



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C
MONDAY, SEPTEMBER 11, 2006
Time: 4:37 p.m.

Present:

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

Absent:

Councillors Entering Meeting as Indicated:

Councillor Bose

Staff Present:

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

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SURREY CITY CENTRE/WHALLEY

1. **7906-0380-00**
14275 - 96 Avenue
Tony Yip, Chernoff Thompson Architects/The Crown in Right of British Columbia as Represented by the Ministry of Agriculture and Lands
Rezoning/Development Permit
Rezone from RA to CD to make the existing government office building conforming. Development Permit to permit an addition to the existing building.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on property located at 14275 - 96 Avenue.

The applicant is proposing:

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

in order to make the existing government office building conforming and to permit an addition to the 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 Higginbotham
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. Council authorize staff to draft Development Permit No. 7906-0380-00 in accordance with the attached drawings (Appendix III).
3. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering.

RES.R06-1935 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16079" pass its first reading.

RES.R06-1936 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16079" pass its second reading.

RES.R06-1937 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16079" be held at the
City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1938 Carried

Councillor Bose entered the meeting at 4:39 p.m.

2. **7905-0108-00**
13155 - 116 Avenue
Randeep Kang/Amrik and Dalbir Gill
 Development Variance Permit
Development Variance Permit to relax the east and west side yard setbacks in order to legalize an existing workshop for a heavy truck repair business.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 13155 - 116 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to relax the west side yard setback of the IL Zone from 7.5 metres or 0 to 1.5 metres (5 ft.); and
 - to relax the east side yard setback of the IL Zone from 7.5 metres (25 ft.) to 4.5 metres (14 ft.)

in order to legalize an existing workshop for a heavy truck repair business.

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 Higginbotham
 That:

1. Council approve Development Variance Permit No. 7905-0108-00, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to relax the west side yard setback of the IL Zone from 7.5 metres (25 ft.) or 0 metres to 1.5 metres (5 ft.); and
 - (b) to relax the east side yard setback of the IL Zone from 7.5 metres (25 ft.) to 4.5 metres (14 ft.).

RES.R06-1939

Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

3. **7906-0127-00**
6489 - 184 Street
Richard Brooks, H.Y. Engineering Ltd./Gurdial Singh Sohal, Sucha Singh Sohal, Rajandeep Kaur Sohal and Piari Kaur Sohal
 Rezoning

Rezone from RH to RF to permit subdivision into three (3) single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6489 - 184 Street.

The applicant is proposing:

- a rezoning from RH to RF

in order to allow subdivision into three single family residential 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 Higginbotham
That:

1. A By-law be introduced to rezone the property from "Half-Acre Residential Zone (RH)" (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 issue prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (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.R06-1940 Carried

It was Moved by Councillor Hunt Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16080" pass its first reading.

RES.R06-1941 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16080" pass its second reading.
 RES.R06-1942 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16080" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1943 Carried

4. **7906-0089-00**
17152, 17166 and 17189 - 83 Avenue; 17186 - 84 Avenue; 8248, 8268, 8288 -
171A Street; 8243 - 172 Street
Robert DePaiva/Paramjit Singh Sandher and Baljit Kaur Sandher
Sukhvinder Singh Harry and Shavinder Kaur Harry
Pritam Singh Sidhu and Rajwant Kaur Sidhu
Mohinder Singh Rai and Nachattar Kaur Rai
Robert Depiva and Debbie Larochelle
John Elijah Lowndes and Pamela Joan Lowndes
Shabri Rajesh Roberson and Michael Les Roberson
Luey S. Hayashi and Nancy Y. Hayashi
 Development Permit/Restrictive Covenant Amendment
A Restrictive Covenant Amendment and Development Permit to permit
modifications to the fence type, location and landscape buffer on lots adjacent to
the ALR.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit, and a Restrictive Covenant Amendment on properties located at 17152, 17166 and 17189 - 83 Avenue; 17186 - 84 Avenue; 8248, 8268, 8288 - 171A Street; 8243 - 172 Street.

