



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C  
MONDAY, JANUARY 30, 2006  
Time: 5:25 p.m.

**Present:**

Mayor Watts  
Councillor Villeneuve  
Councillor Steele  
Councillor Gill  
Councillor Martin  
Councillor Hepner  
Councillor Bose  
Councillor Hunt  
Councillor Higginbotham

**Absent:**

**Councillors Entering  
Meeting as Indicated:**

**Staff Present:**

City Manager  
City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Finance, Technology and HR  
General Manager, Parks, Recreation & Culture  
Manager, Area Planning & Development, North  
Division  
Manager, Area Planning & Development, South  
Division  
Land Development Engineer  
City Solicitor

**A. ADOPTION OF MINUTES**

**B. LAND USE APPLICATIONS**

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL**

**FLEETWOOD/GUILDFORD**

**1. 7905-0362-00**

**10410 - 158 Street**

**Steve Baxter/Guildford 401 Motel Ltd., Inc. No. 541864**

**Development Permit**

*Development Permit to permit a new free-standing sign at the Ramada Hotel site in Guildford.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 10410 - 158 Street.

The applicant is proposing:

- a Development Permit

in order to permit a new free-standing sign at the Ramada Hotel site 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 Council approve the attached

Development Permit No. 7905-0362-00 (Appendix VII), 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.R06-125

Carried

**SURREY CITY CENTRE/WHALLEY**

**2. 7905-0317-00**

**13665 - 102 Avenue**

**Alex Polacco, Tevrex Real Estate Group Inc./KBK No. 196 Ventures Ltd.**

Development Permit/Development Variance Permit

*Development Permit to permit new signage at an existing Canadian Tire store in City Centre. Development Variance Permit to vary the maximum number of fascia signs.*

The General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 13665 - 102 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the Sign By-law to:
  - increase the maximum number of fascia signs from 4 to 13

in order to permit the development of new signage on the existing Canadian Tire store in City Centre.

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

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

1. Council authorize staff to draft Development Permit No. 7905-0317-00 generally in accordance with the attached drawings (Appendix V).

2. Council approve Development Variance Permit No. 7905-0317-00, varying the following, to proceed to Public Notification:
  - (a) to vary the Sign By-law to increase the maximum number of fascia signs from four (4) to thirteen (13).
3. Council instruct staff to resolve the following issues prior to final approval:
  - (a) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
  - (b) approval of Development Variance Permit No. 7905-0317-00.

RES.R06-126

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

3. **7905-0081-00**  
**6971 - 192 Street**  
**McElhanney Consulting Services Ltd./A. Walia Enterprises**  
 Rezoning  
*Rezone from RA to RF-12C and RF-9C to allow subdivision into approximately 40 single family small lots in East Clayton.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6971 - 192 Street.

The applicant is proposing:

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

in order to allow subdivision into approximately 40 small single family lots 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. a By-law be introduced to rezone Block A shown on the attached Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) and Block B from "One-Acre Residential Zone (RA)" (By-law

No. 12000) to "Single Family Residential (12) Coach House Zone (RF-12C)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).

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 landscaping plan and cost estimates for the 3-metre (10 ft.) wide buffer area along 192 Street for proposed Lots 7 - 13 and 20 - 28; and
  - (d) registration of a Section 219 Restrictive Covenant to secure the required landscaping within the buffer area.

RES.R06-127

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2006, No. 15945" pass its first reading.

RES.R06-128

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, 2006, No. 15945" pass its second reading.

RES.R06-129

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, 2006, No. 15945" be held at the  
 City Hall on February 20, 2006, at 7:00 p.m.

RES.R06-130

Carried

4. **7904-0176-01**  
**6738 and Portions of 6764 and 6784 - 194 Street**  
**James Pernu, McElhanney Consulting Services Ltd./Samra Holdings Ltd.**  
**S-384 Holdings Ltd.**  
Development Variance Permit  
*DVP to allow reduced rear yard setback for the principal building and permit the location of accessory structures within the front yard setback for proposed Lots 15 to 22.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on properties located at 6738 and portions of 6764 and 6784 - 194 Street.

