



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JULY 5, 2004
Time: 4:04 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, 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

FLEETWOOD/GUILDFORD

1. 7904-0107-00

14768 - 104 Avenue

Ding Torrijos, Parks, Recreation & Culture Department/City of Surrey

Development Variance Permit

To relax the side yard setback on a flanking street to allow the development of an RCMP District office in Guildford.

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

The applicant is proposing:

- a Development Variance Permit to relax the following Zoning By-law regulation:
 - to relax the side yard setback along a flanking street from 2.0 metres (7 ft.) to 0 metre

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

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. 7904-0107-00 (Appendix IV), varying the following to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback along a flanking street of the C-35 Zone from 2.0 metres (7 ft.) to 0 metre.

RES.R04-1686

Carried with Councillor Bose against.

NEWTON

2. **7904-0159-00**
6955 - 128 Street
Santokh Khangura, Khangura Investments Ltd./Khangura Investments Ltd., Inc. No. 339449
CD By-law Amendment
To amend CD By-law No. 14124 to add "coffee shop" and "convenience store" as a permitted use.

The General Manager of Planning & Development submitted a report concerning an application to amend CD By-law 14124 on property located at 6955 - 128 Street.

The applicant is proposing:

- to amend CD By-law No. 14124

in order to permit the development of a coffee shop and a convenience store.

James Pernu, McElhanney Consulting, was in attendance on behalf of the applicant, Khangura Investments, and stated that his client has requested an amendment to the existing CD By-law to include a 35-seat coffee shop and convenience store as a permitted use. He noted that the applicant has pointed out that the area of West Newton, bounded by Scott Road and 128 Street, is fairly populated and there is not a lot of commercial convenience type of use in the area.

He added that there is public support for the proposal in the area.

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

The Chair noted that the Item 1 (a) and (b) of the motion would be divided.

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

1. This application be approved subject to:

- (a) Allow one coffee shop limited to 15 seats and cannot be a licensed establishment; and

RES.R04-1687 Carried

The Chair noted that the following portion of the motion was before Council:-

- (b) No convenience store uses.

RES.R04-1688 Defeated with Mayor McCallum,
Councillors Villeneuve, Tymoschuk, Steele,
Watts and Higginbotham against.

2. Instruct staff to draft the appropriate CD By-law for By-law Introduction and scheduling of a public hearing.

RES.R04-1689 Carried

SURREY CITY CENTRE/WHALLEY

3. **7904-0139-00**
9488 - 138 Street
CanPacific Ventures Ltd. /RK Developments Ltd.
Development Permit
To allow the construction of a medical office building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 9488 - 138 Street.

The applicant is proposing:

- a Development Permit

in order to allow the construction of a medical office building across from Surrey Memorial Hospital.

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. 7904-0139-00 in accordance with the attached drawings (Appendix II).
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) approval from BC Hydro on the proposed planting plan; and
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R04-1690

Carried with Councillor Bose against.

4. 7904-0059-00

13588 - 88 Avenue

Nagina Properties

Liquor Permit/Development Variance Permit

Liquor Primary License to allow a neighbourhood pub with 37 indoor seats and a 32-seat patio. Development Variance Permit to relax the parking requirement.

The General Manager of Planning & Development submitted a report concerning an application for a Liquor Permit, and a Development Variance Permit on property located at 13588 - 88 Avenue.

The applicant is proposing:

- a Liquor Primary License; and
- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to reduce the minimum required parking from 80 spaces to 68 spaces

in order to allow a neighbourhood pub with 37 indoor seats and a 32-seat outdoor patio, with hours of operation being 10:00 a.m. to 1:00 a.m. Monday through Sunday.

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:

1. a date for Public Hearing be set to solicit opinions from area residents regarding the proposed neighbourhood pub.
2. after Public Hearing, if Council supports the proposed neighbourhood pub, the hours of operation be restricted to 11:00 a.m. to 1:00 a.m. Monday through Sunday.
3. Council approve Development Variance Permit No. 7904-0059-00 (Appendix XI), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum number of on-site parking spaces from 80 to 68.

RES.R04-1691

Defeated with Councillors Villeneuve, Tymoschuk, Priddy, Bose, Hunt and Higginbotham against.

It was Moved by Councillor Bose
Seconded by Councillor Watts
That staff review the road classification and update the liquor license location policy accordingly.

RES.R04-1692

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

5. **7903-0230-00**
18268 - 68 Avenue
Jack Cruise/Jaycey Investments Ltd., Inc. No. 437085
Rezoning
From RA to RH and RF to permit the development of two single family lots and retain one existing house on a half-acre residential lot.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 18268 - 68 Avenue.

The applicant is proposing:

- a rezoning from RA to RH and RF

in order to permit the development of two single family lots and retain one existing house on the remaining half-acre 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 Watts
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) (Block B on Survey Plan) and "Single Family Residential Zone (RF)" (By-law No. 12000) (Block A on Survey Plan) and a date be set for Public Hearing (Appendix I).
2. Council instruct staff to resolve the following issues prior to final adoption;
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (d) registration of a Section 219 Restrictive Covenant for "no build" on proposed Lot 3.

RES.R04-1693 Carried

It was Moved by Councillor Watts
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15425" pass its first reading.

RES.R04-1694 Carried

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

It was Moved by Councillor Watts
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15425" pass its second reading.

RES.R04-1695 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. 15425" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1696

Carried

FLEETWOOD/GUILDFORD

6. 7903-0225-00

**17024, 17034, 17052, 17066 - 80 Avenue and
16955 & 16971 Fraser Highway**

McElhanney Consulting Services Ltd.; Martin Stenard; Jim

**Gammer/Peter Bergeman; Sherrill Gammer; Gladys Steward; Jasdev and
Kamaljeet Randhawa; Jen and Thanh Tran**

OCP Amendment

Amend the OCP from Suburban to Urban with no significant community benefit.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan on properties located at 17024, 17034, 17052, 17066 - 80 Avenue and 16955 & 16971 Fraser Highway.

The applicant is proposing:

- an OCP amendment from Suburban to Urban (i.e. Type 3 Amendment no significant community benefit)

in order to proceed with a rezoning to RF and subdivision into approximately 22 urban residential lots in Phase I.

