



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 25, 2005
Time: 4:00 p.m.

Present:

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

Absent:

**Councillors Entering
Meeting as Indicated:**

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
Manager, Area Planning & Development,
North Division
Manager, Area Planning & Development,
South Division
Manager, Land Development, Engineering
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

1. 7905-0107-00

17902 and 17903 Roan Place

Columbia Restoration Company Ltd./510708 B.C. Ltd.

Partial Land Use Contract Discharge

Partial discharge of Land Use Contract No. 38 to allow the underlying IL Zone to regulate the site.

The General Manager of Planning & Development submitted a report concerning an application for a partial discharge of Land Use Contract No. 38 on properties located at 17902 and 17903 Roan Place.

The applicant is proposing:

- a partial discharge of Land Use Contract No. 38

in order to allow the underlying Light Impact Industrial Zone (IL) to regulate the site.

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

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

1. a By-law be introduced to partially discharge Land Use Contract No. 38 and a date for Public Hearing be set.
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) approval from the Ministry of Transportation; and
 - (c) preparation and registration of reciprocal access and parking easements between the two properties.

RES.R05-1852 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 38, Authorization By-law, 1973, No. 4153 Partial Discharge By-law, 2005, No. 15806" pass its first reading.

RES.R05-1853 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Land Use Contract No. 38, Authorization By-law, 1973, No. 4153 Partial Discharge By-law, 2005, No. 15806" pass its second reading.

RES.R05-1854 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Land Use Contract No. 38, Authorization By-law, 1973, No. 4153 Partial Discharge By-law, 2005, No. 15806" be held on September 6, 2005, at 7:00 p.m.

RES.R05-1855 Carried

FLEETWOOD/GUILDFORD**2. 7905-0133-00****9056 - 152 Street****David Graham, Kasian Architecture Interior Design and Planning
Ltd./Fleetwood Centre Investments Ltd., Inc. No. 696972**

Development Permit/Development Variance Permit

*Development Permit to permit exterior renovations to an existing restaurant.**Development Variance Permit to permit four more fascia signs than currently are permitted under the Sign By-law.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 9056 - 152 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - to vary the provisions of the Sign By-law No. 13656 to permit one additional fascia sign on the west and south elevations and two additional fascia signs on the north elevation of the building

in order to permit renovations to an existing restaurant.

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. 7905-0133-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7905-0133-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to vary the provisions of the Sign By-law No. 13656 to permit four additional fascia signs and to permit two of the fascia signs to be located on the north elevation of the building.

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) approval of Development Variance Permit No. 7905-0133-00.

RES.R05-1856

CarriedNEWTON

3. **7905-0198-00**
6350 - 120 Street
Yvonne van Eck, Apollo Sign and Millwork/S & U Homes Ltd.
Development Permit
Development Permit to allow 2 free-standing signs.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 6350 - 120 Street.

The applicant is proposing:

- a Development Permit

in order to permit the development of two (2) free-standing signs.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That Council approve the attached

Development Permit No. 7905-0198-00 (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.R05-1857

Carried

SOUTH SURREY

4. **7905-0121-00**
1751 King George Highway
Dwayne Jacobson/L.C. Holdings Ltd.
Development Permit
Development Permit to expand the parking area and landscaping for an existing commercial building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 1751 King George Highway.

The applicant is proposing:

- a Development Permit

in order to permit an expansion of the parking area and landscaping for an existing 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 Hunt
Seconded by Councillor Steele
That:

1. Council authorize staff to draft Development Permit No. 7905-0121-00 in accordance with the attached drawings (Appendix III).
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 cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) finalize the acquisition and consolidation of surplus road dedication along King George Highway by the applicant.

RES.R05-1858

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

5. 7904-0086-01

**Portions of 6724 and 6684 - 194 Street
Mr. Clarence Arychuk/677018 B.C. Ltd.**

Development Variance Permit

Development Variance Permit to allow coach houses and garages within the front yard setback of the RF-9C Zone for proposed Lots 43 to 55 in East Clayton.

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

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulation:
 - under Section F. Yards and Setbacks of the RF-9C Zone to permit a coach house and a garage within the front yard setback of proposed Lots 43 to 55

in order to permit the construction of coach houses on those lots fronting a park in East Clayton.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. Council approve Development Variance Permit No. 7904-0086-01 (Appendix III), varying the following, to proceed to Public Notification:

- (a) to vary Section F. Yards and Setbacks of the RF-9C Zone to permit a coach house and garage within the front yard setback of proposed Lots 43 to 55.

RES.R05-1859

Carried

FLEETWOOD/GUILDFORD

6. **7905-0078-00**
17158 - 85A Avenue, 8502, 8496, 8488, 8472, 8460, 8452,
8446, 8438, 8422, 8416, 8408 - 171A Street
McElhanney Consulting Services Ltd./684795 B.C. Ltd., Inc. No. 684795
 Restrictive Covenant Amendment/Development Permit
A Restrictive Covenant Amendment and Development Permit to permit modifications to the fence type, location and landscape buffer on lots adjacent to the ALR.

The General Manager of Planning & Development submitted a report concerning an application for an amendment to the Restrictive Covenant, and a Development Permit application on properties located at 17158 - 85A Avenue, 8502, 8496, 8488, 8472, 8460, 8452, 8446, 8438, 8422, 8416, 8408 - 171A Street .

The applicant is proposing:

- a Restrictive Covenant amendment; and
- a Development Permit

in order to permit modifications to the fence type, location and landscape buffer on lots adjacent to land within the Agricultural Land Reserve.

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

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

1. Council approve the proposed amendments to the Restrictive Covenant for Lots 9 and Lots 18 to 28 - 28 inclusive, as follows:
 - (a) to replace the approved 1.8-metres (6 ft.) high solid cedar fence with a 1.2-metre (4 ft.) high black-coloured chain link fence;
 - (b) to relocate the fence from 15 metres (50 ft.) from the east (172 Street) property line to a location 1.2 metres (4 ft.) from the east (172 Street) property line; and
 - (c) to modify the landscape buffer by adding 210 cedars and permitting two 3.5-metre (11.5 ft.) wide openings per lot along the west edge of the buffer.

2. Council approve the attached Development Permit No. 7903-0442-00 (Appendix IV), 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.R05-1860

Carried with Councillor Bose against.**7. 7904-0018-00****14921 - 104 Avenue****Patrick Cotter/623534 B.C. Ltd.**

Development Permit/Development Variance Permit

Development Permit to allow construction of a 4-storey rental apartment building accommodating approximately 30 rental units in Guildford. Development Variance Permit to vary parking requirements.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 14921 - 104 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary parking requirements from 292 spaces to 188 spaces

in order to permit the development of a 30-unit rental apartment building in Guildford.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That:

1. Council authorize staff to draft Development Permit No. 7904-0018-00 in accordance with the attached drawings (Appendix II).
2. Council authorize staff to prepare a Housing Agreement By-law.
3. Council approve Development Variance Permit No. 7904-0018-00 (Appendix III), varying the following, to proceed to Public Notification:
 - (a) to reduce the number of required on-site parking spaces from 292 to 188.

4. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications and rights-of-way where necessary are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) approval of a Housing Agreement By-law to ensure existing and proposed units remain as rental units.