The applicant is proposing:

- a Development Variance Permit to vary Section F. Yards and Setbacks of the RF-9C Zone as follows:
  - to reduce the minimum rear yard setback for the principal building from 6.5 metres (21 ft.) to 3.5 metres (11 ft. 6 inches) to the building face and to 2 metres (6.5 ft.) to the covered veranda; and
  - to permit accessory structures such as a garage and a coach house above the garage within the front yard setback with a minimum setback of 0.5 metre (1.6 ft.) from the front lot line

in order to permit the construction of a single family dwelling, a garage and a coach house on proposed Lots 15 to 22.

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. 7904-0176-01 (Appendix III), varying the following, to proceed to Public Notification:
  - (a) to vary Section F. Yards and Setbacks of the RF-9C Zone to reduce the minimum rear yard setback for the principal building from 6.5 metres (21 ft.) to 3.5 metres (11 ft. 6 inches) to the building face and to 2 metres (6.5 ft.) to the covered veranda, for proposed Lots 15 to 22; and

- (b) to vary Section F. Yards and Setbacks of the RF-9C Zone to permit the location of a garage and a coach house above the garage within the front yard setback with a minimum setback of 0.5 metre (1.6 ft.) from the front lot line, for proposed Lots 15 to 22.

RES.R06-131

Carried**FLEETWOOD/GUILDFORD****5. 7905-0259-00****9752 - 160A Street****John Kaminsky/Harjinder Sandhu and Jaswinder Sandhu**

Development Variance Permit

*Development Variance Permit to reduce the minimum side and rear yard setbacks to retain a partially constructed single family dwelling.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 9752 - 160A Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
  - to reduce the minimum east side yard setback of CD By-law (No. 14725) from 1.2 metres (4 ft.) to 0.37 metre (1.2 ft.); and
  - to reduce the minimum rear yard setback of CD By-law (No. 14725) from 7.5 metres (25 ft.) to 7.37 metres (24 ft.)

in order to allow the retention of a partially constructed single family dwelling.

**Delegation**

The applicant was in attendance and commented that a survey error was found after the electrical and plumbing inspections were carried out. He continued that a stop work order was posted when the side yard setback error was discovered.

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 Hepner

Seconded by Councillor Steele

That:

1. Council approve Development Variance Permit No. 7905-0259-00 (Appendix V), varying the following, to proceed to Public Notification:

- (a) to reduce the minimum east side yard setback of the CD By-law (No. 14725) from 1.2 metres (4 ft.) to 0.37 metre (1.2 ft.) and to

reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 7.37 metres (24 ft.).

RES.R06-132

Carried with Councillors Hunt and Gill against.

It was

Moved by Councillor Hunt  
Seconded by Councillor Bose

That Council directs that when the permit application comes before Council again, the chronology of the situation and the original foundation survey be presented to Council.

RES.R06-133

Carried

**6. 7905-0052-00**

**10095 - 154 Street**

**Mr. Gianni Laudisio, Onni Development Corp./Onni Development (154 Street South) Corporation**

Rezoning/Development Permit

*Rezone from RA to CD. Development Permit to allow construction of approximately 173 units in a combination of apartments and townhouses in Guildford.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 10095 - 154 Street.

The applicant is proposing:

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

in order to permit the construction of approximately 173 dwelling units in a combination of apartments and townhouses 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 Villeneuve  
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix III).

2. Council approve the applicant's request to reduce the amount of the required indoor amenity space from 519 sq.m. (5,587 sq.ft.) to 243 sq.m. (2,515 sq.ft.).
3. Council authorize staff to draft Development Permit No. 7905-0052-00 generally in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (d) resolve design issues (colours and townhouse elevations) to the satisfaction of the General Manager, Planning and Development;
  - (e) the applicant adequately address the impact of reduced indoor amenity space; and
  - (f) the applicant adequately address the additional pressure this proposal will impose on existing parks facilities to the satisfaction of the Parks, Recreation and Culture Department.

RES.R06-134

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Hepner  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2006, No. 15946" pass its first reading.

RES.R06-135

Carried

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

It was

Moved by Councillor Hunt  
 Seconded by Councillor Hepner  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2006, No. 15946" pass its second reading.

RES.R06-136

Carried



It was then

Moved by Councillor Hunt  
Seconded by Councillor Villeneuve  
That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15946" be held at the City Hall on February 20, 2006, at 7:00 p.m.

