



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, DECEMBER 13, 2004
Time: 4:30 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 & HR
General Manager, Engineering
General Manager, Parks, Recreation and Culture
Manager, Long Range Planning & Policy
Development
Manager, Area Planning Division
Manager, North Surrey Section
Manager, South Surrey Section
Land Development Engineer
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

1. **7900-0305-01**
15196 - 104 Avenue
Ed Citton/172965 Canada Ltd.
Development Permit
To regulate landscaping upon closing of a gasoline service station, while undergoing site remediation.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15196 - 104 Avenue.

The applicant is proposing:

- a Development Permit

to regulate landscaping upon closing of a gasoline service station while undergoing site remediation.

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. 7900-0305-01 in accordance with the attached drawing (Appendix III).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) submission of a landscaping security in the amount of \$33,995.70, which represents 150% of the landscaping cost estimates; and
 - (b) submission of a Letter of Undertaking to ensure that the required Section 219 Restrictive Covenant incorporating the landscaping and maintenance components, is registered against title of the subject site.

RES.R04-3428

Carried

SOUTH SURREY

2. **7904-0399-00**
15355 - 24 Avenue
Ted Baker, Imperial Sign Corporation/Peninsula Shopping Centre Ltd.
Development Permit
To allow a free-standing sign and modify two existing driveway entry signs.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15355 - 24 Avenue.

The applicant is proposing:

- a Development Permit

in order to allow a free-standing sign and modify two existing driveway entry signs.

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 Council approve the attached
 Development Permit No. 7904-0399-00 (Appendix V), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R04-3429

Carried

**3. 7904-0396-00
 3033 - 152 Street**

Mr. Glenn Barrick/585656 B.C. Ltd.

Rezoning

Amend CD By-law No. 13712 to allow an increased number of small-scale commercial retail units within a large-format commercial retail complex having a floor area of less than 370m²/4,000 sq. ft.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 3033 - 152 Street.

The applicant is proposing:

- to amend CD By-law No. 13712 by removing the 5% maximum gross floor area restriction on commercial units which have a floor area of less than 186 square metres (2,000 sq.ft.) and the 5% maximum floor area restriction on commercial units which are greater than 186 square metres (2,000 sq.ft.) but less than or equal to 370 square metres (4,000 sq.ft.), and replacing it with a 30% maximum floor area restriction on all retail units which are less than 370 square metres (4,000 sq.ft.).

in order to allow an increased number of small-scale commercial retail units within, a large-format commercial retail complex.

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 a By-law be introduced to amend
 "Comprehensive Development Zone (CD)" (By-law No. 13712) to allow an increased number of small-scale commercial retail units within a large-format commercial retail complex and a date for Public Hearing be set.

RES.R04-3430

Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 1999, No. 13712, Amendment By-law, 2004,
 No. 15604" pass its first reading.
 RES.R04-3431 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, 1999, No. 13712, Amendment By-law, 2004,
 No. 15604" pass its second reading.
 RES.R04-3432 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, 1999, No. 13712, Amendment
 By-law, 2004, No. 15604" be held at the City Hall on January 10, 2005, at
 7:00 p.m.
 RES.R04-3433 Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

4. **7904-0405-00**
19388 - 65 Avenue
Carson Nofle, Focus Architecture Incorporated/Rempel Liberty
Development Ltd., Inc. No. 678913
 Development Variance Permit
To vary the front yard setback (east) of the RM-45 Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.) to permit the construction of a 4-storey apartment building in East Clayton.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 19388 - 65 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to reduce the minimum front yard setback (east) of the RM-45 Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.)

in order to permit the development of a four-storey apartment building 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 Steele
That:

1. Council approve Development Variance Permit No. 7904-0405-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback (east) of the RM-45 Zone from 7.5 metres (25 ft.) to 4.0 metres (13 ft.).

