



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MAY 3, 2004
Time: 5:11 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, Finance, Technology & Human Resources
General Manager, Engineering
Interim General Manager, Parks, Recreation and Culture
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

NEWTON

1. **7904-0081-00**
8363 - 128 Street
Solutions Consultants c/o Bill Reid/All Canadian Shopping Centre Ltd.
Rezoning
From IL to CD in order to permit commercial uses, including Retail, Personal and General Service uses.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 8363 - 128 Street.

The applicant is proposing:

- a rezoning from IL to CD

in order to permit commercial uses, including Retail, Personal Service and General Service uses, within four buildings which are under construction.

Delegation:

Bill Reid, Solutions Consultants, was in attendance and commented that there has been a shift in the community from industrial to commercial development. He pointed out that the site is surrounded by comprehensive development zoning on the eastern portion of the site from 128 Street up to and including 80 Avenue. He noted that recently some applications had been approved for commercial and comprehensive development just north in the prohibited zone. He added that the applicant would like to proceed to Public Hearing to determine whether the public would accept a percentage of use towards commercial and industrial zoning at the site. He continued that there is a road built by the proponent up 84 Avenue along the western side of the property and that the proposed 86,000 sq.ft. building will only be 72,000 in order to provide additional parking space. He then noted that no opposition was received from a canvass of the community.

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

It was

Moved by Councillor Bose
Seconded by Councillor Hunt
That Application 7904-0081-00 be denied.
Carried

RES.R04-1096

- 2. **7904-0060-00**
13630 - 72 Avenue
7124 King George Highway
Navin Sami/Truscan Property Corporation, Inc. No. 44036A
 Food Primary Liquor License - Amendment
Amend Food Primary Liquor License to extend hours of operation.

The General Manager of Planning & Development submitted a report concerning an application to amend the Food Primary Liquor License on property located at 7124 - 72 Avenue.

The applicant is proposing:

- a food primary liquor license amendment

in order to extend hours of operation for an existing establishment at 13630 - 72 Avenue.

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

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That Council approve the proposed
amendment to the food primary liquor license to proceed to Public Notification:

1. to amend the hours of operation as follows:
 - (a) 11:00 a.m. to 1:00 a.m. Monday to Thursday; 11:00 a.m. to 2:00 a.m. Friday and Saturday and 11:00 a.m. to midnight Sunday.

RES.R04-1097

Carried with Councillors Hunt and Priddy
against.

3. 7903-0364-00

7195 King George Highway

Mr. Mike Jorden, Davidson Yeun Simpson Architects/Imperial Oil Ltd.

Rezoning

To amend CD By-law No. 14066 to include Drive-Through restaurant limited to take-out food only, as a permitted accessory use.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 7195 King George Highway.

The applicant is proposing:

- to amend CD By-law No. 14066 as follows:
 - include Drive-Through restaurant limited to take-out food only as a permitted accessory use

in order to allow a take-out window in a convenience store within a gas station.

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That a By-law be introduced to amend
Comprehensive Development By-law No. 14066 and a date be set for Public
Hearing (Appendix IV).

RES.R04-1098

Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2000, No. 14066 Amendment By-law, 2004,
 No. 15367" pass its first reading.
 RES.R04-1099 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, 2000, No. 14066 Amendment By-law, 2004,
 No. 15367" pass its second reading.
 RES.R04-1100 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, 2000, No. 14066 Amendment
 By-law, 2004, No. 15367" be held at the City Hall on May 17, 2004, at 7:00 p.m.
 RES.R04-1101 Carried

SURREY CITY CENTRE/WHALLEY

4. 7904-0023-00

Portions of 13842 and 13864 - 104 Avenue

Andy Aadmi/655305 B.C. Ltd.

Development Permit/Development Variance Permit

Development Permit to permit a car wash and oil change facility on the northern portion of the site. Development Variance Permit to reduce front, side and rear yard setbacks.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on properties located at portions of 13842 and 13864 - 104 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - to reduce the front yard setback of the CHI Zone from 7.5 metres (25 ft.) to 5.0 metres (16.5 ft.);
 - to reduce the side yard setback on a flanking street of the CHI Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and

- to reduce the rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to zero

in order to permit the development of a 10-bay car wash and oil change facility fronting 104 Avenue in Surrey City Centre.