McElhanney Consulting, was in attendance on behalf of the proponents of the proposed development. He noted that the proposed project included a transition from suburban to urban interface to develop a subdivision between 80 Avenue and Fraser Highway at 170 Street. He continued that there are 10 acres under the RF zone to achieve 47 lots overall at a density of 4.6 units per acre. He commented that the density on the eastern side of the site where the new urban/suburban transition would take place would be 4.2 units per acre.

He added that the project would be accessed in internal cul-de-sacs connecting 80 Avenue and serviced by the trunk main sewer line on the eastern portion of the site. He added that the proposal would be built under existing land uses in the neighbourhood and noted that there is an existing 36-unit townhouse complex under RM zoning and CD amendment, as approved by Council in 1993. He noted that a key consideration would be to focus the bulk of the density to the western side of the project so the density of the eastern side of the project adjacent to rural urban boundary would be lower. He added that the overall density would not be 7.6 units, but would total 6 units per acre. He continued that there is an array of land use on the eastern side including a driving range and nursery. He noted that

there is intensive agricultural and industrial land from 172 Street to 176 Street on 88 Avenue, and to the north of the project, various urban neighbourhoods and a 54,000 sq. ft. regional church on 9.5 acres allowed at 88 Avenue and 172 Street.

He continued that there would be a gradual density transition as Council had implemented in 1993 for townhouse maintenance and enhancement at 4.6 units per acre density at the interface between the urban and suburban. He noted that the previous density of 6 units per acre has been reduced to the proposed 4.25 units per acre, shifting the urban/rural boundary to the east and corresponding lower density by approximately one third.

He added that to achieve the density transition, the applicant had purchased property to ensure transition. He continued that the urban/suburban boundary is based on the location of the trunk sewer main intended to allow for efficient use of land and municipal services.

It was Moved by Councillor Watts
Seconded by Councillor Steele
That the information submitted be received.
Carried
RES.R04-1697

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

A motion to deny Application 7903-0225-00 by Councillor Bose received no Secunder.

It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That Application 7903-0225-00 be referred
to staff to bring the application forward.
Carried with Councillors Bose and Hunt
against.
RES.R04-1698

7. **7904-0056-00**
8287 - 161 Street
Kirk Fisher/Fleetwood Villa Holdings Ltd.
OCP Amendment/NCP Amendment/Rezoning/Development Permit/
Development Variance Permit
*Amend OCP from Urban to Multiple Residential. Rezone from RA to RM-70 and
Development Permit to permit a 53-unit seniors-oriented multiple residential
building. DVP to reduce parking spaces.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, an NCP Amendment application, a rezoning application, and Development Permit and Development Variance Permit applications on property located at 8287 - 161 Street.

The applicant is proposing:

- an OCP amendment from Urban to Multiple Residential;
- an NCP amendment from Medium Density Townhouses to Apartments;
- a rezoning from RA to RM-70;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulation:
 - to reduce the minimum number of on-site parking spaces from 82 to 53

in order to allow construction of a 53-unit seniors-oriented multiple residential building.

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

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

1. a By-law be introduced to redesignate the property from Urban to Multiple Residential 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 the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 70 Zone (RM-70)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7904-0056-00 in accordance with the attached drawings (Appendix III).
5. Council approve Development Variance Permit No. 7904-0056-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum number of on-site parking spaces required in Part 5 of the Zoning By-law, from 82 to 53.
6. 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;
- (d) registration of a Housing Agreement to ensure that occupants are 65 years or older;
- (e) the applicant address the fulfillment of community benefits in compliance with OCP policy; and
- (f) removal of all existing buildings and structures to the satisfaction of the Building Division.

7. Council pass a resolution to amend the Fleetwood Town Centre NCP to redesignate the land from Medium Density Townhouses to Apartments when the project is considered for final adoption.

RES.R04-1699

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 101 Amendment By-law 2004, No. 15426" pass its first reading.

RES.R04-1700

Carried

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 101 Amendment By-law 2004, No. 15426" pass its second reading.

RES.R04-1701

Carried

It was then

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 101 Amendment By-law 2004, No. 15426" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1702

Carried

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 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. 7903-0386-00 (Appendix VII), varying the following to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 6.5 metres (21 ft.) for proposed Lot 3.
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 a portion of proposed Lot 1 until it is further subdivided.

RES.R04-1706

Carried

It was

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

No. 12000, Amendment By-law, 2004, No. 15428" pass its first reading.

RES.R04-1707

Carried

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

3. Council authorize staff to draft Development Permit No. 7904-0022-00 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) 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 specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space;
 - (e) registration of a Section 219 Restrictive Covenant for a "no build" covenant over a 5 metre (16 ft.) portion of the site along the 152 Street frontage for the purpose of providing a landscaping buffer;
 - (f) the applicant adequately address the impact of no indoor amenity space; and
 - (g) the existing single family dwelling is removed from the subject site.

RES.R04-1710

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15429" pass its first reading.

RES.R04-1711

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. 15429" pass its second reading.

RES.R04-1712

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. 15429" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1713

Carried

SOUTH SURREY

10. 7904-0042-00

5497 - 125A Street

Mike Helle, Coastland Engineering & Surveying Ltd./John and

Rosemary Komaszczuk

Development Variance Permit

Development Variance Permit to relax the side yard setback of the existing dwelling.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 5497 - 125A Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - reduce the south side yard setback for the existing dwelling on Lot 1 from 4.5 metres (15 ft.) to 2.3 metres (7.5 ft.)

in order to allow subdivision into 2 RH (Half Acre) zoned single family residential lots.

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That:

1. Council approve Development Variance Permit No. 7904-0042-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum side yard setback of the "Half-Acre Residential Zone (RH)" from 4.5 metres (15 ft.) to 2.3 metres (7.5 ft.).
2. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and
- (c) submission of a landscaping cost estimate for a hedge on the north boundary of Lot 2 to the specifications and satisfaction of the City Landscape Architect.

RES.R04-1714

Carried

**11. 7904-0010-00
3433, 3447, 3463, 3497 & 3519 - 148 Street
Clarence Arychuk, Hunter Laird Engineering Ltd./John and
Margaret Rimmington; John and Patricia Yorke; Gilles Gagnon and
France Houle; Birgitt and Friedrich Findler; No. 262 Seabright Holdings
Ltd, Inc. No. 674550**

Rezoning/Development Variance Permit

Rezone from RA to RF-9 and RF-12 in order to permit a subdivision to create approximately 58 single family residential small lots. Development Variance Permit to permit front driveway access to proposed Lots 31 - 36, and 38 - 43.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on properties located at 3433, 3447, 3463, 3497 & 3519 - 148 Street.