The applicant is proposing:

- a Development Permit; and
- a Restrictive Covenant amendment

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

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 Higginbotham
That:

1. Council approve the attached Development Permit No. 7906-0089-00 (Appendix VI), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.
2. Council approve the proposed amendments to the Restrictive Covenant for Lots 14 to 20 as follows:
 - (a) to replace the approved 1.8-metre (6 ft.) high solid cedar fence with a 1.2-metre (4 ft.) high black-coloured chain link fence;
 - (b) to relocate the fence from 15 metres (50 ft.) from the east (172 Street) property line to a location 3 metres (9.8 ft.) from the east (172 Street) property line; and
 - (c) to modify the landscape buffer by adding 140 cedars and permitting two 3.5-metre (11.5 ft.) wide openings per lot along the west edge of the buffer.

RES.R06-1944

Carried

5. **7905-0404-00**
17024, 17034 and 17052 - 80 Avenue
Genevieve Bucher, McElhanney Consulting Services Ltd./Peter Begemann;
Sherrill Gammer; and Gladys Steward
OCP Amendment/Rezoning
Amend OCP from Suburban to Urban. Rezone from RA to RF in order to allow subdivision into 11 single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning and an application to amend the Official Community Plan on properties located at 17024, 17034, and 17052 - 80 Avenue.

The applicant is proposing:

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

in order to allow subdivision into 11 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 Gill
 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. 120000) 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) registration of a Restrictive Covenant on proposed Lots 1 to 8 to require mitigating measures to reduce the impact of external noise sources, in particular, the golf driving range;
 - (e) provision of community benefit in the amount of a minimum of \$4,000 per lot, to satisfy the OCP Amendment policy for Type 2 applications; and
 - (f) registration of a 2.5-metre (18 ft.) wide right-of-way for public access along the north property line of all proposed lots fronting 80 Avenue, to accommodate the Cloverdale Greenway.
3. Council consider final adoption of an amended By-law No. 15599B to redesignate the 3 subject lots from Suburban to Urban in the Official Community Plan, when the project is considered for final adoption (processed under File No. 7903-0225-00).

RES.R06-1945

Carried

It was

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

No. 12000, Amendment By-law, 2006, No. 16081" pass its first reading.

RES.R06-1946

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16081" pass its second reading.
RES.R06-1947 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Gill
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16081" be held at the
City Hall on September 25, 2006, at 7:00 p.m.
RES.R06-1948 Carried

6. **7903-0104-01**
Portion of 19518 - 72 Avenue
Dwight Heintz, McElhanney Consulting Services Ltd./689225 BC Ltd., Inc.
No. 689225
Director Information:
David Johl
Officer Information: (as at September 6, 2006)
David Johl, President
689226 BC Ltd., Inc. No. 689226
Director Information:
David Johl
Officer Information: (as at September 6, 2006)
David Johl, President
689227 BC Ltd., Inc. No. 689227
Director Information:
Connie Johl
Officer Information: (as at September 6, 2006)
Connie Johl, President
689228 BC Ltd., Inc. No. 689228
Director Information:
Avtar Johl
Officer Information: (as at September 6, 2006)
Avtar Johl, President
Development Variance Permit
DVP to allow reduced rear yard setback for the principal building and to permit the location of accessory structures within the front yard setback for proposed Lots 66 to 71.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located on portion of 19518 - 72 Avenue .

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 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 distance of 0.5 metre (1.6 ft.) from the front lot line

in order to permit the construction of a dwelling unit, a garage and a coach house on proposed Lots 66 to 71.

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 Higginbotham
That:

1. Council approve Development Variance Permit No. 7903-0104-01 (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 2 metres (6.5 ft.) to the covered veranda, for proposed Lots 66 to 71; 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 distance of 0.5 metre (1.6 ft.) from the front lot line, for proposed Lots 66 to 71.