Delegation:

The applicant was in attendance and commented that the concerns raised at the Advisory Design Panel have been rectified and the project would be developed to fit in with the Whalley area. He then showed renderings of the proposed development and noted that a 3 foot berm and concrete wall with metal finishings would be provided in order to fit in with the adjacent property.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. Council authorize staff to draft Development Permit No. 7904-0023-00 (Appendix V) in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7904-0023-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the CHI Zone from 25 metres (7.5 ft.) to 5.0 metres (16.5 ft.);
 - (b) to reduce the minimum side yard setback on a flanking street of the CHI Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and
 - (c) to reduce the minimum rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to zero.
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 subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and

(d) approval of Development Variance Permit No. 7904-0023-00.

RES.R04-1102

Carried

5. **7903-0449-00**

9985 Grace Road

Krahn Engineering - Glen Froese/Amar Investments Ltd.

Development Permit

To permit truck parking and an administration building for a trucking company.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 9985 Grace Road.

The applicant is proposing:

- a Development Permit

in order to permit truck parking and the construction of an administration building for a trucking company.

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. 7903-0449-00 in accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) resolution of minor design issues, as documented in the report, to the satisfaction of the City Architect;
 - (b) submission of landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) input from Gateway Program.

RES.R04-1103

Carried with Councillor Bose against.

RESIDENTIAL/INSTITUTIONALNEWTON**6. 7903-0301-00****12640 - 64 Avenue and 6362 - 126 Street****Mr. Bruce McDonald c/o Surelok Sunridge Estates Ltd./Shawn Mandeep****Grewal; Jerry John Folk and Tara Elizabeth Theodora Folk****NCP Amendment/Rezoning/Development Permit***NCP Amendment from Townhouses (15 upa) to Multiple Residential (20 upa).**Rezoning from RA to CD and a Development Permit to permit the development of 38 townhouse units.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, a rezoning application, and a Development Permit application on properties located at 12640 - 64 Avenue and 6362 - 126 Street.

The applicant is proposing:

- an NCP amendment from Townhouses (max. 15 upa) to Multiple Residential (max. 20 upa)
- a rezoning from RA to CD; and
- a Development Permit

in order to permit the development of 38 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 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 approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7903-0301-00 in accordance with the attached drawings (Appendix II).
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) 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; and
 - (f) the applicant adequately address the impact of the elimination of indoor amenity space.
4. Council pass a resolution to amend the West Newton South NCP to redesignate the land from Townhouses (max. 15 upa) to Multiple Residential (max. 20 upa) when the project is considered for final adoption.

RES.R04-1104

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15368" pass its first reading.

RES.R04-1105

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. 15368" pass its second reading.

RES.R04-1106

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. 15368" be held at the
 City Hall on May 17, 2004, at 7:00 p.m.

RES.R04-1107

Carried

SOUTH SURREY**7. 7904-0061-00****2790 McKenzie Avenue****Mildred Andersen**

Development Variance Permit

To reduce the flood proofing elevation to 0.3 m (1 ft.); and to reduce the minimum front yard setback to 5.5 m (18 ft.) to permit the construction of a single family home.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 2790 McKenzie Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - reduce the flood proofing elevation to 0.3 m (1 ft.) above the centre line of the road at the midpoint fronting the Land; and reduce the minimum front yard setback from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) in the RF Zone

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

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That:

1. Council approve Development Variance Permit No. 7904-0061-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the flood proofing elevation to 0.3 m (1 ft.) above the centre line of the road at the mid-point fronting the Land.
 - (b) to reduce the minimum front yard setback for the RF Zone from 7.5 m (25 ft.) to 5.5 m (18 ft.).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant to indemnify the City from any responsibility in the event of flooding on the Land.

RES.R04-1108

Carried

SURREY CITY CENTRE/WHALLEY**8. 7904-0095-00****12052 - 101A Avenue and 12065 - 101 Avenue****Roger Jawanda, CitiWest Consulting Ltd./Tarvinder Rattan and Gurjit Rattan; Jaskinder Kaur Kang**

Development Variance Permit

To reduce lot depth and, front yard setback in order to allow subdivision into 4 single family lots and to allow for the retention of 2 existing dwellings.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 12052 - 101A Avenue and 12065 - 101 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following Zoning By-law regulations:
 - to reduce the minimum lot depth requirement of the RF Zone from 28.0 metres (92.0 ft.) to 25.0 metres (82.0 ft.) for proposed Lots 1, 2, 3 and 4;
 - to reduce the front yard setback of the RF Zone for proposed Lot 3 from 7.5 metres (25 ft.) to 5.0 metres (16.0 ft.); and
 - to reduce the front yard setback of the RF Zone for proposed Lot 4 from 7.5 metres (25.0 ft.) to 2.5 metres (8.0 ft.)