The applicant is proposing:

- a rezoning from RA to RF-12 and RF-9
- a Development Variance Permit to vary 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 of proposed RF-12 Lots 31 - 36 and 38 - 43

in order to allow subdivision into approximately 58 single family residential small lots.

Clarence Arychuk, Hunter Laird Engineering, was in attendance and commented that there is a 10 meter change in elevation from 148 Street to the freeway going downward. He added that 148 Street would connect Winter Crescent in the Highway 99 right-of-way where it flairs in to take the cut in the Nicomekl River up to 148 Street. He noted that the trees are intended to remain and the road south of that would be taken. He added that the Ministry of Highways requires the planting of landscaping to augment anything missing to ensure no lights from traffic vehicles on the highway would be seen the road. He continued that moving the road further south creates problem on Winter Crescent and that the road may never be completed.

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 portions of the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing (Appendix X).
2. Council approve Development Variance Permit No. 7904-0010-00 (Appendix IX), 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 for proposed Lots 31 - 36 and 38 - 43.
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; and

- (c) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R04-1715 Carried with Councillor Hunt against.

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the Engineering Department look at the narrowing of the asphalt surface and move the asphalt further to the south in order to increase the landscaping buffer north of the right-of-way and report back in subsequent processes with the next application.

RES.R04-1716 Carried

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15430" pass its first reading.

RES.R04-1717 Carried

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

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15430" pass its second reading.

RES.R04-1718 Carried

It was then Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15430" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1719 Carried

SURREY CITY CENTRE/WHALLEY

12. **7903-0472-00**
10270/88 - 132 Street
Maciej Dembek/Li-Mei Chen, Santokh Pahal, Surinder Pahal, Shyngar Pahal and Baljeet Pahal
Rezoning/Development Permit
Rezone from RF to CD and Development Permit to permit the construction of 16 townhouse units.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 10270/88 - 132 Street.

The applicant is proposing:

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

in order to permit the development of 16 townhouse units in Surrey City Centre.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (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. 7903-0472-00 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) 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 a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (e) the applicant adequately address the impact of no indoor amenity space; and
- (f) removal of all existing buildings and structures to the satisfaction of the Building Division.

RES.R04-1720

Carried

It was

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

No. 12000, Amendment By-law, 2004, No. 15431" pass its first reading.

RES.R04-1721

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, 2004, No. 15431" pass its second reading.

RES.R04-1722

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, 2004, No. 15431" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1723

Carried

APPLICATIONS REFERRED BY COUNCIL

13. 7903-0427-00

14907 - 76 Avenue and 14943 - 76A Avenue

Aplin & Martin Consultants Ltd./Palwinder Sehmbi, Jasmeet Sehmbi and Bhapinder Sehmbi, Sohan Johal and Nasib Johal

NCP Amendment/Rezoning

Rezone from RA to RF to permit subdivision into approximately 13 single family residential lots. NCP Amendment from "Transitional Suburban" to "Urban Residential".

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning application on properties located at 14907 - 76 Avenue and 14943 - 76A Avenue.

The applicant is proposing:

- an NCP amendment from "Transitional Suburban" to "Urban Residential" and
- a rezoning from RA to RF

in order to allow subdivision into approximately 13 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 "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (d) registration of a Section 219 Restrictive Covenant to ensure that the eastern part of 76A Avenue will be dedicated but not constructed at this time, and that the lots 1 to 10 will access 76A Avenue west only and will not access east until the ultimate road network is completed to the east in the future.
3. Council pass a resolution to amend the East Newton North NCP to redesignate the land from "Transitional Suburban" to "Urban Residential" when the project is considered for final adoption.

RES.R04-1724

Carried with Councillor Bose against.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15414" pass its first reading.
 RES.R04-1725 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. 15414" pass its second reading.
 RES.R04-1726 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. 15414" be held at the
 City Hall on July 19, 2004, at 7:00 p.m.
 RES.R04-1727 Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

14. **7904-0086-00**
6724 and 6684 - 194 Street
Clarence Arychuk, Hunter Laird Engineering/Kamaljit and Malkit Singh
Jhutti; William and Edith MacDonald
 NCP Amendment/Rezoning
Rezoned from RA to RF-9C; NCP Amendment from Medium-High Density
(15 - 25 upa) to Low Density (6 - 10 upa) to allow subdivision into approximately
52 single family small lots with coach houses.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning application on properties located at 6724 and 6684 - 194 Street.

The applicant is proposing:

- an NCP amendment from 15 - 25 upa (Medium Highway Density); and
- a rezoning from RA to RF-9C;

in order to allow subdivision into approximately 52 small single family lots with coach houses in East Clayton.

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 (9) Coach House Zone (RF-9C)" (By-law No. 12000) and a date be set for Public Hearing.
2. a By-law be introduced to proceed with text amendments to the Zoning By-law regarding coach houses and a date be set for Public Hearing (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) registration of a Section 219 Restrictive Covenant to ensure a 1-metre (3-ft.) rear yard setback between the garage and the property line for proposed Lots 40 - 52;
 - (d) registration of a Section 219 Restrictive Covenant to ensure construction of coach houses on 50% of the lots;
 - (e) approval of the associated By-law text amendments to the "Single Family Residential (9) Coach House Zone (RF-9C)";
 - (f) registration of a right-of-way agreement with the property owner to the north; and
 - (g) address the issue of NCP amenity contributions due to density reduction to the satisfaction of the General Manager, Planning and Development.

4. Council pass a resolution to amend East Clayton Neighbourhood Concept Plan to redesignate the land from Medium - High Density (15 - 25 upa) to Low Density (6 - 10 upa) when the project is considered for final adoption.

RES.R04-1728 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2004, No. 15433" pass its first reading.

RES.R04-1729 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. 15433" pass its second reading.

RES.R04-1730 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. 15433" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1731 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15434" pass its first reading.

RES.R04-1732 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. 15434" pass its second reading.

RES.R04-1733 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. 15434" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1734 Carried

15. **7904-0160-00**
19070 - 70 Avenue
Three Point Properties Ltd./Hunter Laird Engineering Ltd./David Clarkson,
David D. Clarkson, Diane Mott, Margaret Brown, and Raelene Clarkson
Rezoning
From RA to RF-9C and RF-12C in order to allow subdivision into approximately 46 small single family lots with coach houses.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 19070 - 70 Avenue.

