



# City of Surrey

## Regular Council - Land Use

### Minutes

Multi-Purpose Rooms 1 & 2  
Surrey Sport & Leisure Complex  
16555 Fraser Highway  
Surrey, B.C.  
MONDAY, JULY 11, 2005  
Time: 5:00 p.m.

#### Present:

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

#### Absent:

Councillor Hunt  
Councillor Tymoschuk

#### Staff Present:

City Manager  
City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Finance, Technology & Human Resources  
Manager, Area Planning & Development, North Division  
Manager, Area Planning & Development, South Division  
Manager, Land Development, Engineering  
City Solicitor

#### Councillors Entering Meeting as Indicated:

## A. ADOPTION OF MINUTES

## B. LAND USE APPLICATIONS

### COMMERCIAL/INDUSTRIAL/AGRICULTURAL

### FLEETWOOD/GUILDFORD

#### 1. 7905-0122-00

9564 - 192 Street

**Gustavson Wylie Architect/Baron Manor Centre Ltd.**

Development Permit/Development Variance Permit

*Development Permit to permit the development of 4 mixed-use commercial buildings. Development Variance Permit to increase the number of fascia signs and to relax the minimum number of required parking spaces.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 9564 - 192 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - to vary the Sign By-law to increase the number of fascia signs from 2 to 4; and

- to vary the CD By-law (No. 15370) to decrease the minimum number of required parking spaces from 90 to 86

in order to permit the development of 4 mixed-use commercial buildings.

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

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

1. Council authorize staff to draft Development Permit No. 7905-0122-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7905-0122-00 (Appendix IV) varying the following to proceed to Public Notification:
  - (a) to increase the number of fascia signs on proposed Building A from 2 to 4; and
  - (b) to vary the CD By-law (No. 15370) to decrease the minimum number of required parking spaces from 90 to 86.
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) finalization of the landscaping plan and submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
  - (c) approval of Development Variance Permit No. 7905-0122-00.

RES.R05-1713

Carried

## NEWTON

2. **7905-0148-00**  
**7288 - 137 Street**  
**Maciej Dembek/Harson Properties Ltd.**  
Development Permit/Development Variance Permit  
*Development Permit to permit the construction of a multi-tenant commercial building. Development Variance Permit to vary setbacks, the number of off-street parking stalls from 33 stalls to 20 stalls and to allow parking within front yards.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 7288 - 137 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
  - front yard setback is varied from 2 metres (6.6 ft.) (with additional setback up to 5 metres (16.4 ft.) for 50% of the building frontage) to 4.2 metres (13.8 ft.) for 50% of building frontage and 5.4 metres (17.7 ft.) on the other 50%;
  - side yard setback on a flanking street is varied from 2 metres (6.6 ft.) (with additional setback up to 5 metres (16.4 ft.) for up to 50% of the building frontage) to a minimum of 0.4 metres (1.3 ft.) and up to 0.9 metres (3 ft.) along the building frontage;
  - the number of required off-street parking stalls are reduced from 33 stalls to 20 stalls; and
  - off-street parking to be permitted within the required front yard

in order to permit the development of a two-storey multi-tenant commercial building.

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

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

1. Council authorize staff to draft Development Permit No. 7905-0148-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7905-0148-00 (Appendix VI), varying the following, to proceed to Public Notification:
  - (a) to vary the front yard setback from 2 metres (6.6 ft.) (with additional setback up to 5 metres/16.4 ft. for up to 50% of the building frontage) to 4.2 metres (13.8 ft.) on 50% of the building frontage and 5.4 metres on the remaining 50% of the building frontage;
  - (b) to vary the side yard on a flanking street from 2 metres (6.6 ft.) (with additional setback up to 5 metres/16.4 ft. for up to 50% of the building frontage) to a minimum of 0.4 metres (1.3 ft.) and up to 0.9 metres (3 ft.) along the building frontage;



- (c) to reduce the number of required off-street parking stalls from 33 stalls to 20 stalls; and
  - (d) to allow off-street parking in the required front yard.
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.R05-1714

Carried**SOUTH SURREY****3. 7905-0040-00****3290 King George Highway****Andy Aadmi/388 Construction Ltd., Inc. No. 698558**

Rezoning/Development Permit

*Rezone from RA to CD. Development Permit to permit the development of an oil change building.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 3290 King George Highway.