RES.R04-3434

Carried

5. **7904-0086-00**
Portions of 6724 and 6684 - 194 Street
Mr. Clarence Arychuk, Hunter Laird Engineering/677018 B.C. Ltd.
Development Variance Permit
To vary definitions of "front lot line" and "frontage" for proposed Lots 40 - 52, to permit the development of 52 single family lots with coach homes.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at portions of 6724 and 6684 - 194 Street.

The applicant is proposing:

- a Development Variance Permit to:
 - vary the definitions of "front lot line" and "frontage" in the Zoning By-law for proposed Lots 40 - 52

in order to permit the development of 52 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 Higginbotham
That:

1. Council approve Development Variance Permit No. 7904-0086-00 (Appendix III), varying the following, to proceed to Public Notification:

- (a) to vary the definitions of "front lot line" and "frontage" under Part 1 Definitions of the Zoning By-law.

RES.R04-3435

CarriedNEWTON**6. 7904-0285-00****6857 - 149 Street****James Pernu, McElhanney Consulting Services Ltd./Robert and Margery Alcock**

Rezoning/Development Variance Permit

*Rezone from RH to RF to permit subdivision into three single family lots.**Development Variance Permit to vary the rear yard setback to retain existing house and attached garage.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit on property located at 6857 - 149 Street.

The applicant is proposing:

- a rezoning from RH to RF; and
- a Development Variance Permit to vary the following by-law regulations:
 - reduce the rear yard setback from 7.5 metres (25 ft.) to 5.5 metres (18 ft.)

in order to allow subdivision into three single family residential lots and retain an existing house and attached garage.

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 "Half-Acre Residential Zone (RH)" (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. 7904-0285-00 (Appendix VII), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear side yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to accommodate an existing house and attached garage.

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.R04-3436

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15605" pass its first reading.

RES.R04-3437

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. 15605" pass its second reading.

RES.R04-3438

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. 15605" be held at the
 City Hall on January 10, 2005, at 7:00 p.m.

RES.R04-3439

Carried

7. **7904-0199-00**
15175 - 62A Avenue
Lilian Arishenkoff - Polygon/Polygon Panorama Homes Ltd., Inc. No. 646420
 Development Permit
To permit the construction of Phases 3 and 4 of a multiple residential complex.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15175 - 62A Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of Phases 3 and 4 of a multiple residential complex.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That Council approve the attached

Development Permit No. 7904-0199-00 (Appendix VI) authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R04-3440

Carried

8. 7904-0133-00

15177 - 76 Avenue

**Aplin & Martin Consultants Ltd./Sukhchain Singh & Parmjit Kaur Punia,
Kulwant Singh Grewal and Harjit Singh**

Rezoning/Development Variance Permit

Rezoned from RA to RF to permit subdivision into approximately 7 single family residential lots. Development Variance Permit to vary rear yard setback for two of the proposed lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit on property located at 15177 - 76 Avenue.

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - Section F of the RF Zone is varied to allow the minimum rear yard setback, at the east end of the lane hammerhead, to be reduced from 7.5 metres (25 ft.) to 2.4 metre (7.8 ft.) for 2 of the proposed lots.

in order to allow subdivision into approximately 7 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 approve Development Variance Permit No. 7904-0133-00 (Appendix XI) 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 2.4 metres (7.8 ft.) at the east end of the lane hammerhead for proposed Lots 5 and 6.
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (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) provision of a Section 219 Restrictive Covenant (no build) in order to prevent construction over the existing 19 metre right-of-way and the additional 5 metre building setback from the right-of-way.

RES.R04-3441

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. 15606" pass its first reading.

RES.R04-3442

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 Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15606" pass its second reading.
RES.R04-3443 Carried with Councillor Bose against.

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. 15606" be held at the
City Hall on January 10, 2005, at 7:00 p.m.
RES.R04-3444 Carried

SOUTH SURREY

9. **7904-0355-00**
12483 - 27 Avenue
Varinder Parhar/Satinder Parhar
Rezoning
From C-4 to RF to permit development of a single family dwelling.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 12483 - 27 Avenue.