RES.R05-1861

Carried**NEWTON**

8. **7905-0117-00**
13928, 13936 and 13974 - 64 Avenue
McElhanney Consulting Services Ltd. c/o Dwight Heintz/Major S. Dhesi,
Pargan S. Dhesi and Kashmira S. Dhesi; 689627 B.C. Ltd.
NCP Amendment/Rezoning
NCP amendment from Townhouses to Single Family Small Lots. Rezone from RA to RF-12, RF-9 and RF-SD, to allow subdivision into approximately 52 single family and semi-detached lots, three of which have future subdivision potential.

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 13928, 13936 and 13974 - 64 Avenue.

The applicant is proposing:

- an NCP amendment from Townhouses (15 upa max.) to Single Family Residential Small Lots; and
- a rezoning from RA to RF-12, RF-9 and RF-SD

in order to allow subdivision into approximately 52 single family small and semi-detached lots, three of which have future subdivision potential.

Delegation

The applicant's representative was in attendance and discussed Items 8 and 9. He commented that other advantages to this project include: no additional engineering services demanded; no significant traffic impact; reduced impact on schools; protection of environmental features; pedestrian-friendly; and walkable neighbourhood. He added they feel the projects would be an excellent fit within the existing land use and development. He requested Council consider referral to staff for further consideration.

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That Application 7905-0117-00 be referred

back to staff.

RES.R05-1862

Carried with Councillor Bose against.

- 9. **7905-0131-00**
13812, 13856 and 13890 - 64 Avenue
McElhanney Consulting Ltd./Major Singh Dhesi, Pargan Singh Dhesi and
Kashmira Singh Dhesi,Evelyn Elizabeth Weimer and Mitchell Karl Weimer,
0703321 B.C. Ltd., Inc. No. 703321
 NCP Amendment/Rezoning
NCP amendment from Townhouses to Single Family Residential Small Lots.
Rezone from RA to RF-12, RF-9 and RF-SD to allow subdivision into
approximately 64 single family residential and semi-detached lots.

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 13812, 13856 and 13890 - 64 Avenue.

The applicant is proposing:

- an NCP amendment from Townhouses (37 upha/15 upa max) to Single Family Residential Small Lots; and
- a rezoning from RA to RF-12, RF-9 and RF-SD

in order to allow subdivision into approximately 64 single family residential small and semi-detached lots.

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That Application No. 7905-0131-00 be

referred back to staff.

RES.R05-1863

Carried with Councillor Bose against.

SOUTH SURREY**10. 7905-0216-00****13 - 3300 - 157A Street****Tony and Kim Dias**

Development Permit

Development Permit to permit a rear basement access stairwell on Lot 13.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 13, 3300 - 157A Street.

The applicant is proposing:

- a Development Permit

to amend Development Permit No. 7903-0087-00 in order to permit the development of a rear exterior stairwell to allow basement access for a house under construction on Lot 13.

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 Council approve the attached

Development Permit No. 7905-0216-00 (Appendix IV), 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.R05-1864

Carried

SURREY CITY CENTRE/WHALLEY**11. 7905-0076-00****9292 - 134 Street****Avnash Banwait, Mainland Engineering Corp./Surinder Kaur Dhaliwal**

Rezoning

Rezone from RF to RF-12 to permit subdivision into 2 single family RF-12 lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 9292 - 134 Street.

The applicant is proposing:

- a rezoning from RF to RF-12

in order to allow subdivision into two single family RF-12 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 Villeneuve
That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
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; and
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

RES.R05-1865 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15807" pass its first reading.

RES.R05-1866 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. 15807" pass its second reading.

RES.R05-1867 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. 15807" be held on
September 6, 2005, at 7:00 p.m.

RES.R05-1868 Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL**FLEETWOOD/GUILDFORD****12. 7905-0173-00****8215 - 166 Street****Host Consulting Ltd./Allwood Development, 688953 B.C. Ltd. and****Kooner Construction**

Liquor Permit - Neighbourhood Pub/Development Permit

Liquor Primary License to allow a neighbourhood pub with 160 seats and a 50-seat patio. Development Permit to permit the 50-seat patio.

The General Manager of Planning & Development submitted a report concerning an application for a Neighbourhood Pub Liquor Permit and a Development Permit application on property located at 8215 - 166 Street.

The applicant is proposing:

- a Liquor Primary license; and
- a Development Permit

in order to permit development of a neighbourhood pub with an indoor occupant load of 160 persons inside and a 50-seat patio, with hours of operation being 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday.

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 date for Public Hearing be set to solicit opinions from area residents regarding the proposed neighbourhood pub.
2. Council authorize staff to draft Development Permit No. 7905-0173-00 in accordance with the attached drawings to supplement Development Permit No. 7903-0394-00 (Appendix III).

RES.R05-1869

Carried with Councillors Priddy and Hunt against.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Villeneuve
 That the Public Hearing to solicit comments
 from the area residents regarding the proposed Liquor Primary License
 (neighbourhood pub) be held on September 6, 2005, at 7:00 p.m.
 RES.R05-1870 Carried with Councillors Priddy and Hunt
 against.

13. 7905-0116-00
17358 - 104A Avenue
Northmark Construction/Northmark Construction Inc. and Fast Estates
Development Group
 Development Permit
Development Permit to allow multi-tenant industrial warehouse building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 17358 - 104A Avenue.

The applicant is proposing:

- a Development Permit

in order to allow the construction of a multi-tenant industrial warehouse building.

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

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

1. Council authorize staff to draft Development Permit No. 7905-0116-00 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 cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R05-1871 Carried

NEWTON**14. 7905-0217-00****15560 Colebrook Road****CRF Holdings Ltd. c/o Court Faessler/C.R.F. Holdings Limited**

Development Variance Permit

Development Variance Permit to relax the front and side yard setbacks.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15560 Colebrook Road.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - the front yard setback requirement buildings permitted under Section B.4 of the A-1 Zone from 30 metres (100 ft.) to 17 metres (56 ft.); and
 - the side yard on a flanking street requirement for buildings permitted under Section B.4 of the A-1 Zone from 30 metres (100 ft.) to 22 metres (72 ft.)

in order to permit the development of a farm-based winery.

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. 7905-0217-00 (Appendix V), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback for buildings permitted under Section B.4 of the A-1 Zone from 30 metres (100 ft.) to 17 metres (56 ft.); and
 - (b) to reduce a minimum side yard on a flanking street for buildings permitted under Section B.4 of the A-1 Zone from 30 metres (100 ft.) to 22 metres (72 ft.).
2. Council instruct staff to resolve the following issue 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) registration of a 219 Restrictive Covenant to ensure the relocation of the building should Colebrook Road widening be required.

RES.R05-1872

Carried**15. 7905-0041-00****6895 and 6911 King George Highway****Walter Francl (Walter Francl Architect Inc.)/The John Volken Foundation, Inc. No. S-37543**

Rezoning/Development Permit

Rezone from RF and C-8 to CHI. Development Permit to permit the development of a commercial building.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 6895 and 6911 King George Highway.

The applicant is proposing:

a rezoning from RF and C-8 to CHI; and

a Development Permit

in order to permit the development of a 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 Hunt

Seconded by Councillor Tymoschuk

That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) and "Community Commercial Zone (C-8)" (By-law No. 12000) to "Highway Commercial Industrial Zone (CHI)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7905-0041-00 in accordance with the attached drawings (Appendix III).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (d) final approval from the Ministry of Environment Soil Contamination Branch.

RES.R05-1873

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15810" pass its first reading.

RES.R05-1874

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. 15810" pass its second reading.

RES.R05-1875

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. 15810" be held on
 September 6, 2005, at 7:00 p.m.