The applicant is proposing:

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

in order to permit the development of an oil change building.

**Delegation**

The applicant's representative was in attendance and commented that an open house had been held and most residents attending were from townhouse projects located at 33 Avenue and 148A Street, out of site of the proposed development. He continued that the largest number of persons objecting to the proposed development were from 14909 – 32 Avenue. Within the 100 metre notification area, seven persons were in opposition. He noted that the proposed development would be a commercial building and would not be visible for more than 3 or 4 houses. He stated that the proposed property use would not create significant



traffic and that any other land use would create more traffic than this proposed oil and lube facility.

He noted that the commercial uses would be contained within the enclosed building and the operation would be sustainable and environmentally friendly. He added that the development would provide a much larger footprint, and in his opinion, the height, visibility, and interface would be well buffered. He noted that the property fronts on two main roads: King George Highway and 148 Street and would be situated next to a community centre. He stated that the oil and lube business would serve, on average, 20 to 30 cars per day, and added that the exterior of the proposed project would integrate with the neighbourhood. He continued that, despite the applicant's best efforts, land assembly was not possible and he added that the proposed development could be fine tuned to ensure a design of the highest quality.

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

It was

Moved by Councillor Bose  
 Seconded by Councillor Higginbotham  
 That Application 7905-0040-00 be denied.  
Carried with Councillors Villeneuve and  
 Steele against.

RES.R05-1715

## RESIDENTIAL/INSTITUTIONAL

### CLOVERDALE/CLAYTON

4. **7905-0003-00**  
**Portion of 19311 - 72 Avenue**  
**James Pernu, McElhanney Consulting Services Ltd./Bill's Landscaping Ltd.**  
 OCP Amendment/Rezoning/Development Permit/Development Variance Permit  
*Amend OCP from Suburban to Urban. Rezone from RA to CD, RF-12C and RF-9C in order to allow subdivision into 119 lots. DP to allow the construction of 4 manor houses. DVP to reclassify 2 corner lots to 2 interior lots.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and applications for a Development Permit and a Development Variance Permit on property located at portion of 19311 - 72 Avenue.

The applicant is proposing:

- an OCP Amendment of the south portion from Suburban to Urban;
- a rezoning from RA to CD, RF-12C and RF-9C;
- a Development Permit; and

- a Development Variance Permit to relax the following Zoning By-law regulations:
  - to reclassify proposed Lot 16 from a Type I corner lot to a Type I interior lot of the RF-9C Zone;
  - to reclassify proposed Lot 17 from a Type I corner lot to a Type I interior lot of the RF-12C Zone

in order to allow subdivision into approximately 115 small single family lots (24 RF-9C lots and 91 RF-12C lots) and 4 CD lots to permit construction of 4 manor houses on 4 separate 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 Bose  
Seconded by Councillor Higginbotham  
That:

1. a By-law be introduced to redesignate a portion of the site from Suburban to Urban and a date for Public Hearing be set (Appendix III).
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 Block A 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 (Appendix IV).
4. a By-law be introduced to rezone Block B from "One Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) and Block C from "One Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Coach House Zone (RF-12C)" (By-law No. 12000) and a date be set for Public Hearing (Appendix V).
5. Council authorize staff to draft Development Permit No. 7905-0003-00 generally in accordance with the attached drawings (Appendix VI).
6. Council approve Development Variance Permit No. 7905-0003-00, varying the following to proceed to Public Notification (Appendix VII):
  - (a) to reclassify proposed Lot 16 from a Type I corner lot to a Type I interior lot of the RF-9C Zone; and

- (b) to reclassify proposed Lot 17 from a Type I corner lot to a Type I interior lot of the RF-12C Zone.
7. 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 plan to the satisfaction of the Approving Officer;
- (c) registration of a Section 219 Restrictive Covenant to secure a no build on proposed Lot 1 until future subdivision and development with the adjacent parcels to the west (7210 and 7240 – 192 Street) are achieved in accordance with the East Clayton NCP – North Extension;
- (d) registration of a Section 219 Restrictive Covenant to secure a no build on that portion of proposed Lot 119 located on the north side of the lane;
- (e) registration of a Section 219 Restrictive Covenant on proposed Lots 55 and 69 to secure the location of a future fence at a minimum of one metre (3.0 ft.) setback from the south property lines abutting 73;
- (f) submission of an acceptable landscape plan and landscaping cost estimate for the proposed CD lots to the specifications and satisfaction of the City Landscape Architect; and
- (g) approval of Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2005, No. 15778, instituting amenity fees for East Clayton-North Extension area.

