law, 2004, No. 15287" be finally adopted,
signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-397 Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15141"

7903-0261-00 - Charles and Sandra Howes, Nico River Developments Ltd.,
c/o Nico River Developments Ltd. (Lisa Balsor)

RA (BL 12000) to RH-G (BL 12000) - 3310 and 3320 - 144 Street - to
allow subdivision into 10 single family lots with a dedication of 15%
parkland.

Approved by Council: October 6, 2003

- * Planning & Development advise that (see memorandum dated February 20, 2004
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, 2003, No. 15141" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-398

Carried

INTRODUCTION

8. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2004,
No. 15298"

3900-20-15298/6520-20 (Highway 99 Corridor) - Council Initiated
Text Amendment

"Surrey Zoning By-law, 1993, No. 12000" as amended, is hereby further amended
in Schedule F - Map of Neighbourhood Concept Plan and Infill Areas by inserting
Map 20. Area XX and in Schedule G - Amenity Requirements in Neighbourhood
Concept Plan (NCP) and Infill Areas by adding a new Item 20. to incorporate the
amenity contributions for the Highway 99 Corridor Area Plan.

Approved by Council: To be approved
Corporate Report Item No. L004

Note: This By-law will be in order for consideration, should Council approve the
recommendations of Corporate Report Item No. L004 of this Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Text Amendment By-law, 2004, No. 15298" pass its first reading.
 RES.R04-399 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, Text Amendment By-law, 2004, No. 15298" pass its second reading.
 RES.R04-400 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Text Amendment By-law, 2004, No. 15298" be held at
 the City Hall on March 22, 2004, at 7:00 p.m.
 RES.R04-401 Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

(a) **Development Permit No. 7903-0428-00**
Warren Perrott/West Fraser Real Estate Holdings Inc.
 11125 - 124 Street

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

"That Development Permit No. 7903-0428-00 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 Higginbotham
That Development Permit

No. 7903-0428-00 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.R04-402

Carried(b) **Development Permit No. 7903-0213-00****Lark Group (Kirk Fisher)****Fleetwood Villa Holdings Ltd.**

8292, 8282, 8266, 8252 - 160 Street

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

"That Development Permit No. 7903-0213-00 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 No. 15235, Item H.5, of this agenda.

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

No. 7903-0213-00 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.R04-403

Carried**2. Applications/By-laws/Permits to be Filed**(a) **Development Variance Permit No. 7902-0107-00****Teresa M. Snaith****c/o 600890 B.C. Ltd. (Jason Ratzlaff)****and c/o Site Lines Architecture Inc. (Gord Klassen)**

10427 - 154 Street

Memo from the Manager, North Surrey Section, Planning & Development, advising that the file has been inactive for 18 months; and in response to registered letter dated January 12, 2004 regarding

outstanding requirements the applicant advises that they will not be pursuing the application.

Planning & Development are recommending to Council to rescind Resolution No. R02-1832 of the Regular Council - Public Hearing meeting held on July 22, 2002 which approved Development Variance Permit 7902-0107-00.

Note: See By-law No. 14733, Item H.2, of this agenda.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Council rescind Resolution
No. R02-1832 of the Regular Council - Public Hearing meeting held on
July 22, 2002 which approved Development Variance Permit
7902-0107-00.

RES.R04-404

Carried

- (b) **Development Permit No. 7902-0361-00**
Mr. Yong Cho, Ankenman and Associates Architects/
Carol Maxine Charlton and Michael Paul Richards
15395 - 100 Avenue

Memo from the Manager, Area Planning & Development Division, Planning & Development advising that agents, on behalf of the owners of the above-noted site, submitted a new rezoning and Development Permit Application (7903-0418-00) for this site, and that the owners, in their letter dated October 22, 2003, have requested that the initial development application (7902-0361-00) on the subject site be rescinded.

Planning & Development are recommending to Council to rescind Resolution No. R03-1177 of the Regular Council - Land Use meeting held on May 5, 2003, and to close the file.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Council rescind Resolution
No R03-1177 of the Regular Council - Land Use meeting held on
May 5, 2003.

RES.R04-405

Carried

It was Moved by Councillor Bose
Seconded by Councillor Hunt
That Application No. 7902-0361-00 be filed.
Carried

RES.R04-406

Note: See By-law No. 15012, Item H.1, of this agenda.

J. OTHER BUSINESS

K. ADJOURNMENT

It was

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

meeting do now adjourn.

RES.R04-407


Carried

The Regular Council- Land Use meeting adjourned at 5:22 p.m.

Certified Correct:



City Clerk



Mayor