RES.R05-1876

Carried**RESIDENTIAL/INSTITUTIONAL****CLOVERDALE/CLAYTON****16. 7904-0335-00**

**17721/17735 - 57 Avenue; 17756 - 57A Avenue;
 5731/5721/5711 - 177B Street; Portion of Lane**

**Wojciech Grzybowicz, c/o WG Architecture Inc./Cosmopolitan Holdings
 Ltd., Inc. No. 585749; California Homes Ltd., Inc. No. BC 656699; Harpal
 Singh Sooch and Santosh Rani Sooch**

Rezoning/Development Permit

*Rezone from RF and C-15 to CD. Development Permit to permit the development
 of 91 apartment units with a portion of lane to be closed and consolidated as part
 of the development.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 17721/17735 - 57 Avenue, 17756 - 57A Avenue, and 5731/5721/5711 - 177B Street, portion of lane.

The applicant is proposing:

- a rezoning from RF and C-15 to CD; and
- a Development Permit

in order to permit the development of a 91-unit apartment building.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That:

1. a By-law be introduced to rezone the properties from "Single Family Residential Zone (RF)" (By-law No. 12000) and "Town Centre Commercial Zone (C-15)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0335-00 in accordance with the attached drawings (Appendix II).
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 revised architectural and landscape drawings to the satisfaction of the City Architect and City Landscape Architect (based upon comments identified under Advisory Design Panel section);
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;

- (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (f) Council approval to close and consolidate a portion of the lane.

RES.R05-1877

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15811" pass its first reading.

RES.R05-1878

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. 15811" pass its second reading.

RES.R05-1879

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. 15811" be held on
 September 6, 2005, at 7:00 p.m.

RES.R05-1880

Carried

FLEETWOOD/GUILDFORD

17. 7904-0186-00

15512 - 103A Avenue, Portion of lane

**Don Andrew c/o Creekside Architects/Blue Vista Homes Ltd.,
 Inc. No. 544123**

Rezoning/Development Permit

Rezone a portion from RF to CD. Development Permit to allow the development of 24 townhouse units.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 15512 - 103A Avenue, portion of lane.

The applicant is proposing:

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

in order to permit the development of 24 townhouse units.

Delegation

The Architect was in attendance and commented that the project would feature many interesting architectural features such as balconies, gables and others.

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

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

1. a By-law be introduced to rezone a portion of the subject property and the unopened portion of lane at 155A Street and 103A Avenue from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7904-0186-00 in accordance with the attached drawings (Appendix III).
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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a revised landscape plan and landscaping 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) the applicant ensure the protection and restoration of the natural area being dedicated to the satisfaction of the Civic Buildings and Parks Facilities Division; and
- (h) the applicant complete the relocation of the driveway at 10343 - 155A Street, as endorsed by Council on June 27, 2005, under By-law No. 15766, for the closure of a portion of the lane.

RES.R05-1881

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15812" pass its first reading.

RES.R05-1882

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. 15812" pass its second reading.

RES.R05-1883

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. 15812" be held on
 September 6, 2005, at 7:00 p.m.

RES.R05-1884

Carried**NEWTON****18. 7905-0203-00****15155 - 62A Avenue****Polygon Panorama Homes**

Development Permit

Development Permit to permit the construction of Phases 5, 6 and 7 of a multi-phase townhouse complex, consisting of 123 units.

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15155 - 62A Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of 123 townhouse units in 3 phases.

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 Council approve the attached
 Development Permit No. 7905-0203-00 (Appendix VI), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R05-1885

Carried

19. 7904-0435-00

15074 - 76A Avenue

Patrick Burke, Aplin & Martin Consultants Ltd./Harjinderpal Bhatia

OCP Amendment/Rezoning/Development Variance Permit

OCP Amendment from Suburban to Urban. Rezone from RA to RF to permit the creation of 2 single family lots. Development Variance Permit to relax the lot widths.

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and Development Variance Permit application on property located at 15074 - 76A Avenue.

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- a rezoning from RA to RF;
- a Development Variance Permit to vary the following by-law requirements:
 - relax the lot width requirement from 15 metres (50 ft.) to 14.2 metres (47 ft.) for both proposed lot.

in order to allow subdivision into 2 single family lots.

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

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

1. a By-law be introduced to redesignate the property from Suburban to Urban and a date for Public Hearing be set.

2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council approve Development Variance Permit No. 7904-0435-00 (Appendix VIII), varying the following, to proceed to Public Notification:
 - (a) to relax the lot width from 15 metres (50 ft.) to 14.2 metres (47 ft.) for both proposed lots.
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation; and
 - (d) completion of the closure of a portion of lane at the rear of the property and consolidation with the subject property.
6. Amend the Local Area Plan from "Suburban Residential" to "Urban Residential" before final adoption of the rezoning by-law.

RES.R05-1886

Carried

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 123 Amendment By-law 2005, No. 15813" pass its first reading.

RES.R05-1887

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 123 Amendment By-law 2005, No. 15813" pass its
second reading.

RES.R05-1888 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Official
Community Plan By-law, 1996, No. 12900, No. 123 Amendment By-law 2005,
No. 15813" be held on September 6, 2005, at 7:00 p.m.

RES.R05-1889 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15814" pass its first reading.

RES.R05-1890 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15814" pass its second reading.

RES.R05-1891 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15814" be held on
September 6, 2005, at 7:00 p.m.

RES.R05-1892 Carried

SURREY CITY CENTRE/WHALLEY

20. 7905-0112-00

13729 - 92 Avenue

Jennifer Eugama, Davidson Yuen, Simpson Architects/

Atira Women's Resource Society

Rezoning

*Rezone from RMS-1 to CD to allow a phased development of a combination of:
office uses limited to physical and mental health services on an out-patient basis;
36 townhouse units; and child care centre for a maximum of 48 children.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13729 - 92 Avenue.

The applicant is proposing:

- a rezoning from RMS-1 to CD

to allow a phased development of a combination of office uses limited to physical and mental health services on an out-patient basis; a maximum of 36 townhouse units; and child care centre for a maximum of 48 children.

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 Higginbotham

That:

1. a By-law be introduced to rezone the property from "Special Care Housing 1 Zone (RMS-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix III).
2. Council authorize staff to prepare a Housing Agreement By-law.
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 an acceptable tree survey and a statement regarding tree preservation;
 - (c) registration of a Section 219 Restrictive Covenant for "no build" until Council has approved a Development Permit for the site; and
 - (d) Approval of a Housing Agreement By-law to ensure that the proposed townhouse units remain non-market and shall be occupied by the Society's intended clients.

RES.R05-1893

Carried

- to increase the maximum building height in the CD Zone (By-law No. 15229) for the entrance architectural feature from 9.0 metres (30 ft.) to 10.5 metres (34 ft.);
- to increase the maximum number of fascia signs on the lot permitted by the Sign By-law from 2 to 5; and
- to increase the maximum number of free-standing signs on the lot permitted by the Sign By-law from 1 to 2

in order to permit the development of a Hyundai automobile dealership.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That:

1. Council authorize staff to draft Development Permit No. 7905-0156-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7905-0156-00 (Appendix VI), varying the following, to proceed to Public Notification:
 - (a) to increase the maximum building height in the CD Zone (By-law No. 15229) for the entrance architectural feature from 9 metres (30 ft.) to 10.5 metres (34 ft.);
 - (b) to increase the maximum number of fascia signs on the lot, permitted by the Sign By-law from 2 to 5; and
 - (c) to increase the maximum number of free-standing signs on the lot permitted by the Sign By-law from 1 to 2.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) approval of Development Variance Permit No. 7905-0156-00;
 - (b) submission of a landscape cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) input from Terasen Pipelines.

