



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
MONDAY, NOVEMBER 15, 2004  
Time: 5:24 p.m.

#### Present:

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

#### Absent:

#### Councillors Entering Meeting as Indicated:

#### Staff Present:

City Manager  
City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Finance, Technology & HR  
Manager, Long Range Planning & Policy  
Development  
Manager, North Surrey Section  
Manager, Land Development Engineering  
City Solicitor

#### A. ADOPTION OF MINUTES

#### B. LAND USE APPLICATIONS

#### COMMERCIAL/INDUSTRIAL/AGRICULTURAL

#### SOUTH SURREY

##### 1. **7904-0322-00** **2743 - 156 Street** **Karsten Roh**

OCP Amendment/Temporary Use Permit

*OCP Amendment to declare the property a Temporary Industrial Use Permit area and a Temporary Use Permit to allow for storage of recreation vehicles.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and a Temporary Use Permit on property located at 2743 - 156 Street.

The applicant is proposing:

- an OCP amendment to declare the property a Temporary Industrial Use Permit Area; and a Temporary Industrial Use Permit

in order to allow the temporary parking and storage of recreational vehicles for a period not to exceed two years.

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

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

1. a By-law be introduced to declare the property a Temporary Industrial Use Permit Area in the Official Community Plan and a date for Public Hearing be set (Appendix III).
2. Council approve Temporary Industrial Use Permit No. 7904-0322-00 to proceed to Public Notification (Appendix V).
3. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of adequate security to ensure the vehicles are removed and the site is returned to its original state upon the expiry of the Temporary Industrial Use Permit; and
  - (c) registration of a Section 219 Restrictive Covenant to prohibit on-site RV washing, RV fuel storage or refilling storage of waste, petroleum, fluids and vehicle maintenance on site and to prohibit the parking and storage of vehicles containing dangerous goods as defined by the *Transport of Dangerous Goods Act*.

RES.R04-2900

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

## RESIDENTIAL/INSTITUTIONAL

### CLOVERDALE/CLAYTON

2. **7904-0352-00**  
**Portion of 6651 - 186 Street**  
**S.J.M.A. Holdings Ltd./521592 B.C. Ltd./City of Surrey**  
NCP Amendment/Rezoning

*Amend NCP for a portion of the site from School and Park to Single Family Residential. Rezone from RA to RF-12 to subdivide into 2 single family lots and parkland.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning application on property located on portion of 6651 - 186 Street.

The applicant is proposing:

- an NCP amendment for a portion from School and Park to Single Family Residential; and
- a rezoning from RA to RF-12

in order to allow subdivision into two single family lots and parkland.

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 a portion 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 a date be set for Public Hearing (Appendix I).
2. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and
  - (c) approval from City Council of proposed land exchange.
3. Council pass a resolution to amend the North Cloverdale East Neighbourhood Concept Plan to redesignate a portion of the land from School and Park to Single Family Residential when the project is considered for final adoption.

RES.R04-2901

Carried

It was

Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15567" pass its first reading.

RES.R04-2902

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. 15567" pass its second reading.  
 RES.R04-2903 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. 15567" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.  
 RES.R04-2904 Carried

**3. 7904-0226-00**

**19010 - 72 Avenue**

**McElhanney Consulting Ltd./667226 B.C. Ltd.**

NCP Amendment/Rezoning

*Amend NCP from Medium-High Density to Medium Density. Rezone from RA to RF-9C in order to allow subdivision into approximately 10 small single family 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 property located at 19010 - 72 Avenue.

The applicant is proposing:

- an NCP amendment from Medium-High Density (15 - 25 upa) to Medium Density (10 - 15 upa); and
- a rezoning from RA to RF-9C

in order to allow subdivision into approximately 10 small single family lots with coach houses.

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. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (d) resolution of the resulting impact on amenity contributions in the East Clayton Neighbourhood Concept Plan (NCP) to the satisfaction of the General Manager, Planning and Development;
  - (e) registration of a Section 219 Restrictive Covenant specifying mandatory coach houses for proposed Lots 1 - 5 and 10; and
  - (f) registration of a party wall agreement for the garages with coach houses above, to the satisfaction of the Building Division.
  
3. Council pass a resolution to amend the East Clayton NCP to redesignate the land from Medium-High Density (15 - 25 upa) to Medium Density (10 - 15 upa) when the project is considered for final adoption.

RES.R04-2905

Carried

It was

Moved by Councillor Bose  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15568" pass its first reading.