RES.R06-137

Carried

**NEWTON**

7. **7903-0054-02**

**15108 - 61 Avenue**

**Morningstar Homes Ltd. (Donna Ichikawa)/Morningstar Homes Ltd.,  
Inc. No. 652312**

Development Variance Permit

*Development Variance Permit to vary the rear yard setback from 7.5 metres (25 ft.) to 4.8 metres (15 ft.) to permit a deck and stairs to encroach into the required setback area.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15108 -61 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the rear yard setback for 50% of the width of the building from 7.5 metres (25 ft.) to 4.8 metres (15 ft.)

in order to permit a deck and stairs only to encroach into the required setback area

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

It was

Moved by Councillor Hunt  
Seconded by Councillor Villeneuve  
That:

1. Council approve Development Variance Permit No. 7903-0054-02 (Appendix V), varying the following, to proceed to Public Notification:

- (a) to vary the minimum rear yard setback for 50% of the width of the building from 7.5 metres (25 ft.) to 4.8 metres (15 ft.) to permit a deck and stairs to encroach into the setback area.

RES.R06-138

Carried

**SOUTH SURREY**

8. **7905-0240-00**  
**Portion of King George Highway; 3372 King George Highway and 3381 and 3399 - 148 Street**  
**Mike Helle, Coastland Engineering & Surveying Ltd./Monica Kliem; Purcell Properties Ltd.; 148<sup>th</sup> Street Properties Ltd.**

Rezoning

*Rezone from RA to RF-12 and RF-9 to allow subdivision into approximately 29 single family small lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning on properties located at Portion of King George Highway, 3372 King George Highway and 3381 and 3399 - 148 Street.

The applicant is proposing:

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

in order to allow subdivision into approximately 29 single family small lots.

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

It was

Moved by Councillor Hunt  
Seconded by Councillor Steele  
That:

1. a By-law be introduced to rezone the portion of the site identified as Block A on the plan attached as Appendix IX from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and the portion of the site identified as Block B on the same plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;

- (d) submission of a finalized landscape plan for the buffer zone along King George Highway and landscaping specifications and financial securities to the satisfaction of the City Landscape Architect;
- (e) registration of a Section 219 Restrictive Covenant for "no build" on a portion of proposed Lot 15 and 17 to be protected as a buffer zone between King George Highway and the proposed development and on a portion of proposed Lot 14 to facilitate future subdivision with the properties to the north (3396 King George Highway and 3417 - 148 Street);
- (f) completion of a road closure and purchase by the applicant of a portion of King George Highway to be incorporated into the site; and
- (g) address the concerns of the Parks, Recreation and Culture Department concerning the impact of this project to Parks, Recreation and Culture facilities in the nearby area.

RES.R06-139

Carried

It was

Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2006, No. 15947" pass its first reading.

RES.R06-140

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, 2006, No. 15947" pass its second reading.

RES.R06-141

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, 2006, No. 15947" be held at the  
City Hall on February 20, 2006, at 7:00 p.m.

RES.R06-142

Carried

**COMMERCIAL/INDUSTRIAL/AGRICULTURAL**

**FLEETWOOD/GUILDFORD**

9. 7905-0316-00

9547 - 152 Street

**Constantin Taraviras/Ship Galley Restaurant**

Liquor Permit - Neighbourhood Pub/Development Permit

*Liquor Primary License to allow a neighbourhood pub with an indoor occupant load of 160 and a patio with an occupant load of 40. Development Permit to allow an outdoor patio.*

The General Manager of Planning & Development submitted a report concerning an application for a Liquor Permit - Neighbourhood Pub and a Development Permit application on property located at 9547 - 152 Street.

The applicant is proposing:

- a Liquor Primary License; and
- a Development Permit

in order to permit the development of a neighbourhood pub with an indoor occupant load of 160 persons and an outdoor patio with an occupant load of 40 persons, with the hours of operation being 11:00 a.m. to 1:00 a.m. Sunday through 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 Bose  
Seconded by Councillor Steele  
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 (Appendix III).
3. Council instruct staff to resolve the following issue prior to approval:
  - (a) finalization of the Development Permit drawings.

