



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
MONDAY, MARCH 7, 2005  
Time: 4:40 p.m..

**Present:**

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

**Absent:**

Councillor Villeneuve  
Councillor Priddy

**Councillors Entering  
Meeting as Indicated:**

**Staff Present:**

City Manager  
City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
Manager, Long Range Planning & Policy  
Development  
General Manager, Parks, Recreation &  
Culture  
Manager, Area Planning Division  
Manager, North Surrey Section  
Manager, South Surrey Section  
Land Development Engineer  
City Solicitor

**A. ADOPTION OF MINUTES**

**B. LAND USE APPLICATIONS**

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL**

**SURREY CITY CENTRE/WHALLEY**

- 1. 7904-0270-00**  
**13450 - 102 Avenue**  
**Darryll Frost, Central City Brewing Company Ltd./Surrey City**  
**Centre Mall Ltd.**  
Liquor Primary License - Amendment  
*Liquor Primary License amendment to extend the hours of operation at the*  
*Central City Brew Pub.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Liquor Primary License on property located at 13450 - 102 Avenue.

The applicant is requesting an amendment to the hours of operation for the Central City Brew Pub from the current hours of 11:00 a.m. to Midnight, Sunday through Wednesday and from 11:00 a.m. to 2:00 a.m. Thursday through Saturday to the proposed hours of 10:00 a.m. to 1:00 a.m. Sunday through Wednesday and from 10:00 a.m. to 2:00 a.m. Thursday through Saturday.

**Delegation**

The applicant was in attendance and gave assurance that he would accept the proposed hours contained in the Planning report.

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 Watts  
Seconded by Councillor Steele  
That:

1. Council approve a modified proposed amendment to the existing liquor-primary license to proceed to Public Notification as follows:

- (a) to amend the hours of operation as follows:

Sunday through Wednesday: from the current hours of  
11:00 a.m. to Midnight to the  
proposed hours of 11:00 a.m. to  
1:00 a.m.; and

Thursday through Saturday: retain the current hours of  
11:00 a.m. to 2:00 a.m.

RES.R05-562

Carried**RESIDENTIAL/INSTITUTIONAL****CLOVERDALE/CLAYTON**

2. **7904-0126-00**  
**18312, 18328 and 18348 - 67 Avenue and 6638, 6648 and 6658 - 183 Street**  
**Michael Helle, Coastland Engineering & Surveying Ltd./Roland and**  
**Peitja Storteboom, J.S. Jensen Construction Ltd., Inc. No. 111266,**  
**Oasis Development Ltd., Inc. No. 683249**

NCP Amendment/Rezoning/Development Variance Permit

*Rezone portions from RA and RF to RF-12 and RF, to allow subdivision into 21 small single family lots and 4 standard single family lots. DVP to vary lot depth for proposed Lot 9.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, a rezoning application, and a Development Variance application on properties located at 18312, 18328 and 18348 - 67 Avenue and 6638, 6648 and 6658 - 183 Street.

The applicant is proposing:

- an NCP amendment of a portion of the site from Single Family Residential to Small Lots;

- a rezoning of portions of the site from RA and RF to RF-12 and RF; and
- a Development Variance Permit to vary the following by-law regulation:
  - vary the lot depth of the RF-12 Zone for proposed Lot 9 from 22 metres (72 ft.) to 11.9 metres (39 ft.)

in order to allow subdivision into 21 small single family lots and 4 standard 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 Tymoschuk  
That:

1. a By-law be introduced to rezone portions of the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) (Block A) as shown on the attached Survey Plan (Appendix I), "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) (Block B) and "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) (Block C) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7904-0126-00 (Appendix X), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum lot depth in the RF-12 Zone for proposed Lot 9 from 22 metres (72 ft.) to 11.9 metres (39 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 a finalized tree survey and a statement regarding tree preservation; and
  - (d) approval of Development Variance Permit No. 7904-0126-00.
4. Council pass a resolution to amend the North Cloverdale West Neighbourhood Concept Plan to redesignate a portion of the site



(Blocks B and C) from Single Family Residential to Small Lots when the project is considered for final adoption.

RES.R05-563 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, 2005, No. 15684" pass its first reading.