RES.R04-2906

Carried

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

It was

Moved by Councillor Bose  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15568" pass its second reading.

RES.R04-2907

Carried

It was then  
 Moved by Councillor Bose  
 Seconded by Councillor Tymoschuk  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15568" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.  
 RES.R04-2908  
Carried

## NEWTON

### 4. 7904-0356-00

**Portion of 8033 King George Highway  
 Avnash Banwait, Mainland Engineering Corporation/  
 Popular Group Investments**

Rezoning

*A portion of the property from CD to RF-9 to allow subdivision into approximately 8 small single family lots with rear lane access.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at portion of 8033 King George Highway.

The applicant is proposing:

- a rezoning from CD to RF-9

in order to allow subdivision into 8 single family small lots with rear lane access.

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 "Comprehensive Development Zone (CD)" (By-law No. 14125) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and

- (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R04-2909

Carried

It was

Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15569" pass its first reading.

RES.R04-2910

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. 15569" pass its second reading.

RES.R04-2911

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. 15569" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.

RES.R04-2912

Carried

### FLEETWOOD/GUILDFORD

#### 5. 7904-0053-00

**16190 - 93A Avenue**

**Avril Wright, Realty Services Section/City of Surrey**

Rezoning

*From RA to RF to subdivide the property into approximately 14 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16190 - 93A Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into approximately 14 single family lots.

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

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

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

RES.R04-2913 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. 15570" pass its first reading.

RES.R04-2914 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. 15570" pass its second reading.

RES.R04-2915 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt  
Seconded by Councillor Steele  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15570" be held at the  
City Hall on November 29, 2004, at 7:00 p.m.

RES.R04-2916 Carried



**SOUTH SURREY****6. 7904-0286-00****2901 King George Highway****Denis Turco Architect Inc./Annette R. Demitri**

Rezoning/Development Permit/Development Variance Permit

*Rezone from RA and RF to RM-15; Development Permit to allow the development of a 13-unit townhouse complex; and Development Variance Permit to vary a side yard setback.*

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 2901 King George Highway.

The applicant is proposing:

- a rezoning from RA and RF to RM-15;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - the south side yard setback is varied from 7.5 metres (25 ft.) to 6.0 metres (20 ft.)

in order to permit the development of a 13-unit townhouse development.

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

It was

Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Single Family Residential Zone (RF)" (By-law No. 12000) to "Multiple Residential 15 Zone (RM-15)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0286-00 generally in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7904-0286-00 (Appendix VII), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum south side yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6 metres (20 ft.).

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 right of access easement with a Section 219 Restrictive Covenant for future access to the properties to the north; and
  - (e) ensure that the proposed closure of the portion of King George Highway along the east property line is brought to a successful conclusion.

RES.R04-2917

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15571" pass its first reading.

RES.R04-2918

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. 15571" pass its second reading.

RES.R04-2919

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. 15571" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.

RES.R04-2920

Carried

7. **7904-0146-00**  
**15223 - 36 Avenue and 3636 - 152 Street**  
**David Porte, Porte Realty/Ernest and Alice Kupchyk; Donald and Lorette Clipperton**  
 Rezoning/Development Permit/Development Variance Permit  
*Rezone from RA to RM-15. Development Permit to permit 33 townhouse units. Development Variance Permit to vary front 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 15223 - 36 Avenue and 3636 - 152 Street.

The applicant is proposing:

- a rezoning from RA to RM-15;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - south front yard setback from 7.5 m (25 ft.) to 6 m (20 ft.); and
  - east side yard setback from 7.5 m (25 ft.) to 2.7 m (9 ft.) to permit 2 visitors parking stalls and 6.5 m (21 ft.) for the unit at the north-east corner of the site

in order to permit the development of 33 townhouse units.

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

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

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Multiple Residential 15 Zone (RM-15)" (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. 7904-0146-00 generally in accordance with the attached drawings (Appendix III).
4. Council approve Development Variance Permit No. 7904-0146-00 (Appendix VIII), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum south front yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 6 metres (20 ft.); and

- (b) to reduce the minimum east side yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 2.7 metres (9 ft.) and 6.5 metres (21 ft.) to accommodate 2 parking stalls and a unit at the north-east corner of the site.
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) 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 statutory right-of-way to ensure public access along the path on 152 Street; and
- (f) the applicant adequately address the impact of no indoor amenity space.