RES.R06-1949

Carried

FLEETWOOD/GUILDFORD

7. **7906-0129-00**
15775 - 112 Avenue
Richard Brooks, HY Engineering Ltd./Harjit and Hardip Sangha
Rezoning/Development Variance Permit
Rezone from RA to RC in order to allow subdivision into five (5) clustered suburban residential lots and related open space. Development Variance Permit to reduce the minimum lot area for subdivision in the RC Zone.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on property located at 15775 - 112 Avenue.

The applicant is proposing:

- a rezoning from RA to RC; and
- a Development Variance Permit to relax the following RC Zone regulation:
 - to reduce the minimum lot area for subdivision from 2 hectares (5 acres) to 0.9 hectare (2.2 acres)

in order to allow subdivision into five clustered suburban residential lots and related open space.

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 Higginbotham
That:

1. A By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Cluster Residential Zone (RC)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0129-00, (Appendix IX) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot area for subdivision in the RC Zone from 2 hectares (5 acres) to 0.9 hectare (2.2 acres).
3. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and

- (d) provision of a voluntary contribution to facilitate the restoration of the proposed parkland area, to the satisfaction of the Parks, Recreation and Culture Department.

RES.R06-1950

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16082" pass its first reading.

RES.R06-1951

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16082" pass its second reading.

RES.R06-1952

Carried

It was then

Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16082" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1953

Carried

- 8. 7905-0357-00**
10128 - 172 Street
Richard Brooks, HY Engineering Ltd./ACW Pacific Enterprises Corporation
 Rezoning
Rezone from RA to RH in order to allow subdivision into four (4) half-acre suburban residential lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 10128 - 172 Street.

The applicant is proposing:

- a rezoning from RA to RH

in order to allow subdivision into four half-acre suburban residential 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 Gill
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (d) registration of a 2.9-metre (9.5 ft.) wide right-of-way for public access along the west property line of proposed Lots 1 and 4 fronting 172 Street, to accommodate the Trans Canada Trail Greenway.

RES.R06-1954

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16083" pass its first reading.

RES.R06-1955

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16083" pass its second reading.

RES.R06-1956

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Gill

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16083" be held at the City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1957

Carried

NEWTON

9. 7906-0382-00

5997 - 137A Street

Makhan Pooni/Makhan Pooni, Paramjit Pooni, Tarlochan Pooni and Narinder Pooni

Development Variance Permit

Development Variance Permit to vary the minimum lot depth and the minimum front yard and rear yard setbacks in order to maximize the building envelope of an existing single family residential lot.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 5997 - 137A Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - to vary the minimum lot depth requirement of the RF Zone from 28 m (90 ft.) to 23.7 m (77 ft.);
 - to vary the minimum front yard setback requirement of the RF Zone from 7.5 m (25 ft.) to 3.6 m (12 ft.); and
 - to vary the minimum rear yard setback requirement of the RF Zone from 7.5 m (25 ft.) to 1.8 m (6 ft.)

in order to maximize the building envelope of an existing single family residential lot.

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 Higginbotham

Seconded by Councillor Steele

That:

1. Council approve Development Variance Permit No. 7906-0382-00, (Appendix VI) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.7 metres (77 ft.);

- (b) to reduce the minimum front yard setback of the RF Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
 - (c) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 1.8 metres (6 ft.); and
 - (d) to increase the minimum internal side yard setback requirement of the RF Zone from 1.8 metres (6 ft.) to 6 metres (20 ft.) for 50% of the length of the side and from 1.8 metres (6 ft.) to 7.5 metres (25 ft.) for 50% of the length of the same side.
2. Council instruct staff to resolve the following issues prior to approval:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer.

RES.R06-1958

Carried

10. **7906-0328-00**
6113 - 146 Street
Clarence Arychuk, Hunter Laird Engineering Ltd./Sukhdev and Balbiro Kajla
Rezoning
Rezone from RA to RF-12 to permit subdivision into approximately 13 single family small lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6113 - 146 Street.