RES.R05-564 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, 2005, No. 15684" pass its second reading.

RES.R05-565 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, 2005, No. 15684 be held at the  
City Hall on April 4, 2005, at 7:00 p.m.

RES.R05-566 Carried

### FLEETWOOD/GUILDFORD

#### 3. 7904-0258-00

**9652 and 9674 - 160 Street**

**Richard Brooks, H.Y. Engineering Ltd./Hardip and Barseet Grewal**

**Sukhpaul Sandhu, Gurmilap Malhi and Baldev Nijjer**

Rezoning

*From RA to RF-12 to allow subdivision into approximately 13 small single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 9652 and 9674 - 160 Street.

The applicant is proposing:

- a rezoning from RA to RF-12

in order to allow subdivision into approximately thirteen (13) small 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 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 (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;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
  - (d) registration of a Section 219 Restrictive Covenant for "no build" on a portion of proposed Lots 7 and 8 until future consolidation with the adjacent property (9714 - 160 Street).

RES.R05-567 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, 2005, No. 15685" pass its first reading.

RES.R05-568 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, 2005, No. 15685" pass its second reading.

RES.R05-569 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, 2005, No. 15685" be held at the City Hall on April 4, 2005, at 7:00 p.m.

RES.R05-570

Carried

## NEWTON

### 4. 7905-0050-00

15075 - 60 Avenue

**Mosaic Panorama Heights Holdings Ltd. (Chris Bardon)/Moasiac Panorama Heights Holdings Ltd.**

Development Variance Permit

*To vary the front yard setback for a building in a Multiple Residential complex from 7.5 m (25 ft.) to 5 m (16 ft.) to permit encroachment of stairs into the minimum required setback to facilitate retention of two existing trees.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15075 - 60 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the front yard setback for a building in a Multiple Residential complex from 7.5 metres (25 ft.) to 5 metres (16 ft.)

in order to permit encroachment of stairs into the minimum required setback to facilitate retention of two existing trees.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That:

1. Council approve Development Variance Permit No. 7905-0050-00 (Appendix IV), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum front yard setback of the RM-15 Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.).

RES.R05-571

Carried

- 5. **7904-0443-00**  
**15131 - 66A Avenue**  
**Dwight Heintz, McElhanney Consulting Services Ltd./John Marvin Hunt**  
**and Evangeline Ruth Hunt**  
 Rezoning  
*From RA to RF to permit subdivision into 4 single family lots.*

Councillor Hunt left the meeting at 4:43 p.m. due to a potential conflict of interest as he is an applicant for this application.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 15131 - 66A Avenue.

The applicant is proposing:

- a rezoning from RA to RF

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 Watts  
Seconded by Councillor Tymoschuk  
That:

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

RES.R05-572

Carried



RES.R05-573 It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15686" pass its first reading.  
Carried

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

RES.R05-574 It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15686" pass its second reading.  
Carried

RES.R05-575 It was then Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15686" be held at the  
City Hall on April 4, 2005, at 7:00 p.m.  
Carried

Councillor Hunt returned to the meeting at 4:47 p.m.

6. **7904-0328-00**  
**14768 and 14748 - 68 Avenue**  
**Richard Brooks, H.Y. Engineering Ltd./Harjinder Sekhon; Jagtar Gill;**  
**Darshan Gill; Amar Dhaliwal; Harbhajan Singh Dhaliwal and**  
**Surinder Kaur Dhaliwal**  
NCP Amendment/Rezoning  
*Rezone a portion of the site from RH to RF and RF-12. NCP Amendment from*  
*"Urban Single Family Residential" to "Low Density Compact Housing" for the*  
*southern portion of the site.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning application on properties located at 14768 and 14748 - 68 Avenue.

The applicant is proposing:

- an NCP amendment for the southern portion of the site from "Urban Single Family Residential" to "Low Density Compact Housing"; and
- a rezoning from RH to RF and RF-12

in order to allow subdivision into 4 single family residential lots (in conjunction with the RF zoned property to the west) and 3 single family residential small lots.