RES.R04-2921

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15572" pass its first reading.

RES.R04-2922

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. 15572" pass its second reading.

RES.R04-2923

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. 15572" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.  
 RES.R04-2924 Carried

### SURREY CITY CENTRE/WHALLEY

8. **7903-0328-00**  
**11356 - 142 Street**  
**Kuldip Randhawa, Acumar Consulting Engineering Ltd./Malkit Swaich**  
 Rezoning/Development Variance Permit  
*Rezone from RA to RF to permit subdivision into two single family lots.*  
*Development Variance Permit to relax rear yard setback and minimum lot depth.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on property located at 11356 - 142 Street.

The applicant is proposing:

- a rezoning from RA to RF;
- a Development Variance Permit to vary the following by-law regulations:
  - to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.9 metres (19.5 ft.) for proposed Lot A; and
  - to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.5 metres (77 ft.) for proposed Lot A

in order to allow subdivision into two single family lots and retain an existing house.

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

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

1. A By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. That Council approve Development Variance Permit No. 7903-0328-00 (Appendix VII), 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 5.9 metres (20 ft.) for proposed Lot A; and
  - (b) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.5 metres (77 ft.) for proposed Lot A.
3. That Council instruct staff to resolve the following issues prior to approval:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
  - (d) issuance of Development Variance Permit No. 7903-0328-00.

RES.R04-2925 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15573" pass its first reading.

RES.R04-2926 Carried with Councillor Bose against.

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

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15573" pass its second reading.

RES.R04-2927 Carried with Councillor Bose against.

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. 15573" be held at the  
City Hall on November 28, 2004, at 7:00 p.m.

RES.R04-2928 Carried

APPLICATIONS REFERRED BY COUNCILSOUTH SURREY**9. 7903-0237-00****13136 - 16 Avenue****Don Kroeker/Donald Mathew Kroeker and Laurena Catherine Kroeker**

Rezoning/Development Permit

*Rezone from RF to RM-D and a Development Permit to permit the development of a two-storey duplex.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 13136 - 16 Avenue.

The applicant is proposing:

- a rezoning from RF to RM-D; and
- a Development Permit

in order to permit the development of a two-storey duplex.

It was

Moved by Councillor Villeneuve  
Seconded by Councillor Higginbotham  
That the information submitted by the

applicant be received.

RES.R04-2929

Carried

Delegation

The applicant was in attendance and commented that an information meeting had been held with the community. He added that in order to address the concerns raised at a neighbourhood meeting held in November 2003 regarding basement secondary suites, design features were changed by eliminating exterior doors to basements. He stated that the only access to the basement would be through the kitchen and front door of the house, so the possibility of secondary suites is virtually eliminated from a practical perspective. He noted that the proposed building height of 9 meters was within the restrictions of the by-law, but in response to concerns raised, was reduced by another 2 feet, still maintaining the integrity of the appearance of the building. He added that the total height of the building would be 7.8 meters, 4 feet below the maximum height allowable.

Clarence Arychuk was in attendance and commented that the application was referred back for further consultation with the community. He continued that a public information meeting was held in November 2003, providing an opportunity for the area residents to voice their concerns. He added that most concerns related to traffic issues and noted that as a follow up, a package was sent in December 2003, providing the City's Traffic Engineering Department responses to traffic

issues raised at the November 2003 meeting. He stated that design reviews were undertaken with the project architect to minimize the impact of massing on neighbouring properties. He commented that another meeting with the area residents was held October 26, 2004.

It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That the information submitted by Clarence

Arychuk be received.

RES.R04-2930

Carried

Mr. Arychuk commented that 67 households were invited to attend the public information meeting; 8 household members attended the meeting and 5 persons expressed concerns.

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

It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That Council direct:

1. the City Clerk introduce a by-law to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Duplex Residential Zone (RM-D)" (By-law No. 12000) and a date be set for Public Hearing;
2. staff be authorized to draft Development Permit No. 7903-0237-00 in general accordance with the attached drawings (Appendix II);
3. staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a survey plan for road dedication along 16 Avenue 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 cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (e) shift the west dwelling unit forward towards 16 Avenue, to provide a 7.5 metre (25 ft.) rear yard setback; and



- (f) eliminate the exterior stairs to the basement of both units.

RES.R04-2931

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15578" pass its first reading.

RES.R04-2932

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. 15578" pass its second reading.

RES.R04-2933

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. 15578" be held at the City Hall on November 29, 2004, at 7:00 p.m.