RES.R05-1716

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That " Surrey Official Community Plan

By-law, 1996, No. 12900, No. 122 Amendment By-law, 2005, No. 15797" pass its first reading.

RES.R05-1717

Carried



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

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That " Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 122 Amendment By-law, 2005, No. 15797" pass  
its first reading pass its second reading.  
RES.R05-1718 Carried

It was then Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That the Public Hearing on "Surrey Official  
Community Plan By-law, 1996, No. 12900, No. 122 Amendment By-law, 2005,  
No. 15797" be held at the Surrey Sport & Leisure Complex on July 25, 2005, at  
7:00 p.m.  
RES.R05-1719 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15798A" pass its first reading.  
RES.R05-1720 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. 15798A" pass its second reading.  
RES.R05-1721 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. 15798A" be held at the  
Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
RES.R05-1722 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15798B" pass its first reading.  
RES.R05-1723 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. 15798B" pass its second reading.  
RES.R05-1724 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. 15798B" be held at the  
Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
RES.R05-1725 Carried

**5. 7904-0248-00**

**6616 - 194 Street**

**Mr. Harald Trepke/Lakewood Blue Development Ltd.**

Rezoning/Development Permit/Development Variance Permit

*Rezone from RA to RM-30. Development Permit to allow construction of approximately 69 townhouse units in East Clayton. Development Variance Permit to relax setback requirements.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit, and a rezoning application on property located at 6616 - 194 Street.

The applicant is proposing:

- a rezoning from RA to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary building setbacks of the RM-30 Zone as follows:
  - along the west front yard (194 Street):
    - from 7.5 metres (25 ft.) to 4.9 metres (16 ft.) to the building face; to 3.0 metres (10.0 ft.) to the porch; and to 1.5 metres (5 ft.) to the first stair riser;
  - along the east rear yard abutting the proposed open space:
    - from 7.5 metres (25 ft.) to 4.6 metres (15 ft.) to the building face; to 2.7 metres (9 ft.) to the porch; and to 1.5 metres (5.0 ft.) to the first stair riser; and
  - along the north side property line (66 Avenue):
    - from 7.5 metres (25 ft.) to 3.0 metres (10 ft.) to the building face; to 2.1 metres (7 ft.) to the porch and to 1.4 metres (4.5 ft.) to the first stair riser

in order to allow construction of approximately 69 townhouse units in East Clayton.

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

It was  
Moved by Councillor Bose  
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 "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the proposed road (65A Avenue) that is currently reflected in the NCP for East Clayton and replace with a wide greenway on private land with a right-of-way registered for public rights of passage.
3. Council approve the applicant's request to eliminate the required indoor amenity space.
4. Council authorize staff to draft Development Permit No. 7904-0248-00 generally in accordance with the attached drawings (Appendix III).
5. Council approve Development Variance Permit No. 7904-0248-00 (Appendix IV), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum west front yard (194 Street) setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.9 metres (16 ft.) to the building face; to 3.0 metres (10 ft.) to the porch; and to 1.5 metres (5 ft.) to the first stair riser;
  - (b) to reduce the minimum east rear yard (abutting the proposed open space) setback of the RM-30 Zone from 7.5 metres (25 ft.) to 4.6 metres (15 ft.) to the building face; to 2.7 metres (9 ft.) to the porch; and to 1.5 metres (5.0 ft.) to the first stair riser; and
  - (c) to reduce the minimum north side yard (66 Avenue) setback of the RM-30 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.) to the building face; to 2.1 metres (7 ft.) to the porch and to 1.4 metres (4.5 ft.) to the first stair riser.
6. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;



- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) removal of all existing buildings and structures to the satisfaction of the Building Division;
- (d) submission of a revised landscaping plan and the associated cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (e) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space;
- (f) the applicant adequately address the impact of no indoor amenity space;
- (g) registration of a right-of-way granting public rights of passage on the proposed 15-metre (50-ft.) wide greenway corridor linking 194 Street and the designated park to the east;
- (h) registration of a cross access agreement between the subject site and the development site to the south to allow free and uninterrupted access to designated pathways; and
- (i) successful completion of the sale agreement with the City involving the designated park area adjacent to the greenway.