RES.R05-1897

Carried

22. **7905-0155-00**
15383 Guildford Drive
Rick Johnson, c/o Rimark Consulting/Pattison Surrey Auto Mall Ltd., Inc.
No. 693563

Development Permit/Development Variance Permit

Development Permit to permit the development of an automobile dealership.

Development Variance Permit to allow for one additional free-standing sign within the subject lot.

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 15383 Guildford Drive.

The applicant is proposing:

- a Development Permit;
- a Development Variance Permit to vary the following by-law regulation:
 - to increase the maximum number of free-standing signs on the lot permitted by the Sign By-law, from 1 to 2

in order to permit the development of a Volvo automobile dealership.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That:

1. Council authorize staff to draft Development Permit No. 7905-0155-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7905-0155-00 (Appendix VI), varying the following, to proceed to Public Notification:
 - (a) to increase the maximum number of free-standing signs permitted on the lot by the Sign By-law from 1 to 2.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) approval of Development Variance Permit No. 7905-0155-00; and
 - (b) resolution of outstanding architectural and landscaping issues, as indicated in the Advisory Design Panel section of this report, to the satisfaction of the City Architect and City Landscape Architect; and

- (c) submission of landscape cost estimate to the satisfaction of the City Landscape Architect.

RES.R05-1898

Carried with Councillor Bose against.

Councillor Tymoschuk returned to the meeting at 4:27 p..m.

NEWTON

- 23. 7905-0012-00**
7870 and 7910 - 120 Street; 12038, 12046, 12052 and 12062 - 80 Avenue
Aaron Vornbrock, Urban Design Group/Siddoo Kashmir Holdings Ltd.
 Rezoning/Development Permit
Rezone from RA, C-8 and CD to CD. Development Permit to permit commercial retail units, eating establishment and drive-through restaurant.

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 7870 and 7910 - 120 Street, 12038, 12046, 12052 and 12062 - 80 Avenue.

The applicant is proposing:

- a rezoning from RA, CD and C-8 to CD; and
- a Development Permit

in order to permit the development of commercial retail units, eating establishments and drive-through restaurant.

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000), "Community Commercial Zone (C-8)" (By-law No. 12000), "Comprehensive Development Zone (CD)" (By-law No. 9634) and "Comprehensive Development Zone (CD)" (By-law No. 8737) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7905-0012-00 generally in accordance with the attached drawings (Appendix III).

3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (e) resolution of outstanding design and access issues to the satisfaction of City staff.

4. redesignate the site in the Newton Local Area Plan from "Retail Commercial" and "Multiple Residential Medium Rise" to "Retail Commercial" before final adoption of the Rezoning By-law.

RES.R05-1899 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15816" pass its first reading.

RES.R05-1900 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15816" pass its second reading.

RES.R05-1901 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15816" be held on
 September 6, 2005, at 7:00 p.m.

RES.R05-1902 Carried

SOUTH SURREY

24. **7905-0151-00**
18588 - 2 Avenue
Carlos Lee/Carlos and Leigh Lee
ALR

ALR inclusion pursuant to Section 17(3) of the ALC Act.

The General Manager of Planning & Development submitted a report concerning an application to an inclusion within the Agricultural Land Reserve (ALR) on property located at 18588 - 2 Avenue.

The applicant is proposing:

- inclusion of the property at 18588 - 2 Avenue within the Agricultural Land Reserve (ALR) pursuant to Section 17(3) of the Agricultural Land Commission (ALC) Act

in order to permit the development of a farm-based winery.

Delegation:

The applicant was in attendance and commented that the project would be good for the economy, conservation, and agriculture. He advised that the Agriculture Advisory Commission was not supplied with complete information and a decision was based on incomplete information. He noted that he is interested in only growing grapes and having a land-based winery.

Charles Herald was in attendance and commented that provincial law requires 25% of total production of grapes be grown on premises. He added that he had planted one hectare of his property in grapes, limited to the production of wine with a maximum production of 5,000 cases in the future. He continued that he currently has a contract in an Okanagan land based winery to purchase grapes from other B.C. vineyards, not from out of the Province. He advised that the complete picture was not delivered to the Agricultural Advisory Committee and information letters forwarded from noted experts in the field to challenge the questions proposed, was not looked at and letters of opposition from Planning staff were provided only. He stated that it is not the case to use fertilizers and massive water use. He added that there had never been a plan for a Bistro or restaurant. He noted that the applicant does own a restaurant and perhaps that is how the rumour started. He continued that he had made 14 tons of grapes at his residence; 8 feet away from his neighbour and there had not been one complaint. He noted that the bulk of the grape harvest would take place for a 2.5 or 3 week period in October and only require 8 or 9 five-ton truck loads. He added there would be no tanker trucks involved and there would only be 56 tons of grapes to be crushed. He continued that he had discussed the project with neighbours and city staff, who recommended inclusion into the ALR.

He noted that in order to have a Bistro, the applicant would have to apply and go through a public hearing process; he advised this is not in their plan. He continued that they want to run a small, exclusive upper-scaled, exclusive winery, with 40% of the product being sold through restaurants. He added there may be limited tours for 4 to 6 people offered in a barrel cave, but not conducive to bus tours.

He further advised that there is a time constraint as they had invested \$2 million, based on recommendations from City staff; that it would take only two weeks to include the land in the ALR. He stated that the grapes have to be harvested when available, contracts have already been issued, a building engineering for the premises, with a large percentage of the works already paid. He commented that a public hearing and rezoning application affect time constraints and would jeopardize their plans.

He commented that he had spoken with the ALC; this is not a precedence-setting application as there are other pockets of land in the ALR in the area. He noted that the property drops 100 feet and is only good for growing grapes. He added that the ALC would visit the property before making their recommendation. He advised their operation would be strictly organic, and use on site well water which is in abundant supply for their requirements. He noted he had suggested that some trees may have to be removed.

The General Manager of Planning & Development recommends that Council authorize referral of the application to the ALC with a recommendation that the ALC deny the proposed inclusion into the ALR.

A motion by Councillor Bose that Council authorize referral of the application to the ALC with a recommendation that the ALC deny the proposed inclusion in to the ALR received No Secunder.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council refer the application to staff
for consideration of Comprehensive Development zoning.

RES.R05-1903

Carried

RESIDENTIAL/INSTITUTIONAL

SOUTH SURREY

25. 7904-0409-00

3406 - 148 Street

Clarence Arychuk, Hunter Laird Engineering Ltd./0707035 B.C. Ltd.

Rezoning

Rezone from RA to RF-12 and RF-9 to permit subdivision into approximately 23 single family residential small lots.

Delegation

Clarence Arychuk, Hunter Laird Engineering Ltd. was in attendance and commented that along the riparian setback of Anderson Creek, they were successful in retaining trees. He noted that given the proposed density, the soil condition and massive size of existing trees would render them hazardous. He noted that the site plan indicates preservation of the buffer area along the freeway. He added that some trees would be lost on the west side of the property to mirror the property on the west side of 148 Street in order to get the riparian setback, the development has to go somewhere.