RES.R04-2934

Carried

## COMMERCIAL/INDUSTRIAL/AGRICULTURAL

### NEWTON

#### 10. 7903-0410-00

7050 - 120 Street

**Gerry Blonski Architect c/o Gerry Blonski/Guru Nanak Sikh Gurdwara Society**

Rezoning

*To amend CD By-law No. 13001, by deleting retail and office uses and increasing the maximum floor area for the senior citizens' community centre from 573 m<sup>2</sup> (6,160 sq.ft.) to 699 m<sup>2</sup> (7,524 sq.ft.).*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 7050 - 120 Street.

The applicant is proposing:

to amend Comprehensive Development (CD) Zone as follows:

- Delete "Retail & Office" uses from the list of permitted uses and all references to retail and office use in the intent, density, yards and setbacks, height and other regulations sections of the "Comprehensive Development

Zone (CD)" (By-law No. 13001); and

- Increase the maximum floor area for the Senior Citizens' Community Centre from 573 square metres (6,160 sq.ft.) to 699 square metres (7,524 sq.ft.), in order to expand the community centre, and replace the retail/office area with landscaping and parking.

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 amend Comprehensive Development By-law No. 13001 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 road dedication plan for future widening of 120 Street; and
  - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect and postage of security for landscaping to ensure that the landscaping is constructed and maintained.

RES.R04-2935

Carried

It was Moved by Councillor Watts  
Seconded by Councillor Priddy  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 1997, No. 13001, Amendment By-law, 2004,  
No. 15574" pass its first reading.

RES.R04-2936

Carried

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

It was Moved by Councillor Priddy  
 Seconded by Councillor Watts  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 1997, No. 13001, Amendment By-law, 2004,  
 No. 15574" pass its second reading.  
 RES.R04-2937 Carried

It was then Moved by Councillor Priddy  
 Seconded by Councillor Watts  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13001, Amendment  
 By-law, 2004, No. 15574" be held at the City Hall on November 29, 2004, at 7:00  
 p.m.  
 RES.R04-2938 Carried

### RESIDENTIAL/INSTITUTIONAL

#### SURREY CITY CENTRE/WHALLEY

11. **7903-0432-00**  
**8916 - 128 Street**  
**Isaac-Rental Architects/Arvinder Singh Bubber**  
 Land Use Contract Partial Discharge/Rezoning/Development Permit  
*Partial discharge of LUC No. 235. Rezone from RF to CD. Development Permit  
 to allow construction of approximately 11 townhouse units.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, a Development Permit application, and an application for a partial discharge of LUC No. 235, on property located at 8916 - 128 Street.

#### Delegation

The applicant's representative was in attendance and commented that they would like to save as many trees as are practical, however, the trees are in the middle of the lot rendering the site un-developable if required to retain the trees. He added that the site is ringed along the south side by evergreen trees on adjacent properties, providing some shielding by trees.

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 discharge a portion of Land Use Contract No. 235 on the south portion of the subject site and a date for Public Hearing be set.

2. 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 (Appendix III).
3. Council approve the applicant's request to eliminate the required indoor amenity space
4. Council authorize staff to draft Development Permit No. 7903-0432-00 generally in accordance with the attached drawings (Appendix IV).
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 road dedication plan to the satisfaction of the Approving Officer;
  - (c) address the tree preservation issues to the satisfaction of the General Manager, Planning & Development by adjusting the site plan and building footprints as suggested in this report to enhance the chance of survival for several Giant Redwoods;
  - (d) submission of revised landscape plans based on the City Landscape Architect comments to the satisfaction of the General Manager, Planning and Development 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;
  - (f) demolition of existing structures to the satisfaction of the Building Division; and
  - (g) dedication of the north-east corner of the B.C. Hydro right-of-way for parks purposes.

Before the motion was put:-

It was Moved by Councillor Hunt  
Seconded by Councillor Villeneuve  
That Application No. 7903-0432-00 be  
referred to staff to further review the project with respect to tree preservation.  
RES.R04-2939 Carried

## COMMERCIAL/INDUSTRIAL/AGRICULTURAL

### FLEETWOOD/GUILDFORD

#### 12. 7904-0357-00

10777 - 160 Street

**Bill's Development Ltd./Violet Schultz**

Rezoning/Development Permit/Development Variance Permit

*Rezone from RA to CD and RF-12 and Development Permit to permit a neighbourhood commercial development (on the easterly portion) and to allow subdivision into approximately 7 small single family lots (on the westerly portion). DVP to vary setback and alternate access requirements.*

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 10777 - 160 Street.