The applicant is proposing:

- a rezoning from RA to RF-12

in order to allow subdivision into approximately 13 single family small 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 Higginbotham
Seconded by Councillor Gill
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (d) registration of a Section 219 Restrictive Covenant for "no build" on a portion of proposed Lots 1 and 10, and on the entire proposed Lot 7 until future consolidation with the adjacent property to the north and south, wherever applicable.

RES.R06-1959

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16084" pass its first reading.

RES.R06-1960

Carried

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16084" pass its second reading.

RES.R06-1961

Carried

It was then
 Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16084" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1962 Carried

11. 7906-0181-00

15014 - 60 Avenue

Hunter Laird Engineering Ltd., c/o Clarence Arychuk/Jagjit Sidhu

NCP Amendment/Rezoning/Development Variance Permit

Partial NCP Amendment for a portion from SF Residential to SF Residential Flex (6 to 14.5 upa max). Rezone from RA to RF-9C, RF-9 and RF-12 to allow subdivision into 9 SF small lots. DVP to increase Type II RF-9C lots from 33% to 43%.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, a rezoning application, and a Development Variance Permit application on property located at 15014 - 60 Avenue.

The applicant is proposing:

- a partial NCP amendment from "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max.);
- a rezoning from RA to RF-9C, RF-9 and RF-12; and
- a Development Variance Permit to vary the following by-law regulation:
 - the percentage of Type II RF-9C lots is increased from 33% to 43%

in order to allow subdivision into approximately nine (9) single family residential small 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 Higginbotham
 Seconded by Councillor Gill
 That:

1. a By-law be introduced to rezone the portion of the property identified as Block A on the plan attached as Appendix XI from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000), the portion of the site identified as Block B from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and the portion of the property identified as Block C on the same plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to

"Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council approve Development Variance Permit No. 7906-0181-00, (Appendix X) varying the following, to proceed to Public Notification:
 - (a) to increase the percentage of Type II RF-9C lots from 33% to 43%.
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) input from the Ministry of Transportation; and
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.
4. Council pass a resolution to amend the South Newton NCP to redesignate the land from "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max)" when the project is considered for final adoption.

RES.R06-1963

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16085" pass its first reading.

RES.R06-1964

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16085" pass its second reading.

RES.R06-1965

Carried

It was then

Moved by Councillor Higginbotham

Seconded by Councillor Gill

That the Public Hearing on "Surrey Zoning

By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16085" be held at the City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1966

Carried

12. 7906-0180-00

15040 and 15062 - 59 Avenue and 5858 - 150 Street

Hunter Laird Engineering Ltd./Nirmal and Kamaljit Kooner

Garry and Heather Higo, Jagessar and Soomwattie Das

OCP Amendment/NCP amendment/Rezoning

OCP amendment from Multiple Residential to Urban. NCP amendment from Single Family Residential to Single Family Residential Flex 6 to 14.5 upa max. Rezone from RA to RF-12 to allow subdivision into approximately 30 single family small lots.

The Acting General Manager of Planning & Development submitted a report concerning an applications to amend the Official Community Plan, a NCP Amendment, and rezoning on properties located at 15040 and 15062 - 59 Avenue and 5858 - 150 Street .

The applicant is proposing:

- an OCP amendment from "Multiple Residential" to "Urban";
- an NCP amendment from "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max.)"; and
- a rezoning from RA to RF-12

in order to allow subdivision into approximately 30 single family small lots which range in size from 321 m² (3,455 sq.ft.) to 872 m² (9,386 sq.ft.).

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 Higginbotham

Seconded by Councillor Hunt

That:

1. a By-law be introduced to redesignate the site from "Multiple Residential" to "Urban" and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.

3. a By-law be introduced to rezone the site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
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; and
 - (e) registration of a Section 219 no-build Restrictive Covenant over proposed Lots 11 and 30 for future consolidation and resubdivision with the adjoining lands to the east.
5. Council pass a resolution to amend South Newton NCP to redesignate the properties from "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max.)" when the project is considered for final adoption.

RES.R06-1967

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 142 Amendment By-law 2006, No. 16086" pass its first reading.