RES.R05-1726

Carried

It was

Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15799" pass its first reading.

RES.R05-1727

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. 15799" pass its second reading.

RES.R05-1728

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. 15799" be held at the  
 Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
 RES.R05-1729 Carried

### FLEETWOOD/GUILDFORD

6. **7905-0039-00**  
**8935 and 8945 - 162 Street**  
**John Sookochoff/Karen Pedersen; Beverly Sookochoff**  
 Rezoning  
*Rezone from RA and RF to RF to allow subdivision into approximately 11 single family lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 8935 and 8945 - 162 Street.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into approximately 11 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 Higginbotham  
 Seconded by Councillor Steele  
 That:

1. a By-law be introduced to rezone the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Single Family Residential Zone (RF)" (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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

RES.R05-1730

Carried

It was

Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15800" pass its first reading.

RES.R05-1731

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. 15800" pass its second reading.

RES.R05-1732

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. 15800" be held at the  
 Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.

RES.R05-1733

Carried**NEWTON**

- 7. 7904-0133-00**  
**15177 - 76 Avenue and Portion of 7651 - 152 Street**  
**Eric Aderneck, Aplin & Martin Consultants Ltd./Sukhchain and Parmjit**  
**Punia; Kulwant Grewal and Harjit Singh, Guildford Golf & Country Club**  
**Ltd., Inc. No. 279076**

Rezoning

*Rezone from RA and RF to CD to permit the subdivision into 6 single family residential lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at 15177 - 76 Avenue and Portion of 7651 - 152 Street.

The applicant is proposing:

- a rezoning from RA and RF to CD

in order to allow subdivision into 6 single family residential lots.



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

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

1. Zoning By-law Amendment No. 15606 (Application No. 7904-0133-00) be filed.
2. Development Variance Permit No. 7904-0133-00 be filed.
3. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) and "Single Family Residential Zone (RF)" (By-law No. 12000) to "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; and
  - (c) submission of an acceptable finalized tree survey and a statement regarding tree preservation.

RES.R05-1734 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15606 be filed.

RES.R05-1735 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15801" pass its first reading.

RES.R05-1736 Carried

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

It was  
RES.R05-1737

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15801" pass its second reading.  
Carried

It was then  
RES.R05-1738

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. 15801" be held at the  
Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
Carried

## SURREY CITY CENTRE/WHALLEY

### 8. 7904-0269-00

#### Portion of 12193 - 96 Avenue

#### Roger Jawanda, CitiWest Consulting Ltd./Pritpal Sandhu

Rezoning/Development Variance Permit

*Rezone the northerly portion of the site from RF to RF-9 in order to allow subdivision into 2 small single family lots and 1 RF lot and a DVP to relax the rear yard setback in order to retain an existing home on proposed Lot 1.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on property located at portion of 12193 - 96 Avenue.

The applicant is proposing:

- a rezoning of the northern portion of the site from RF to RF-9;
- a Development Variance Permit to vary the following by-law regulation:
  - reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.82 metres (19 ft.) for proposed Lot 1

in order to allow subdivision into two (2) small single family lots and one (1) standard single family lot and retain the existing house on proposed Lot 1.

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 a portion of the site (Block A on Survey Plan) from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. Council approve Development Variance Permit No. 7904-0269-00 (Appendix IX), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.82 metres (19 ft.) for proposed Lot 1.
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 to the satisfaction of the City Landscape Architect; and
  - (d) approval of Development Variance Permit No. 7904-0269-00.

RES.R05-1739 Carried with Councillor Bose against.

It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15802" pass its first reading.

RES.R05-1740 Carried with Councillor Bose against.



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

RES.R05-1741 It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15802" pass its second reading.  
Carried with Councillor Bose against.

RES.R05-1742 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. 15802" be held at the  
Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
Carried

## COMMERCIAL/INDUSTRIAL/AGRICULTURAL

### SOUTH SURREY

9. **7905-0152-00**  
**14040 - 32 Avenue**  
**The British Group (Ken Johnson), Gustavo DaRoza, G3 Architecture Inc./**  
**Elgin Corners Land Corp., Inc. No. 0715876**  
Rezoning/Development Permit/Heritage Revitalization  
Agreement/NCP Amendment  
*Rezone from RA to CD and RH and a Development Permit to permit a  
neighbourhood commercial development and a subdivision to create 2 half-acre  
lots, including retention of a heritage building.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, a Development Permit application, a Heritage Revitalization Agreement, and an application to amend the Neighbourhood Community Plan on property located at 14040 - 32 Avenue.