The applicant is proposing:

- a rezoning from RA to CD and RF-12;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - to reduce the minimum south side yard setback of the CD Zone from 7.5 metres (25 ft.) to 2.4 metres (8 ft.); and
  - to vary the Highway and Traffic By-law to allow direct access onto an arterial road for four proposed single family lots.

in order to permit the development of a neighbourhood commercial development (on the easterly portion) and to allow subdivision into approximately seven (7) small single family lots (on the westerly portion) in Fraser Heights.

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 Hunt  
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) (Block B on attached Survey Plan) and a date be set for Public Hearing (Appendix I).
2. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) (Block A on attached Survey Plan) and a date be set for Public Hearing (Appendix I).
3. Council authorize staff to draft Development Permit No. 7904-0357-00 generally in accordance with the attached drawings (Appendix III) subject to the condition prescribed in 6(g) of the recommendation and Council resolution regarding the proposed south side yard setback variance.
4. Council approve DVP No. 7904-0357-00, varying the following, to proceed to public notification:
  - to vary the south side yard setback of the CD Zone from 7.5 metres (25 ft.) to 2.4 metres (8 ft.).
5. Council approve Development Variance Permit No. 7904-0357-00, (Appendix XI) varying the following, to proceed to Public Notification:
  - to vary Section 81 of the Highway and Traffic By-law to allow direct access onto an arterial road for four proposed single family lots.
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 subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Transportation;
  - (d) approval from the Federal Department of Fisheries & Ocean;
  - (e) submission of an acceptable tree survey and a statement regarding tree preservation;

- (f) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (g) submission of revised architectural and landscaping plans to the satisfaction of the General Manager, Planning and Development to address the remaining design issues identified by the Advisory Design Panel, including particularly the redesign of Building #1 for the proposed drug store to be compatible with the other proposed building and with the design context of the existing developments; and
- (h) registration of a 219 Restrictive Covenant for driveway access provisions on 160 Street indicating removal of the left-hand turn movement on 160 Street if required in the future.

RES.R04-2940

Carried

It was

Moved by Councillor Villeneuve  
 Seconded by Councillor Hunt  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2000, No. 15577A" pass its first reading.

RES.R04-2941

Carried

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

It was

Moved by Councillor Villeneuve  
 Seconded by Councillor Hunt  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2000, No. 15577A" pass its second reading.

RES.R04-2942

Carried

It was then

Moved by Councillor Villeneuve  
 Seconded by Councillor Hunt  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2000, No. 15577A" be held at the  
 City Hall on November 29, 2004, at 7:00 p.m.

RES.R04-2943

Carried

It was

Moved by Councillor Villeneuve  
 Seconded by Councillor Hunt  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2000, No. 15577B" pass its first reading.

RES.R04-2944

Carried

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

It was Moved by Councillor Villeneuve  
Seconded by Councillor Hunt  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2000, No. 15577B" pass its second reading.  
RES.R04-2945 Carried

It was then Moved by Councillor Villeneuve  
Seconded by Councillor Hunt  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2000, No. 15577B" be held at the  
City Hall on November 29, 2004, at 7:00 p.m.  
RES.R04-2946 Carried

**C. CORPORATE REPORTS**

**D. ITEMS TABLED BY COUNCIL**

The Mayor noted that the agenda order was varied slightly in order to deal with Item H.  
By-laws.

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

**FINAL ADOPTIONS**

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15209"  
7903-0200-00 - Thomas Nellis and Ruth Yelle, c/o Hunter Laird Engineering  
Ltd. (Clarence Arychuk)

Councillor Bose left the meeting at 6:03 p.m. due to a potential conflict as his family has  
property holdings in the area.

RA (BL 12000) to RH (BL 12000) - 2644 - 140 Street - to allow  
subdivision into two single family residential lots.



Approved by Council: December 1, 2003

- \* Planning & Development advise that (see memorandum dated November 3, 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 Higginbotham  
 Seconded by Councillor Hunt  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No. 15209" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-2947

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2002, No. 14789"

7901-0180-00 - Parminder and Ramandeep Gill, c/o Avnash Banwait,  
 Mainland Engineering Corporation

C-4 (BL 12000) to CD (BL 12000) - 5989 - 168 Street - to permit the  
 development of a neighbourhood-scale retail/residential complex in the  
 West Cloverdale South NCP area.