He advised that retainment of the monkey puzzle tree forces the developer to either create an isolated pocket or encroach into the buffer area in order to keep the proposed density in accordance with the King George Highway Corridor study.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 3406 - 148 Street.

The applicant is proposing:

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

in order to allow subdivision into approximately 23 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 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 XIII from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (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 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;
 - (d) the applicant adequately address concerns raised by the Parks, Recreation & Culture Department about the pressure this project would put on existing parks and recreation facilities in the area;
 - (e) treatment of the watercourse running along 148 Street is to be finalized to the satisfaction of the Department of Fisheries and Oceans and the City's Engineering Department;
 - (f) submission of a revised subdivision layout to allow the Monkey Puzzle Tree to be retained; and
 - (g) registration of a Section 219 Restrictive Covenant to protect the Monkey Puzzle Tree.

RES.R05-1904

Carried with Councillors Bose and Villeneuve against.

It was

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2005, No. 15817" pass its first reading.

RES.R05-1905

Carried with Councillors Bose and Villeneuve against.

2. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) the applicant adequately address concerns raised by the Parks, Recreation & Culture Department regarding the pressure this project would put on existing parks and recreation facilities in the area; and
 - (e) treatment of the watercourse running along 148 Street is to be finalized to the satisfaction of the Department of Fisheries and Oceans and the City's Engineering Department.

RES.R05-1908 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15818" pass its first reading.

RES.R05-1909 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 Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15818" pass its second reading.

RES.R05-1910 Carried with Councillor Bose against.

It was then Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15818" be held on
September 6, 2005, at 7:00 p.m.

RES.R05-1911 Carried

27. **7905-0032-00**
3426 - 148 Street
Clarence Arychuk, Hunter Laird Engineering Ltd./
Joyce Broese-Van-Groenou

Rezoning

Rezone from RA to RF-12 and RF-9 to permit subdivision into approximately 16 single family residential small lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 3426 - 148 Street.

The applicant is proposing:

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

in order to allow subdivision into approximately 16 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 Hunt

That:

1. a By-law be introduced to rezone the portion of the site identified as Block "A" on the plan attached as Appendix XIII from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (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 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;

- (d) the applicant adequately address concerns raised by the Parks, Recreation & Culture Department about the pressure this project would put on existing parks and recreation facilities in the area; and
- (e) treatment of the watercourse running along 148 Street is to be finalized to the satisfaction of the Department of Fisheries and Oceans and the City's Engineering Department.

RES.R05-1912 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15819" pass its first reading.

RES.R05-1913 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 Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15819" pass its second reading.

RES.R05-1914 Carried with Councillor Bose against.

It was then Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15819" be held on
September 6, 2005, at 7:00 p.m.

RES.R05-1915 Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

- At the May 18, 2005 Regular Council - Land Use meeting, Council tabled the following Corporate Report to a meeting with full Council in attendance.

Item No. L004 Additional Conditions for Proposed Rezoning to
Child Care Zone (CCR) - 10672 - 164A Street -
Application No. 7903-0188-00
Owners: Kerry Jocelyn and Lee Jocelyn

The General Manager of Planning & Development submitted a report to respond to Council's directive to:

1. Determine conditions that could be applied to achieve parking restrictions in the cul-de-sac for pick-up and drop-off for the proposed child care facility; and
2. Report on the applicant's willingness to limit the hours of operation to before and after school care, from September to June, by way of a Restrictive Covenant.

The Mayor noted the following motion would be divided:

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

1. Receive this report as information.

RES.R05-1916

Carried

2. Instruct the applicant to submit to the City, in registrable form, an executed Restrictive Covenant, for registration by the City immediately subsequent to the adoption of Zoning By-law No. 15314, that contains the following restrictions:
 - a. The operation of the child care facility on the lot is to be restricted to:
 - ii. before and after school care to a maximum of 20 children in care for the months from September to June inclusive; and
 - ii. family child care to a maximum of 7 children in care for the months of July and August of each year;
 - b. The hours of operation for the before and after school care use are to be restricted to the hours:
 - i. between 7:00 a.m. and 9:00 a.m. and between 2:30 p.m. and 6:00 p.m. on regularly scheduled school days except for the care of children in kindergarten;
 - ii. for children in kindergarten, between 7:00 a.m. and 6:00 p.m. on regularly scheduled school days; and
 - iii. between 7:00 a.m. and 6:00 p.m. for all school children on non-statutory holidays that would normally be school days, but when school children are not required to attend school, such as "professional development" days; and

- c. The hours of operation for the family child care use is to be restricted to weekdays only and on those days to between the hours of 7:00 a.m. and 6:00 p.m.; and

RES.R05-1917

Carried with Mayor McCallum, Councillors Hunt, Steele and Tymoschuk against.

3. Instruct the City Clerk to forward a copy of this report, together with a copy of the related Council resolution, to Kerry and Lee Jocelyn and the Fraser Health Authority.

RES.R05-1918

Carried

The agenda order was varied.

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 102 Amendment By-law, 2004, No. 15491"

7903-0111-00 - Elim Housing Society, Tass Homes Ltd., Ads Construction Ltd., BC Quality Homes Ltd., Canadian Siding & Sundeck Ltd., Balhar and Jasbinder Basra, Avtar and Parmjeet Khatkar, Paramjit Johal, Ranjit and Shalinder Lehal, Ravinder and Arvind Bhullar, c/o Field & Marten Associates Inc., (Doug Chrystal)

To authorize the redesignation of the properties located at 8980 - 158 Street, and portions of 15869, 15881, 15889, 15897, 15907, 15913, 15921, 15927, 15945 - 89A Avenue from Urban (URB) to Multiple Residential (RM).

Approved by Council: September 7, 2004

This by-law is proceeding in conjunction with By-laws 15492/15493.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 102 Amendment By-law, 2004, No. 15491" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.

RES.R05-1919

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15492"

7903-0111-00 - Elim Housing Society, Tass Homes Ltd., Ads Construction Ltd.,
BC Quality Homes Ltd., Canadian Siding & Sundeck Ltd.,
Balhar and Jasbinder Basra, Avtar and Parmjeet Khatkar,
Paramjit Johal, Ranjit and Shalinder Lehal, Ravinder and
Arvind Bhullar, c/o Field & Marten Associates Inc.,
(Doug Chrystal)

CD (BL 13757) and RA and RF (BL 12000) to CD (BL 12000) - to permit
the development of two, three-storey apartment buildings and an amenity
building that form part of the Elim Housing Society seniors-oriented
housing complex in Fleetwood on properties located 8980, 9010,
9080 - 158 Street, 8987 and 9055 - 160 Street, Portions of 15869, 15881,
15889, 15897, 15907, 15913, 15921, 15927, 15945 - 89A Avenue.

Approved by Council: September 7, 2004

This by-law is proceeding in conjunction with By-laws 15491/15493.

Note: A Development Permit (7903-0111-00) on the site is to be considered for
Final Approval under Item I.1(a).

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15492" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1920

Carried

3. "Elim Housing Agreement Authorization By-law, 2000, No. 13964, Amendment By-law, 2004, No. 15493"

3900-20-15493/7903-0111-00 -Elim Housing Society and Elim Management Corporation, c/o Field & Marten Associates Inc., (Doug Chrystal)

To amend "Elim Housing Agreement Authorization By-law, 2000, No. 13964" to include the property at 8980-158 Street to ensure that only individuals 60 years of age or older may occupy the proposed buildings.

Approved by Council: September 7, 2004

This by-law is proceeding in conjunction with By-laws 15491/15492.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Elim Housing Agreement Authorization By-law, 2000, No. 13964, Amendment By-law, 2004, No. 15493" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1921

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15521"

7904-0128-00 - Toscana Holdings Inc., BIR Investments Inc., c/o McElhanney Consulting Services Ltd. (Dwight Heintz)

RA (BL 12000) to RF (BL 12000) - 7272 - 143 Street - to allow subdivision into 5 single family lots.

Approved by Council: October 18, 2004

- * Planning & Development advise that (see memorandum dated July 21, 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. 15521" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1922

Carried

5. "Surrey Land Use Contract No. 97 Authorization By-law, 1976, No. 5013, Partial Discharge By-law, 2005, No. 15643"

7904-0202-00 - 689131 B.C. Ltd., 686537 B.C. Ltd., 686538 B.C. Ltd.,
Milena Gobbato, c/o H.Y. Engineering Ltd. (Richard Brooks)

To discharge Land Use Contract No. 97 from the property located at 7561 - 144 Street to allow the underlying "Single Family Residential Gross Density Zone (RF-G)" to come into effect.

Approved by Council: January 24, 2005

This By-law is proceeding in conjunction with By-laws 15644 and 15645.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Land Use Contract No. 97 Authorization By-law, 1976, No. 5013, Partial Discharge By-law, 2005, No. 15643" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1923

Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15644"

7904-0202-00 - 689131 B.C. Ltd., 686537 B.C. Ltd., 686538 B.C. Ltd.,
Milena Gobbato, c/o H.Y. Engineering Ltd. (Richard Brooks)

RA and RF-G (BL 12000) to RF-12 (BL 12000) - 7531 and 7561 - 144 Street - to permit subdivision into approximately 22 single family small lots and open space.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-laws 15643 and 15645.

- * Planning & Development advise that (see memorandum dated July 20, 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, 2005, No. 15644" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1924 Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15645"
 7904-0140-00 - Milena Gobbato, 686537 B.C. Ltd., 686538 B.C. Ltd. 689131
 B.C. Ltd., c/o H.Y. Engineering Ltd. (Richard Brooks)

RA (BL 12000) to RF-12 (BL 12000) - 7509 - 144 Street, Portion of
 7491 - 144 Street to permit subdivision into approximately 29 single
 family small lots, open space and retention of an existing dwelling on a
 parcel that will remain RA Zoned.

Approved by Council: January 24, 2005

- * Planning & Development advise that (see memorandum dated July 20, 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 Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15645" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1925 Carried

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15136"
 7903-0214-00 - Gurmit and Manprit Pannu, Qualico Developments Inc.,
 c/o CitiWest Consulting Ltd. (Mr. Roger Jawanda)

RA (BL 12000) to RF-12 and RF (BL 12000) - 14875, 14925, 14939,
 14967, 14985, 15021 - 59 Avenue - to allow subdivision into
 approximately 42 single family residential small lots.

Approved by Council: October 6, 2003

- * Planning & Development advise that (see memorandum dated July 19, 2005 in
 by-law back-up) the building scheme which was originally filed with the City
 Clerk is replaced. The attached copy is consistent with the draft copy previously

provided to the City Clerk. This 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 the rezoning will allow subdivision into 27 new single family residential lots and the properties located at 14875 and 14925 - 59 Avenue will be further subdivided under Project No. 7903-0214-00.

Further, the amendments to the South Newton NCP to increase the opportunity for small-lot residential development were approved on December 6, 2004. The amendment adds a new land use designation to the South Newton NCP called "Single Family Residential Flex to 14.5 upa". The proposed development is in keeping with this new designation and therefore, a resolution to amend the South Newton NCP from "Single Family Residential" to "Single Family Residential Small Lots" is no longer required.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2003, No. 15136" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1926

Carried

9. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15790"

7904-0330-00 - Hafiz and Nazir Mohammed, c/o Luis Cruz

RA (BL 12000) to CD (BL 12000) - 12683 - 72 Avenue - to permit the
development of a 3-unit multiple residential building.

Approved by Council: June 27, 2005

Note: A Development Permit (7904-0330-00) on the site is to be considered for
Final Approval under Item I.1(b).

- * Planning & Development advise (see memorandum dated July 15, 2005) that it is
now in order for Council to pass a resolution amending the Newton Local Area
Plan to redesignate the land from "Suburban Residential" to "Multiple
Residential".

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Council amend the Newton Local Area
Plan to redesignate the land from "Suburban Residential" to "Multiple
Residential".

RES.R05-1927

Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15790" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1928 Carried

10. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15420"

7903-0402-00 - Apna Drywall & Construction Ltd., c/o Coastland Engineering &
 Surveying Ltd. (Michael Helle)

RA (BL 12000) to RF (BL 12000) - 16212 - 110 Avenue - to allow
 subdivision into approximately 11 single family lots.

Approved by Council: June 21, 2004

* Planning & Development advise that (see memorandum dated July 21, 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 Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15420" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1929 Carried

11. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15357"

7903-0335-00 - 655107 B.C. Ltd., c/o John Milner

A-1 (BL 12000) to CD (BL 12000) - Portion of 16541 Old McLellan Road
 - to permit the development of approximately nine clustered suburban
 single residential lots with an open space buffer adjacent the ALR and one
 remnant agricultural lot.

Councillor Bose left the meeting at 5:32 p.m. due to a potential conflict of interest as his
 family has property holdings in the area.

Approved by Council: April 19, 2004

Note: A Development Permit (7903-0335-00) on the site is to be considered for
 Final Approval under Item I.1(c).

- * Planning & Development advise that (see memorandum dated July 20, 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 Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15357" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1930

Carried

Councillor Bose returned to the meeting at 5:33 p.m.

12. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15488"

7904-0179-00 - MGN Enterprises Inc, c/o Simira Zomparelli

RA (BL 12000) to RF-9C to RF-9S (BL 12000) - Portion of
 6820 - 188 Street - to allow subdivision into 42 small single family lots
 (19 RF-9C and 23 RF-9S) and one remainder parcel zoned RA.

Approved by Council: September 7, 2004

- * Planning & Development advise that (see memorandum dated July 20, 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 Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15488" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1931

Carried

13. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15435"

7904-0160-00 - Qualico Developments (Vancouver) Ltd.,
c/o Three Point Properties Ltd.

RA (BL 12000) to RF-9C and RF-12C (BL 12000) - 19070 - 70 Avenue -
to allow subdivision into approximately 46 small single family lots with
coach houses in East Clayton.

Approved by Council: July 5, 2004

- * This application is proceeding with By-law 15591, Item H.14 of this Agenda.
- * Planning & Development advise that (see memorandum dated July 21, 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 Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15435" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1932

Carried

14. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15591"

7904-0346-00 - Qualico Developments (Vancouver) Ltd.,
c/o Hunter Laird Engineering Ltd.

RA (BL 12000) to RF-9C and RF-12C (BL 12000) - 19100 - 70 Avenue -
to allow subdivision into approximately 8 small single family lots with
coach houses, with a portion of the adjacent lot to the west at
19070 - 70 Avenue.

Approved by Council: November 29, 2004

- * This application is proceeding with By-law 15435, Item H.13 of this Agenda.
- * Planning & Development advise that (see memorandum dated July 21, 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. 15591" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1933 Carried

15. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15787"

7905-0038-00 - Imanpal and Preeti Dhillon, c/o Rupinder Kooner

RF (BL 12000) to C-5 (BL 12000) - 2318 - 156 Street - to permit the
 upgrading of the existing building to accommodate an art studio.