RES.R06-143

Carried

**10. 7905-0306-00****19100/19050 - 94 Avenue**

Mike Keefe, Pattison Sign Group/F.I. Portfolio Inc.

Development Permit

*Development Permit to replace existing fascia and free-standing signage and to add new fascia and free-standing signage.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on properties located at 19100/19050 - 94 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the replacement of existing fascia signage and free-standing signage and to add new fascia and free-standing signage on an industrial building in Port Kells.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That Council approve the attached

Development Permit No. 7905-0306-00 (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.R06-144

Carried

**11. 7905-0296-00****19498 - 92 Avenue**

**Mike Keefe, Pattison Sign Group/F.I. Portfolio**

Development Permit

*Development Permit to replace an existing free-standing sign and to install new fascia signage.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 19498 - 92 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the installation of new fascia signage and to replace an existing free-standing sign.

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. 7905-0296-00 (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.R06-145

Carried

## RESIDENTIAL/INSTITUTIONAL

### NEWTON

#### 12. 7904-0068-00

**12846 - 60 Avenue and 5926, 5948 and 5966 - 128 Street**

**H.Y. Engineering Ltd./Mohan Singh Sangha and Kamal Kaur Sangha;  
Jagraj Singh Dhaliwal and Parmjit Kaur Dhaliwal; Sarjit Singh Heer and  
Sarbjit Kaur Heer; Vasudha and Nishidha Goel**

OCP Amendment/NCP Amendment/Rezoning/Development Variance Permit  
*OCP amendment from Suburban to Urban, NCP amendment from Attached  
Housing to Small Lot/Coach House with Lane, rezoning from RA to RF-9C in  
order to create 41 small Lots with coach houses and DVP to relax the minimum  
building separation.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a Neighbourhood Concept Plan Amendment, and applications for rezoning and a Development Variance Permits on properties located at 12846 - 60 Avenue and 5926, 5948, and 5966 - 128 Street.

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- an NCP amendment from Attached Housing to Small Lot/Coach House with Lane;
- a rezoning from RA to RF-9C; and
- a Development Variance Permit to:
  - reduce the required separation between the principal dwelling and the coach house for proposed Lots 5, 6, 7, 8, 9, 14, 16, 17, 26, 38, 39, 40 and 41

in order to allow subdivision into 41 single family small lots with coach houses.

### Delegation

The applicant's representative was in attendance and commented that the NCP requirements called for twenty units per acre, so the density was increased as well as on-site tree preservation. He continued that the coach house density would be 14 units to the acre and there would be 6 lots with no coach houses. He added that there is provision for 3 parking spots on each lot and there would be pad parking beside the coach houses

Councillor Hunt left the meeting at 5:43 p.m.

He added that the neighbourhood was receptive to proposed lower density as indicated through the public consultation.

Councillor Hunt returned to the meeting at 5:45 p.m.

Mike Tynan, Tynan Design Ltd., was in attendance and commented that the Zoning By-law requires a 2.4 meter setback on the opposite side to avoid encroachment on neighbouring properties, when there is a 0 meter lot line. He continued that the City would not allow a 0 meter setback in order to ensure there would be no roof overhang onto the neighbour's property. He added that there would be an offset setback of 0.5 or 0.6 meters. He noted that fencing would not be permitted to run down the side property line between the coach house and house. He stated that the building scheme also limits fencing.

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 redesignate the property in the Official Community Plan from Suburban to Urban and a date for Public Hearing be set (Appendix X).
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 (9) Coach House Zone (RF-9C)" (By-law No. 12000) and a date be set for Public Hearing.

4. Council approve Development Variance Permit No. 7904-0068-00 (Appendix XI), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum required 6 metre (20 ft.) separation between the principal building and the coach house and other accessory structures exceeding 2.4 metres (8 ft.) in building height as follows:
    - 1.2 metres (4 ft.) for Lot 5;
    - 1.5 metres (5 ft.) for Lot 6;
    - 2.5 metres (8 ft.) for Lot 7;
    - 1.5 metres (5 ft.) for Lot 8;
    - 3.0 metres (10 ft.) for Lot 9;
    - 3.0 metres (10 ft.) for Lot 14;
    - 1.5 metres (5 ft.) for Lot 16;
    - 1.2 metres (4 ft.) for Lot 17;
    - 2.0 metres (6.5 ft.) for Lot 26;
    - 5.0 metres (16 ft.) for Lot 38;
    - 2.5 metres (8 ft.) for Lot 39;
    - 2.5 metres (8 ft.) for Lot 40; and
    - 3.0 metres (10 ft.) for Lot 41.
  