Approved by Council: September 3, 2002

**Note:** A Development Permit (7901-0180-00) on the site is to be considered for  
 Final Approval under Item I.1(a).

- \* Planning & Development advise that (see memorandum dated November 3, 2004 in by-law back-up) the Public Hearing on this application was held on September 16, 2002. As more than two years have passed since the Public Hearing, Council may wish to hold a new Public Hearing. The reason for the delay in bringing this application to Final Adoption was due to the complexity of the issues arising from the location of Terasen Gas's underground vault on the site which was a major factor in the length of time for the completion of the Servicing Agreement.
- \* In addition, Planning and 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 Institutional/Residential to Commercial/Residential.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That Council amend the West Cloverdale  
South Neighbourhood Concept Plan to redesignate the site from  
Institutional/Residential to Commercial/Residential.  
RES.R04-2948 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2002, No. 14789" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.  
RES.R04-2949 Carried

Councillor Bose returned to the meeting at 6:06 p.m.

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15352"  
7904-0015-00 - Nishidha and Vasudha Goel  
c/o H.Y. Engineering Ltd. (Richard Brooks)

RA (BL 12000) to RF (BL 12000) - 16493 and 16505 - 104 Avenue - to  
allow subdivision into approximately 11 single family lots.

Approved by Council: April 19, 2004

- \* Planning & Development advise that (see memorandum dated November 10,  
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 Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15352" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.  
RES.R04-2950 Carried

**I. CLERK'S REPORT**

**1. Formal Approval of Development Permits**

- (a) **Development Permit No. 7901-0180-00**  
**Avinash Banwait, Mainland Engineering Corporation**  
**Parminder Singh Gill and Ramandeep Kaur Gill**  
 5989 - 168 Street

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

"That Development Permit No. 7901-0180-00 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 14789 under Item H.2.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That Development Permit No. 7901 0180-00  
 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.R04-2951

Carried

Councillor Bose returned to the meeting at 6:04 p.m.

**E. DELEGATIONS**

- 1. Jo-Anne van Beek**  
**Robert Maynes**  
 5731 - 182 Street  
 File: 6800-01; 0550-20-10

The Mayor noted this item was not in order for consideration at this time.

2. **Mr. Peter Fluckiger and Brendan Mulhall**  
**Owners of the Cloverdale Business Park**  
 File: 7997-0028-00; 0550-20-10

Mr. Brendan Mulhall, co-owner of the Cloverdale Business Park, was in attendance regarding the development and road access.

It was Moved by Councillor Watts  
 Seconded by Councillor Hunt  
 That the information submitted by Brendan

Mulhall be received.

RES.R04-2952

Carried

Brendan Mulhall provided the following comments:

- The current owners acquired the property in 2003 and made an application to develop in March 2004.
- The City revisited certain road dedications previously approved and asked that an amended plan be resubmitted.
- The PLA was issued July 8, 2004 included staff's instructions requiring the alignment of 53A Avenue with Kwantlen Road across the other side of the road.
- The owners had intended to build 53A Avenue as a collector/feeder as instructed, consultants had been retained, tenders to install roads submitted and in the process of being reviewed when they learned that that the collector road through the Kwantlen site would not permit trucks.
- He noted that his company relies on this road for access and stated that this was inherent in the purchase of the property.
- He noted that present and future land uses depend on trucks for basic business needs.
- Staff suggested 184 Street be used as an alternate egress for truck route, but this road is too steep and difficult to traverse.
- The electric substation would be too costly to move if 184 Street were widened.
- Their property is landlocked and requires access and egress in order to do business.
- One alternate solution would be to provide a new road with improvements from their property where 53A Avenue meets 192 Street, however there is no funding for this proposal in the City's ten-year plan.
- He requested Council amend the ten-year plan or provide funding for the required road for access to their land.
- Benefits to this proposal would open up other industrial lands to the east for further development and would reduce truck traffic on Highway 10.
- His ability to sell the property without a truck route would be severely hampered and would incur financial losses.
- He requested prompt resolution of this matter.

The original agenda order was then resumed.

**J. OTHER BUSINESS**

**K. ADJOURNMENT**

It was

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

meeting do now adjourn.

RES.R04-2953

Carried

The Regular Council- Land Use meeting adjourned at 6:18 p.m.

Certified Correct:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor