



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 24, 2005
Time: 4:15 p.m.

Present:

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

Absent:

Councillor Tymoschuk

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
General Manager, Parks, Recreation & Culture
Manager, North Surrey Section
Manager, South Surrey Section
Manager, Land Development, Engineering
City Solicitor

Councillors Entering Meeting as Indicated:

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE

1. 7904-0303-00

17760 - 66 Avenue

Maurizio Zinetti, c/o Zinetti Food Products Ltd./Zinetti Food Products Ltd.

Development Permit/Development Variance Permit

Development Permit to permit an expansion of 1,107 square metres

(11,918 sq. ft.) to an existing industrial building. Development Variance Permit to vary the rear (south) yard setback.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 17760 - 66 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following IB Zone regulation:
 - to vary the rear (south) yard setback from 7.5 metres (25 ft.) to 3.7 metres (12 ft.)

in order to permit an expansion of 1,107 square metres (11,918 sq.ft.) to an existing industrial building.

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

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

1. Council authorize staff to draft Development Permit No. 7904-0303-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7904-0303-00 (Appendix V), varying the following to proceed to Public Notification:
 - (a) to reduce the minimum rear (south) yard setback of the "Business Park Zone (IB)" from 7.5 metres (25 ft.) to 3.7 metres (12 ft.).
3. Council instruct staff to resolve the following issue prior to approval:
 - (a) issuance of Development Variance Permit No. 7904-0303-00.

RES.R05-126

Carried

FLEETWOOD/GUILDFORD

2. **7904-0358-00**
17288 - 104A Avenue
Northmark Construction Ltd./481331 B.C. Ltd.
Development Permit
Development Permit to allow an industrial building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 17288 - 104A Avenue.

The applicant is proposing:

- a Development Permit

in order to allow the construction of an industrial building.

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

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

1. Council authorize staff to draft Development Permit No. 7904-0358-00 in accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-127

Carried

3. **7904-0087-00**
18623 - 96 Avenue
R Four Contracting Ltd./P.C.H. Holdings Ltd., Incorporation No. 169940
Development Permit/Development Variance Permit
Development Permit to permit the construction of a multi-tenant industrial building in Port Kells. Development Variance Permit to relax the rear yard setback requirement.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 18623 - 96 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following IL Zone regulation:
 - to relax the rear yard setback from 7.5 metres (25 ft.) to 0.0 metre (0 ft.)

in order to permit the development of a multi-tenant industrial building in Port Kells.

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

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

1. Council authorize staff to draft Development Permit No. 7904-0087-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7904-0087-00 (Appendix IV), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the IL Zone from 7.5 metres (25 ft.) to 0.0 metre (0 ft.).
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) issuance of Development Variance Permit No. 7904-0087-00.

RES.R05-128

Carried

SURREY CITY CENTRE/WHALLEY

4. **7904-0406-00**
12919 - 96 Avenue
John Borisoff/Cedarhills Investments Ltd.
Development Permit
To permit the construction of a 3.7 metre (12 ft.) high free-standing sign on a commercial site.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 12919 - 96 Avenue.

The applicant is proposing:

- a Development Permit

to permit the installation of a 3.7-metre (12 ft.) high free-standing sign on a commercial site.

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 Council approve the attached
 Development Permit No. 7904-0406-00 (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.R05-129

Carried

RESIDENTIAL/INSTITUTIONAL

NEWTON

5. **7904-0347-00**
5828 - 136 Street
Santokh (Sukhi) Tutt/Parsana Khrod
 Rezoning
From RH to RF to permit subdivision into two single family lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 5828 - 136 Street.

The applicant is proposing:

- a rezoning from RH to RF

in order to allow subdivision into two 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 Steele
 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 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) approval from the Ministry of Transportation.

RES.R05-130

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15626" pass its first reading.

RES.R05-131

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15626" pass its second reading.

RES.R05-132

Carried

It was then

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15626" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-133

Carried

- 6. 7904-0305-00
 6106 and 6146 - 148 Street
 Aspen Developments Ltd., c/o Brock Dorward Hunter Laird Engineering
 Ltd., c/o Clarence Arychuk/ 605952 B.C. Ltd., Inc. No. 605952 and
 Muriel Galicz
 Rezoning/Development Permit
 Rezone from RA and A-1 to RF-9, RF-12 and RM-23 to allow subdivision into
 approximately 52 residential lots (10 RF-9 lots, 27 RF-12 lots and 15 RM-23
 lots); Development Permit to allow the development of 15 row housing units, on
 fee simple lots.**

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 6106 and 6146 - 148 Street.

The applicant is proposing:

- a rezoning from A-1 and RA to RF-9, RF-12, and RM-23; and
- a Development Permit

to allow subdivision into approximately 52 residential lots, 37 of which are single family lots and 15 will be developed into row housing units, on fee simple 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 Steele
That:

1. a By-law be introduced to rezone the portion of the site, identified as Block "A" on the plan attached as Appendix XI from "General Agriculture Zone (A-1)" (By-law No. 12000) and "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000), and the area identified as Block "B" from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000), and the area identified as Block C from "One-Acre Residential Zone (RA)" to "Multiple Residential 23 Zone (RM-23)" and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0305-00 in accordance with the attached drawings (Appendix III).
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) input from Senior Government Environmental Agencies;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-134

Carried with Councillor Bose against.

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 (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) 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.
3. Council pass a resolution to amend the East Newton South NCP to redesignate the land from Low Density Compact Housing, Urban Single Family Residential and Elementary School to Single Family Small Lots when the project is considered for final adoption.

RES.R05-138

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15628" pass its first reading.

RES.R05-139

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15628" pass its second reading.

RES.R05-140

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, 2005, No. 15628" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-141

Carried**8. 7904-0099-00****5987 - 125 Street****Jake Sarwal, J.K.'s Consulting/Santokh S. and Balraj K. Virk**

OCP Amendment/Rezoning

Amend the OCP designation from Suburban to Urban. Rezone from RA to RF-12 to permit a single family residential subdivision of approximately 3 single family lots.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and a rezoning application on property located at 5987 - 125 Street.

The applicant is proposing:

- an OCP amendment from Suburban to Urban; and
- a rezoning from RA to RF-12

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

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That:

1. a By-law be introduced to redesignate the property from Suburban to Urban and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the property from "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.

4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R05-142 Carried with Councillor Bose against.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005, No. 15629" pass
its first reading.

RES.R05-143 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 Official Community Plan
By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005, No. 15629" pass
its second reading.

RES.R05-144 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Official
Community Plan By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005,
No. 15629" be held at the City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-145 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15630" pass its first reading.

RES.R05-146 Carried with Councillor Bose against.

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

RES.R05-147 It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15630" pass its second reading.
Carried with Councillor Bose against.

RES.R05-148 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, 2005, No. 15630" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.
Carried

9. 7904-0028-00
5825 - 135 Street/13467 - 58 Avenue (No. 10 Hwy)
Michael Helle, Coastland Engineering & Surveying Ltd./Harminder Kaur
Grewal and Manpreet Kaur Grewal, Harvinder Singh Grewal and
Devinder Kaur Grewal

OCP Amendment/Rezoning/Development Variance Permit
*OCP amendment from Suburban to Urban. Rezone from RA to RF in order to
 create 16 RF lots. Development Variance Permit to vary the rear yard of the
 principal building and the front yard of the accessory building.*

The General Manager of Planning & Development submitted a report concerning
 an application to amend the Official Community Plan, a rezoning application, and
 a Development Variance Permit application on properties located at
 5825 - 135 Street and 13467 - 58 Avenue.

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- a rezoning from RA to RF; and
- to vary, on Lot 16, the rear yard of the principal building from 7.5 metres
 (25 ft.) to 3.01 metres (9.9 ft.) and the front yard of the accessory building
 from 18 metres (60 ft.) to 13.43 metres (44.1 ft.)

in order to allow subdivision into 16 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 Hunt
Seconded by Councillor Steele
That:

1. a By-law be introduced to redesignate a portion of the property in the OCP from Suburban to Urban and a date for Public Hearing be set.
2. 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.
3. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendments to the Official Community Plan as described in the report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
4. Council approve Development Variance Permit No. 7904-0028-00 (Appendix XI), varying the following to proceed to Public Notification:
 - (a) to reduce the rear yard of the principal building on Lot 16 from 7.5 metres (25 ft.) to 3.01 metres (9.9 ft.); and
 - (b) to reduce the front yard of the accessory building on Lot 16 from 18 m (60 ft.) to 13.43 metres (44.1 ft.).
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (e) approval from the Ministry of Transportation.

RES.R05-149

Carried with Councillor Bose against.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 110 Amendment By-law, 2005, No. 15631" pass
 its first reading.

RES.R05-150 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 Official Community Plan
 By-law, 1996, No. 12900, No. 110 Amendment By-law, 2005, No. 15631" pass
 its second reading.

RES.R05-151 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Official
 Community Plan By-law, 1996, No. 12900, No. 110 Amendment By-law, 2005,
 No. 15631" be held at the City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-152 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15632" pass its first reading.

RES.R05-153 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, 2005, No. 15632" pass its second reading.

RES.R05-154 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, 2005, No. 15632" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-155 Carried

SURREY CITY CENTRE/WHALLEY

10. 7904-0272-00
 12135/41/53/59/63/69/73 - 96 Avenue
 12130/38/42/52/55/60/61/68/71/76/79/82/88/89 - 96A Avenue;
 12162/74/78/80 - 97 Avenue
**McElhanney Consulting Services Ltd./ Parmjit Clair and Rajvir Athwal;
 Amrik Bhullar, Manmohan Bhullar, Amandeep Bhullar and
 Jagdeep Bhullar; Atmajit Aujla and Kashmir Aujla; Resham Singh and
 Gurmej Singh; Gurmeg Clair and Parmjit Clair; Joginder Randhawa,
 Maninder Randhawa and Monica Dhand**
 Restrictive Covenant Amendment
*To amend the Restrictive Covenant (Building Scheme) to permit in-ground
 basements on Lots 5 to 16.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Restrictive Covenant on properties located at 12135/41/53/59/63/69/73 - 96 Avenue, 12130/38/42/52/55/60/61/68/71/76/79/82/88/89 - 96A Avenue; and 12162/74/78/80 - 97 Avenue.

The applicant is proposing:

- a Restrictive Covenant (Building Scheme) amendment

in order to permit in-ground basements on Lots 5 - 16.

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 Council approve the proposed
 amendments to the Restrictive Covenant (Building Scheme) to allow in-ground
 basements on Lots 5 - 16.

Before the question was called on the main motion:-

It was Moved by Councillor Bose
 Seconded by Councillor Villeneuve
 That the application be tabled to staff to
 review the matter of lot grades and habitable space.

RES.R05-156

Defeated on a Tie Vote, with Mayor
 McCallum, Councillors Steele,
 Higginbotham and Hunt against.

The question was called on the main motion, and it was:-
 RES.R05-157 Carried with Councillors Villeneuve and Bose against.

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

11. **7904-0362-00**
15929 - 40 Avenue
Shindo Kaur Gill
 ALR

Subdivision within the ALR to create two lots.

The General Manager of Planning & Development submitted a report concerning an application to amend the Agricultural Land Reserve on property located at 15929 - 40 Avenue.

The applicant is proposing a :

- subdivision within the ALR under Section 21(2) of the ALC Act

in order to create two parcels.

Delegation:

The applicant commented that the proposal was to subdivide 22.5 acres of ALR land into two lots. She noted the proposal had been denied by the Agricultural Advisory Committee. She added that the proposed subdivision would meet the minimum requirements of the A1 zoning contrary to the OCP, which protects agricultural land. She stated that if the proposal meets the requirements of the A1 zoning, why does Surrey have contradictory policies in place. She added that the policy of the Agricultural Land Commission preserves large lots and smaller parcels are then used to their full potential as they are easier to manage.

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That Application 7904-0362-00 be denied.
Carried

RES.R05-158

SURREY CITY CENTRE/WHALLEY

12. **7903-0241-00**
13845 - 96 Avenue
Robin Hill, Carewest Properties Ltd./Surrey Healthwise Development Group Ltd.
OCP Amendment/Rezoning
Redesignate from Multiple Residential to Commercial. Rezone from R-F to CD to permit surface parking lots, a building site for future non-profit society offices, and open space.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and a rezoning application on property located at 13845 - 96 Avenue.

The applicant is proposing:

- an OCP amendment from Multiple Residential to Commercial; and
- a rezoning from R-F (By-law No. 5942) to CD

in order to permit the development of surface parking lots, a building site for future non-profit society offices, and open space.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. a By-law be introduced to redesignate a portion of the property from "Multiple Residential" to "Commercial" and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the property from "Family Residential Zone (R-F)" (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) approval from the Ministry of Water, Land and Air Protection, Contaminated Sites Branch;
- (d) approval from B.C. Hydro;
- (e) approval from Terasen Gas;
- (f) registration of a Section 219 Restrictive Covenant for stream setback protection on proposed Block 3 or transfer of Block 3 to the City of Surrey; and
- (g) registration of a "no-build" Restrictive Covenant on proposed Block 2 to prohibit construction until such time as adjoining City roads are completed and servicing is provided and a Development Permit is approved by Council.

RES.R05-159

Carried

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 111 Amendment By-law 2005, No. 15633" pass its first reading.

RES.R05-160

Carried

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

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 111 Amendment By-law 2005, No. 15633" pass its second reading.

RES.R05-161

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Watts

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 111 Amendment By-law 2005, No. 15633" be held at the City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-162

Carried

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

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

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7904-0247-00 in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision and road dedication plan to the satisfaction of the Approving Officer;
 - (c) resolution of the remaining design issues, to the satisfaction of the Urban Designer;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (f) registration of a reciprocal access agreement with the adjacent townhouse site to the south;
 - (g) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space;
 - (h) the applicant adequately address the impact of no indoor amenity space;
 - (i) registration of a Section 219 Restrictive Covenant for "no build" on Block B until future consolidation with the adjacent property at 6685 - 192 Street and provision of adequate services; and

- (j) removal of all existing buildings and structures to the satisfaction of the Building Division.

RES.R05-166 Carried

It was Moved by Councillor Villeneuve
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15635" pass its first reading.

RES.R05-167 Carried

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15635" pass its second reading.

RES.R05-168 Carried

It was then Moved by Councillor Villeneuve
Seconded by Councillor Watts
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15635" be held at the
City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-169 Carried

FLEETWOOD/GUILDFORD

14. **7904-0350-00**
15286 - 88 Avenue
Michael Doubleday/Albert Robert and Deborah Anselmo
Development Permit
Development Permit to permit the construction of a duplex.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15286 - 88 Avenue.

The applicant is proposing:

- a Development Permit

in order to allow the construction of a duplex.

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 Watts

That Council approve the attached

Development Permit No. 7904-0350-00 (Appendix III), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R05-170

Carried

NEWTON

15. 7904-0418-00

7566 - 120A Street

Harp Hoonjan, Commercial Real Estate Services Inc./Progressive Inter-Cultural Community Services Society

Rezoning/Development Permit

Rezone from RM-3 (By-law No. 5942) to CD (By-law No. 12000). Development Permit to permit development of a 72-unit addition to an existing seniors-oriented multiple residential building.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 7566 - 120A Street.

The applicant is proposing:

- a rezoning from RM-3 (By-law No. 5942) to CD (By-law No. 12000); and
- a Development Permit

in order to permit the development of a 72-unit addition to an existing seniors oriented multiple residential building.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Higginbotham

That:

1. a By-law be introduced to rezone the property from "Multiple Residential Zone Three (RM-3)" (By-law No. 5942) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council authorize staff to draft Development Permit No. 7904-0418-00 in accordance with the attached drawings (Appendix III).
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 landscaping cost estimate to the specification of the City Landscape Architect; and
 - (c) execution of a revised Housing Agreement to restrict the development to seniors only.

RES.R05-171 Carried

It was Moved by Councillor Watts
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15636" pass its first reading.

RES.R05-172 Carried

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

It was Moved by Councillor Watts
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15636" pass its second reading.

RES.R05-173 Carried

It was then Moved by Councillor Watts
 Seconded by Councillor Hunt
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15636" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-174 Carried

16. **7904-0196-00**
5602 - 124 Street
Andrew Sims, BFW Development Ltd./McIntosh Estates Ltd., Valsol
Management Ltd. and Cresta Management Ltd.
 Rezoning
Rezone from RA to RH to permit a subdivision into 4 single family lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 5602 - 124 Street.

The applicant is proposing:

- a rezoning from RA to RH

in order to allow subdivision into 4 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 Watts
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) 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) approval from the Ministry of Transportation;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a financial security for the landscaped buffer on Lot 1 flanking 56 Avenue; and
 - (f) register a "no build" Restrictive Covenant over the south 12.5 metres of Lot 1 to allow for a 5 m wide landscaped buffer and increased building setback from New McLellan Road and to prevent driveway access to New McLellan Road.
3. Council amend the West Panorama Ridge Local Area Plan designation for this site from Suburban One-Acre Residential to Suburban Half-Acre Residential before final adoption is granted to the Rezoning By-law.

RES.R05-175

Carried with Councillors Villeneuve, Priddy and Bose against.

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 "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) approval from the Ministry of Transportation;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a financial security for the landscaped buffer on lots facing New McLellan Road;
 - (f) register a "no build" Restrictive Covenant over the south 15 metres of Lots 1 - 3 and the south 12.5 m for Lot 5 to allow for a 5 m wide landscaped buffer and increased building setbacks from New McLellan Road; and
 - (g) register a Mutual Access Easement over Lots 1 and 2 to require shared driveways at New McLellan Road and for Lots 4 and 5 for access to 123 Street.
3. Council amend the West Panorama Ridge Local Area Plan designation for this site from Suburban One-Acre Residential to Suburban Half-Acre Residential prior to final adoption of the Rezoning By-law.

RES.R05-179

Carried with Councillors Villeneuve, Priddy and Bose against.

RES.R05-180 It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15638" pass its first reading.
Carried with Councillors Villeneuve, Priddy
 and Bose against.

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

RES.R05-181 It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15638" pass its second reading.
Carried with Councillors Villeneuve, Priddy
 and Bose against.

RES.R05-182 It was then Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15638" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.
Carried

**18. 7904-0197-00
 12169 - 56 Avenue
 Andrew Sims, BFW Development Ltd./McIntosh Estates Ltd.,
 Valsol Management Ltd. and Cresta Management Ltd.**

Rezoning

*Rezone the west portion of the subject property from RA to RH to permit a
 subdivision into 9 single-family lots.*

The General Manager of Planning & Development submitted a report concerning
 an application for rezoning on property located at 12169 - 56 Avenue.

The applicant is proposing:

- a rezoning from RA to RH for the west 134 metres (1.62 ha. portion) of
 12169 - 56 Avenue

in order to allow subdivision into 9 single family residential lots. The east 45
 metres of the subject site is presently zoned RH.

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

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

1. a By-law be introduced to rezone the westerly 134 metre (1.62 ha.) portion of 12169 - 56 Avenue 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) approval from the Ministry of Transportation; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
3. Council amend the West Panorama Ridge Local Area Plan designation for this site from Suburban One-Acre Residential to Suburban Half-Acre Residential prior to final adoption of the Rezoning By-law.

RES.R05-183 Carried with Councillors Villeneuve and Priddy against.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15639" pass its first reading.

RES.R05-184 Carried with Councillors Villeneuve and Priddy against.

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

- RES.R05-185 It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15639" pass its second reading.
Carried with Councillors Villeneuve and
Priddy against.
- RES.R05-186 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, 2005, No. 15639" be held at the
City Hall on February 7, 2005, at 7:00 p.m.
Carried

WHALLEY

19. **7904-0265-00**
13908/18 - 108 Avenue & 10768 - 139 Street
Don Andrew, Creekside Architects/Ferguson Properties Ltd.
Rezoning/Development Permit
*Rezone from RF to CD and Development Permit to permit a 4-storey, 79-unit
apartment building in Surrey City Centre.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 13908/18 - 108 Avenue and 10768 - 139 Street.

The applicant is proposing:

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

in order to permit the development of a four (4) storey, 79-unit apartment building at 108 Avenue and 139 Street in Surrey City Centre.

The applicant's representative was in attendance and commented that the proposed development is located at the corner of 104 Avenue and 149 Street and situated on the top of the hill. He continued that it is well within the urban designation, slightly more elevated than surrounding buildings, there would be no stucco on the building and they would use brick and other hardy building materials. He added that the proposal had been endorsed by building envelope specialists, and would feature underground parking. He commented that 25% of the building would feature one-bedroom units and the other 75% would be two bedroom or den units.

He continued that there is interest in the area from young families looking for starter homes. He noted the project would be situated close to the amenities of the

City Centre, within walking distance to SkyTrain, Surrey Centre Mall and would be a positive contribution to the area. He added that the proposed project is a positive redevelopment, not a sponsored development, but a market driven one. He continued that it would be affordable in the nature of a four-storey building with modest sized units, employing economics of scale with 79 units in the building. He continued that the project has been designed in compliance with CPTED principles and reviewed by the Advisory Design Panel. He also noted that the building would be strata type.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to reduce the required indoor amenity space from 237 square metres (2,550 sq.ft.) to 54 square metres (580 sq.ft.).
3. Council authorize staff to draft Development Permit No. 7904-0265-00 generally in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and

- (e) the applicant adequately addressing the impact of reduced amenity space.

RES.R05-187 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15640" pass its first reading.

RES.R05-188 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, 2005, No. 15640" pass its second reading.

RES.R05-189 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, 2005, No. 15640" be held at the
City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-190 Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

20. 7903-0343-00

1881 - 152 Street

David Porte/538699 B.C. Ltd.

Land Use Contract Discharge/Rezoning/Development Permit

*Partial discharge of Land Use Contract No. 371 and rezone from RM-45 to CD,
and a Development Permit to facilitate development of a 4 storey multiple
residential building and a 3-storey commercial building.*

The General Manager of Planning & Development submitted a report concerning an application to discharge Land Use Contract No. 371, a rezoning application, and a Development Permit application on properties located at 1881 - 152 Street.

The applicant is proposing:

- a Land Use Contract Partial discharge; and
- a rezoning from RM-45 to CD; and

- a Development Permit

in order to permit the development of a four-storey multiple residential building and a three-storey commercial building.

Delegation

The applicant's representative was in attendance and commented that the proposed project comprises two separate buildings: residential and commercial. He added that one large or two larger-sized tenants are anticipated. He noted that the office component of the project consists of three stories on one portion, and the corner section would be single story to one and a half stories, subject to finalizing a planning feature at the corner. He stated that the residential component would face 19th Avenue while the commercial portion would front 19 Avenue and 152 Street. He noted that the residential building would proceed as soon as permits are secured and the commercial component would proceed as soon as the tenants are determined.

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

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

1. a By-law be introduced to discharge Land Use Contract No. 371 from the subject property and a date for Public Hearing be set.
2. a By-law be introduced to rezone the property from the underlying "Multiple Residential 45 Zone (RM-45)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council approve the applicant's request to reduce the amount of required indoor amenity space from 177 m² (1,900 sq. ft.) to 108.5 m² (1,170 sq. ft.).
4. Council authorize staff to draft Development Permit No. 7903-0343-00 in accordance with the attached drawings (Appendix II).
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; and
- (e) the applicant adequately address the impact of reduced indoor amenity space.

RES.R05-191

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Land Use Contract No. 371,

Authorization By-law, 1978, No. 5676 Partial Discharge By-law, 2005,
 No. 15641" pass its first reading.

RES.R05-192

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Land Use Contract No. 371,

Authorization By-law, 1978, No. 5676 Partial Discharge By-law, 2005,
 No. 15641" pass its second reading.

RES.R05-193

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Land
 Use Contract No. 371, Authorization By-law, 1978, No. 5676 Partial Discharge
 By-law, 2005, No. 15641" be held at the City Hall on February 7, 2005, at
 7:00 p.m.

RES.R05-194

Carried

It was

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

No. 12000, Amendment By-law, 2005, No. 15642" pass its first reading.

RES.R05-195

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, 2005, No. 15642" pass its second reading.
 RES.R05-196 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, 2005, No. 15642" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.
 RES.R05-197 Carried

SURREY CITY CENTRE/WHALLEY

21. **7904-0398-00**
12199 Industrial Road
PJ Lovick Architect Ltd./Dynamic Kitchen & Bathroom Centre Ltd.
 Development Permit/Development Variance Permit
Development Permit to permit an addition to an existing industrial building.
Development Variance Permit to relax the rear and southwest side yard setbacks.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 12199 Industrial Road.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - to reduce the rear yard setback of the IL Zone from 7.5 metres (25 ft.) to 0.90 metre (3 ft.); and
 - to reduce the southwest side yard setback of the IL Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.)

in order to allow an addition to an existing industrial building.

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

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

1. Council authorize staff to draft Development Permit No. 7904-0398-00 in accordance with the attached drawings (Appendix III).

2. Council approve Development Variance Permit No. 7904-0398-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the IL Zone from 7.5 metres (25 ft.) to 0.90 metre (3 ft.); and
 - (b) to reduce the minimum southwest side yard setback of the IL Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.).
3. Council instruct staff to resolve the following issue prior to approval:
 - (a) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-198

Carried**RESIDENTIAL/INSTITUTIONAL****NEWTON**

22. **7904-0202-00**
7531 and 7561 - 144 Street
H.Y. Engineering Ltd., Narotam Dhanoa, United Realty RCK & Associates Ltd. and/or 613765 BC Ltd./689131 BC Ltd.
Land Use Contract Discharge/Rezoning
Partial discharge of Land Use Contract No. 97 on property at 7561 - 144 Street and rezone the properties from RA and RF-G to RF-12 to permit subdivision into approximately 22 single family small lots and open space.

The General Manager of Planning & Development submitted a report concerning an application to discharge Land Use Contract No. 97, and a rezoning application on properties located at 7531 and 7561 - 144 Street.

The applicant is proposing:

- a partial Land Use Contract discharge; and
- a rezoning from RA and RF-G to RF-12

in order to permit subdivision into approximately 22 single family small lots and open space.

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 partially discharge Land Use Contract No. 97 from a portion of the site and a date for Public Hearing be set.
2. a By-law be introduced to rezone the properties from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) input from the Department of Fisheries & Oceans regarding fish protection; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R05-199

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 97,
Authorization By-law, 1976, No. 5013 Partial Discharge By-law, 2005,
No. 15643" pass its first reading.

RES.R05-200

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 97,
Authorization By-law, 1976, No. 5013 Partial Discharge By-law, 2005,
No. 15643" pass its second reading.

RES.R05-201

Carried

It was then
 Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Land
 Use Contract No. 97, Authorization By-law, 1976, No. 5013 Partial Discharge
 By-law, 2005, No. 15643" be held at the City Hall on February 7, 2005, at
 7:00 p.m.

RES.R05-202

Carried

It was
 Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15644" pass its first reading.

RES.R05-203

Carried

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

It was
 Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15644" pass its second reading.

RES.R05-204

Carried

It was then
 Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15644" be held at the
 City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-205

Carried

- 23. 7904-0140-00**
7491 and 7509 - 144 Street
H.Y. Engineering Ltd., Platinum Enterprises Ltd./Milena Gobbato; 686537 B.C. Ltd.,
Inc. No. 686537 and 686538 B.C. Ltd., Inc. No. 686538
 Rezoning
Rezone from RA to RF-12 to permit subdivision into approximately 29 single
family small lots, open space and retention of a one-acre lot.

The General Manager of Planning & Development submitted a report concerning
 an application for rezoning on properties located at 7491 and 7509 - 144 Street.

The applicant is proposing:

- to rezone a 20,856 m² (5 acre) portion of the site from RA to RF-12

in order to permit subdivision into approximately 29 single family small lots,
 open space and retention of an existing dwelling on a parcel that will remain RA
 Zoned (Appendix IX).

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

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

1. a By-law be introduced to rezone 7509 - 144 Street and a 9,555 m² (2.4 acre) portion of 7491 - 144 Street 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 IX).
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) input from the Department of Fisheries and Oceans regarding fish protection; and
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation.

RES.R05-206

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15645" pass its first reading.

RES.R05-207

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, 2005, No. 15645" pass its second reading.

RES.R05-208

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, 2005, No. 15645" be held at the City Hall on February 7, 2005, at 7:00 p.m.

RES.R05-209

Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

The Mayor noted the agenda order would be varied slightly.

F. CORRESPONDENCE

G. NOTICE OF MOTION

1. 7904-0210-00

10663 King George Highway

Mark Ankenman and Darrin Collie/Toor & Pattar Enterprises,

Wadala Enterprises

Development Permit/Development Variance Permit

Development Permit to permit construction of a two-storey commercial building.

Development Variance Permit to relax setbacks.

At the January 10, 2005 Regular Council - Public Hearing, Council rescinded Resolution RES.04-2794 of the November 1, 2004 Regular Council - Land Use minutes which defeated the Planning & Development recommendation that the application be approved.

It is now in order for Council to consider the following recommendations of the Planning and Development Department:

It was

Moved by Councillor Villeneuve

Seconded by Councillor Watts

That:

1. Council authorize staff to draft Development Permit No. 7904-0210-00 in accordance with the attached drawings (Appendix II).

2. Council approve Development Variance Permit No. 7904-0210-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the C-8 Zone from 7.5 m (25 ft.) to 4.0 m (14 ft.);
 - (b) to vary the definition of setback in the Zoning By-law to permit canopies to extend up to 1.5 metres (5 ft.) into the front yard setback; and
 - (c) to reduce the minimum northern side yard setback of the C-8 Zone from 7.5 m (25 ft.) to 0.0.
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; and
 - (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-210

Carried

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 90 Amendment By-law, 2004, No. 15267"

7903-0368-00 - Nicosta Holdings Ltd., c/o Ankenman Associates Architects Inc. (Mark Ankenman & Darrin Collie); c/o Kay, Matthews & Associates (Rob Kay); Nicosta Holdings Ltd. (Linda and George Docolas)

To authorize the redesignation of the property located at 1575 - 128A Street from Urban (URB) to Commercial (COM).

Approved by Council: January 12, 2004

This by-law is proceeding in conjunction with By-law 15268.

It was Moved by Councillor Villeneuve
 Seconded by Councillor Hunt
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 90 Amendment By-law, 2004, No. 15267" be
 finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
 Seal.

RES.R05-211

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15268"

7903-0368-00 - Nicosta Holdings Ltd., c/o Ankenman Associates Architects Inc.
 (Mark Ankenman & Darrin Collie); c/o Kay, Matthews &
 Associates (Rob Kay); Nicosta Holdings Ltd.
 (Linda and George Docolas)

RF (BL 12000) to C-8 (BL 12000) - 1575 - 128A Street - to permit the
 development of a neighbourhood pub.

Approved by Council: January 12, 2004

This by-law is proceeding in conjunction with By-law 15267.

Note: A Development Permit (7903-0368-00) on the site is to be considered for
 Final Approval under Item I.1(c).

* At the January 12, 2004 Regular Council Land Use meeting, Council instructed
 staff to resolve the following issues prior to final adoption:

- (a) registration of a Restrictive Covenant to limit use of the second floor to
 office use associated with the restaurant;
- (b) registration of a Restrictive Covenant to limit use of the basement to
 storage for the restaurant;
- (c) establishment of an access and parking agreement with adjacent sites to
 the west to the satisfaction of the City; and

At the January 26, 2004 Regular Council-Public Hearing meeting, Council passed
 the following resolution:

"That a restrictive covenant be placed on title prohibiting the operation of a retail
 liquor store."

Planning & Development address these issues in detail (see memorandum in by-
 law backup dated January 17, 2005).

- * In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the Semiahmoo Peninsula Local Area Plan to redesignate the site from Urban Residential to Commercial.

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council amend the Semiahmoo Peninsula Local Area Plan to redesignate the site from Urban Residential to Commercial.

RES.R05-212

Carried

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15268" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-213

Carried with

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15371"

7901-0313-00 - Petro-Canada Exploration Inc., c/o Byron Cook

CG-1 and C-8 (BL 12000) to CD (BL 12000) - Portions of 13643 - 80 Avenue and 8028 King George Highway - to permit the development of a combined self-service and full-service gasoline station and convenience store.

Approved by Council: June 7, 2004

Note: A Development Permit (7901-0313-00) on the site is to be considered for Final Approval under Item I.1(d).

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

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15373"

7904-0004-00 - 681521 B.C. Ltd., c/o Maciej Dembek

RA (BL 12000) to RM-30 (BL 12000) - 12587 - 72 Avenue - to permit the development of a 55-unit townhouse complex.

Approved by Council: May 17, 2004

Note: A Development Permit (7904-0004-00) on the site is to be considered for Final Approval under Item I.1(e).

- * Planning & Development advise that (see memorandum dated January 20, 2005 in by-law back-up) it is now in order for Council to pass a resolution amending the Newton Local Area Plan to redesignate the site from "Suburban Residential" to "Multiple Residential".

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council amend the Newton Local Area
Plan to redesignate the site from "Suburban Residential" to "Multiple
Residential".

RES.R05-214

Carried

It was Moved by Councillor Villeneuve
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15373" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-215

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7904-0023-00**
Andy Aadmi/655305 B.C. Ltd.
Portions of 13842 and 13864 - 104 Avenue

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

"That Development Permit No. 7904-0023-00 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 Development Permit 7903-0374-00, Item I.1(b).

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

No. 7904-0023-00 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.R05-216

Carried

- (b) **Development Permit No. 7903-0374-00**
Ron Johnston, Opus Building Canada/655305 B.C. Ltd.
 13842/64 - 104 Avenue

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

"That Development Permit No. 7903-0374-00 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 Development Permit 7904-0023-00, Item I.1(a).

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

No. 7903-0374-00 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.R05-217

Carried

- (c) **Development Permit No. 7903-0368-00**
Mark Ankenman & Darrin Collie, Ankenman Associates Architects Inc.; Rob Kay, Kay, Matthews & Associates; Linda and George Docolas, Nicosta Holdings Ltd./Nicosta Holdings Ltd., Inc. No. 531267
OCP Amendment/Rezoning/Development Permit/Development Variance Permit/Liquor Permit
 12822 - 16 Avenue and 1575 - 128A Street

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

"That Development Permit No. 7903-0368-00 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 15268, Item H.2.

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

No. 7903-0368-00 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.R05-218

Carried

- (d) **Development Permit No. 7901-0313-00**
David Cheung/Petro-Canada Exploration Inc.
Portions of 13643 - 80 Avenue and 8028 King George Highway

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

- (e) **Development Permit No. 7904-0004-00**
Maciej Dembek/681521 B.C. Ltd.
12587 - 72 Avenue

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

"That Development Permit No. 7904-0004-00 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 15373, Item H.4.

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

No. 7904-0004-00 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.R05-219

Carried

E. DELEGATIONS

1. Dave Mckay

6682 - 148 Street

File: 3760-15; 0550-20-10

Dave Mckay was in attendance regarding illegal suites in his neighbourhood and provided the following comments:

- Illegal and unauthorized suites are rampant throughout Surrey, and Council seems to either encouraging or ignoring the problem.
- Parking, schools, and quality of life are affected by this problem.
- The annual taxes levied on secondary suites of \$450.00 per year gives the impression that these suites are acceptable.
- This has resulted in houses being built to accommodate rental suites as there are no deterrents.
- He noted that houses in his neighbourhood are typically 1800 to 2000 sq. ft. and the house situated at 6672 – 148 Street is 5,178 sq. ft. with three or four illegal suites, and does not fit in with the area.
- This has resulted in a loss of privacy for Mr. Mckay.
- There are also parking problems in that approximately 7 cars are parked outside the house; the ditches have been filled in to accommodate more parking.
- The suites were added after final inspection.
- Sidewalks to these suites have resulted in an endless stream of people going by and there have been several visits by RCMP.
- There has been increased littering in the area.
- By-law enforcement is ineffective.
- These people are running these houses as a business and making a profit while being subsidized by the City.
- Illegal suites have destroyed our quality of life, overcrowding schools and streets.
- The District of Delta has recently adopted a Downzoning By-law, which states that approval from the area residents must be given prior to development of such houses.
- Council should prosecute persons who break the law

- He asked if Council is encouraging this type of building in order to gain density and what is the plan for the house located at 6672 – 148 Street.

2. **Cindy Koch**
Director of Fund Raising
Greyhaven Exotic Bird Sanctuary
File: 0250-20; 0550-20-10

Cindy Koch, Director of Fund Raising, Greyhaven Exotic Bird Sanctuary was in attendance regarding relocation of their facility. She introduced the following Board of Directors also in attendance: Melanie Walker, President; Carol Boutilier, Administration Director; Jenny Tamas, Adoption Director; Robin Fiorese, Communications Director; and Jan Robins, Volunteers Director. She added that Dr. MacDonald is also a Director and the organization's veterinarian.

Cindy Koch provided the following comments:

- Greyhaven Exotic Bird Sanctuary was incorporated in 1998 and became a non-profit organization in 2000.
- The organization currently has 67 active volunteers compared to 6 in 1998.
- With its own facilities and identity, that number of volunteers would rise quickly.
- They have a membership of 84 members.
- There are 70 to 100 birds in the adoption program at any one time, which is the maximum number that may be accommodated at the sanctuary, and foster and volunteer homes.
- 71 adoptions were completed in 2004.
- Greyhaven Exotic Bird Sanctuary adopts unwanted birds of all kinds and sizes, but doesn't take in wild birds.
- It is the only rescue organization of its kind in Canada offering a sanctuary, hospital and senior residence visits, educational and adoption programs.
- There are other organizations that take in birds, but they don't offer adoption and other programs.
- The organization's ultimate goal is to have families acquire birds from them, rather than going to pet stores and breeders.
- The goal is to slow down the market for exotic birds.
- Greyhaven Exotic Bird Sanctuary is currently located at 152 Street and 44 Avenue on the second floor of a nursery.
- The organization is asking that City Council consider allowing them to put a facility on some city land for a tenancy of at least ten years.
- There is a need for more space as birds are turned away on a daily basis, as well as space for educational programs and other services such as quarantine facilities.
- The facility would be a great tourist attraction for Surrey.

The original agenda order was resumed.

J. OTHER BUSINESS

K. ADJOURNMENT

It was

meeting do now adjourn.
RES.R05-220

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

Carried

The Regular Council- Land Use meeting adjourned at 5:39 p.m.

Certified Correct:



City Clerk



Mayor