in order to allow subdivision into 4 single family lots and to allow for the retention of 2 existing dwellings on proposed Lots 3 and 4.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That:

1. Council approve Development Variance Permit No. 7904-0095-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the RF Zone from 28.0 metres (92.0 ft.) to 25.0 metres (82.0 ft.) for proposed Lots 1, 2, 3 and 4;
 - (b) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25.0 ft.) to 5.0 metres (16.0 ft.) for proposed Lot 3; and

- (c) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25.0 ft.) to 2.5 metres (8.0 ft.) for proposed Lot 4.

RES.R04-1109

Carried with Councillor Bose against.**COMMERCIAL/INDUSTRIAL/AGRICULTURAL****FLEETWOOD/GUILDFORD**

9. **7904-0107-00**
14768 - 104 Avenue
Ding Torrijos, Parks, Recreation & Culture Department/City of Surrey
 Development Permit
To permit development of an RCMP District Office in Guildford.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 14768 - 104 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of an RCMP District Office.

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 Hunt
 That Council approve the attached
 Development Permit No. 7904-0107-00 (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.R04-1110

Carried

10. **7904-0077-00**
9564 - 192 Street
Mark Sager, Sager Properties Ltd., John Gustavson, Gustavson Wylie Architects Inc./Salute Enterprises Ltd.
 OCP Amendment/Rezoning/Development Permit
Amend OCP from Industrial to Commercial. Rezone from IL to CD and Development Permit to permit the development of 3 mixed-use commercial buildings and the restoration and retention of the historical Baron von Mackensen House in Port Kells.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and a Development Permit application on property located at 9564 - 192 Street.

The applicant is proposing:

- an OCP amendment from Industrial to Commercial;
- a rezoning from IL to CD; and
- a Development Permit

in order to permit the development of 3 mixed-use commercial buildings and the restoration and retention of the historical Baron von Mackensen House 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 Watts
That:

1. a By-law be introduced to redesignate the property from Industrial to Commercial (Appendix II) 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 from "Light Impact Industrial Zone (IL)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7904-0077-00 generally in accordance with the attached drawings (Appendix III).
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) bring forward a by-law to enter into a heritage revitalization agreement between the owner of the property and the City with an appropriate conservation plan to the satisfaction of the Heritage Advisory Commission and the City;

- (b) 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;
- (c) submission of a road dedication plan to the satisfaction of the Approving Officer;
- (d) input from TransLink;
- (e) submission of revised design drawings addressing the Advisory Design Panel recommendations to the satisfaction of the Planning & Development Department;
- (f) submission of an acceptable tree survey and a statement regarding tree preservation;
- (g) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (h) resolution of the Heritage Advisory Commission recommendations to the satisfaction of the City; and
- (i) satisfactory completion of the heritage revitalization agreement for the historical Baron von Mackensen House.

RES.R04-1111

Carried

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 97 Amendment By-law 2004, No. 15369" pass its first reading.

RES.R04-1112

Carried

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 97 Amendment By-law 2004, No. 15369" pass its second reading.

RES.R04-1113

Carried

It was then
 Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Official
 Community Plan By-law, 1996, No. 12900, No. 97 Amendment By-law 2004,
 No. 15369" be held at the City Hall on May 17, 2004, at 7:00 p.m.
 RES.R04-1114 Carried

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15370" pass its first reading.
 RES.R04-1115 Carried

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

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15370" pass its second reading.
 RES.R04-1116 Carried

It was then
 Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That the Public Hearing on May 17, 2004 be
 held at the City Hall on May 17, 2004, at 7:00 p.m.
 RES.R04-1117 Carried

NEWTON

11. **7903-0306-00**
7477 - 135 Street
Mr. Maciej Dembek c/o Barnett Dembek Architects Inc./Manjinder Kaur
Bal, Gurminder Singh Brar and Simerjit Saran
 Development Permit
To permit a retail complex with banquet hall, auditorium and roof gardens.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 7477 - 135 Street.

The applicant is proposing:

- a Development Permit;

in order to permit the development of a retail complex with banquet hall, auditorium and roof garden.