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

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

1. a By-law be introduced to rezone the following property and a date be set for Public Hearing:
  - (a) the north 1,389.1 sq.m. (14,950 sq.ft.) (Block 1) of Lot A Section 15 Township 2 New Westminster District Plan 76644 is to be rezoned from "Half-Acre Residential Zone (RH)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000); and
  - (b) the south 1,256.4 sq.m. (13,520 sq.ft.) (Block 2) of Lot A Section 15 Township 2 New Westminster District Plan 76644 is to be rezoned from "Half-Acre Residential Zone (RH)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000).

all shown on the survey plan attached to this report (Appendix IV).

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

RES.R05-576

Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15687" pass its first reading.

RES.R05-577

Carried

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

RES.R05-578 It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15687" pass its second reading.  
Carried

RES.R05-579 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, 2005, No. 15687" be held at the  
City Hall on April 4, 2005, at 7:00 p.m.  
Carried

7. **7904-0230-00**  
**6282 - 146 Street; 6289 and 6261 - 148 Street,**  
**Dwight Heintz, McElhanney Consulting Services Ltd./Yashpal Kaur Dhoot;**  
**Brinder Singh Johal and Tania Johal; Parwinder Singh Bhangu, Parmjeet**  
**Bhangu, Chaswinder Bhangu and Kuldip Bhangu**  
Rezoning  
*From RA to RF, RF-12 and RF-9 to permit subdivision into approximately 39*  
*single family residential lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 6282 - 146 Street, 6289 and 6261 - 148 Street.

The applicant is proposing:

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

in order to allow subdivision into approximately 39 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 portion of the site identified as Block "A" on the plan attached as Appendix XII from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and the portion of the site identified as Block "B" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and the portion of the site identified as Block "C" from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing.



- 2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation;
  - (d) registration of a "no build" Restrictive Covenant to ensure that no future buildings, structures or improvements will be erected or placed within the 10 m (33 ft.) buffer abutting the industrial properties to the north;
  - (e) registration of a Section 219 Restrictive Covenant to ensure adequate installation and maintenance of landscaping within the 10 m (33 ft.) buffer;
  - (f) registration of a Section 219 Restrictive Covenant advising property owners of zoned Industrial uses north of the proposed new residential lots; and
  - (g) registration of a Section 219 Restrictive Covenant to restrict rear yard and side yard setbacks to be measured from the edge of the no-build covenant area.

RES.R05-580 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, 2005, No. 15688" pass its first reading.

RES.R05-581 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, 2005, No. 15688" pass its second reading.

RES.R05-582 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, 2005, No. 15688" be held at the  
 City Hall on April 4, 2005, at 7:00 p.m.  
 RES.R05-583 Carried

**8. 7904-0078-00**

**5639 Kilmore Crescent West**

**Mainland Engineering Corporation/Harpartap and Hartirath Sahi**

Partial Land Use Contract Discharge/Rezoning/Development Permit/  
 Development Variance Permit

Development Variance Permit

*Partial Land Use Contract Discharge, Development Permit; rezone from RA-G to  
 RH-G, and Development Variance Permit to permit subdivision into two half-  
 acre residential gross density lots.*

The General Manager of Planning & Development submitted a report concerning  
 an application to discharge the Partial Land Use Contract, a rezoning application,  
 and applications for a Development Permit and a Development Variance Permit  
 on property located at 5639 Kilmore Crescent West.

The applicant is proposing:

- a partial Land Use Contract discharge;
- a rezoning the property from "Acreage Residential Gross Density Zone  
 (RA-G)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone  
 (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:

For proposed Lot 1 (containing the existing residence):

- front yard setback of the RH-G Zone (By-law No. 12000) from 7.5 metres  
 (25 ft.) to 6.0 metres (20 ft.); and
- easterly side yard setback of the RH-G Zone (By-law No. 12000) from  
 3.0 metres (10 ft.) to 1.8 metres (6 ft.).