The applicant is proposing:

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

in order to permit the development of a neighbourhood commercial centre and a subdivision of two suburban type lots, including the retention of a heritage building.

#### Delegation

The applicant was in attendance and commented that he commissioned a Retail Impact Study from Urbanics which raised points that the trading area is located in the area from 144 west to 128 Street from Crescent Road south to approximately

16<sup>th</sup> Avenue. He added that the area was tremendously under-serviced by the type of product or usage proposed. He added that 9,000 cars a day travel along 140 Street and 2,400 cars per day, west on 32 Avenue. He stated that this is within the allowable numbers for arterial and collector roads. He added that the impact study revealed that 95% of people would use this neighbourhood village and will come from the existing traffic. He reiterated that the area needs the project, noting he has to travel to Peninsula Village to shop and finds it difficult to find parking there. He noted that doctors and spa owners had expressed interest in the site. He added that the public information meeting had approximately 35 people in attendance, with 26 people turning in questionnaires, and 21 positive responses showing support for the project.

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That:

1. a By-law be introduced to rezone a 3,626 sq.m. (0.9 acre) portion of the site 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. a By-law be introduced to rezone a 5,419 sq.m. (1.3 acre) portion of the site 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 (Appendix XVIII).
3. a By-law be introduced to allow for a Heritage Revitalization Agreement for the Charles Feedham House on proposed Lot 2 and a date be set for Public Hearing (Appendix X).
4. Council authorize staff to draft Development Permit No. 7905-0152-00 generally in accordance with the attached drawings (Appendix III).
5. Council instruct staff to resolve the following issue 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) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

6. Amendment to the Central Semiahmoo Peninsula Plan from Half-Acre Gross Density to Local Commercial and Half-Acre Residential before final adoption is granted on the rezoning by-laws.

RES.R05-1743

Carried with Councillors Bose and Villeneuve against.

It was

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

No. 12000, Amendment By-law, 2005, No. 15803A" pass its first reading.

RES.R05-1744

Carried with Councillor Bose against.

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

It was

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

No. 12000, Amendment By-law, 2005, No. 15803A" pass its second reading.

RES.R05-1745

Carried with Councillor Bose against.

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. 15803A" be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.

RES.R05-1746

Carried

It was

Moved by Councillor Higginbotham  
Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15803B" pass its first reading.

RES.R05-1747

Carried with Councillor Bose against.

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

It was

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

No. 12000, Amendment By-law, 2005, No. 15803B" pass its second reading.

RES.R05-1748

Carried with Councillor Bose against.



- It was then  
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15803B be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.
- RES.R05-1749
- 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. 15803B be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
Carried
- It was  
Agreement By-law, 2005, No. 15804" pass its first reading.
- RES.R05-1750
- Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That "City of Surrey Heritage Revitalization Agreement By-law, 2005, No. 15804" pass its first reading.  
Carried
- The said By-law was then read for the second time.
- It was  
Agreement By-law, 2005, No. 15804" pass its second reading.
- RES.R05-1751
- Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That "City of Surrey Heritage Revitalization Agreement By-law, 2005, No. 15804" pass its second reading.  
Carried
- It was then  
Heritage Revitalization Agreement By-law, 2005, No. 15804" be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.
- RES.R05-1752
- Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That the Public Hearing on "City of Surrey Heritage Revitalization Agreement By-law, 2005, No. 15804" be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.  
Carried

### SURREY CITY CENTRE/WHALLEY

- 10. 7905-0056-00**  
**12451 - 88 Avenue**  
**Surrey West Shopping Centres Limited, Inc. No. A-60761**  
Development Permit  
*Development Permit to permit the development of two multi-tenant retail commercial buildings with a combined floor area of 4,273 m<sup>2</sup> (46,000 sq.ft.).*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 12451 - 88 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of two multi-tenant retail commercial buildings totalling 4,273 m<sup>2</sup> (46,000 sq.ft.) of floor area.