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 including resolution of downstream drainage issues related to Eugene Creek;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Transportation;
  - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
  - (e) registration of Section 219 No-Build Restrictive Covenants to ensure specific building setbacks for tree preservation;
  - (f) registration of Section 219 Restrictive Covenants to restrict coach houses on Lots 19, 27, 29, 30 and 31;
  - (g) ensure that shortfall in amenity contributions is addressed by the applicant; and



(h) registration of Section 219 Restrictive Covenants to prohibit secondary suites on all Lots.

6. Council pass a resolution to amend the West Newton Highway No. 10 NCP to redesignate the site from "Attached Housing" to "Small Lots/Coach House with Lane" prior to final adoption of the rezoning by-law.

RES.R06-146 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 133 Amendment By-law 2006, No. 15948" pass its first reading.

RES.R06-147 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. 133 Amendment By-law 2006, No. 15948" pass its second reading.

RES.R06-148 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. 133 Amendment By-law 2006,  
No. 15948" be held at the City Hall on February 20, 2006, at 7:00 p.m.

RES.R06-149 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2006, No. 15949" pass its first reading.

RES.R06-150 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, 2006, No. 15949" pass its second reading.

RES.R06-151 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, 2006, No. 15949" be held at the  
 City Hall on February 20, 2006, at 7:00 p.m.  
 RES.R06-152 Carried

### SOUTH SURREY

13. **7905-0246-00**  
**3372 - 152 Street/15266 - 34 Avenue**  
**Cameron Maltby, Derek Crawford Architect Inc./Rosemary Heights Seniors**  
**Village Holdings Ltd.**  
 NCP Amendment/Rezoning/Development Permit  
*Amend NCP from Garden Apartment to Institutional Residential. Rezone from RA to CD. Development Permit to permit a seniors assisted-living and care facility.*

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, a rezoning application, and a Development Permit application on properties located at 3372 - 152 Street and 15266 - 34 Avenue.

The applicant is proposing:

- an NCP amendment from Garden Apartments to Institutional Residential;
- a rezoning from RA to CD; and
- a Development Permit

in order to permit the development of a seniors assisted living and care facility.

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

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

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. a By-law be introduced to allow the City to enter into a Housing Agreement.
3. Council authorize staff to draft Development Permit No. 7905-0246-00 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) input from the Ministry of Transportation;
  - (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;
  - (f) registration of a Section 219 Restrictive Covenant requiring fire sprinklers to NFPA standards and to release and indemnify the City from liability;
  - (g) registration of a Section 219 Restrictive Covenant and reciprocal access easement to grant access between 3363 Rosemary Heights Crescent, 3336 - 152 Street and the subject site;
  - (h) finalization of a Housing Agreement; and
  - (i) registration of a statutory right-of-way to ensure public right-of-passage for a pathway along 152 Street.
  
5. Council pass a resolution to amend the Rosemary Heights NCP to redesignate the land from Garden Apartments to Institutional Residential when the project is considered for final adoption.

RES.R06-153

Carried

It was

Moved by Councillor Hunt  
 Seconded by Councillor Higginbotham  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2006, No. 15950" pass its first reading.

RES.R06-154

Carried

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

RES.R06-155 It was Moved by Councillor Hunt  
Seconded by Councillor Higginbotham  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2006, No. 15950" pass its second reading.  
Carried

RES.R06-156 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, 2006, No. 15950" be held at the  
City Hall on February 20, 2006, at 7:00 p.m.  
Carried

RES.R06-157 It was Moved by Councillor Hunt  
Seconded by Councillor Higginbotham  
That "Rosemary Housing Agreement  
Authorization By-law, 2006, No. 15951" pass its first reading.  
Carried

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

RES.R06-158 It was Moved by Councillor Hunt  
Seconded by Councillor Higginbotham  
That "Rosemary Housing Agreement  
Authorization By-law, 2006, No. 15951" pass its second reading.  
Carried