For proposed Lot 2:

- lot width of the RH-G Zone (By-law No. 12000) from 30 metres (100 ft.)  
 to 25 metres (82 ft.).

in order to allow subdivision into two half-acre residential gross density 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 for a partial discharge of Land Use Contract No. 569 and a date for Public Hearing be set.
2. a By-law be introduced to rezone the property from "Acreage Residential Gross Density Zone (RA-G)" (By-law No. 12000) to "Half-Acre Residential Gross Density Zone (RH-G)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council authorize staff to draft Development Permit No. 7904-0078-00 generally in accordance with the attached drawings (Appendix X).
4. Council approve Development Variance Permit No. 7904-0078-00 (Appendix XI) varying the following, to proceed to Public Notification:
  - (a) For proposed Lot 1 (containing the existing residence):
    - i. to reduce the minimum front yard setback of the RH-G Zone (By-law No. 12000) from 7.5 metres (25 ft.) to 6.0 metres (20 ft.); and
    - ii. to reduce the minimum easterly side yard setback of the RH-G Zone (By-law No. 12000) from 3.0 metres (10 ft.) to 1.8 metres (6 ft.).
  - (b) For proposed Lot 2:
    - i. to reduce the minimum lot width of the RH-G Zone (By-law No. 12000) from 30 metres (100 ft.) to 25 metres (82 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) input from the Ministry of Transportation; and



(d) submission of an acceptable finalized tree survey and a statement regarding tree preservation.

RES.R05-584 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Land Use Contract No. 569, Authorization By-law, 1978, No. 5706 Partial Discharge By-law, 2005, No. 15689A" pass its first reading.

RES.R05-585 Carried

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

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Land Use Contract No. 569, Authorization By-law, 1978, No. 5706 Partial Discharge By-law, 2005, No. 15689A" pass its second reading.

RES.R05-586 Carried

It was then Moved by Councillor Hunt  
Seconded by Councillor Watts  
That the Public Hearing on "Surrey Land Use Contract No. 569, Authorization By-law, 1978, No. 5706 Partial Discharge By-law, 2005, No. 15689A" be held at the City Hall on April 4, 2005, at 7:00 p.m.

RES.R05-587 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15689B" pass its first reading.

RES.R05-588 Carried

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

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15689B" pass its second reading.

RES.R05-589 Carried

It was then  
 Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15689B" be held at the  
 City Hall on April 4, 2005, at 7:00 p.m.

RES.R05-590

Carried**SOUTH SURREY****9. 7900-0225-00****2030/64 - 128 Street; 12825/51 - 20 Avenue****Hunter Laird Engineering Ltd./636718 British Columbia Ltd, Inc.****No. 636718**

OCP Amendment/Rezoning

*OCP amendment from Suburban to Urban and rezone from RH and RA to RF and CD to permit subdivision into approximately 19 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 properties located at 2030/64 - 128 Street; 12825/51 - 20 Avenue.

The applicant is proposing:

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

in order to permit subdivision into approximately 19 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 Tymoschuk  
 That:

1. Council set a new Public Hearing date for the Official Community Plan By-law No. 14330.
2. Council rescind Second Reading of By-law No. 14331 and amend the by-law as outlined in Appendix VI.
3. Council set a new Public Hearing date for Surrey Zoning By-law No. 14331, as amended.
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 finalized tree survey and a statement regarding tree preservation; and
  - (d) registration of a Restrictive Covenant on the RF portion of the site to restrict future subdivision to the configuration illustrated on the revised plan of subdivision (Appendix VII).
5. Council pass a resolution to amend the Semiahmoo Peninsula Local Area Plan to redesignate the land from Suburban Residential Half Acre to Urban Residential when the project is considered for final adoption; and
  6. Council determine the opportunity for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the OCP, as discussed in the report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.

RES.R05-591 Carried with Councillor Bose against.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That the Public Hearing on "Surrey Official  
 Community Plan By-law, 1996, No. 12900, No. 40 Amendment By-law, 2001,  
 No. 14330" be held at the City Hall on April 4, 2005, at 7:00 p.m.

RES.R05-592 Carried with Councillor Bose against.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That Council rescind Resolution R01-253 of  
 the February 5, 2001 Regular Council Land Use Minutes passing 2nd Reading of  
 "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001,  
 No. 14331".

RES.R05-593 Carried with Councillor Bose against.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That Council amend By-law "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14331" as outlined in  
 Appendix VI.

RES.R05-594 Carried with Councillor Bose against.



It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That Council pass Second Reading of  
 "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001,  
 No. 14331", as amended.  
 RES.R05-595 Carried with Councillor Bose against.

It was Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14331" be held at the  
 City Hall on April 4, 2005, at 7:00 p.m.  
 RES.R05-596 Carried

## COMMERCIAL/INDUSTRIAL/AGRICULTURAL

### CLOVERDALE/CLAYTON

10. **7904-0386-00**  
**5525 - 192 Street**  
**Teck Construction/Marcol Holdings Inc.**  
 Development Permit/Development Variance Permit  
*Development Permit to permit two multi-tenant industrial buildings in  
 South Cloverdale. Development Variance Permit to relax the north side 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 5525 - 192 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulation:
- the north side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.)

in order to permit the construction of two multi-tenant industrial buildings in South Cloverdale.

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

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

1. Council authorize staff to draft Development Permit No. 7904-0386-00 generally in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7904-0386-00 (Appendix VI), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum north side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (5 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; and
  - (b) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-597

Carried

### FLEETWOOD/GUILDFORD

- 11. 7903-0329-00**  
**15330 - 102A Avenue**  
**Wayne Ferguson/Carousel Ventures Ltd.**  
Liquor Primary License - Amendment  
*Liquor Primary License amendment to extend the hours of operation at the Mirage Nightclub in Guildford.*

The General Manager of Planning & Development submitted a report concerning an application amend the Liquor Primary License on property located at 15330 - 102A Avenue.

The applicant is requesting an amendment to the hours of operation for the Mirage Nightclub from the current hours of 7:00 p.m. to no later than 2:00 a.m. seven days a week to the proposed hours of 11:00 a.m. to no later than 1:00 a.m., Monday through Wednesday and 11:00 a.m. to 2:00 a.m. Thursday through Sunday.

**Delegation**

Wayne Ferguson was in attendance and commented that he did not agree with the proposed amendment to the hours of operation contained in the Planning report. He continued that this operation is a successful nightclub and, in order to accommodate future residential development in the area, expanded hours of operation are required in order for his business to be economically viable.

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

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

1. Council approve a modified proposed amendment to the existing liquor-primary license to proceed to Public Notification as follows:

- (a) to amend the hours of operation as follows:

Monday through Wednesday: from the current hours of 7:00 p.m. to 2:00 a.m. to the proposed hours of 11:00 a.m. to 1:00 a.m.;

Thursday through Sunday: from the current hours of 7:00 p.m. to 2:00 a.m. to the proposed hours of 11:00 a.m. to 2:00 a.m.

RES.R05-598

Carried with Councillor Hunt against.

**SURREY CITY CENTRE/WHALLEY**

12. **7903-0253-00**  
**13747 - 104 Avenue**  
**Jim Toy, False Creek Design Group/Prospera Credit Union**  
Development Permit  
*Development Permit to permit an expansion of the existing Prospera Credit Union building.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 13747 - 104 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit an expansion of the existing Prospera Credit Union building in Surrey City Centre.



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

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

1. Council authorize staff to draft Development Permit No. 7903-0253-00 in accordance with the attached drawings (Appendix II).
2. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
  - (b) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-599

Carried**RESIDENTIAL/INSTITUTIONAL****FLEETWOOD/GUILDFORD**

13. **7904-0367-00**  
**16238 - 80 Avenue**  
**Michael Helle, Coastland Engineering & Surveying Ltd./Richard Hayward**  
Rezoning  
*From RA to RF to allow subdivision into 5 single family lots and one remainder parcel and open space.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 16238 - 80 Avenue.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into 5 single family lots, one remainder parcel 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 Tymoschuk  
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) input from Senior Government Agencies;
  - (d) submission of an acceptable finalized tree survey and a statement regarding tree preservation;
  - (e) registration of a Section 219 Restrictive Covenant for "no build" on a portion of proposed Lot 6 until it is further subdivided; and
  - (f) submission of appropriate compensation for restoration of proposed open space area to the satisfaction of the Parks Operations Division.

RES.R05-600

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15690" pass its first reading.

RES.R05-601

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, 2005, No. 15690" pass its second reading.

RES.R05-602

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, 2005, No. 15690" be held at the  
 City Hall on April 4, 2005, at 7:00 p.m.  
 RES.R05-603 Carried

## RESIDENTIAL/INSTITUTIONAL

### CLOVERDALE/CLAYTON (Cont'd)

14. **7904-0153-00**  
**16539/73 - 60 Avenue and 16548/76 - 61 Avenue**  
**Clarence Arychuk, Hunter Laird Engineering Ltd./Qualico Developments**  
**(Vancouver) Inc., Inc. No. 26101A**  
 NCP Amendment/Rezoning  
*Amend a portion of NCP from Townhouses and Clustered Development to Small  
 Lots. Rezone from RA to RF, RF-12, RF-9, RF-9C and CD to allow subdivision  
 into 6 standard and 36 small single family lots and 2 small lots with limited  
 commercial uses.*

Councillor Bose left the meeting at 5:09 p.m. due to a potential conflict of interest as his family has property holdings in the area.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and a rezoning application on properties located at 16539/73 - 60 Avenue and 16548/76 - 61 Avenue.

The applicant is proposing:

- an NCP amendment for a portion of the site from Townhouses and Clustered Development to Small Lots; and
- a rezoning from RA to RF, RF-9, RF-9C, RF-12 and CD

in order to allow subdivision into approximately 6 standard single family lots, 36 small single family lots and 2 small lots with limited commercial uses.

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 Watts  
 Seconded by Councillor Tymoschuk  
 That:

1. a By-law be introduced to rezone a portion of the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential



Zone (RF)" (By-law No. 12000) (Block A), "Single Family Residential (12) Zone (RF-12)" (Block B) (By-law No. 12000), "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) (Block C) and "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) (Block E) as shown on the attached Survey Plan and a date be set for Public Hearing (Appendix I).

2. a By-law be introduced to rezone a portion of the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) (Block D) as shown on the attached Survey Plan and a date be set for Public Hearing (Appendix I).
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 a finalized acceptable tree survey and a statement regarding tree preservation;
  - (d) registration of a party wall agreement for the CD-zoned portion of the subject site to the satisfaction of the Building Division;
  - (e) registration of a Statutory Right-of-Way for public rights of passage within the commercial plaza area; and
  - (f) registration of a Restrictive Covenant to require a coach house be built on proposed Lot 33 at the same time as the single family dwelling on the lot.
4. Council pass a resolution to amend a portion of the West Cloverdale North NCP to redesignate a portion of the site (Blocks B, C, D and E) from Street-Oriented Townhouses, Street-Oriented Clustered Development and Clustered Development to Small Lots when the project is considered for final adoption.

RES.R05-604

Carried

It was

Moved by Councillor Watts  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15691A" pass its first reading.

RES.R05-605

Carried

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

RES.R05-606	It was	Moved by Councillor Watts Seconded by Councillor Tymoschuk That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15691A" pass its second reading.
		<u>Carried</u>

RES.R05-607	It was then	Moved by Councillor Watts Seconded by Councillor Tymoschuk That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15691A" be held at the City Hall on April 4, 2005, at 7:00 p.m.
		<u>Carried</u>

RES.R05-608	It was	Moved by Councillor Hunt Seconded by Councillor Tymoschuk That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15691B" pass its first reading.
		<u>Carried</u>

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

RES.R05-609	It was	Moved by Councillor Hunt Seconded by Councillor Tymoschuk That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15691B" pass its second reading.
		<u>Carried</u>

RES.R05-610	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, 2005, No. 15691B" be held at the City Hall on April 4, 2005, at 7:00 p.m.
		<u>Carried</u>

Councillor Bose returned to the meeting at 5:11 p.m.

**C. CORPORATE REPORTS**

**D. ITEMS TABLED BY COUNCIL**

The Mayor noted that the agenda order would be varied

**F. CORRESPONDENCE****G. NOTICE OF MOTION****H. BY-LAWS**

## FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15532"

7903-0198-00 - John and Priscilla Krueger

RA (BL 12000) to RF (BL 12000) - 9405 - 159A Street - to allow subdivision into two single family lots and retain the existing house.

Approved by Council: November 1, 2004

- \* Planning & Development advise that (see memorandum dated March 1, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15532" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-611

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15412"

7904-0089-00 - Rugby Builders Co. Ltd., Kelly Johnston, Nunzia Johnston  
c/o CitiWest Consulting Ltd. (Roger Jawanda)

RA (BL 12000) to RF (BL 12000) - 6058 and 6078 - 164 Street - to allow subdivision into approximately 15 single family lots, with a portion of the RF zoned lot located to the east.