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 attached  
Development Permit No. 7905-0056-00 (Appendix V), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R05-1753 Carried

**C. CORPORATE REPORTS**

- 1. The Corporate Reports under date of July 11, 2005 were considered and dealt with as follows:

**Item No. L008** Results of Additional Community Consultation for Proposed Development at 6848 - 128 Street  
File: 7904-0079-00

Councillor Steele left the meeting at 5:36 p.m.

The General Manager of Planning & Development submitted a report to advise Council of the results of additional community consultation undertaken by the applicant and City staff, regarding the property at 6848 - 128 Street (Application No. 7904-0079-00), which has occurred since the Public Hearing of January 24, 2005, and to recommend a course of action for Council's consideration.

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

Councillor Steele returned to the meeting at 5:41 p.m.

The Mayor noted the motion would be divided:

It was Moved by Councillor Villeneuve  
Seconded by Councillor Bose  
That Council receive this report as  
information.

RES.R05-1754 Carried

- It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That Council grant third reading to Surrey  
 Land Use Contract No. 438, Authorization By-law, 1978, No. 5541, Partial  
 Discharge By-law, 2005, No. 15619.  
 RES.R05-1755 Carried with Councillor Bose against.
- It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That Council authorize the Mayor and Clerk  
 to execute Development Variance Permit No. 7904-0079-00.  
 RES.R05-1756 Carried with Councillor Bose against.

**Note:** See By-law 15619 under Item H.6.

**Note:** See Development Variance Permit 7904-0079-00 under Clerk's Report, Item I.1(a).

**Item No. L009** Tree Preservation in Development at 7025, 7041, 7061 and 7095 - 150 Street:  
 Application No. 7904-0136-00  
 File: 7094-0136-00

The General Manager of Planning & Development submitted a report to provide information to Council, regarding a review that has been completed in relation to preserving trees within the development proposed on the lots at 7025, 7041, 7061 and 7095 - 150 Street.

The General Manager of Planning & Development was recommending that the report be received for information.

- It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That Application No. 7904-0136-00 be  
 received for information.  
 RES.R05-1757 Carried with Councillor Watts against.

Councillor Bose rose on a Point of Order and stated that most by-laws from last week's Council agenda were put forward to the July 11, 2005 agenda, with the exception of one proposed application.

Mayor McCallum ruled this was not a Point of Order.

**D. ITEMS TABLED BY COUNCIL**



**E. DELEGATIONS**

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

TO BE FILED

- 1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15570"

7904-0053-00 - City of Surrey, c/o Realty Services Division (Avril Wright)

RA (BL 12000) to RF (BL 12000) - 16190 - 93A Avenue - to allow subdivision into approximately 14 single family lots.

Approved by Council: November 15, 2004

- \* Planning & Development advise that By-law 15570 is in order to be filed, (see memorandum dated June 28, 2005 in by-law back-up) as Council approved a resolution abandoning this subdivision application to allow the property to remain parkland as an extension of Serpentine Heights Community Park at the June 27, 2005 Regular Council-Public Hearing Meeting as follows:

"That Surrey abandon the rezoning and sale of the 2.8 acres of property located at 16190 - 93A Avenue and that the property remain parkland as an extension of Serpentine Heights Community Park."

It was

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

No. 12000, Amendment By-law, 2004, No. 15570" be filed.

RES.R05-1758

Carried

FINAL ADOPTIONS

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15525"

7904-0164-00 - Jagraj Garcha, Gulwant Sengherea, Baljit Dhaliwal,  
c/o H. Y. Engineering Ltd. (Richard Brooks)

RA (BL 12000) to RF (BL 12000) - 7562 - 144 Street - to allow  
subdivision into six (6) single family residential lots.

Approved by Council: October 18, 2004

- \* This by-law is proceeding in conjunction with Application 7904-0070-00, Item H.3.
- \* Planning & Development advise that (see memorandum dated June 29, 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 Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15525" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1759

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15526"

7904-0070-00 - Joginder and Kashmir Cheema, c/o H. Y. Engineering Ltd.

RA (BL 12000) to RF (BL 12000)- 14432 - 76 Avenue - to allow  
subdivision into 4 single family lots.