Approved by Council: June 27, 2005

Note: A Development Permit (7905-0038-00) on the site is to be considered for
 Final Approval under Item I.1(d).

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15787" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1934 Carried

16. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15675"

7904-0039-00 - Piara Singh & Malkit Kaur Kailay, GSR Development Ltd.,
 c/o 648744 B.C. Ltd., and 685303 B.C. Ltd.

RA (BL 12000) to RF-9, RF-12, and RF (BL 12000) - 14518 - 60 Avenue
 and 5897 - 146 Street - to allow subdivision into approximately 53 single
 family lots.

Approved by Council: February 21, 2005

- * Planning & Development advise that (see memorandum dated July 21, 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 it is now in order for Council to
 pass a resolution amending the South Newton Neighbourhood Concept Plan to

redesignate a portion of the site from "Single Family Residential" to "Single Family Residential Flex 6 to 14.5 upa".

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council amend the South Newton
Neighbourhood Concept Plan to redesignate a portion of the site from "Single Family Residential" to "Single Family Residential Flex 6 to 14.5 upa".

RES.R05-1935 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. 15675" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1936 Carried with Councillor Bose against.

17. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 107 Amendment By-law, 2004, No. 15584"

7904-0112-00/7904-0312-00 - Edward Holden, George and Jean Lechleiter, Surrey South Shopping Centres Limited, Gerhard and Rita Krause, Briska Porcher, Marian Porcher, Derrick Schonke, Gurdip and Amarjit Mundi, Jang and Devinder Mundi, Balbir Atwal, Sukhdev and Raminder Randhawa, Bhinder and Niranjani Mundi, Anni and Emanuel Lange, Luise Hartstock, Loblaw Properties West Inc., Kenichi and Reiko Matsuo, City of Surrey, Edward and Josephine Stephen, c/o First Professional Management (West) Inc. (Michael Nygren) and Loblaw Properties West Inc. (Glen Carlberg)

To authorize the redesignation of the properties - 15862, 15876, 15948, and 16087 - 24 Avenue, 2441, 2457, 2493, 2527 - 160 Street, Portion of 2500 - 160 Street, Portion of 16129 - 24 Avenue, 2342 - 160 Street, 16106 and 16134 - 24 Avenue, 2284, 2290, 2316 and 2340 - 161 Street, Portion of 161 Street - from Suburban (SUB) to Commercial (COM).

Approved by Council: November 22, 2004

This by-law is proceeding in conjunction with By-laws 15610 and 15611.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 107 Amendment By-law, 2004, No. 15584" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.

RES.R05-1937 Carried with Councillors Bose, Priddy, and Villeneuve against.

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

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

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

Approved by Council: December 13, 2004

This By-law is proceeding in conjunction with By-laws 15584 and 15611.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15610" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1938

Carried with Councillors Bose, Villeneuve, and Priddy against.

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

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

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

Approved by Council: December 13, 2004

This By-law is proceeding in conjunction with By-laws 15584, and 15610.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15611" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1939 Carried with Councillors Bose, Villeneuve,
 and Priddy against.

20. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15612"

7904-0203-00 – Surrey Pentecostal Assembly, c/o Herb Maretz

RF and RA (BL 12000) to PA-2 (BL 12000) - 8008 - 168 Street,
 16825 Fraser Highway - to permit the development of a 625-seat regional-
 scale church.

Approved by Council: December 13, 2004

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15612" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1940 Carried with Councillor Bose against.

21. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15673"

7904-0374-00 - Qualico Developments (Vancouver) Inc., c/o Hunter Laird
 Engineering Ltd. (Clarence Arychuk)

RA (BL 12000) to RF-12 and RF-9 (BL 12000) - 5920 - 148 Street and
 14845/65 - 59 Avenue - to allow subdivision into 25 single family
 residential small lots.

Approved by Council: February 21, 2005

* Planning & Development advise that (see memorandum dated July 20, 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, 2005, No. 15673" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1941 Carried with Councillor Bose against.

22. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15680"

7904-0434-00 - 3532 Investments Ltd., c/o Davidson Yuen Simpson Architects

C-35 (BL 12000) to CD (BL 12000) - 13618 - 100 Avenue and 9887 East
 Whalley Ring Road and Portions of King George Highway and
 100 Avenue - to permit the development of a high density, mixed-use
 residential/commercial development in Surrey City Centre.

Approved by Council: February 21, 2005

* Planning & Development advise that (see memorandum dated July 22, 2005 in
 by-law back-up) it should be noted that Phase I of the development is proceeding
 under Development Permit No. 7905-0064-00. Development Permit
 No. 7905-0064-00, however, is not ready for issuance as a number of issues,
 primarily the completion of legal documents, remain outstanding. In order not to
 unduly delay the project, the Planning & Development Department intends to
 issue an excavation permit for Phase I of the project prior to the issuance of
 Development Permit 7905-0064-00 as the outstanding issues preventing the
 issuance of the Development Permit do not have an impact on the size or the
 layout of the underground parking garage for which the excavation permit is
 being issued.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15680" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R05-1942 Carried

MISCELLANEOUS

23. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 108 Amendment
 By-law, 2004, No. 15599"

7903-0225-00 - Jasdev and Kamaljeet Randhawa, Peter Begemann,
 Sherrill Gammer, Gladys Steward, Thanh and Sen Tran,
 c/o McElhanney Consulting Services Ltd. (Dwight Heintz)

To authorize the redesignation of the properties located at 17024, 17034, 17052 and 17066 - 80 Avenue, 16955 Fraser Highway from Suburban (SUB) to Urban (URB).

Approved by Council: November 29, 2004

- * Planning & Development advise that (see memorandum dated July 22, 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.
- * At the December 13, 2004 Regular Council-Public Hearing meeting, Council passed the following resolution:
 - "1. the restrictive covenant dealing with the golf business be expanded to include the impacts of the golf business on these properties; and
 2. that an agricultural restrictive covenant be added dealing with lights of the greenhouse immediately to the east of the proposed project."

In response, the applicant has confirmed that a Restrictive Covenant includes the impacts from both the golf driving range business and greenhouse operation on these properties. Further, one of the conditions of final adoption was to resolve the submission of a Restrictive Covenant on the remaining four properties (17024/34/52 - 80 Avenue and 16955 Fraser Highway) to require provision of community benefit to satisfy the OCP Amendment policy, at the rezoning stage. In the absence of this document, the applicant's consultant has indicated that these properties will provide community benefit prior to receiving final adoption of their future rezoning, and that the rezoning application of these properties is imminent.

In addition, in order for the OCP Amendment and rezoning to proceed for 17066 - 80 Avenue, it is recommended that Council rescind third reading of By-law 15599 and split the by-law into two By-laws, grant third reading to By-laws 15599A and 15599B, and approve final adoption to By-law 15599A and 15600 while By-law 15599B is held in abeyance until the requirement of the community benefit is provided to satisfy the OCP Amendment Policy at the rezoning stage.

It was
Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council rescind Resolution R04-3403
of the December 13, 2004 Regular Council-Public Hearing Minutes passing Third Reading of "Surrey Official Community Plan By-law, 1996, No. 12900, No. 108 Amendment By-law, 2004, No. 15599".

RES.R05-1943

Carried with Councillor Bose against.