The applicant is proposing:

- a rezoning from RA to RF-9C and RF-12C

in order to allow subdivision into approximately 46 small single family lots with coach houses in East Clayton.

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 Villeneuve
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 (9) Coach House Zone (RF-9C)" (By-law No. 12000) (Block A on the attached Survey Plan) and "Single Family Residential Coach House Zone (RF-12C)" (By-law No. 12000) (Block B on the attached Survey Plan) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) registration of a Section 219 Restrictive Covenant for "no build" the southern portion of proposed Lot 43 until future consolidation with the adjacent property to the south occurs; and

- (e) registration of a Section 219 Restrictive Covenant for "no build" for the eastern portion of proposed Lot 32 until future consolidation with the adjacent property to the east occurs.

RES.R04-1735

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15435" pass its first reading.

RES.R04-1736

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. 15435" pass its second reading.

RES.R04-1737

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. 15435" be held at the
 City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1738

Carried**16. 7904-0075-00****16496 Bell Road and a portion of 164 Street**

**Marathon Development, Paul Gill/Stuart Kippan, William Kippan,
 Patricia Gunderson and Sandra Moan**

Rezoning/Development Permit

*From RA to RH-G in order to permit subdivision into approximately 22 clustered
 suburban single family lots.*

Councillor Bose left the meeting at 5:02 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 16496 Bell Road and a portion of 164 Street.

The applicant is proposing:

- a rezoning from RA to RH-G; and
- a Development Permit

in order to allow subdivision into approximately 22 clustered suburban single family lots with open space adjacent to the ALR.

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 and a portion of the 164 Street right-of-way (as shown on the Survey Plan) from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. Council authorize staff to draft Development Permit No. 7904-0075-00 in accordance with the attached drawings (Appendix VIII).
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;
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (f) approval by Council of the associated road closure by-law;
 - (g) registration of a Restrictive Covenant on proposed Lots 1 to 22, advising future owners of agricultural practices in the area;
 - (h) resolution of any recommendations from the Agricultural Advisory Committee to the satisfaction of the Planning & Development Department; and

- (i) resolution of lot grading and tree preservation along Bell Road to the satisfaction of the Planning & Development Department.

RES.R04-1739

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15436" pass its first reading.

RES.R04-1740

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15436" pass its second reading.

RES.R04-1741

Carried

It was then

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15436" be held at the
 City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1742

Carried

Councillor Bose returned to the meeting at 5:03 p.m.

17. 7904-0120-00**8243 and 8363 - 172 Street**

**Equitas Development Corporation, and Hunter Laird Engineering
 Developments Ltd./Lucy and Nancy Hayashi; (Equitas) Developments Ltd.**

Rezoning/Development Permit/Development Variance Permit

*Rezone from A-1 to RH and RH-G to permit the development of approximately
 29 suburban residential lots. DP to ensure adequate buffering along the ALR
 boundary. DVP to vary the maximum proportion of RH-G lots with a minimum of
 1,120 sq.m. in area.*

The General Manager of Planning & Development submitted a report concerning
 an application for rezoning, and a Development Permit and a Development
 Variance Permit on properties located at 8243 and 8363 - 172 Street.

The applicant is proposing:

- a rezoning from A-1 to RH and RH-G;

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to increase the proportion of RH-G lots that are permitted to be a minimum of 1,120 sq.m. (12,000 sq.ft.) from 50% to 55%

in order to allow subdivision into approximately 29 Suburban Residential (½ acre) lots in Fleetwood.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) (Block A on the Survey Plan) and to "Half-Acre Residential Zone (RH)" (By-law No. 12000) (Block B on the Survey Plan) and a date be set for Public Hearing (Appendix I).
2. Council authorize staff to draft Development Permit No. 7904-0120-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7904-0120-00 (Appendix VI) varying the following to proceed to Public Notification:
 - (a) to increase the proportion of RH-G lots permitted to have a minimum lot area of 1,120 square metres (12,000 sq.ft.), from 50% to 55%.
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) input from Department of Fisheries and Oceans;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;

- (e) submission of landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect for the buffer area;
- (f) registration of a Section 219 Restrictive Covenant on the proposed RH lots advising of agricultural practices in the area;
- (g) registration of a Section 219 Restrictive Covenant on the proposed RH lots requiring the maintenance of the fence and landscape buffer on the eastern part of the lots adjacent to the west side of 172 Street;
- (h) registration of a Section 219 Restrictive Covenant on the proposed RH lots prohibiting driveway access from 172 Street;
- (i) registration of a Section 219 Restrictive Covenant on the proposed RH lots requiring a 22.5-metre (74-ft.) setback from the rear (eastern) property line;
- (j) resolution of the concerns of the Parks, Recreation & Culture Department regarding the impact the proposed development will have on existing park facilities in the area; and
- (k) submission of a raptor study and documentation on the presence of any raptors within the site.

RES.R04-1743

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. 15437" pass its first reading.

RES.R04-1744

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. 15437" pass its second reading.
Carried with Councillor Bose against.

RES.R04-1745

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. 15437" be held at the
 City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1746

Carried with Councillor Bose against.

NEWTON**18. 7903-0321-00****6763 - 152 Street****CanAsia Environmental & Engineering Ltd. (Serge Djakovacki)/
Gerald Guitard and Marie-Clair Guitard**

Rezoning

From RA to RF to create 4 single family lots. A "no build" Restrictive Covenant will be required on proposed Lot 4 that will restrict the further subdivision of proposed Lot 4 into 3 additional lots until such time as the adjoining lands develop.

Councillor Hunt left the meeting at 5:03 p.m. due to a potential conflict of interest as he resides in the immediate area.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6763 - 152 Street.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into 4 single family lots. A "no build" Restrictive Covenant will be registered on proposed Lot 4 that will restrict the further subdivision of proposed Lot 4 into 3 additional lots until such time as the adjoining lands develop.

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That:

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

- (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (d) submission of a landscape plan and cost estimate to the specifications and satisfaction of the City Landscape Architect for the required buffer along 152 Street.

RES.R04-1747

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15438" pass its first reading.

RES.R04-1748

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. 15438" pass its second reading.

RES.R04-1749

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Watts

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15438" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1750

Carried

Councillor Hunt returned to the meeting at 5:04 p.m.