RES.R06-1968

Carried

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 142 Amendment By-law 2006, No. 16086" pass its second reading.

RES.R06-1969

Carried

It was then
 Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Official
 Community Plan By-law, 1996, No. 12900, No. 142 Amendment By-law 2006,
 No. 16086" be held at the City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1970 Carried

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16087" pass its first reading.
 RES.R06-1971 Carried

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

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16087" pass its second reading.
 RES.R06-1972 Carried

It was then
 Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16087" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1973 Carried

13. **7906-0157-00**
15060, 15084, 15106 and 15126 - 60 Avenue
Hunter Laird Engineering Ltd, c/o Clarence Arychuk/Richard W. Reiland,
Kenneth and Silvia McIntosh, William and Gloria Gough, Lilly Flather
 NCP Amendment/Rezoning
*Partial NCP amendment from Single Family Residential to Single Family
 Residential Flex (6 to 14.5 upa max.). Rezone from RA to RF-9C, RF-9 and
 RF-12 to allow subdivision into approximately 36 single family residential small
 lots.*

The General Manager of Planning & Development submitted a report concerning
 an application to amend the Neighbourhood Concept Plan, and a rezoning
 application on properties located at 15060, 15084, 15106 and 15126 - 60 Avenue.

The applicant is proposing:

- a partial NCP amendment from "Single Family Residential" to "Single
 Family Residential Flex" (6 to 14.5 upa max); and
- a rezoning from RA to RF-9C, RF-9 and RF-12

in order to allow subdivision into approximately 36 single family residential small lots, which range in size from approximately 242 m² (2,605 sq.ft.) to 576 m² (6,200 sq.ft.).

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 portion of the site identified as Block A on the plan attached as Appendix XI from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Coach House Zone (RF-9C)" (By-law No. 12000) and the portion identified as Block B from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and the portion identified as Block C from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) 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; and
 - (e) registration of a 219 no-build Restrictive Covenant over a portion of proposed Lot 36 for future consolidation and resubdivision in the adjacent lands to the east.

3. Council pass a resolution to amend the South Newton NCP to redesignate the land shown with hatches on the plan attached as Appendix XI from "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max.) when the project is considered for final adoption.

RES.R06-1974

Carried

It was

Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16088" pass its first reading.

RES.R06-1975

Carried

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

It was

Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16088" pass its second reading.

RES.R06-1976

Carried

It was then

Moved by Councillor Hunt
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16088" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1977

Carried

- 14. 7905-0378-00**
15038 - 60 Avenue; 15031, 15057, 15080, 15091, 15098, 15108 and
15115 - 59 Avenue
Hunter Laird Engineering Ltd./Mohinder and Kulwinder Khosa, Randall
and Connie Severson, High Quality Homes Ltd., Manjit Nagra,
Hans Gerber, Sukhdeep Johal, Jaswant Sangha, Sukhdeep Johal, Raveen
Sangha, Jaswant, Parmjit and Jasminder angha
 OCP Amendment/NCP Amendment, Rezoning
OCP amendment from Multiple Residential to Urban. Partial NCP amendment
from Townhouses and Single Family to Single Family Flex. Rezone from RA to
RF-9C, RF-12 and RF to allow 71 single family small lots.

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, an Neighbourhood Concept Plan amendment, and a rezoning application on properties located at 15038 - 60 Avenue; 15031, 15057, 15080, 15091, 15098, 15108 and 15115 - 59 Avenue .

The applicant is proposing:

- an OCP amendment from "Multiple Residential" designation to "Urban" designation for three lots;
- a partial NCP amendment from "Townhouses 15 upa max" and "Single Family Residential" designation to "Single Family Residential Flex (6 to 14.5 upa max.)"; and
- a rezoning from RA to RF-9C, RF-12 and RF

in order to allow subdivision into approximately 71 single family residential small lots, which range in size from approximately 340 square metres (3,660 sq.ft.) to 713 square metres (7,675 sq.ft.).