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

RES.R06-159 It was Moved by Councillor Hunt  
Seconded by Councillor Higginbotham  
That "Rosemary Housing Agreement  
Authorization By-law, 2006, No. 15951" pass its third reading.  
Carried

### SURREY CITY CENTRE/WHALLEY

14. **7905-0383-00**  
**9277 - 121 Street**  
**Joe Dhaliwal, c/o Doon Developments Ltd./Doon Developments Ltd., Inc.**  
**No. 469310**  
Rezoning  
*Rezone from CD (By-law No. 12892) to a new CD to allow for the development of  
29 townhouse units.*

The General Manager of Planning & Development submitted a report concerning  
an application for rezoning on property located at 9277 - 121 Street.

The applicant is proposing:

- a rezoning from CD (By-law No. 12892) to a new CD

in order to permit the development of 29 townhouse units.

Joe Dhaliwal, 9277 – 121 Street, was in attendance and commented that he has owned the property for ten years. He noted that the project was reviewed twice but the application was unable to proceed due to leaky condos and other concerns. He added that he paid \$750.00 per unit and that he still owns the building on Scott Road. He continued that the site is narrow, presenting some challenges, but he is serious about building the project and stated that the project would fit in with the area and be more economical to build. He added that patio areas would be provided per each unit. He noted that neighbouring buildings are 20 to 30 feet away from the proposed site for fire access purposes.

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

It was

Moved by Councillor Hunt

Seconded by Councillor Bose

That Application 7905-0383-00 be referred

back to staff to meet with the applicant to work out a suitable development in keeping with the area.

RES.R06-160

Carried with Councillors Bose and Hunt against.

**15. 7904-0373-00**

**9339 - 122 Street**

**Eric Aderneck, Aplin & Martin Consultants Ltd./Angrez Singh Shergill**

Rezoning/Development Permit

*Rezone from RF to RM-23. Development Permit to permit 4 attached dwelling units in a rowhouse building on separate fee simple lots.*

The General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 9339 - 122 Street.

The applicant is proposing:

- a rezoning from RF to RM-23; and
- a Development Permit

in order to permit the construction of 4 attached dwelling units contained within a rowhouse building on separate fee simple lots.

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

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

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Multiple Residential 23 Zone (RM-23)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7904-0373-00 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (d) submission of a revised landscape plan 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) registration of access easements and Section 219 Restrictive Covenants to secure building maintenance and party wall agreements.

RES.R06-161 Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Higginbotham  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2006, No. 15952" pass its first reading.

RES.R06-162 Carried

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



2. Council approve Development Variance Permit No. 7906-0034-00 (Appendix V), varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum south-west side yard setback of the IL Zone from 0 metre or 7.5 metres (25 ft.) to 1.5 metres (5 ft.).
3. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
  - (b) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R06-165

Carried

**C. CORPORATE REPORTS**

**D. ITEMS TABLED BY COUNCIL**

**E. DELEGATIONS**

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

FINAL ADOPTIONS

1. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 112 Amendment By-law, 2005, No. 15649"

7902-0302-00 - Bozena and Gabrijel Culig, c/o Coastland Engineering & Surveying Ltd. (Mike Helle)



To authorize the redesignation of the property located 17119 - 104 Avenue - from Suburban (SUB) to Urban (URB).

Approved by Council: February 7, 2005

This by-law is proceeding in conjunction with By-law 15650.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 112 Amendment By-law, 2005, No. 15649" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-166

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15650"

7902-0302-00 - Bozena and Gabriel Culig, c/o Coastland Engineering & Surveying Ltd. (Mike Helle)

RA (BL 12000) to RF (BL 12000) - 17119 - 104 Avenue - to allow subdivision into approximately 8 single family lots.

Approved by Council: February 7, 2005

This by-law is proceeding in conjunction with By-law 15649.

- \* Planning & Development advise that (see memorandum dated January 26, 2006 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, at the February 21, 2005 Regular Council-Public Hearing meeting Council passed the following resolution:

"That a condition be placed in the servicing agreement that a temporary access to 104 avenue be the only access for construction purposes."

In response, Planning & Development advise that the Engineering Department has confirmed that such a condition has been placed in the servicing agreement.