The applicant is proposing:

- a rezoning from C-4 to RF

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

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

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

1. a By-law be introduced to rezone the property from "Local Commercial Zone (C-4)" (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 an acceptable tree survey and a statement regarding tree preservation; and
- (c) registration of building plans on title.

RES.R04-3445

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15607" pass its first reading.

RES.R04-3446

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. 15607" pass its second reading.

RES.R04-3447

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. 15607" be held at the
 City Hall on January 10, 2005, at 7:00 p.m.

RES.R04-3448

Carried

SURREY CITY CENTRE/WHALLEY

10. 7903-0455-00

11635 and 11645 - 99 Avenue, 9924 - 116 Avenue

H.Y. Engineering Ltd./679419 B.C. Ltd.; Devinder Singh Dhillon, Mohinder Kaur Dhillon and Pawanjit Kaur Dhillon

Rezoning/Development Variance Permit

Rezone a portion from RF to RF-12 in order to allow subdivision with 2 adjacent lots into approximately 2 RF-12 and 5 RF lots. DVP to reduce the minimum lot depth and setbacks of the RF Zone.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on properties located at 11635 and 11645 - 99 Avenue, and 9924 - 116 Avenue.

The applicant is proposing:

- a rezoning of a portion from RF to RF-12; and

- a Development Variance Permit to relax the following RF Zone regulations:
 - for proposed Lot 1, to reduce the minimum rear yard setback from 7.5 m (25 ft) to 4 m (13 ft);
 - for proposed Lot 2, reduce the minimum rear yard setback from 7.5 m (25 ft) to 2.36 m (7.7 ft), the minimum front yard setback from 7.5 m (25 ft) to 4.7 m (15 ft), and the minimum lot depth from 28 m (90 ft) to 27.6 m (89 ft); and
 - for proposed Lot 7, reduce the minimum side yard setback from 1.8 m (6 ft) to 1.15 m (3.8 ft) and the minimum front yard setback from 7.5 m (25 ft) to 6.94 m (23 ft).

in order to allow subdivision into approximately 2 RF-12 and 5 RF 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 Hunt
That:

1. a By-law be introduced to rezone a portion of the site (Block B on attached Survey Plan) from "Single Family Residential Zone (RF)" (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 approve Development Variance Permit No. 7903-0455-00 (Appendix VII), varying the following, to proceed to Public Notification:
 - (a) for proposed Lot 1, reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 4 metres (13 ft.);
 - (b) for proposed Lot 2 vary the RF Zone by reducing the minimum rear yard setback from 7.5 metres (25 ft.) to 2.36 metres (7.7 ft.), the minimum front yard setback from 7.5 metres (25 ft.) to 4.7 metres (15 ft.) and the minimum lot depth from 28 metres (90 ft.) to 27.6 metres (89 ft.); and
 - (c) for proposed Lot 7 vary the RF Zone by reducing the minimum side yard setback from 1.8 metres (6 ft.) to 1.15 metres (3.8 ft.) and the minimum front yard setback from 7.5 metres (25 ft.) to 6.94 metres (23 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
- (d) approval by Council of Development Variance Permit No. 7903-0455-00.

RES.R04-3449

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15608" pass its first reading.

RES.R04-3450

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15608" pass its second reading.

RES.R04-3451

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15608" be held at the
 City Hall on January 10, 2005, at 7:00 p.m.

RES.R04-3452

CarriedCOMMERCIAL/INDUSTRIAL/AGRICULTURALNEWTON**11. 7904-0264-00****5390 - 152 Street****Khevin Development Services Ltd. c/o Kabel Atwall/Pathmark Development Ltd.****OCP Amendment/Rezoning/ALR**

To exclude from the ALR; to amend the OCP designation from Agricultural to Industrial and to rezone from A-1 to IB to allow for a business park development.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and an application to exclude from the ALR on property located at 5390 - 152 Street.

The applicant is proposing:

- an ALR exclusion under Section 30(1) of the ALC Act;
- an OCP amendment from Agricultural to Industrial; and
- a rezoning from A-1 to IB

in order allow for a business park development.

Delegation

Kabel Atwal, Pathmark Development Ltd., was in attendance on behalf of the applicant and commented that his client is requesting exclusion of 22 acres from the ALR. He noted that there had been an incorrect conversion and added that the correct figure is 22 acres. He added that the proposal is to develop the subject property, along 152 Street, west of Highway 10, adjacent to Colebrook Road and the railroad tracks, for light industrial purposes.

He continued that his client is requesting the application be referred to the Land Commission for a decision as to whether the lands should be released from the ALR. He added that A-1 Doors had purchased the property in 1998 and the owners would like to expand their current operation to a facility of 100,000 sq.ft. and increase their staff from 40 employees to 100 employees.

Mr. Atwal commented that this expansion would provide positive economic benefits in terms of employment and taxation, and would represent a logical extension of development based on existing land use in the area. He noted the property is located close to transportation corridors and complies with the OCP for evaluation of business park locations. He stated that the staff report indicates the property does not comply with all the criteria as stated under the ALR, however, the property rates as an organic Class 4 property and would only be used for blueberries or cranberries. He noted that any farming on the property would have restricted use of any pesticides and insecticides due to the potential for drift and the proximity of business parks and schools.

He added that a compensation package had been identified for drainage, irrigation, and soil improvements as compensation for lands being taken out of the ALR, on a three for one basis. He noted that 60 acres would be improved to Class 2 level.

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

It was Moved by Councillor Bose
 Seconded by Councillor Priddy
 That Application 7904-0264-00 be denied.
 RES.R04-3453 Defeated with Mayor McCallum, and
 Councillors Hunt, Villeneuve, Tymoschuk,
 Steele, Higginbotham, and Watts against.

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Council's comments and
 recommendations are to refer Application No. 7904-0264-00 to the Agricultural
 Land Commission to consider its merits.
 RES.R04-3454 Carried with Councillors Bose and Priddy
 against.

RESIDENTIAL/INSTITUTIONAL

FLEETWOOD/GUILDFORD

12. **7904-0203-00**
8008 - 168 Street and 16825 Fraser Highway
Herb Maretz/Surrey Pentecostal Assembly, Inc. No. S18755
 Rezoning/Development Variance Permit
*Rezone from RF and RA to PA-2 to permit a regional scale church. DVP to vary
 the number of parking stalls from 176 to 167 and to allow for parking within the
 front and flanking side yard.*

The General Manager of Planning & Development submitted a report concerning
 an application for rezoning, and a Development Variance Permit application on
 properties located at 8008 - 168 Street and 16825 Fraser Highway.

The applicant is proposing:

- a rezoning from RF and RA to PA-2; and
- a Development Variance Permit to vary the following Zoning By-law
 regulations:
 - reduce the number of required on-site parking spaces from 176 to 167;
 - vary the PA-2 Zone to allow on-site parking within the front yard
 setback (Fraser Highway) for 24 parking spaces; and
 - vary the PA-2 Zone to allow on-site parking within the flanking side
 yard setback (168 Street) for 5 parking stalls

in order to permit the development of a 625-seat regional-scale church.

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

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

1. Council file By-law No. 13204.
2. a By-law be introduced to rezone the site from "Single Family Residential Zone (RF)" (By-law No. 12000) and "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Assembly Hall 2 Zone (PA-2)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council approve Development Variance Permit No. 7904-0203-00 (Appendix VIII), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum number of on-site parking spaces from 176 to 167; and
 - (b) to vary the PA-2 Zone to allow 24 parking spaces within the front yard setback (Fraser Highway) and 5 parking spaces within the side yard flanking street setback (168 Street).
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 lot consolidation and road dedication plan to the satisfaction of the Approving Officer;
 - (c) registration of a Section 219 Restrictive Covenant to prohibit any development on the site other than as generally indicated on the drawings attached (Appendix II);
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a landscaping cost estimate and landscaping plan to the specifications and satisfaction of the City Landscape Architect; and

- (f) submission of architectural plans to the satisfaction of the City Architect.