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 Gill
That:

1. a By-law be introduced to amend the OCP by redesignating the properties located at 15080, 15098 and 15108 - 59 Avenue and portion of road and walkway dedicated by Plan No. 43003 from "Multiple Residential" to "Urban" and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the portion of the site identified as Block A on the plan attached as Appendix X from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000), the portion of the site identified as Block B from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and the portion of the site identified as Block C from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;

- (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) a successful closure of a portion of 59 Avenue; and
- (f) registration of a Section 219 Restrictive Covenant for no-build over proposed Lot 8 for future consolidation and resubdivision with the adjoining lands to the east.

5. Council pass a resolution to amend South Newton NCP to redesignate a portion of the site from "Townhouses 15 upa max" and "Single Family Residential" to "Single Family Residential Flex (6 to 14.5 upa max.)" when the project is considered for final adoption.

RES.R06-1978

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 143 Amendment By-law 2006, No. 16089" pass its first reading.

RES.R06-1979

Carried

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

It was

Moved by Councillor Hunt
Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 143 Amendment By-law 2006, No. 16089" pass its second reading.

RES.R06-1980

Carried

It was then

Moved by Councillor Hunt
Seconded by Councillor Gill

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 143 Amendment By-law 2006, No. 16089" be held at the City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1981

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Gill

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2006, No. 16090" pass its first reading.

RES.R06-1982

Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16090" pass its second reading.
 RES.R06-1983 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16090" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1984 Carried

- 15. 7905-0304-00**
6268 - 133 Street
CitiWest Consulting Ltd/Balvir Singh Chahal and Narinder Kaur Chahal
Rezoning
Rezone from RA to RF to allow subdivision into two single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 6268 - 133 Street.

The applicant is proposing:

- a rezoning from RA to RF

in order to allow subdivision into two 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 Higginbotham
 Seconded by Councillor Hunt
 That:

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

- (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
- (d) registration of a Section 219 Restrictive Covenant for "no build" on a portion of the subject property to protect future subdivision potential.

RES.R06-1985

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16091" pass its first reading.

RES.R06-1986

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16091" pass its second reading.

RES.R06-1987

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16091" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-1988

Carried**SOUTH SURREY****16. 7905-0206-00****1264 - 129B Street****Clarence Arychuk, Hunter Laird Engineering Ltd./Teri-Jo Killoran****Rezoning/Development Variance Permit**

Rezone from RF to RF-O to permit an addition to the existing single family dwelling. Development Variance Permit to vary the west side yard of a flanking street setback for the existing single family dwelling.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Variance Permit application on property located at 1264 - 129B Street.

The applicant is proposing:

- a rezoning from RF to RF-O; and
a Development Variance Permit to vary the following by-law regulations:
 - vary the minimum required west side yard on a flanking street from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for the existing single family dwelling

in order to permit an addition to the existing single family dwelling.

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 Higginbotham

Seconded by Councillor Gill

That:

1. a By-law be introduced to rezone the property from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential Oceanfront Zone (RF-O)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7905-0206-00 (Appendix VII), varying the following to proceed to Public Notification:
 - (a) vary the minimum required west side yard on a flanking street from 7.5 metres (25 ft.) to 5.1 metres (17 ft.) for the existing single family dwelling.
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (c) registration of a Section 219 Restrictive Covenant to ensure the proposed building addition conforms to the building design (Appendix III) and geotechnical report;
 - (d) registration of a Section 219 Restrictive Covenant for the Geotechnical Report (Appendix VI); and
 - (e) resolution of storm drainage issues to the satisfaction of the General Manager, Engineering.

RES.R06-1989

Carried

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 Higginbotham
Seconded by Councillor Gill
That:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7905-0191-00, (Appendix VI) varying the following, to proceed to Public Notification to allow the retention of the existing house:
 - (a) to reduce the minimum side yard setback of the RH Zone from 4.5 metres (14.7 ft.) to 0.15 metre (0.49 ft.); and
 - (b) to reduce the minimum rear yard setback of the RH Zone from 7.5 metres (25 ft.) to 3.6 metres (11.8 ft.)
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer; and
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

RES.R06-1993

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16093" pass its first reading.

RES.R06-1994

Carried

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

It was
 No. 12000, Amendment By-law, 2006, No. 16093" pass its second reading.
 RES.R06-1995

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

It was then
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16093" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-1996

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
Carried

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

18. **7906-0172-00**
5250 - 185A Street
Krahn Engineering/Global Deck Systems Inc.
 Development Permit
Development Permit to permit the construction of a multi-tenant industrial building.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 5250 - 185A Street.

The applicant is proposing:

- a Development Permit

in order to permit the construction of a multi-tenant industrial 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 Higginbotham
 Seconded by Councillor Gill
 That:

1. Council authorize staff to draft Development Permit No. 7906-0172-00 in accordance with the attached drawings (Appendix III).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) final architectural plan approval to the satisfaction of the City Architect;

- (b) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (c) registration of a Section 219 Restrictive Covenant to prohibit automotive service uses.

RES.R06-1997

Carried

- 19. 7905-0144-00**
5585 Production Boulevard
Paul Rust Architect Inc./Johnson Enterprises Ltd.
Development Permit
Development Permit to allow a single tenant industrial building in East Cloverdale.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 5585 Production Boulevard.

The applicant is proposing:

- a Development Permit

in order to allow the construction of a single tenant industrial building in east Cloverdale.

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 Higginbotham
Seconded by Councillor Gill
That:

1. Council authorize staff to draft Development Permit No. 7905-0144-00 in accordance with the attached drawings (Appendix III).
2. 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.R06-1998

Carried

FLEETWOOD/GUILDFORD**20. 7906-0094-00****18386 - 96 Avenue and a Portion of 184 Street****Rimark Consulting/Samaritan Holdings**

Rezoning/Development Permit

Rezone from RA to IL. Development Permit to permit construction of an industrial building

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning, and a Development Permit application on properties located at 18386 - 96 Avenue and a Portion of 184 Street.

The applicant is proposing:

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

in order to permit the development of an industrial 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 Higginbotham

Seconded by Councillor Gill

That:

1. a By-law be introduced to rezone the property and a portion of 184 Street from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Light Impact Industrial Zone (IL)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. Council authorize staff to draft Development Permit No. 7906-0094-00 in accordance with the attached drawings (Appendix II).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) completion of the road closure by-law for a portion of 184 Street;
 - (c) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (d) approval from the Ministry of Transportation;

- (e) submission of a landscaping plan for the future landscaping along Highway No. 1 and submission of a landscaping cost estimate for both the interim and ultimate landscaping to the specifications and satisfaction of the City Landscape Architect;
- (f) registration of a Section 219 Restrictive Covenant to require landscaping upon the cancellation of the Ministry of Transportation Highway Use Permit for the adjoining portion of Highway No. 1;
- (g) final inspection of Demolition Permit No. 05-25053-00 to the satisfaction of the Building Division;
- (h) submission of reciprocal access agreements between 18386 and 18412 - 96 Avenue; and
- (i) discharge of Section 219 Restrictive Covenants registered under BA065438 and BA65540 at the Land Title Office which currently prohibit construction until the servicing issues are addressed.

RES.R06-1999

Carried

It was

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

No. 12000, Amendment By-law, 2006, No. 16094" pass its first reading.

RES.R06-2000

Carried

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

It was

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

No. 12000, Amendment By-law, 2006, No. 16094" pass its second reading.

RES.R06-2001

Carried

It was then

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

By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16094" be held at the City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-2002

Carried

SURREY CITY CENTRE/WHALLEY**21. 7906-0224-00****12277 and 12271 Industrial Road****Greg Belgardt, The Artek Group Ltd./PAW Properties Ltd., Inc. No. 135721**

Development Permit/Development Variance Permit

Development Permit to regulate parking lot landscaping. Development Variance Permit to reduce the number of required parking spaces from 74 to 42.