19. 7903-0054-00

6067, 6099, 6121 - 152 Street; Portion of 15188 - 62A Avenue

Clarence Arychuk, Hunter Laird Engineering Ltd./Karen Antonishka,

Kenneth Harris and Michael Rawlins, Kenneth Harris, William Stevens,

Michael Gilmore, Hans Rawlins, Leslie McGuire, Steven Rogers, John

Sedgwick, Peter Ingram, Morningstar Homes Ltd., Inc. No. 652312; Polygon

Panorama Homes Ltd., Inc. No. 64620

NCP Amendment/Rezoning

Rezone from CD (By-law No. 15040) and RA to RF-12 and RF-9 in order to

permit a subdivision creating approximately 88 single family lots. NCP

amendment from Townhouses (15 upa max.) and Single Family Residential to

Single Family Residential Small Lots.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning

application on properties located at 6067, 6099, 6121 - 152 Street; Portion of 15188 - 62A Avenue.

The applicant is proposing:

- an NCP amendment from Townhouse (15 upa) and Single Family Residential to Single Family Residential (Small Lots);
- a rezoning from CD (By-law No. 15040) and RA to RF-12 and RF-9

in order to allow subdivision into approximately 88 single family small lots.

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Comprehensive Development Zone (CD)" (By-law No. 15040) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing (Appendix IX).
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (e) registration of a Section 219 Restrictive Covenant for "no build" on the easterly 5 m portion of proposed Lots 17, 18 and 56 for the purpose of landscaping.

3. Council pass a resolution to amend the South Newton Neighbourhood Concept Plan to redesignate the land from Townhouses (15 upa) and Single Family Residential to Single Family Residential (Small Lots) when the project is considered for final adoption.

RES.R04-1751 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15439" pass its first reading.

RES.R04-1752 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. 15439" pass its second reading.

RES.R04-1753 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. 15439" be held at the
City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1754 Carried

SOUTH SURREY

20. 7904-0221-00

14495 - 17A Avenue

Cherrie and Alejandro Beltran

Development Variance Permit

Development Variance Permit to amend Land Use Contract No. 136 to relax front yard setback and side yard setback requirements, for an attached garage and accessory building on a single family lot.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 14495 - 17A Avenue.

The applicant is proposing:

- a Development Variance Permit to amend Land Use Contract No. 136:
 - to reduce the minimum front yard setback from 7.5 metres (25 ft.) to 5.8 metres (19 ft.); and

- to reduce the minimum side yard setback .9 metre (3 ft.) to .66 metres (2.2 ft.)

in order to permit the addition of a garage to the principal building and to legalize an existing accessory building.

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

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

1. Council approve Development Variance Permit No. 7904-0221-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of Land Use Contract No. 136 from 7.5 metres (25 ft.) to 5.8 metres (19 ft.); and
 - (b) to reduce the minimum north side yard setback of Land Use Contract No. 136 from .9 metre (3 ft.) to .66 metres (2.2 ft.).

RES.R04-1755

Carried

21. **7904-0165-00**
15325 and 15327 - 28 Avenue
Clarence Arychuk, Hunter Laird Engineering Ltd., Ocean Park
Developments/Hilda and Richard Griffiths
Development Variance Permit
Development Variance Permit to relax rear yard setback requirements from 7.5 m (25 ft.) to 1.9 m (6 ft.) to accommodate an existing dwelling in a proposed subdivision.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 15325 and 15327 - 28 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to relax rear yard setback requirements from 7.5 m (25 ft.) to 1.9 m (6 ft.)

in order to accommodate an existing dwelling in a proposed subdivision.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. Council approve Development Variance Permit No. 7904-0165-00 (Appendix III), 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 1.9 metres (6 ft.).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a subdivision plan to the satisfaction of the Approving Officer.

RES.R04-1756

Carried

22. 7903-0219-00

3489 - 150 Street

Jagmohan Singh and Amrik Singh Dhillon

Rezoning/NCP Amendment

To rezone from RA (By-law No. 12000) and RS (By-law No. 5942) to RF-12.

Amend the Rosemary Heights West NCP designation from Townhouse to Single Family Small Lots to allow for the development of 13 single family small lots and 1 remnant lot.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and an amendment to the Neighbourhood Concept Plan on property located at 3489 - 150 Street.

The applicant is proposing:

- an NCP amendment from Townhouse to Single Family Small Lots; and
- a rezoning from RA (By-law No. 12000) and RS (By-law No. 5942) to RF-12 (By-law No. 12000)

in order to allow subdivision into 13 single family small lots and 1 remnant 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 Watts
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Suburban Residential Zone (RS)" (By-law No. 5942) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval from the Ministry of Transportation;
 - (c) input from B.C. Hydro;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (e) provision of adequate amenity contribution as a result of reduction in the number of projected residential dwelling units as a result of the proposed NCP Amendment.
3. Council pass a resolution to amend the Rosemary Heights West Neighbourhood Concept Plan to redesignate the land from Townhouse to Single Family Small Lots when the project is considered for final adoption.

RES.R04-1757

Carried with Councillor Bose against.

It was Moved by Councillor Hunt
Seconded by
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15440" pass its first reading.

RES.R04-1758

Carried with Councillor Bose against.

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

<p>It was</p> <p>RES.R04-1759</p>	<p>Moved by Councillor Hunt Seconded by Councillor Watts That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15440" pass its second reading. <u>Carried</u> with Councillor Bose against.</p>
<p>It was then</p> <p>RES.R04-1760</p>	<p>Moved by Councillor Hunt Seconded by Councillor Watts That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15440" be held at the City Hall on July 19, 2004, at 7:00 p.m. <u>Carried</u> with Councillor Bose against.</p>

APPLICATIONS REFERRED BY COUNCIL

23. 7903-0245-00

10433 West Whalley Ring Road

Carson Nottle, Focus Architecture/Newgen Whalley Properties Inc.

Rezoning/Development Permit

Rezone from CD (By-law No. 11380) to a new CD Zone and Development Permit to permit two low-rise and one high-rise multiple unit residential buildings.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 10433 West Whalley Ring Road.

The applicant is proposing:

- a rezoning from CD (By-law No. 11380) to CD; and
- a Development Permit

in order to permit the development of two low-rise and one high-rise multiple unit residential buildings in Surrey City Centre.

Bill Kirkhoff, Kirkhoff Development, was in attendance and commented that there would be tight management control of the building by the rental company. He continued that his developments are quality projects and that this project would be the same high quality as a condominium project. He added that some people would buy them to use for rental opportunities and that it would not look like a rental building. He added that his company intends to build a highrise at the right time.

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 "Comprehensive Development Zone (CD)" (Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1993, No. 11380) 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. 7903-0245-00 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 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 a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) the registration of a Restrictive Covenant, prior to subdivision of the land, indicating that the southern portion of the lot cannot be developed except for high-rise residential buildings.

RES.R04-1761

Defeated with Mayor McCallum, and
Councillors Villeneuve, Steele, Priddy, and
Bose against.

COMMERCIAL/INDUSTRIALFLEETWOOD/GUILDFORD

24. **7903-0451-00**
10780 and 10794 - 144 Street
Joe Minten, JM Architecture & Interior Design/Anthony and Gabriella Wong; Nachhattar and Bhupinder Kooner; Jasdev and Kamaljeet Randhawa
 Rezoning/Development Permit
Rezone from RF to CD and Development Permit to permit a local commercial building with 3 dwelling units on the second storey.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 10780 and 10794 - 144 Street.

The applicant is proposing:

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

in order to permit the development of approximately 96 townhouse units with limited retail/service uses, as an optional use, within approximately 16 units fronting 72 Avenue in East Clayton.

The General Manager of Planning & Development was recommending that this application be approved to proceed to Public Hearing, and that:

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

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7903-0451-00 generally in accordance with the attached drawings (Appendix II).
3. Council instruct staff to resolve the following issues prior to final adoption should the rezoning by-law be granted 3rd reading after Public Hearing:
 - (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 an acceptable tree survey and a statement regarding tree preservation;
- (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (e) removal of all existing buildings and structures to the satisfaction of the General Manager, Planning & Development.

RES.R04-1762 Carried with Councillors Tymoschuk and Steele against.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15441" pass its first reading.

RES.R04-1763 Carried with Councillors Tymoschuk and Steele against.

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

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15441" pass its second reading.

RES.R04-1764 Carried with Councillors Tymoschuk and Steele against.

It was then Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15441" be held at the
City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1765 Carried

NEWTON

- 25. 7902-0223-00**
14467 - 64 Avenue
Equitas Development Corp. (James Evans and Tim Ankenman)/V.W.R.
Capital Corporation, Inc. No. 4566344
Rezoning/Development Permit
*Rezone from RA to CD and Development Permit to permit development of a
townhouse and commercial project.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 14467 - 64 Avenue.

The applicant is proposing:

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

in order to permit the development of a commercial and ground oriented multiple unit residential 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 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. 7902-0223-00 in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval from Department of Fisheries & Oceans regarding creek preservation and the transfer of the property at 14466 - 65 Avenue to City ownership;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) the impact of no indoor amenity space is adequately addressed;

- (f) registration of a reciprocal easement for access, parking, outdoor amenity space, emergency access and refuse with the adjacent western property (Application No. 7902-0011-00); and
- (g) registration of an access easement on 14466 - 65 Avenue to provide access to 14482 - 65 Avenue.

RES.R04-1766

Defeated with Mayor McCallum, Councillors Villeneuve, Steele, Priddy, and Bose against.

26. **7902-0011-00**
6418 and 6448 - 144 Street
Equitas Development Corp. (James Evans and Tim Ankenman)/ Imperial Oil Limited, Inc. No. 14082A
Rezoning/Development Permit/Development Variance Permit
Rezone from RA to CD and Development Permit to permit development of a gas station, convenience store, drive-through restaurant, townhouse and commercial buildings. A DVP to vary the permitted fascia sign area.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and applications for a Development Permit and a Development Variance Permit on properties located at 6418 and 6448 - 144 Street.

The applicant is proposing:

- a rezoning from RA to CD;
- a Development Permit; and
- a Development Variance Permit to vary the Surrey Sign By-law, 1999, No. 13656, as amended:
 - to vary the maximum permitted fascia sign area from 3.0 square metres (32 sq.ft.) to 6.4 square metres (69 sq.ft.)

in order to permit the development of a combined-service gasoline station with accessory uses including a convenience store, eating establishment and drive-through; a neighbourhood scale shopping node and ground-oriented multiple unit residential 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 Bose
Seconded by Councillor Villeneuve
That application No. 7902-0011-00 be

denied.

RES.R04-1767

Carried with Councillors Watts and Hunt
against.

SURREY CITY CENTRE/WHALLEY

27. 7904-0169-00

10035 King George Highway

Barry Weih/Surrey City Centre Mall Ltd.

Rezoning/Development Permit/Development Variance Permit

Rezone from C-8 and CG-1 to C-8 and Development Permit to permit the construction of a Best Buy retail outlet. Development Variance Permit to relax various provisions of the Sign By-law.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and applications for a Development Permit and a Development Variance Permit on property located at 10035 King George Highway.

The applicant is proposing:

- a rezoning from C-8 and CG-1 to C-8;
- a Development Permit; and
- a Development Variance Permit to vary the following Sign By-law No. 13656 regulations:
 - to relax the maximum number of fascia signs on the north side of the building;
 - to permit a fascia sign on the east side of the building; and
 - to permit fascia signs to extend above the roof line

in order to permit the development of a Best Buy retail outlet at Central City in Surrey City Centre.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. a By-law be introduced to rezone the property from "Community Commercial Zone (C 8)" (By-law No. 12000) and "Self-Service Gasoline Station Zone (CG-1)" (By-law No. 12000) to "Community Commercial Zone (C-8)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0169-00 in accordance with the attached drawings (Appendix II), subject to the applicant satisfactorily addressing the conditions noted in the ADP Section of this report and resolution of the sign variances.
3. Council approve Development Variance Permit No. 7904-0169-00 (Appendix VI) varying the following to proceed to Public Notification:
 - (a) to waive Part 2, Section 27(2)(a) of Sign By-law No. 13656 to permit three fascia signs on the north side of the building;
 - (b) to waive Part 2, Section 27(2)(a) of Sign By-law No. 13656 to permit one fascia sign on the east side of the building; and
 - (c) to waive Part 2 Section 27(2)(e) of Sign By-law No. 13656 to permit fascia signs to extend above the roof line.
4. Council deny the following variances:
 - (a) to waive Part 2, Section 27(2)(a) of Sign By-law No. 13656, to permit more than one fascia sign on the east side of the building; and
 - (b) to waive Part 2, Section 27(2)(f) of Sign By-law No. 13656 to permit a fascia sign to extend more than 0.5 m (1.6 ft.) in front of the building face.
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) remediation of the site to the specifications and satisfaction of the Ministry of Water, Air and Land Protection, Contaminated Sites Branch;

- (c) approval from BC Transit;
- (d) resolution of all outstanding building site and design issues identified in the report, including colour scheme to the satisfaction of the General Manager, Planning and Development;
- (e) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (f) registration of a Section 219 Restrictive Covenant and access agreements to ensure that the shortfall in required parking spaces is accommodated on the adjoining lot; and
- (g) issuance of Development Variance Permit No. 7904-0169-00.