RES.R04-3455 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 1997, No. 13204" be filed.

RES.R04-3456 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15612" pass its first reading.

RES.R04-3457 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. 15612" pass its second reading.

RES.R04-3458 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. 15612" be held at the
City Hall on January 10, 2005, at 7:00 p.m.

RES.R04-3459 Carried

SOUTH SURREY

- 13. 7904-0057-00**
15550 - 37 Avenue
CitiWest Consulting Ltd., Todd Antifaev/Bryon and Darlene Spooner
Rezoning
From "One Acre Residential (RA)" Zone to "Half-Acre Residential (RH)" Zone to allow for subdivision into two single family half-acre lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 15550 - 37 Avenue.

The applicant is proposing:

- a rezoning from RA to RH

in order to allow for subdivision into 2 single family half acre 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 "Half-Acre Residential Zone (RH)" (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;
 - (d) submission of an acceptable landscaping plan and cost estimate; and
 - (e) registration of Restrictive Covenants for the following items:
 - i. provision of an acceptable landscaping plan along the east, south and west property lines of the proposed panhandle lot; and
 - ii. additional setbacks on the proposed panhandle lot to minimize impact on adjacent properties.

RES.R04-3460 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15613" pass its first reading.

RES.R04-3461 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. 15613" pass its second reading.
RES.R04-3462 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. 15613" be held at the
City Hall on January 10, 2005, at 7:00 p.m.
RES.R04-3463 Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

The Mayor noted that the agenda order would be varied at this time.

H. BY-LAWS

TO BE FILED

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 14950"

7902-0039-00 - Pacific Star Homes Ltd., c/o 640842 BC Ltd.

RA (BL 12000) to CD (BL 12000) - Portion of 15155 - 76 Avenue - to permit the development of a neighbourhood commercial plaza having 1,410 square metres (15,200 square feet) of floor space plus a caretaker suite.

Approved by Council: March 3, 2003

- * Planning & Development advise that (see memorandum dated December 9, 2004 in by-law back-up) By-law No. 14950 should be filed as Council denied third reading of the application on March 24, 2003 and the applicant has now made application to develop the site for single family residential lots under application 7904-0133-00, Item B.8 of the Regular Council-Land Use Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 14950" be filed.
 RES.R04-3464 Carried

FINAL ADOPTIONS

2. "Surrey Official Community Plan By-law, 1996, No. 12900, No.35 Amendment By-law, 2000, No. 14137"

7900-0226-00 - Clayton Crossing Shopping Centre Ltd.,
 Clayton Crossing Annex Ltd.
 c/o Avondale Development Corporation (Gerry Olma)

To authorize the redesignation of the properties located at 18669, 18687, 18717 and 18735 Fraser Highway from "Suburban (SUB)" to "Commercial (COM)".

Approved by Council: October 2, 2000

* This application is proceeding in conjunction with By-law 15498 Item H.3 of this Agenda.

Note: The Public Hearing on this application was held on October 16, 2000. As more than two years have passed since the Public Hearing, Council may wish to hold a new Public Hearing.

* Planning & Development advise that the reason for the delay in bringing this application to Final Adoption was due to difficulties that the original owners encountered in marketing the site.

* In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the Clayton General Land Use Plan to redesignate the land from Multiple Residential to Community Commercial.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council amend the Clayton General
 Land Use Plan to redesignate the land from Multiple Residential to Community
 Commercial
 RES.R04-3465 Carried with Councillor Bose against.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No.35 Amendment By-law, 2000, No. 14137" be
 finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
 Seal.

RES.R04-3466

Carried with Councillor Bose against.

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15498"

7904-0246-00 - Clayton Crossing Shopping Centre Ltd.,
 Clayton Crossing Annex Ltd.
 c/o Avondale Development Corporation (Gerry Olma)

RA (BL 12000) to CD (BL 12000) - 18669, 18687, 18717, &
 18735 Fraser Highway - to permit the development of a range of
 commercial uses including retail stores, drive-through establishments,
 neighbourhood pub, liquor store, gas station and offices.