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15650" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R06-167 Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15774"

7905-0007-00 - Friedrich Developments Ltd., Robert and Patricia Friedrich,  
 Chantrell Developments Inc.  
 c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RA (BL 12000) to RH-G (BL 12000) - 13617 and 13637 - 20 Avenue,  
 Portions of 136 Street - to allow subdivision into 25 single family  
 suburban lots.

Approved by Council: June 13, 2005

\* Planning & Development advise that (see memorandum dated January 25, 2006 in  
 by-law back-up) the building scheme which has been filed with the City Clerk has  
 been developed by a Design Consultant based on a character study of the  
 surrounding neighbourhood. The building scheme will be registered concurrently  
 with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219  
 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15774" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R06-168 Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15812"

7904-0186-00 - Blue Vista Homes Ltd., c/o Creekside Architects (Don Andrew)

RF to CD (BL 12000) - Portion of 15512 - 103A Avenue and Portion of  
 Lane - to permit the development of 24 townhouse units.

Approved by Council: July 25, 2005

**Note:** A Development Permit (7904-0186-00) on the site is to be considered for  
 Final Approval under Clerk's Report, Item I.1(a).

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15812" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R06-169 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15671"  
 7904-0324-00 - 702647 B.C. Ltd., (Mr. Bob Clark) c/o Richard Brooks,  
 H. Y. Engineering Ltd.

RA (BL 12000) to RC (BL 12000) - 15651 - 112 Avenue to allow  
 subdivision into five clustered residential lots and related open space.

Approved by Council: February 21, 2005

- \* Planning & Development advise that (see memorandum dated  
 January 27, 2006 in by-law back-up) the building scheme which has been  
 filed with the City Clerk has been developed by a Design Consultant based  
 on a character study of the surrounding neighbourhood. The building  
 scheme will be registered concurrently with the subdivision plan pursuant  
 to Section 220 of the Land Title Act. A 219 Restrictive Covenant will  
 also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2005, No. 15671" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R06-170 Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15674"  
 7904-0132-00 - Makhan & Parmajit Pooni and Tarlochan & Narinder Pooni,  
 c/o Pooni Development & Investments Ltd.

RA (BL 12000) to RF-12 (BL 12000) - Portion of 14822/54 - 72 Avenue -  
 to allow subdivision into approximately 42 single family residential  
 small lots.

Approved by Council: February 21, 2005

- \* Planning & Development advise that (see memorandum dated January 30, 2006 in  
 by-law back-up) the building scheme which has been filed with the City Clerk has  
 been developed by a Design Consultant based on a character study of the  
 surrounding neighbourhood. The building scheme will be registered concurrently

with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2005, No. 15674" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-171

Carried

**I. CLERK'S REPORT**

**1. Formal Approval of Development Permits**

- (a) **Development Permit No. 7904-0186-00**  
**Don Andrew, c/o Creekside Architects/Blue Vista Homes Ltd.,**  
**Inc. No. 544123**  
15512 - 103A Avenue, Portion of lane

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

"That Development Permit No. 7904-0186-00 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 15812 under Item H.4.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That Development Permit  
No. 7904-0186-00 be approved; that the Mayor and Clerk be authorized to  
sign the Development Permit; and that Council authorize the transfer of  
the Permit to the heirs, administrators, executors, successors, and assigns  
of the title of the land within the terms of the Permit.

RES.R06-172

Carried

- (b) **Development Permit No. 7905-0268-00**  
**Richard Kolodziej, Urban Design Group Architects/585656 B.C. Ltd.**  
 Portion of 3033 - 152 Street

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

"That Development Permit No. 7905-0268-00 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 Steele  
That Development Permit  
 No. 7905-0268-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R06-173

Carried

**J. OTHER BUSINESS**

**K. ADJOURNMENT**

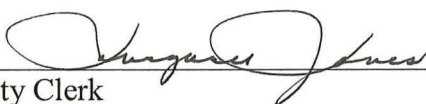
It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That the Regular Council - Land Use  
 meeting do now adjourn.

RES.R06-174

Carried

The Regular Council- Land Use meeting adjourned at 6:16 p.m.

Certified Correct:

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

  
 \_\_\_\_\_  
 Mayor