



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MAY 8, 2006
Time: 3:00 p.m.

Present:

Mayor Watts
Councillor Villeneuve
Councillor Gill
Councillor Martin
Councillor Bose
Councillor Hunt

Absent:

Councillors Entering Meeting as Indicated:

Councillor Steele
Councillor Hepner
Councillor Higginbotham

Staff Present:

Acting City Manager
City Clerk
Acting General Manager, Planning & Development
General Manager, Engineering
Manager, Information Technology
Manager, Current Area Planning & Development, North Division
Manager, Current Planning & Development, North Division
Land Development Engineer
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

1. 7904-0357-00

10777 - 160 Street

**James Pernu, McElhanney Consulting Services Ltd./
Popular Group Investments Ltd.**

Rezoning/Development Permit/Development Variance Permit
Rezone from RA to RF-12 and CD, and DP to allow subdivision into approximately 7 small single family lots (on the westerly portion) and development of a neighbourhood commercial centre (on the easterly portion) in Fraser Heights. DVP to vary access requirements.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and permits for a Development Permit and a Development Variance Permit on property located at 10777 - 160 Street.

The applicant is proposing:

- a rezoning from RA to RF-12 and CD;
- a Development Permit; and

- a Development Variance Permit to vary the alternate access requirement for the proposed single family lots fronting 108 Avenue

in order to allow subdivision into approximately 7 small single family lots (on the westerly portion) and construction of a neighbourhood commercial centre (on the easterly portion) in Fraser Heights.

The Acting 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 file Rezoning By-law Nos. 15577A and 15577B.
2. a By-law be introduced to rezone Block A on the Survey Plan (Appendix I) from "One Acre Residential Zone (RA)" to "Single Family Residential Zone (RF-12)" and a date be set for Public Hearing.
3. a By-law be introduced to rezone Block B on the Survey Plan (Appendix I) from "One Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)" (Appendix III) and a date be set for Public Hearing.
4. Council approve the amended Development Variance Permit No. 7904-0357-00 (Appendix IV) varying the following to proceed to Public Notification:
 - (a) to vary Section 81 of the Highway and Traffic By-law to allow direct access onto an arterial road for proposed Lots 1 to 4, inclusive.
5. Council authorize staff to draft Development Permit No. 7904-0357-00 generally in accordance with the attached drawings (Appendix V).
6. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;

- (d) submission of creek improvement plans and corresponding security deposits to the satisfaction of the Department of Fisheries and Oceans (DFO);
- (e) submission of an acceptable tree survey and a statement regarding tree preservation;
- (f) registration of a Section 219 Restrictive Covenant to secure restricted access on 108 Avenue and 160 Street and removal of left-hand turn movement on 160 Street if warranted in the future;
- (g) registration of a Section 219 Restrictive Covenant to secure hours of operation from 5:00 a.m. to 11:00 p.m. daily;
- (h) registration of a Section 219 Restrictive Covenant to secure closure of the gate at the 160 Street entrance between 11:00 p.m. and 8:30 a.m. on school days;
- (i) provision of cash-in-lieu for the installation in the longer term of traffic calming measures on 108 Avenue; and
- (j) approval from the Ministry of Transportation.

RES.R06-1047

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Bose
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15577A" be filed.

RES.R06-1048

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Bose
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15577B" be filed.

RES.R06-1049

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Bose
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16012A" pass its first reading.

RES.R06-1050

Carried

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

Councillor Hepner entered the meeting at 3:04 p.m.

RES.R06-1051	It was No. 12000, Amendment By-law, 2006, No. 16012A" pass its second reading.	Moved by Councillor Hunt Seconded by Councillor Bose That "Surrey Zoning By-law, 1993, Carried
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RES.R06-1052	It was then By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16012A" be held at the City Hall on May 29, 2006, at 7:00 p.m.	Moved by Councillor Hunt Seconded by Councillor Bose That the Public Hearing on "Surrey Zoning Carried
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RES.R06-1053	It was No. 12000, Amendment By-law, 2006, No. 16012B" pass its first reading.	Moved by Councillor Hunt Seconded by Councillor Villeneuve That "Surrey Zoning By-law, 1993, Carried
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The said By-law was then read for the second time.

RES.R06-1054	It was No. 12000, Amendment By-law, 2006, No. 16012B" pass its second reading.	Moved by Councillor Hunt Seconded by Councillor Villeneuve That "Surrey Zoning By-law, 1993, Carried
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RES.R06-1055	It was then By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16012B" be held at the City Hall on May 29, 2006, at 7:00 p.m.	Moved by Councillor Hunt Seconded by Councillor Villeneuve That the Public Hearing on "Surrey Zoning Carried
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NEWTON

2. **7905-0242-00**
7238 - 137 Street
Maciej Dembek/687833 B.C. Ltd.
 Development Permit/Development Variance Permit
Development Permit to permit the construction of a multi-tenant commercial building. Development Variance Permit to vary setbacks and number of off-street parking stalls.

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 7238 - 137 Street.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - front yard setback for the upper level is reduced from a minimum of 2 metres (6.6 ft.) to 1.3 metres (4.3 ft.), for the northeast corner of the building only (Appendix VI);
 - side yard setback on a flanking street (137 Street) for the upper level is reduced from 2 metres (6.6 ft.) to 1.22 metres (4 ft.); and
 - the number of required off-street parking stalls is reduced from 79 stalls to 62 stalls

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

The Acting 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 authorize staff to draft Development Permit No. 7905-0242-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7905-0242-00, (Appendix VI) varying Part XXXIV, Section H. Yards and Setbacks (By-law No. 5942), as follows, to proceed to Public Notification:
 - (a) to reduce the front yard setback on the upper level from a minimum of 2 metres (6.6 ft.) to 1.3 metres (4.3 ft.), for the northeast corner of the building only;
 - (b) to reduce the side yard on a flanking street on the upper level from 2 metres (6.6 ft.) to a minimum of 1.22 metres (4 ft.); and
 - (c) to reduce the number of required off-street parking stalls from 79 stalls to 62 stalls.
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.R06-1056

Carried

Councillor Steele entered the meeting at 3:05 p.m.

- 3. **7996-0068-01**
15136 - 72 Avenue
Clarence Arychuk, Hunter Laird Engineering Ltd./676083 B.C. Ltd.
Development Variance Permit
Development Variance Permit to reduce side yard setbacks for a proposed commercial building in a comprehensively-planned neighbourhood commercial centre.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15136 - 72 Avenue.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - reduce the minimum easterly side yard setback from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
 - reduce the minimum westerly side yard setback from 7.5 metres (25 ft.) to 4.8 metres (16 ft.) for the building entrance

in order to permit the development of a commercial development in a comprehensively-planned neighbourhood commercial centre.

The Acting 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. 7996-0068-01, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum easterly side yard setback of the C-5 Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.); and

- (b) to reduce the minimum westerly side yard setback of the C-5 Zone from 7.5 metres (25 ft.) to 4.8 metres (16 ft.) for the building entrance.

RES.R06-1057

Carried

Councillor Higginbotham entered the meeting at 3:06 p.m.

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

4. 7905-0176-00

7025 - 180 Street

Dan Weins, Parklane Ventures Ltd./Parklane Ventures Ltd.

NCP Amendment/Rezoning/Development Permit

NCP Amendment from Single Family Residential to Small Lots. Rezone from RA to RF-12, RF-9 and RM-23 in order to create approximately 18 small single family lots and 20 fee simple row house units.

The Acting 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 property located at 7025 - Street.

The applicant is proposing:

- an NCP amendment from Single Family Residential to Small Lots;
- a rezoning from RA, to RF-12, RF-9 and RM-23; and
- a Development Permit

in order to allow subdivision into approximately 18 small single family lots and 20 fee simple row house units.

The Acting 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 "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) (Block A on attached Survey Plan), "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) (Block B on attached Survey Plan), and "Multiple Residential 23 Zone

(RM-23)" (Bylaw No. 12000) (Block C on attached Survey Plan) and a date be set for Public Hearing (Appendix I).

2. Council authorize staff to draft Development Permit No. 7905-0176-00 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 landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Restrictive Covenant for "no build" on the western portion of proposed Lot 13 until future consolidation with the adjacent property to the west occurs (17912 Old Yale Road);
 - (f) registration of access easements and a Section 219 Restrictive Covenant to secure building maintenance and party wall agreements on the proposed RM-23 lots; and
 - (g) resolution of outstanding design issues to the satisfaction of the City Architect.
4. Council pass a resolution to amend North Cloverdale West NCP to redesignate the land from Single Family Residential to Small Lots when the project is considered for final adoption.

RES.R06-1058

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Villeneuve
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16013" pass its first reading.

RES.R06-1059

Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Villeneuve
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16013" pass its second reading.
 RES.R06-1060 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. 16013" be held at the
 City Hall on May 29, 2006, at 7:00 p.m.
 RES.R06-1061 Carried

FLEETWOOD/GUILDFORD

5. 7905-0361-00

10935 - 157 Street

Michael Helle, Coastland Engineering & Surveying Ltd./Larry Starnes

Development Variance Permit

Development Variance Permit to vary the minimum lot depth requirement of the RF Zone and the rear yard setback of the RF Zone for an existing dwelling to allow subdivision into 2 single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 10935 - 157 Street.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - to reduce the minimum lot depth requirement of the RF Zone from 28 metres (92 ft.) to 27.6 metres (90 ft.) for proposed Lots 1 and 2; and
 - to vary the rear yard setback from 7.5 metres (24.6 ft.) to 4.09 metres (13.4 ft.) for proposed Lot 2

in order to allow subdivision into two single family lots and to allow for the retention of one existing dwelling on proposed Lot 2.

The Acting 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. 7905-0361-00, (Appendix V) varying the following by-law regulations, to proceed to Public Notification:

- (a) to reduce the minimum lot depth of the RF Zone for proposed Lots 1 and 2 from 28 metres (92 ft.) to 27.6 metres (90 ft.); and
- (b) to reduce the minimum rear yard setback of the RF Zone for proposed Lot 2 from 7.5 metres (24.6 ft.) to 4.09 metres (13.4 ft.).

RES.R06-1062

Carried**6. 7905-0181-00****8585 - 168 Street****Avtar S. Bhatti, Royal Group Tapestry Realty/Darshan S. Dhillon & Gurmit K. Dhillon**

Rezoning

Rezone from RA to RF to permit subdivision into approximately 5 single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 8585 - 168 Street.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into approximately 5 single family lots.

The Acting 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 "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and

- (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

RES.R06-1063

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Villeneuve
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16014" pass its first reading.

RES.R06-1064

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Villeneuve
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16014" pass its second reading.

RES.R06-1065

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. 16014" be held at the
 City Hall on May 29, 2006, at 7:00 p.m.

RES.R06-1066

Carried**NEWTON****7. 7905-0265-00****12103 and 12115 - 66 Avenue**

**CitiWest Consulting Ltd., c/o Roger Jawanda/Gurpreet S. Virk,
 Bhajan S. Atwal and Jagjit S. Sahi**

Rezoning/Development Permit/Development Variance Permit

*Rezone from RA to RM-23. Development Permit to permit the development of
 27 row housing units. Development Variance Permit to allow a one block of row
 houses to contain only two units on fee simple lots.*

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and applications for a Development Permit and a Development Variance Permit on properties located at 12103 and 12115 - 66 Avenue.

The applicant is proposing:

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

- a Development Variance Permit to vary the following by-law regulation:
 - the definition of Row Housing Building is varied by allowing one multiple residential building to have a minimum of two side by side dwelling units attached to each other

in order to permit the development of 27 row housing units on fee simple lots.

Delegation

Roger Jawanda, CitiWest Consulting Ltd. was in attendance and commented that there is a proposed backyard between the houses and garages. He continued that the area is not common ground; they are fee simple lots; and each house has its own backyard.

The Acting 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 "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. 7905-0265-00 in accordance with the attached drawings (Appendix III).
3. Council approve Development Variance Permit No. 7905-0265-00 (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) Part 1 Definitions of Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby amended to read as follows: "Row Housing Building" means a multiple unit residential building formed by a minimum of three side by side dwelling units attached to each other in a row, except on proposed Lot 4 and Lot 5 in Appendix IX, where a multiple unit residential building with a minimum of two side by side dwelling units attached to each other in a row may be permitted.
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) registration of appropriate mutual agreements between the proposed lots pertaining to roof maintenance and party walls;
 - (e) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (f) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.
5. Council pass a resolution to amend the West Newton Local Area Plan to redesignate the land from "Townhouses 8 - 15 upa" to "Row Housing 23 upa max" when the project is considered for final adoption.

RES.R06-1067

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16015" pass its first reading.

RES.R06-1068

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. 16015" pass its second reading.

RES.R06-1069

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. 16015" be held at the
 City Hall on May 29, 2006, at 7:00 p.m.

RES.R06-1070

Carried

SOUTH SURREY

8. **7905-0351-00**
14732 Winter Crescent and 3495 - 147A Street
Clarence Arychuk, Hunter Laird Engineering Ltd./No. 262 Seabright
Holdings Ltd., Inc. No. 674550
 Rezoning/Development Permit

Amend CD Zone and rezone 14732 Winter Crescent from A-1 to CD (BL 15651) and a Development Permit to permit the construction of four detached single family strata units.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 14732 Winter Crescent and 3495 - 147A Street.

The applicant is proposing:

- to amend CD By-law No. 15651; and
- a Development Permit

in order to permit the development of the second phase of a strata development comprising four detached single family strata units.

The Acting 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 amend Comprehensive Development By-law No. 15651 and rezone 14732 Winter Crescent from A-1 to CD (BL 15651) 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. 7905-0351-00 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 consolidation plan for properties 14732 Winter Crescent and 3495 - 147A Street 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) the applicant adequately address the impact of no indoor amenity space.

RES.R06-1071 Carried with Councillors Villeneuve and Bose against.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15651 Amendment By-law, 2006,
 No. 16016" pass its first reading.

RES.R06-1072 Carried with Councillors Bose and Villeneuve against.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15651 Amendment By-law, 2006,
 No. 16016" pass its second reading.

RES.R06-1073 Carried with Councillors Bose and Villeneuve against.

It was then Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15651 Amendment
 By-law, 2006, No. 16016" be held at the City Hall on May 29, 2006, at 7:00 p.m.

RES.R06-1074 Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

- 9. **7906-0065-00**
19460 - 60 Avenue
Atlee Holdings Ltd.
 Development Permit/Development Variance Permit
Development Permit to permit the installation of a crane. Development Variance Permit to vary the maximum height and the minimum setbacks of an accessory structure.

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 19460 - 60 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following IL Zone regulations:
 - to relax the maximum height of an accessory structure from 6.0 metres (20 ft.) to 9.75 metres (32 ft.);
 - to relax the minimum side yard setback along a flanking street from 7.5 metres (25 ft.) to 1.5 metres (5 ft.); and
 - to relax the minimum side yard setback from 7.5 metres (25 ft.) or 0 metre to (1.5 metres (5 ft.)

in order to permit the installation of a permanent crane on an industrial site.

Delegation

The applicant was in attendance and commented that the drawing attached to the application indicating the height of the 33 ft. crane was incorrect and the proposed crane height would be 9.75 meters high. He also noted he would add landscaping in order to mitigate the appearance and advised that noise would not be an issue.

The Acting 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. 7906-0065-00 in accordance with the attached drawings (Appendix VIII).
2. Council approve Development Variance Permit No. 7906-0065-00, as amended, (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) to vary the maximum height of an accessory structure in the IL Zone from 6 metres (20 ft.) to 9.75 metres (32 ft.);
 - (b) to relax the minimum side yard setback along a flanking street in the IL Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.); and
 - (c) to relax the minimum side yard setback in the IL Zone from 7.5 metres (25 ft.) or 0 metres to 1.5 metres (5 ft.).
3. Council instruct staff to resolve the followings issue prior to approval of Development Permit No. 7906-0065-00:
 - (a) issuance of Development Variance Permit No. 7906-0065-00; and

- (b) submission of an acceptable landscape and tree replacement plan to the satisfaction of the City Landscape Architect.

RES.R06-1075

Carried**10. 7905-0161-00****19285 Highway No. 10 (Langley By-pass)****649907 BC Ltd. (Wolfe Mitsubishi)**

Development Permit/Development Variance Permit

*Development Permit to allow the construction of an automobile dealership.**Development Variance Permit to relax various Sign By-law and Zoning By-law requirements.*

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 19285 Highway No. 10.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning and Sign By-law regulations:
 - to reduce the front yard setback of the CHI Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.);
 - to reduce the west side yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.84 metres (6 ft.);
 - to reduce the rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
 - to increase the maximum height of a principal building from 9.0 metres (29.5 ft.) to 10.2 metres (35.5 ft.); and
 - to relax the Sign By-law to increase the number of fascia signs from 1 to 5

in order to allow the construction of an automobile dealership.

The Acting 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. 7905-0161-00 in accordance with the attached drawings (Appendix III).

2. Council approve Development Variance Permit No. 7905-0161-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum front yard setback of the CHI Zone from 7.5 metres (25 ft.) to 5 metres (16 ft.);
 - (b) to reduce the minimum west side yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.84 metres (6 ft.);
 - (c) to reduce the minimum rear yard setback of the CHI Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
 - (d) to increase the maximum height of a principal building in the CHI Zone from 9.0 metres (29.5 ft.) to 10.2 metres (33.5 ft.); and
 - (e) to relax the Sign By-law to increase the number of fascia signs from 1 to 5.
3. Council instruct staff to resolve the following issue prior to approval:
 - (a) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R06-1076

Carried**SOUTH SURREY**

11. **7905-0348-00**
17637 - 1 Avenue
Mark Ankenman (Ankenman Associates Architects Inc.)/P.C.B. Properties Ltd. (Incorporation No. 78028)
New Teletheatre License/Development Permit/Development Variance Permit
Teletheatre license request and DP to permit the development of a neighbourhood pub with a horse racing teletheatre. DVP to vary the minimum rear and south side yard setback requirements for buildings and structures.

Councillor Higginbotham left the meeting at 3:27 p.m. due to a potential conflict of interest as she has had past business associations with the applicant. She advised that she had not yet consulted with the City Solicitor on this non-pecuniary matter and noted that this position may change.

Councillor Steele left the meeting at 3:28 p.m. due to a potential conflict of interest as her son works for Great Canadian Casinos.

Councillor Martin left the meeting at 3:28 p.m. due to a potential conflict of interest as her husband works as a consultant for Great Canadian Casinos.

Mr. Todd:

The applicant was in attendance and noted that Molly's Restaurant is no longer operating. He advised that horse race betting goes through the Fraser Downs facility. He continued that proceeds from Teletheatre gaming would be distributed to Fraser Downs, Standardbred and Thoroughbred Associations, the Province, and to the applicant. He advised that Teletheatres would be no different than lottery or keno games already in the facility. He noted the betting company is owned by Fraser Downs (Great Canadian Casino), the Hastings Racecourse, the Horsemen's Benevolent and Protection Association, and the Standardbred Association. He advised that his pub would run the teletheatre operation aimed at a U.S. market and would be paid a commission by the betting company. He advised they were not trying to compete with Fraser Downs and noted that the pub would be a very high-end venue attracting clientele from the U.S.

Representative, TBC Teletheatres, B.C.

The TBC Teletheatre representative was in attendance and noted that they are currently not considering any other Teletheatre applications in the City of Surrey. He continued that there are only seven outstanding licenses available for teletheatre wagering, earmarked for other facilities and that the Gaming Enforcement Branch has available in total 26 Teletheatre licenses; currently 19 are being used in the following venues: one at Fraser Downs, one at Sandown, 1 Hastings Park, one in Kamloops and 15 others throughout B.C., mostly in pubs.

The Acting General Manager of Planning & Development submitted a report concerning an application for a new Teletheatre License, and applications for a Development Permit and a Development Variance Permit on property located at 17637 - 1 Avenue.

The applicant is proposing:

- addition of a horse racing teletheatre to an approved Liquor-Primary establishment;
- a Development Permit; and
- a Development Variance Permit to vary the following by-law regulations:
 - to vary the rear (east) yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
 - to vary the south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 1.1 metres (4 ft.);

in order to permit the development of a neighbourhood pub with horse racing teletheatre.

The Acting 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 authorize staff to draft Development Permit No. 7905-0348-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7905-0348-00, (Appendix X) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear (east) yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
 - (b) to reduce the minimum south side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 1.1 metres (4 ft.).
3. Council approve the horse racing teletheatre as proposed and authorize the City Clerk to forward a letter to the General Manager of the Gaming Policy & Enforcement Branch (GPEB) to confirm City Council's approval of the proposed horse racing teletheatre use at the subject site;
4. Council instruct staff to resolve the following issues prior to approval of the Development Permit:
 - (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 finalized landscaping plan and finalized landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) registration of a reciprocal access agreement for shared parking with 17735 - 1 Avenue to the satisfaction of the City.

Before the question was called:-

It was Moved by Councillor Hunt
Seconded by Councillor Villeneuve
That the concept of Teletheatre Licensing be
referred to the reconstituted Gaming Committee for policy recommendation.
RES.R06-1077 Carried with Councillor Gill against.

Councillors Higginbotham, Steele and Martin returned to the meeting at 3:58 p.m.

Adjournment

It was Moved by Councillor Villeneuve
 Seconded by Councillor Hunt
 That the Regular Council Land Use meeting
 do now adjourn and reconvene following Special Regular Council and Closed
 Council.

RES.R06-1078

Carried

The Regular Council - Land Use meeting adjourned at 3:59 p.m. and reconvened at 4:00 p.m. with all members of Council present.

SURREY CITY CENTRE/WHALLEY**12. 7906-0035-00**

**Portion of 12380 Old Yale Road and 12389 - 104 Avenue
 M. Saar Architecture/504563 B.C. Ltd.**

NCP Amendment/Rezoning/Development Variance Permit
NCP Amendment from Business Park to Institutional. Rezoning from A-1 (By-law No. 5942) and A-1 (By-law No. 12000) to CD to allow private schools and ancillary uses. DVP to relax the minimum lot size of the A-1 Zone.

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, a rezoning application, and a Development Variance Permit application on properties located on a portion of 12380 Old Yale Road and 12389 - 104 Avenue.

The applicant is proposing:

- an NCP amendment from Business Park to Institutional and an amendment to the road network identified in the NCP;
- a rezoning from A-1 (By-law No. 5942) and A-1 (By-law No. 12000) to CD (By-law No. 12000); and
- a Development Variance Permit to relax the following by-law regulation:
 - to reduce the minimum lot size of the A-1 Zone (By-law No. 5942) from 20,000 square metres (5 acres) to 12,560 square metres (3.1 acres).

in order to allow the construction of one elementary school and one high school, a child care facility, assembly uses and associated track and playing fields.

Mr. Bhatia

Mr. Bhatia was in attendance and noted that he had held a public information meeting with residents in the Bridgeview area. He advised that his organization would be willing to canvass more area residents on this proposal.

Sandra Benz, Executive Member, South Westminster Ratepayers Association

Ms. Benz noted that a public information meeting was held at Bridgeview Hall after being advertised in the newspaper. She continued that there would be an additional community meeting on May 29, 2006, the only date available, and that the proposed school application would be on the agenda.

To implement Council's previous decision that Application No. 7906-0035-00 be referred to staff to work with the applicant in developing and bringing forward conditions that will allow the applicant to proceed to Public Hearing, the Acting General Manager of Planning & Development is 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 portions from "Agricultural Zone One (A-1)" (By-law No. 5942) (Block A on attached Survey Plan) and "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. Council approve Development Variance Permit No. 7906-0035-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot size of the A-1 Zone (By-law No. 5942) from 20,000 square metres (5 acres) to 12,560 square metres (3.1 acres).
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 final design and landscaping drawings for the proposed schools to the satisfaction of the City Architect and City Landscape Architect;

- (d) registration of a Section 219 Restrictive Covenant to prohibit any development on the site other than as generally indicated on the drawings attached as Appendix III;
 - (e) submission of a Parking Management Plan to the satisfaction of the General Manager, Engineering;
 - (f) submission of a landscaping cost estimate and security to the specifications and satisfaction of the City Landscape Architect;
 - (g) registration of a Section 219 Restrictive Covenant to protect the setback area of the creek as determined by the Department of Fisheries and Oceans (DFO);
 - (h) registration of a Section 219 Restrictive Covenant for "no build" on the west portion of the lot adjacent to 12320 Old Yale Road until future consolidation and development;
 - (i) registration of a Section 219 Restrictive Covenant to require a minimum building elevation of 4.4 metres (14.4 ft.) geodetic;
 - (j) registration of a Section 219 Restrictive Covenant prohibiting the use of the secondary school gurdwara and auditorium by the general community unless additional parking is provided; and
 - (k) approval of Development Variance Permit No. 7905-0035-00.
4. Council pass a resolution to amend the South Westminster NCP to redesignate the portion of land from Business Park to Institutional and to amend the road network plan when the project is considered for final adoption.

RES.R06-1079

Carried with Councillor Bose against.

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16017" pass its first reading.

RES.R06-1080

Carried with Councillor Bose against.

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16017" pass its second reading.
Carried with Councillor Bose against.

RES.R06-1081

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. 16017" be held at the
 City Hall on May 29, 2006, at 7:00 p.m.
 RES.R06-1082
 Carried with Councillors Bose, Hunt and
 Villeneuve against.

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

13. **7905-0398-00**
15388 - 24 Avenue
Ralph Berezan/Peninsula Business Centre Ltd., Inc. No. 677386
 Rezoning
*Rezoned from C-8 to CD to permit development of a stand-alone liquor licensee
 retail store.*

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 15388 - 24 Avenue.

The applicant is proposing:

- a rezoning from C-8 to CD

in order to permit the development of a stand-alone liquor licensee retail store.

Ralph Berezan

Ralph Berezan was in attendance and commented that this application was brought before staff in November 2004, a submission made in January 2005, and now before Council in May 2006. He noted that City staff have a policy that they wish to have the pub sharing a common wall with the liquor store and advised that they could accommodate this requirement. He added that his establishment has been in existence for 30 years.

It was
 Moved by Councillor Villeneuve
 Seconded by Councillor Higginbotham
 That the information as submitted by Ralph
 Berezan be received.
 RES.R06-1083
 Carried

Mr. Berezan continued that if they are successful in gaining approval to move Hampton's Pub over, only 10 parking spots would be required for this 26-patron pub. He then read excerpts from correspondence from his attorney. He continued that he owns the pub, but the main concern is that the proposed liquor store would be a stand-alone building, not in conjunction with the liquor primary establishment requirements of the City established in November 2002. He

requested that Hampton's Pub be relocated to the new location in conjunction with the liquor store immediately.

Mr. Berezan noted that, at the time, they did not think that the property had to be rezoned and that his partner, Richard Koulter took the application through the public process. In addition, he noted that they had consulted with the neighbourhood about the liquor store, advising them that there would be a barrier at 155A Street. He clarified that their proposal is for a 26-seat pub not a 155-seat pub and that they would move Hampton's Pub to the proposed location.

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

It was
Moved by Councillor Higginbotham
Seconded by Councillor Villeneuve
That Application 7905-0398-00 be referred
to staff to bring forward a report and by-law for Council's consideration to
relocate the liquor store.

RES.R06-1084

Carried with Councillors Hunt, Villeneuve
and Gill against.

The Mayor advised Mr. Berezan that he is required to apply for a Liquor Primary application that is inclusive of the 26-seat establishment.

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

E. DELEGATIONS

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

TO BE FILED

- 1. Surrey Zoning By-law, 1979, No. 5942, Amendment By-law, 1993, No. 11619"

5691-0236-00 - Mr. & Mrs. K. Golka

C-H to C-D - 2570 King George Highway - to permit all highway commercial uses and a single fuel pump for refueling rental vehicles.

Approved by Council: December 8, 1992

- * Planning & Development advise that (see memorandum dated May 5, 2006 in by-law back-up) By-law No. 11619 should be filed as the application has been inactive for 11 years and the applicant has not responded to the registered letter sent on March 28, 2006 advising that unless outstanding requirements were addressed within 30 days the file would be closed. The applicant has not responded to the registered letter, but had previously advised the Department by telephone that the application was no longer necessary.

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That Surrey Zoning By-law, 1979, No.5942,

Amendment By-law, 1993, No. 11619" be filed.

RES.R06-1085

Carried

FINAL ADOPTIONS

- 2. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 118 Amendment By-law, 2005, No. 15781"

7904-0419-00 - Cloverdale Pacific Properties Ltd.

To authorize the redesignation of the property located at 19041 - 54 Avenue from Suburban (SUB) to Industrial (IND).

Approved by Council: June 27, 2005

This by-law is proceeding in conjunction with By-law 15782.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 118 Amendment By-law, 2005, No. 15781" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.

RES.R06-1086 Carried

- 3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15782"

7904-0419-00 - Cloverdale Pacific Properties Ltd.

RA (BL 12000) to IL (BL 12000) - 19041 - 54 Avenue - to facilitate
future industrial development in South Cloverdale.

Approved by Council: June 27, 2005

This by-law is proceeding in conjunction with By-law 15781.

- * Planning & Development advise (see memorandum dated May 4, 2006 in by-law
backup) that it is now in order for Council to pass a resolution amending the East
Cloverdale Local Area Plan to redesignate the site from Suburban Residential to
Industrial.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council amend the East Cloverdale
Local Area Plan to redesignate the site from Suburban Residential to Industrial.

RES.R06-1087 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15782" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-1088 Carried

- 4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15851"

7905-0205-00 - 581486 B.C. Ltd., c/o Ionic Architecture Inc. (Sam Chan)

IL (BL 12000) to CD (BL 12000) - Portion of 13147 - 76 Avenue - to permit the development of three multi-tenant industrial buildings with a total floor area of 7,249 m² (78,031 sq. ft.)

Approved by Council: October 3, 2005

Note: A Development Permit (7905-0205-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(a).

- * Planning & Development advise (reference memorandum dated May 4, 2006 in by-law back-up) that it is now in order for Council to pass a resolution amending the Newton Local Area Plan to redesignate the land from "High Impact Industrial" to "General Industrial".

It was Moved by Councillor Higginbotham
 Seconded by Councillor Martin
 That Council amend the Newton Local Area
 Plan to redesignate the land from "High Impact Industrial" to "General
 Industrial".

RES.R06-1089 Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Martin
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15851" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-1090 Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7905-0205-00**
Ionic Architecture Inc., c/o Sam Chan/581486 B.C. Ltd.
 Portion of 13147 - 76 Avenue

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

"That Development Permit No. 7905-0205-00 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 15851 under Item H.4.

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

No. 7905-0205-00 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.R06-1091

Carried

- (b) **Development Permit No. 7906-0093-00**
Barry Weih, Wensley Architecture Ltd./Riokim Holdings (Strawberry Hill) Inc., Inc. No. 645639
12101 - 72 Avenue

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

"That Development Permit No. 7906-0093-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

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

No. 7906-0093-00 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.R06-1092

Carried

J. OTHER BUSINESS

K. ADJOURNMENT

It was

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

meeting do now adjourn.

RES.R06-1093

Carried

The Regular Council- Land Use meeting adjourned at 4:49 p.m.

Certified Correct:



City Clerk



Mayor