Approved by Council: October 18, 2004

- \* This by-law is proceeding in conjunction with Application 7904-0164-00, Item H.2.
- \* Planning & Development advise that (see memorandum dated June 29, 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 Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15526" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R05-1760 Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15368"  
 7903-0301-00 - Surelok Sunridge Estates Ltd., c/o Surelok Sunridge Estates Ltd.  
 (Mr. Bruce McDonald)

RA (BL 12000) to CD (BL 12000) - 12640 - 64 Avenue, 6362 - 126 Street  
 - to permit the development of 38 townhouse units.

Approved by Council: May 3, 2004

**Note:** A Development Permit (7903-0301-00) on the site is to be considered for  
 final approval under Item I.2(b).

- \* Planning & Development advise (see memorandum dated June 30, 2005 in by-law  
 backup) that it is now in order for Council to pass a resolution amending the West  
 Newton South Neighbourhood Concept Plan to redesignate the site from  
 Townhouses (max. 15 upa) to Multiple Residential (max. 20 upa).

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That Council amend the West Newton South  
 Neighbourhood Concept Plan to redesignate the site from Townhouses (max.  
 15 upa) to Multiple Residential (max. 20 upa).  
 RES.R05-1761 Carried

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15368" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R05-1762 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15690"  
 7904-0367-00 - Capital Homes Ltd., c/o Coastland Engineering & Surveying Ltd.  
 (Michael Helle)

RA (BL 12000) to RF (BL 12000) - 16238 - 80 Avenue - to allow  
 subdivision into 5 single family lots, one remainder parcel and open space.



Approved by Council: March 7, 2005

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15690" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1763

Carried

MISCELLANEOUS

- 6. "Surrey Land Use Contract No. 438, Authorization By-law, 1978, No. 5541,  
Partial Discharge By-law, 2005, No. 15619"

7904-0079-00 - Kulwant and Gurdev Sahota, Darshan and Manjit Sangha

To discharge Land Use Contract No. 438 from the property located at  
6848 - 128 Street to allow the underlying "Single Family Residential Zone (RF)"  
to come into effect and allow subdivision into two single family lots.

Approved by Council: January 10, 2005

**Note:** A Development Variance Permit (7904-0079-00) on the site is to be  
considered for Final Approval under Item I.1(a).

**Note:** This By-law will be in order for consideration of Third Reading, should  
Council approve the recommendations of Corporate Report Item  
No. L008.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Land Use Contract No. 438,  
Authorization By-law, 1978, No. 5541, Partial Discharge By-law, 2005,  
No. 15619" pass its third reading.

RES.R05-1764

Carried

**I. CLERK'S REPORT****1. Formal Approval of Development Variance Permits**

It is in order for Council to now pass resolutions authorizing the Mayor and Clerk to sign the following permits:

- (a) **Development Variance Permit No. 7904-0079-00**  
**Kulwant & Gurdev Sahota and Darshan & Manjit Sangha**  
**c/o Kulwant and Gurdev Sahota**  
**c/o Darshan Sangha and Manjit Sangha**  
 6848 - 128 Street

To reduce the frontage width requirement for the rear lot line from 4.5 metres (15 ft.) to 3.0 metres (10 ft.) to allow subdivision into two single family lots.

**Note:** See Corporate Report L008.

**Note:** See By-law No. 15619, Item H.6.

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

No. 7904-0079-00 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.R05-1765

Carried

**2. Formal Approval of Development Permits**

- (a) **Development Permit No. 7999-0105-00**  
**Douglas Johnson/Ajit Singh Gill, Amargit Kaur Gill**  
 13716 - 102 Avenue

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

"That Development Permit No. 7999-0105-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

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

No. 7999-0105-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance 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.R05-1766

Carried

- (b) **Development Permit No. 7903-0301-00**  
**Surelok Sunridge Estates Ltd., c/o Surelok Sunridge Estates Ltd.**  
**(Mr. Bruce McDonald)**  
6362 - 126 Street and 12640 - 64 Avenue

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

"That Development Permit No. 7903-0301-00 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 15368, Item H.4.

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

No. 7903-0301-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance 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.R05-1767

Carried

**J. OTHER BUSINESS**



**K. ADJOURNMENT**

It was  
  
meeting do now adjourn.  
RES.R05-1768

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That the Regular Council - Land Use

Carried

The Regular Council- Land Use meeting adjourned at 6:06 p.m.

Certified Correct:

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

\_\_\_\_\_  
Mayor