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

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

1. Council authorize staff to draft Development Permit No. 7903-0306-00 in general accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) registration of a Section 219 Restrictive Covenant to ensure the banquet hall is not in operation between 7:00 a.m. and 7:00 p.m.; and
 - (b) the directional arrow sign being proposed at the east elevation (135 Street) to be revised in order to comply with the City's Sign By-law requirements.

RES.R04-1118

Carried with Councillor Bose against.

12. 7901-0313-00

**Portions of 13643 - 80 Avenue and 8028 King George Highway
David Cheung/Petro-Canada Exploration Inc.**

Rezoning/Development Permit

Rezone from CG-1 and C-8 to CD. Development Permit to permit the construction of a combined self-service and full-service gasoline station and convenience store.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located on portions of 13643 - 80 Avenue and 8028 King George Highway.

The applicant is proposing:

- a rezoning from CG-1 and C-8 to CD; and
- a Development Permit

in order to permit the development of a combined self-service and full-service gasoline station and convenience store.

Delegation:

Byron Cook, representative of PetroCanada, was in attendance and commented that Architects are currently working on plans for 7 or 8 redevelopments, which would be coming before Council. He added that a remediation program is

underway for the underground portion of the site and excavation being carried out above ground at the site. He continued that the owner plans to sell the property. He added that he would check with his environmental staff as to the status of the site at 108 Avenue and King George Highway, provide a report to Council, and that he recognized the site is at the crest of the hill at the entry to Surrey.

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

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

1. a By-law be introduced to rezone a portion of the property from "Self-Service Gasoline Station Zone (CG-1)" (By-law No. 12000) and "Community Commercial Zone (C-8)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7901-0313-00 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 subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

Before the question was called:-

It was Moved by Councillor Tymoschuk
Seconded by Councillor Watts
That the application be tabled until such time as the applicant can address, specifically, the sites at King George Highway and 108 Avenue and 140 Street and Fraser Highway through Planning & Development staff, to the satisfaction of Council.

RES.R04-1119

Carried

SOUTH SURREY13. **7903-0262-00****2201 - 148 Street****Harvey Schmidke, Bell Mobility/City of Surrey**

Development Variance Permit

To vary the height of a free-standing telecommunication tower from 12 metres (40 ft.) to 50 metres (164 ft.).

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 2201 - 148 Street.

The applicant, Bell Mobility, is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - Part 4, Section A, General Provisions, to allow the maximum building height of a free-standing telecommunications tower to be increased from 12 metres (40 ft.) to 50 metres (164 ft.).

in order to permit the construction of a second telecommunication tower at the north portion of the Softball City at South Surrey Athletic Park.

The General Manager of Planning & Development was recommending that Council table the application and refer the application back to City staff to investigate with Bell Mobility the viability of replacing the existing tower on site to accommodate the existing carriers and utilities, as well as Bell Mobility.

It was

Moved by Councillor Villeneuve

Seconded by Councillor Higginbotham

That Council table the application and refer

back to City staff to investigate with Bell Mobility the viability of replacing the existing tower on site to accommodate the existing carriers and utilities, as well as Bell Mobility.

RES.R04-1120

Carried with Councillor Hunt against.**RESIDENTIAL/INSTITUTIONAL****NEWTON**14. **7903-0390-00****5891 and 5931 - 156 Street****Hunter Laird Engineering Ltd./Sucha Singh Poonia, Malkit Kaur Poonia,****Makhan Singh Johal and Jasvir Kaur Johal; Martin Alan Peacock and****Elizabeth Anne Peacock**

Rezoning/Development Permit

Rezone from R-A(G) (By-law No. 5942) and A-1 (By-law No. 12000) to RH-G (By-law No. 12000) to permit subdivision into approximately 12 residential suburban lots and a park lot. DP to ensure an adequate buffer against the ALR.

Councillor Bose left the meeting at 5:51 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, and a Development Permit application on properties located at 5891 and 5931 - 156 Street.

The applicant is proposing:

- a rezoning from R-A(G) (By-law No. 5942) and A-1 (By-law No. 12000) to RH-G (By-law No. 12000); and
- a Development Permit

in order to allow subdivision into approximately 12 residential suburban lots and to provide a park lot and a landscaped buffer.