RES.R04-1768

Carried with Councillors Villeneuve and Priddy against.

It was

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

No. 12000, Amendment By-law, 2004, No. 15444" pass its first reading.

RES.R04-1769

Carried

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

It was

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

No. 12000, Amendment By-law, 2004, No. 15444" pass its second reading.

RES.R04-1770

Carried

It was then

Moved by Councillor Tymoschuk
Seconded by Councillor Watts
That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15444" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1771

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

28. 7904-0102-00

18850, 18860 and 18908 - 72 Avenue

Abcor Projects/Benchmark Management Ltd. and Progressive Construction Ltd.

Rezoning/Development Permit

Rezoned from RA to CD and Development Permit to allow the development of approximately 96 townhouse units with limited retail/service uses, as an optional use, within approximately 16 units fronting 72 Avenue.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 18850, 18860 and 18908 - 72 Avenue.

The applicant is proposing:

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

in order to permit the development of approximately 96 townhouse units with limited retail/service uses, as an optional use, within approximately 16 units fronting 72 Avenue in East Clayton.

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "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. 7904-0102-00 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) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;

- (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (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 no indoor amenity space.

RES.R04-1772

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15445" pass its first reading.

RES.R04-1773

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. 15445" pass its second reading.

RES.R04-1774

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. 15445" be held at the
 City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1775

Carried

FLEETWOOD/GUILDFORD

29. 7903-0344-00

8710, 8722 and 8734 - 159 Street

Don Andrew, Creekside Architects/Fleetwood Green Properties

Rezoning/Development Permit/Development Variance Permit

Rezone from RF to RM-30 and Development Permit to permit the construction of 48 townhouse units. Development Variance Permit to relax front, rear and side yard setbacks.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and applications for a Development Permit and a Development Variance Permit on properties located at 8710, 8722 and 8734 - 159 Street.

The applicant is proposing:

- a rezoning from RF to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations of the RM-30 Zone:
 - reduce the minimum front yard and rear yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.);
 - reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.); and
 - reduce the minimum side yard setbacks from 7.5 metres (25 ft.) to 3.0 metres (10 ft.)

in order to permit a 48-unit townhouse development 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 Villeneuve
Seconded by Councillor Higginbotham
That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (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. 7903-0344-00 in general accordance with the attached drawings (Appendix II), subject to the grading, building elevation and other issues outlined in this report being satisfactorily addressed.
4. Council approve Development Variance Permit No. 7903-0344-00 (Appendix VI), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setbacks of the RM-30 Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.);
 - (b) to reduce the minimum rear yard setbacks of the RM-30 Zone from 7.5 metres (25 ft.) to 6.0 metres (20 ft.); and
 - (c) to reduce the minimum side yard setbacks of the RM-30 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).

5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) resolution of all outstanding design, grading and site layout issues;
 - (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) the applicant adequately address the impact of no indoor amenity space;
 - (g) 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
 - (h) approval of Development Variance Permit No. 7903-0344-00.

RES.R04-1776

Carried

It was

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15446" pass its first reading.

RES.R04-1777

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. 15446" pass its second reading.

RES.R04-1778

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. 15446" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1779

Carried

NEWTON

30. 7902-0283-00

6179 and Portion of 6207 - 150 Street

Hunter Laird Engineering Ltd. c/o Clarence Arychuk/

Terrance L. Molsberry

NCP Amendment/Rezoning/Development Variance Permit

NCP amendment from Single Family Residential to Single Family Residential Small Lots; rezone from RA to RF-12 and RF-9 in order to permit subdivision into approximately 41 single family lots; and DVP to waive driveway access from a lane for the RF-12 Zone.

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 6179 and Portion of 6207 - 150 Street.

The applicant is proposing:

- an NCP amendment from Single Family Residential to Single Family Residential Small Lots
- a rezoning from RA to RF-9 and RF-12; and
- a Development Variance Permit to vary the following by-law regulations:
 - Section H. of the RF-12 Zone is varied by eliminating Sub-section 1, which requires that driveway access to Lots 23, 23, 24, and 25 be via the rear lane

in order to allow subdivision into approximately 41 single family lots (9 RF-9 lots and 34 RF-12 lots).

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

It was

Moved by Councillor Tymoschuk

Seconded by Councillor Steele

That:

1. a By-law be introduced to rezone the portion of the site identified as Block "A" in the reference plan attached as Appendix VI from "One-Acre

Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and that a portion of the site identified as Block "B" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council approve Development Variance Permit No. 7902-0283-00 (Appendix X), varying the following, to proceed to Public Notification:
 - (a) Section H. of the RF-12 Zone is varied by eliminating Sub-section 1 which requires that driveway access to Lots 22, 23, 24 and 25 be via the rear 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; and
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation.

4. Council pass a resolution to amend South Newton Neighbourhood Concept Plan to redesignate the portion of the site identified by hatched lines, on the plan attached as Appendix XI, from Single Family Residential to Single Family Residential Small Lots when the project is considered for final adoption.

RES.R04-1780

Carried

It was

Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15447" pass its first reading.

RES.R04-1781

Carried

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

It was

Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15447" pass its second reading.

RES.R04-1782

Carried

It was then

Moved by Councillor Tymoschuk

Seconded by Councillor Steele

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15447" be held at the City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1783

Carried

SOUTH SURREY

31. 7904-0016-00

13078 - 13 Avenue

Mark Ankenman, Ankenman Associates Architects Inc./Luiz & Patti Leon

Rezoning

Rezone from RF to CD to allow construction of a single-family dwelling with a second floor exceeding 80% of the floor area of the first storey, reduced front setback and increased floor area and building height.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13078 - 13 Avenue.

The applicant is proposing:

- a rezoning from RF to CD

in order to permit the development of a single family dwelling with an increased density whereby the gross floor area is 352.6 sq.m. (3,796 sq.ft.) and the second floor has an area exceeding 80% of the ground floor, a front yard setback of 0.6 metres (2 ft.) and a building height of 16 m (52.5 ft.) to accommodate a custom designed home on a steep slope.

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

It was

Moved by Councillor Tymoschuk

Seconded by Councillor Steele

That:

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

- (b) submission of an acceptable tree survey and a statement regarding tree preservation;
- (c) registration of a Section 219 Restrictive Covenant for "no build" on the southerly 19 m portion of 13078 - 13 Avenue to provide slope protection; and
- (d) registration of a Section 219 Restrictive Covenant to prohibit construction on the site unless the building conforms with the recommendations of a Geotechnical and Slope Stability study acceptable to the City.

RES.R04-1784 Carried with Councillor Bose against.

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15448" pass its first reading.

RES.R04-1785 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 Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15448" pass its second reading.

RES.R04-1786 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt
Seconded by Councillor Watts
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15448" be held at the
City Hall on July 19, 2004, at 7:00 p.m.

RES.R04-1787 Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

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. 15204"

7903-0333-00 - Roland and Peitja Storteboom, c/o Coastland Engineering & Surveying Ltd. (Mike Helle)

RA (BL 12000) to RF (BL 12000) - 18312 - 67 Avenue - to allow subdivision into approximately 6 single family lots.

Approved by Council: December 1, 2003

- * Planning & Development advise that (see memorandum dated June 25, 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. 15204" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1788

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15261"

7903-0267-00 Brian Wright and Heighten Developments Corp.,
c/o Richard Brooks, H.Y. Engineering Ltd.

RA (BL 12000) to RF (BL 12000) - 16085 - 110 Avenue - to allow consolidation with the adjacent RF-zoned lot to the west (16071 - 110 Avenue) for subdivision into approximately 8 single family lots.

Approved by Council: January 12, 2004

- * Planning & Development advise that (see memorandum dated June 30, 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, 2004, No. 15261" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1789

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15340"
 7903-0460-00 - 1585116 Ontario Inc.,
 c/o Rimark Consulting (Rick Johnson)

RA (BL 12000) to IL (BL 12000) - 6413 - 176 Street and
 17565 - 64 Avenue - to permit the development of a self-storage
 warehouse facility.

Approved by Council: April 5, 2004

Note: A Development Permit (7903-0460-00) on the site is to be considered for
 Final Approval under Item I.1(b).

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15340" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1790

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2003,
 No. 15145"

3900-20-15145/7903-0156-00 - Council Initiated Text Amendment

To authorize amendments to "Surrey Zoning By-law, 1993, No. 12000" as
 amended, is further amended as follows:

The Index, Part 1 Definitions, Part 3 Zones - Section A, Part 4 General Provisions
 - Sections E. and F., and Part 52 are amended; new Section 17F Semi-Detached
 Residential Zone is inserted.

These amendments are necessary to incorporate the "Semi-Detached Residential Zone (RF-SD)" into Zoning By-law 12000.

Approved by Council: October 6, 2003

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Text Amendment By-law, 2003, No. 15145" be finally adopted,
 signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1791

Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15146"

7903-0156-00 - Park Lane Ventures (South Cloverdale) Ltd., City of Surrey
 c/o Park Lane Ventures

RA and PC (BL 12000) to RF-SD, RF-9 and RF-12 (BL 12000) - 16508, 16540, 16584, 16630 - 60 Avenue and a Portion of 16670 - 60 Avenue - to permit the development of approximately 38 semi-detached residential lots, 28 small single family lots with 9m (30 ft.) frontages, and 40 small single family lots with 12 m (40 ft.) frontages.

Councillor Bose left the meeting at 5:53 p.m. due to a potential conflict of interest as his family has property holdings in the area.

Approved by Council: October 6, 2003

Note: This by-law will be in order for consideration of final adoption should Council approve final adoption of By-law 15145 Item H.4.

- * Planning & Development advise that (see memorandum dated June 30, 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.
- * In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the West Cloverdale South Neighbourhood Concept Plan to redesignate the site from Rowhousing to Small Lots and Semi-Detached Residential.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council amend the West Cloverdale
 South Neighbourhood Concept Plan to redesignate the site from Rowhousing to
 Small Lots and Semi-Detached Residential.
 RES.R04-1792 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15146" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-1793 Carried

Councillor Bose returned to the meeting at 5:54 p.m.

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15207"

7903-0309-00 - Fawzieh Taha, c/o Rajwantjit Sandhu Blue Vista Homes Ltd.

RA (BL 12000) to RF (BL 12000) - 15660 - 82 Avenue - to allow
 subdivision into approximately six single family lots.

Approved by Council: December 1, 2003

* Planning & Development advise that (see memorandum dated June 29, 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. 15207" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-1794 Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15111"

7903-0142-00 - Jagjit and Baljeet Kooner, Harvinder and Jasbinder Duhra,
 640849 B.C. Ltd., Gurhimat and Gurdeep Gill,
 c/o Roger Jawanda, CitiWest Consulting Ltd.

RA (BL 12000) to RF (BL 12000) - 14838, 14860, and 14876 - 68 Avenue
- to permit subdivision into approximately 24 single family residential
lots.

Approved by Council: September 8, 2003

- * Planning & Development advise that (see memorandum dated July 2, 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. 15111" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1795

Carried

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15176"

7903-0284-00 - Amarjit and Surinder Athwal,

RA (BL 12000) to RF (BL 12000) - 14951 - 68A Avenue - to permit
subdivision into 2 single family residential lots.

Approved by Council: November 17, 2003

- * Planning & Development advise that (see memorandum dated July 2, 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. 15176" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1796

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7903-0404-00**
John Myring/Thomas, Christopher and John Myring
 2255 King George Highway

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

"That Development Permit No. 7903-0404-00 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. 7903-0404-00 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.R04-1797

Carried

- (b) **Development Permit No. 7903-0460-00**
Rimark Consulting/1585116 Ontario Inc.
 6413 - 176 Street and 17565 - 64 Avenue

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

"That Development Permit No. 7903-0460-00 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. 15340, Item H.3.

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

No. 7903-0460-00 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.R04-1798

Carried

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.R04-1799

Carried

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

Certified Correct:



City Clerk



Mayor