- It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council split By-law 15599 into
By-law 15599A and 15599B as shown in By-law back-up.
RES.R05-1944 Carried with Councillor Bose against.
- It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 108 Amendment By-law, 2004, No. 15599A" pass
its third reading.
RES.R05-1945 Carried with Councillor Bose against.
- It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 108 Amendment By-law, 2004, No. 15599B" pass
its third reading.
RES.R05-1946 Carried with Councillor Bose against.
- It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 108 Amendment By-law, 2004, No. 15599A" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.
RES.R05-1947 Carried with Councillor Bose against.

24. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15600"

7903-0225-00 - Jasdev and Kamaljeet Randhawa, c/o McElhanney Consulting
Services Ltd. (Dwight Heintz)

RA (BL 12000) to RF (BL 12000) - 17066 - 80 Avenue - to allow
subdivision into approximately 21 single family lots.

Approved by Council: November 29, 2004

This by-law is proceeding in conjunction with By-law 15599.

- It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15600" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R05-1948 Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7903-0111-00**
Marten Van Huizen, Field & Marten/Elim Housing Society;
 8980, 8987 & 9010 - 158 Street

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

"That Development Permit No. 7903-0111-00 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 15492 under Item H.2.

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

No. 7903-0111-00 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.R05-1949

Carried

- (b) **Development Permit No. 7904-0330-00**
Luis Cruz/Hafiz S. Mohammed and Nazir A. Mohammed
 12683 - 72 Avenue

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

"That Development Permit No. 7904-0330-00 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 15790 under Item H.9.

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

No. 7904-0330-00 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.R05-1950

Carried

- (c) **Development Permit No. 7903-0335-00**
John Milner/655107 BC Ltd.
Portion of 16541 Old McLellan Road

Councillor Bose left the meeting at 5:48 p.m. due to a potential conflict of interest as his family has property holdings in the area.

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

"That Development Permit No. 7903-0335-00 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 15357 under Item H.11.

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

No. 7903-0335-00 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.R05-1951

Carried

Councillor Bose returned to the meeting at 5:59 p.m.

- (d) **Development Permit No. 7905-0038-00**
Rupinder Kooner, Apex International Services Ltd.
Imanpal and Preeti Dhillon
2318 - 156 Street

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

"That Development Permit No. 7905-0038-00 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 15787 under Item H.15.

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

No. 7905-0038-00 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.R05-1952

Carried

- (e) **Development Permit No. 7905-0148-00**
Maciej Dembek/Harson Properties Ltd.
7288 - 137 Street

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

"That Development Permit No. 7905-0148-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

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

No. 7904-0148-00 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.R05-1953

Carried

J. OTHER BUSINESS**1. Walmart Project - 24 Avenue and 160 Street**

It was Moved by Councillor Watts
 Seconded by Councillor Villeneuve
 That the design development and sustainability initiatives of the Vancouver Walmart be considered for the Surrey Walmart application, in particular, the LEEDS gold standard.

Before the main motion was considered, it was:

It was Moved by Councillor Bose
 Seconded by Councillor Villeneuve
 That the LEEDS standards apply to other properties within the four quadrants.

RES.R05-1954

Defeated by Mayor McCallum, Councillors Hunt, Higginbotham, Steele and Tymoschuk against.

The question was then called on the main motion, and it was:

RES.R05-1955

Carried

E. DELEGATIONS

1. Jennifer Chen
On behalf of Residents in the Tynehead Area
(between 92 - 96 Avenues & 168 - 176 Streets)
 File: 6520-20 PK; 0550-20-10

Jennifer Chen, On behalf of Residents in the Tynehead Area, (between 92 - 96 Avenues & 168 - 176 Streets) was in attendance to express concerns with respect to the South Port Kells General Land Use Plan and to request an amendment for Tynehead Sub-Areas A and B.

The following comments were provided:

- She represents 20 homeowners in the Tynehead area.
- The area has been designated as half acre suburban due to the proximity of the Serpentine River.
- They would like to have an amendment made to the general land use plan.
- They would like Council to address the following:
 - waterways along Bothell Drive have not been physically inspected and waterway sensitivity does change over time;
 - high density zoning has been approved on other sensitive waterways such as Nicomekl and the Serpentine Rivers.

- The agricultural lands on ALR land on 92 Avenue have not been farmed as it is bog land.
- The current Port Kells Land Use Plan allows higher density zoning along ALR land.
- Riparian setbacks require 30 metre setbacks and ALR setbacks required 37.5 metre setbacks.
- Many residents purchased their properties and paid full market value, prior to legislation coming into effect requiring these setbacks
- There must be a more efficient use of land in area and they ask that consideration in the form of higher density be given for the land property owners give up for these setbacks.
- Most field studies along Bothell Creek were conducted from the road and a subsequent report was based on limited information.
- Streams indicated as Class A red are not in existence anymore.
- They asked that agricultural land, in terms of an ALR buffer, be more efficiently protected.
- Farm land south of 92 Avenue has not been farmed.
- In other areas urban zoning goes right down to the river; they request their area be given the same consideration.
- Homes and lands represent the life savings of many residents; they are disappointed with the setback requirements occurring after they purchased the land.
- They recommend that the City do a physical check of the waterways and if they are not as sensitive, the property owners request consideration for higher density.
- That a physical inspection be carried out on the ALR buffer lands.
- That setbacks be given some consideration as property owners have to give up some land; this area is no different from other areas in Surrey.
- Anniedale will be the first area to receive an NCP, then their area and Clayton area.
- They request to have an NCP process prior to that and a sanitary system pulled out from the Anniedale Pump Station rather than waiting for a sanitary line coming from east to west.
- They feel cluster housing in the area would help with a few things the City wants to achieve such as better service for some areas, reduction in sprawling monster houses, illegal suites, marijuana grow operations, more pedestrian-friendly areas, and better quality of open space.

Councillor Higginbotham left the meeting at 6:06 p.m. and returned at 6:08 p.m.

2. Dr. R.C. (Chas) Povey
On behalf of Residents
File: 6880-20-75; 0550-20-10

Dr. R.C. (Chas) Povey, on behalf of residents was in attendance to express concerns regarding a proposal to allow construction of a winery at 18588 - 2 Avenue.

The following comments were provided:

- He can see the role of wineries in encouraging tourism, if situated at the right location.
- He submits that the proposed winery is not in the right location because of environmental and community issues.
- The applicant suggests an initial production phase of 6,000 cases of wine or 72,000 bottles which is not an insignificant amount.
- There will be adverse impacts on waste disposal and water use.
- Allowing a winery on site is somewhat open ended as there are procedures to be followed; once those procedures are followed, the application should come back to Council for due consideration.

Councillor Tymoschuk left the meeting at 6:12 p.m.

- He suggested the application be denied and noted the application should be forwarded to the ALC, noting the applicant cannot go to the ALC without Council approval.
- He represents 33 residents in 17 households or 80% of the neighbourhood.
- He noted that 100% of the residents on 2nd Avenue are not an insignificant group of people.
- The property is only five acres in size; the community has no problem with grape growing but there are issues with a winery.
- The bulk of the grapes would have to be trucked in.
- There would be environmental issues as the fish habitat stream would experience direct runoff from this property and any use of herbicides, pesticides, and fungicides would be a concern.
- Definitions of organic wines are varied.
- The neighbourhood group's offers to meet with the applicants to discuss the concerns were refused.

K. ADJOURNMENT

It was

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

meeting do now adjourn.

RES.R05-1956


Carried

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

Certified Correct:



City Clerk



Mayor