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 file By-law No. 11430.
2. a By-law be introduced to rezone the property from "Acreage Residential - Gross Density Zone (R-A(G))" (By-law No. 5942) and "General Agriculture Zone (A-1)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council authorize staff to draft Development Permit No. 7903-0390-00 in accordance with the attached drawings (Appendix VIII).
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;

- (c) input from the Ministry of Transportation;
- (d) submission of an acceptable tree survey and a statement regarding tree preservation;
- (e) registration of a Section 219 Restrictive Covenant over the proposed 7.5 metres (25 ft.) landscaped buffer abutting the ALR to ensure adequate installation and maintenance of the landscaping;
- (f) registration of a Section 219 Restrictive covenant to ensure that the specified setbacks for the principal buildings will be maintained; and
- (g) registration of a Section 219 Restrictive Covenant to identify the potential existence of agricultural uses adjacent to the proposed lots.

RES.R04-1121 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 1992, No. 11430" be filed.

RES.R04-1122 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15372" pass its first reading.

RES.R04-1123 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. 15372" pass its second reading.

RES.R04-1124 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. 15372" be held at the
 City Hall on May 17, 2004, at 7:00 p.m.

RES.R04-1125 Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

E. DELEGATIONS

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

Councillor Bose returned to the meeting at 5:53 p.m.

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15130"

7903-0208-00 - 686970 B.C. Ltd.,
c/o Nahar & Sohan Dhesa

RA (BL 12000) to RF-G (BL 12000) - 8170 - 152 Street - to allow
subdivision into approximately 10 single family residential gross density
lots.

Approved by Council: September 29, 2003

- * Planning & Development advise that (see memorandum dated April 27, 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 Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2003, No. 15130" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1126

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15054"

7902-0304-00 - Hillcrest Ventures (423108 B.C. Ltd.)
c/o Mr. Alf Wall

P-D (BL 5942), RS (BL 5942) and RA (BL 12000) to RM-30 (BL 12000) and RA (BL12000) - Portion of 6614 - 186 Street and 6700 - 186 Street - to permit the development of approximately 198 townhouse units and future development of a park on a portion of the site.

Approved by Council: June 9, 2003

Note: A Development Permit (7902-0304-00) on the site is to be considered for Final Approval under Items I.1(b).

- * Planning & Development advise (reference memorandum dated April 23, 2004 in by-law back-up) that it is now in order for Council to pass a resolution amending the North Cloverdale East Neighbourhood Concept Plan to redesignate the site from Townhouse/Cluster (8-15 units/acre) to Townhouse (30 units/acre).
- * Council is requested to pass a resolution amending the North Cloverdale East Neighbourhood Concept Plan to redesignate the site from Townhouse/Cluster (8-15 units/acre) to Townhouse (30 units/acre).

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15054" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-1127 Carried

3. "Surrey Land Use Contract No. 385, Authorization By-law, 1977, No. 5307,
 Discharge By-law, 2003, No. 15177"

7903-0042-00 - Charterhouse Properties Limited,
 c/o e-Atelier Architecture Inc. (Brian Shigetomi)

To discharge Land Use Contract No. 385 from the property located at
 1634 - 152 Street to expand the pub operation into the remaining floor area of the
 building.

Approved by Council: November 17, 2003

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Land Use Contract No. 385,
 Authorization By-law, 1977, No. 5307, Discharge By-law, 2003, No. 15177" be
 finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
 Seal.
 RES.R04-1128 Carried with Councillor Hunt against.

I. CLERK'S REPORT

1. Formal Approval of Development Permits

(a) **Development Permit No. 7903-0452-00**
Maria Kreykenbohm, W. Kreykenbohm Properties
Wilhelm Kreykenbohm
 18788 - 96 Avenue

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

"That Development Permit No. 7903-0452-00 be approved; that the
 Mayor and Clerk be authorized to sign the Development Permit; and that
 Council authorize the transfer of the Permit to the heirs, administrators,
 executors, successors, and assigns of the title of the land within the terms
 of the Permit."

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

No. 7903-0452-00 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.R04-1129

Carried

(b) **Development Permit No. 7902-0304-00**
Carson Nofle & Focus Architecture/Hillcrest Ventures Inc.
6700 - 186 Street and Portion of 6614 - 186 Street

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

"That Development Permit No. 7902-0304-00 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 15054, Item H.2 of this agenda.

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

No. 7902-0304-00 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.R04-1130

Carried

J. OTHER BUSINESS

K. ADJOURNMENT

It was

meeting do now adjourn.
RES.R04-1131

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

Carried

The Regular Council- Land Use meeting adjourned at 5:54 p.m.

Certified Correct:



City Clerk



Mayor