Councillor Bose left the meeting at 5:12 p.m. due to a potential conflict of interest as his family has property holdings in the area.



Approved by Council: June 21, 2004

- \* Planning & Development advise that (see memorandum dated March 2, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was  
 Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15412" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-612

Carried

Councillor Bose returned to the meeting at 5:13 p.m.

- 3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15654"

7904-0437-00 - Her Majesty the Queen in Right of the Province of  
 British Columbia, c/o Land and Water British Columbia Inc.  
 (Peter Walters)

RA (BL 12000) to CD (BL 12000) - Portion of 9800 - 140 Street - to  
 permit the development of the government offices and accessory uses, that  
 could include new headquarters for the RCMP E-Division.

Approved by Council: February 7, 2005

It was  
 Moved by Councillor Hunt  
 Seconded by Councillor Tymoschuk  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15654" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-613

Carried

## FINAL ADOPTIONS (Cont'd)

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15439"

7903-0054-00 - Morningstar Homes Ltd., Polygon Panorama Homes Ltd.,  
c/o Morningstar Homes Ltd.

CD (BL 15040) and RA (BL 12000) to RF-12 and RF-9 (BL 12000) -  
6067, 6099, 6121 - 152 Street, Portion of 15188 - 62A Avenue - to allow  
subdivision into approximately 88 single family small lots.

Approved by Council: July 5, 2004

- \* Planning & Development advise that (see memorandum dated March 2, 2005 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 since third reading, the legal description and civic address of one of the properties has changed. It is therefore requested that Council rescind third reading of By-law 15439, amend the by-law to reflect the current legal description and civic address, and give third reading as amended. This amendment does not affect land use or density.

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That Council rescind Resolution R04-1998  
of the July 19, 2004 Regular Council-Public Hearing Minutes passing Third  
Reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004,  
No. 15439".

RES.R05-614

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That Council amend "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15439" as follows:

- a) Section 1. is amended by deleting the legal description and civic address of "Portion of 15188 - 62A Avenue" wherever it occurs and inserting the following in its place:

"Portion of Parcel Identifier: 026-052-954  
Lot A Section 10 Township 2 New Westminster District Plan BCP13319

(Portion of 6185 - 152 Street)"

- b) The existing Survey Plan is deleted in its entirety and a new Survey Plan, identified as Schedule A in by-law back-up is inserted in its place.

RES.R05-615 Carried

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

RES.R05-616 Carried

- \* Planning & Development advise that it is now in order for Council to pass a resolution amending the South Newton Neighbourhood Concept Plan to redesignate the land from Townhouses (15 upa) and Single Family Residential to Single Family Residential (Small Lots).

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That Council amend the South Newton  
Neighbourhood Concept Plan to redesignate the land from Townhouses (15 upa)  
and Single Family Residential to Single Family Residential (Small Lots).

RES.R05-617 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15439" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-618 Carried

## E. DELEGATIONS

### 1. Susan Beechinor-Carter File: 3900-30; 0550-20-10

Susan Beechinor-Carter was in attendance to discuss the issue of her property located at 12532 - 23 Avenue with respect to the change in the definition of the zoning and the effect it has had on her.

She commented that her house was originally built in a single family residential zone, allowing for a 10,000 sq. ft. development. She added that the maximum square footage had been amended to 3,550 sq. ft. under a later change to the zoning by-law. She noted that she was unaware of this amendment and that an application to close in a deck on her property had been denied. She advised that the deck had been closed in; then requested that Council allow the deck to remain as is, and allow the property to be brought back to the original zoning designation.



She advised that neighbours had indicated no objection to the change to the deck and there had been no loss of trees.

The original agenda order then resumed.

**I. CLERK'S REPORT**

**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.

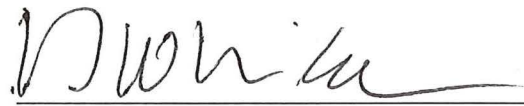
RES.R05-619

Carried

The Regular Council- Land Use meeting adjourned at 5:29 p.m.

Certified Correct:

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

  
\_\_\_\_\_  
Mayor