Approved by Council: September 7, 2004

This application is proceeding in conjunction with By-law 15137, Item H.2 of this
 agenda.

Note: A Development Permit (7904-0246-00) on the site is to be considered for
 Final Approval under Item I.1(c).

- * Planning & Development advise that (see memorandum dated December 9, 2004
 in by-law back-up) Council requested that staff meet with Ms. Judy Loewen, the
 owner of the commercial zoned property south of Fraser Highway in order to
 discuss her concerns raised at the September 27, 2004 Public Hearing. The
 Engineering Department has followed up with this request as explained in a
 separate memorandum to Mayor and Council from the General Manager,
 Engineering Department.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15498" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-3467

Carried with Councillor Bose against.

TO BE FILED

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15585"

7904-0112-00 - Edward Holden, George and Jean Lechleiter, Surrey South Shopping Centres Limited, Gerhard and Rita Krause, Briska Porcher, Marian Porcher, Derrick Schonke, Gurdip and Amarjit Mundi, Jang and Devinder Mundi, Balbir Atwal, Sukhdev and Raminder Randhawa, Bhinder and Niranjana Mundi, Anni and Emanuel Lange, Luise Hartstock, c/o First Professional Management (West) Inc. (Michael Nygren)

RA, CPG, and A-2 (BL 12000) to CD (BL 12000) - 15862, 15876, 15948, and 16087 - 24 Avenue, 2441, 2457, 2493, 2527 - 160 Street, Portion of 2500 - 160 Street, Portion of 16129 - 24 Avenue to allow for the development of a retail shopping centre including a Wal-mart, a Home Depot and other commercial uses at the southwest, northwest and northeast corner of 24 Avenue and 160 Street in conjunction with a Real Canadian Superstore, a gas bar with car wash and other commercial uses at the southeast corner of 24 Avenue and 160 Street, having a total gross floor area of approximately 86,770 square metres (934,000 sq. ft.) for By-laws 15585 and 15586.

Approved by Council: November 22, 2004

It was Moved by Councillor Tymoschuk
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15585" be filed.

RES.R04-3468

Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15586"

7904-0312-00 - Loblaw Properties West Inc., Kenichi and Reiko Matsuo, City of Surrey, Edward and Josephine Stephen, c/o Loblaw Properties West Inc. (Glen Carlberg)

RA (BL 12000) to CD (BL 12000) - 2342 - 160 Street, 16106 and 16134 - 24 Avenue, 2284, 2290, 2316 and 2340 - 161 Street, Portion of 161 Street - to allow for the development of a Real Canadian Superstore, a gas bar with car wash and other commercial uses at the southeast corner of 24 Avenue and 160 Street in conjunction with a retail shopping centre including a Wal-mart, a Home Depot and other commercial uses at the southwest, northwest and northeast corner of 24 Avenue and 160 Street, having a total gross floor area of approximately 86,770 square metres (934,000 sq. ft.) for By-laws 15585 and 15586.

Approved by Council: November 22, 2004

This by-law is proceeding in conjunction with By-laws 15585.

It was
 Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15586" be filed.
 RES.R04-3469 Carried

INTRODUCTIONS

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15610"

7904-0112-00 - Edward Holden, George and Jean Lechleiter, Surrey South Shopping Centres Limited, Gerhard and Rita Krause, Briska Porcher, Marian Porcher, Derrick Schonke, Gurdip and Amarjit Mundi, Jang and Devinder Mundi, Balbir Atwal, Sukhdev and Raminder Randhawa, Bhinder and Niranjan Mundi, Anni and Emanuel Lange, Luise Hartstock c/o First Professional Management (West) Inc. (Michael Nygren)

RA, CPG, and A-2 (BL12000) to CD (BL12000) - 15862, 15876, 15948, and 16087 - 24 Avenue, 2441, 2457, 2493, 2527 - 160 Street, Portion of 2500 - 160 Street, Portion of 16129 - 24 Avenue - to allow for the development of large format commercial buildings along with small scale commercial buildings in a comprehensive design at the southwest, northwest and northeast quadrants of 24 Avenue and 160 Street.

It was
 Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15610" pass its first reading.
 RES.R04-3470 Carried with Councillors Bose, Villeneuve, Watts and Priddy against.

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. 15610" pass its second reading.
 RES.R04-3471 Carried with Councillors Bose, Watts, Villeneuve, and Priddy against.

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. 15610" be held at the
 City Hall on January 19, 2005, at 7:00 p.m.
 RES.R04-3472 Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15611"

7904-0312-00 - Loblaw Properties West Inc., Kenichi and Reiko Matsuo,
 City of Surrey, Edward and Josephine Stephen,
 c/o Loblaw Properties West Inc. (Glen Carlberg)

RA (BL12000) to CD (BL12000) - 2342 - 160 Street, 16106 and
 16134 - 24 Avenue, 2284, 2290, 2316 and 2340 - 161 Street, Portion of
 161 Street - to allow for the development of a large format commercial
 building, along with small-scale commercial buildings, a gas bar with car
 wash at the southeast corner of 24 Avenue and 160 Street.

It was
 Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15611" pass its first reading.
 RES.R04-3473 Carried with Councillors Bose, Villeneuve,
 Priddy and Watts against.

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. 15611" pass its second reading.
 RES.R04-3474 Carried with Councillors Bose, Villeneuve,
 Priddy and Watts 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. 15611" be held at the
 City Hall on January 19, 2005, at 7:00 p.m.
 RES.R04-3475 Carried

FINAL ADOPTIONS

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15304"

7998-0043-00 - Pargas and Balwant Hoonjas, c/o CitiWest Consulting Ltd. and
c/o Manjit Jagpal

RA (BL 12000) to CD (BL 12000) - 12715 - 66 Avenue - to allow
subdivision into approximately 7 single family small lots.

Approved by Council: March 1, 2004

- * Planning & Development advise that (see memorandum dated December 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. 15304" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-3476

Carried with Councillor Bose against.

9. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 98 Amendment
By-law, 2004, No. 15375"

7903-0116-00 - Wally Holstein, Laura Hunt, c/o CitiWest Consulting Ltd.
(Roger Jawanda)

To authorize the redesignation of the property located at 7779 - 148 Street from
Suburban (SUB) to Urban (URB).

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15376.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 98 Amendment By-law, 2004, No. 15375" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.

RES.R04-3477

Carried

10. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15376"

7903-0116-00 - Wally Holstein, Laura Hunt, c/o CitiWest Consulting Ltd.
(Roger Jawanda)

RA (BL 12000) to RF (BL 12000) - 7779 - 148 Street - to allow
subdivision into 3 single family lots.

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15375.

- * Planning & Development advise that (see memorandum dated December 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.

In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the East Newton North Neighbourhood Concept Plan (NCP) to redesignate the land from Existing Transitional Suburban to Urban Residential.

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That Council amend the East Newton North
Neighbourhood Concept Plan (NCP) to redesignate the land from Existing
Transitional Suburban to Urban Residential.

RES.R04-3478 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15376" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-3479 Carried with Councillor Bose against.

11. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15485"

7904-0008-00 - 648744 B.C. Ltd., Jasbir, Ramandeep and Gurinder Dhesa,
Tirath and Jaswinder Khattrra, Harjot and Navneet Dhesa,
c/o Sohan Dhesa

RA (BL 12000) to RF-12 (BL 12000) - 6144 and 6162 - 146 Street,
6081 - 147 Street - to allow subdivision into approximately 54 single
family residential lots.

Approved by Council: September 7, 2004

- * Planning & Development advise that (see memorandum dated December 9, 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 on December 6, 2004, Council approved amendments to the South Newton NCP to increase the opportunity for small lot residential development. The amendment adds a new land use designation called "Single Family Residential Flex 6 to 14.5 upa". The proposed development is in keeping with this new designation, therefore a resolution to amend the South Newton NCP from "Single Family Residential" to "Single Family Residential Small Lots" is no longer required.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15485" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-3480

Carried with Councillor Bose against.

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7904-0222-00**
KC Group of Properties Ltd., c/o Taranjit Chana/698976 BC Ltd.
 13030 - 76 Avenue

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

"That Development Permit No. 7904-0222-00 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. 7904-0222-00 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.R04-3481

Carried

- (b) **Development Permit No. 7904-0298-00**
Byron Cook/Petro-Canada Ltd.
13576 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. 7904-0298-00 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. 7904 0298-00
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.R04-3482

Carried

- (c) **Development Permit No. 7904-0246-00**
Clayton Crossing Shopping Centre Ltd.
Clayton Crossing Annex Ltd.
Gerry Olma, Avondale Development Corp.
18669, 18687, 18717 and 18735 Fraser Highway

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

"That Development Permit No. 7904-0246-00 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-laws 15498 under Item H.3.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Permit
 No. 7904-0246-00 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.R04-3483

Carried with Councillor Bose against.

- (d) **Development Permit No. 7904-0141-00**
Andy Costello, Galaxie Signs/D.D. Price & Associates Ltd.
 15235 Fraser Highway

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

"That Development Permit No. 7904-0141-00 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. 7904-0141-00 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.R04-3484

Carried

E. DELEGATIONS

1. **Don Watson**
On behalf of the South Westminster Ratepayers Association
 File: 0550-20-10

Don Watson, on behalf of the South Westminster Ratepayers Association was in attendance to discuss neighbourhood down zoning.

Don Watson, 10158 Beaver Drive, provided the following comments on behalf of the South Westminster Ratepayers Association (SWRA):

- The SWRA has worked with City staff regarding the mega house issue.
- Their neighbours worry about the development of monster homes and would like a solution to protect themselves and their property.
- There are restrictive covenants registered on the current properties, but they are not being respected.
- The District of Delta has provided a solution through down zoning.
- In Delta, if a group of neighbours (10 houses on both sides of a street) or 75% of the property owners agree to downzone, the properties would be downzone to allow smaller houses to be built.
- The City of Surrey's building limit currently is 3,500 sq.ft. plus basement.
- The SWRA request Council consider the District of Delta's solution of down zoning.
- Down zoning is not permanent, but would allow a neighbourhood to set the direction. The zoning could be changed later.
- The main advantage to the District of Delta's down zoning is that it is democratic and would not allow a property owner to maximize profits on one piece of property to the detriment of the rest of the neighbourhood.

2. M. Bebbington
File: 7904-0235-00

M. Bebbington was in attendance to urgently appeal the issuance of Development Variance Permit 7904-0235-00.

Mr. and Mrs. Mike Bebbington provided the following comments:

- Recently purchased a new home under the impression that any new development would be setback 6 meters from his rear fence line.
- There was no mention of a development variance permit.
- The reason they bought their corner lot property was to enjoy the morning sun in the rear garden.
- They thought the 6-meter setback would be sufficient and would not shade their garden.
- The City sent a letter to the neighbours in August 2004 regarding the proposed development variance permit.
- He forwarded a rejection letter to the City and received confirmation that his letter had been received and would be tabled to the hearing.
- They did not see any comments back from hearing held August 27, 2004.
- Excavation commenced and the new development appeared very close to the fence line.

- Mr. Bebbington called the city and was advised that the variance had been approved.
- At the September 27, 2004 Council meeting, the minutes indicate that no concerns had been expressed by abutting property owners.
- The new construction has devalued his property.
- Mrs. Bebbington stated that there the new development was an invasion of their privacy.

F. CORRESPONDENCE

G. NOTICE OF MOTION

The original agenda order 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.R04-3485


Carried

The Regular Council- Land Use meeting adjourned at 5:56 p.m.

Certified Correct:



City Clerk



Mayor