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on properties located at 12277 and 12271 Industrial Road.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulation:
 - to reduce the minimum required parking from 74 spaces to 42 spaces

in order to permit a trade school currently operating at 12277 Industrial Road to expand its program.

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 Higginbotham

Seconded by Councillor Gill

That:

1. Council authorize staff to draft Development Permit No. 7906-0224-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7906-0224-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum number of required parking spaces from 74 to 42.
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;

- (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (d) registration of a Section 219 Restrictive Covenant limiting the number of persons, including students and staff, occupying the school at any one time to 75.

RES.R06-2003

Carried**22. 7906-0185-00****Portion of 10299 Grace Road****Pacific Land Resource Group/Pacific Link Industrial Park Ltd.**

Development Permit

Development Permit to allow the construction of a multi-tenant industrial building in South Westminster.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at portion of 10299 Grace Road.

The applicant is proposing:

- a Development Permit

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

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 Higginbotham

Seconded by Councillor Gill

That:

1. Council authorize staff to draft Development Permit No. 7906-0185-00 in accordance with the attached drawings (Appendix III).
2. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) registration of a Section 219 Restrictive Covenant to protect Scott Creek which runs along the south-west property line of the subject property;

- (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (d) registration of an access agreement to facilitate vehicle movement between proposed Lots 18 and 17 and to secure a common driveway between the two proposed properties.

RES.R06-2004

Carried**23. 7906-0079-00****10824 and 10840 - 125 Street****Nirbhai Viridi, Architect/0730589 B.C. Ltd.****Director Information: Sukhjeevan Dulay**

OCP Amendment/Temporary Industrial Use Permit/Development Permit

*OCP Amendment to declare a portion of the site a Temporary Industrial Use**Permit Area. Temporary Industrial Use Permit to allow for the parking of**vehicles over 5,000 kilograms GVW. Development Permit to allow an industrial building.*

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan and applications for a Temporary Industrial Use Permit and a Development Permit on properties located at 10824 and 10840 - 125 Street.

The applicant is proposing:

- an OCP amendment to declare the site a Temporary Industrial Use Permit Area;
- a Temporary Industrial Use Permit on a portion of the site; and
- a Development Permit;

in order to permit the development of an industrial building and the temporary storage of vehicles over 5,000 kilograms (11,023 lbs.) G.V.W.

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 Higginbotham

Seconded by Councillor Gill

That:

1. a By-law be introduced to declare the property a Temporary Industrial Use Permit Area and a date for Public Hearing be set.
2. Council approve Temporary Industrial Use Permit No. 7906-0079-00 (Appendix V) to proceed to Public Notification.

3. Council authorize staff to draft Development Permit No. 7906-0079-00 in accordance with the attached drawings (Appendix III).
4. 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;
 - (c) completion of a road closure for portions of 125 Street;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) final approval from the City Architect for the proposed development;
 - (f) registration of a Section 219 Restrictive Covenant to require a minimum 4.4 geodetic building elevation for floodproofing;
 - (g) submission of adequate security to ensure the vehicles are removed upon expiration of the Temporary Industrial Use Permit; and
 - (h) registration of a Section 219 Restrictive Covenant to prohibit on-site truck washing, truck fuel storage or refuelling, storage of waste petroleum fluids and vehicle maintenance and to prohibit the parking and storage of vehicles containing dangerous goods as defined by the *Transport of Dangerous Goods Act*.

RES.R06-2005

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 66 Amendment By-law 2006, No. 16095" pass its first reading.

RES.R06-2006

Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, Text No. 66 Amendment By-law 2006, No. 16095"
 pass its second reading.

RES.R06-2007 Carried

It was then Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Official
 Community Plan By-law, 1996, No. 12900, Text No. 66 Amendment By-law
 2006, No. 16095" be held at the City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-2008 Carried

24. 7904-0135-00

10198 Grace Road

Aplin & Martin Consultants Ltd./Sumitter Pattar

OCP Amendment/Temporary Industrial Use Permit

OCP Amendment to declare the site a Temporary Industrial Use Permit Area.

*Temporary Industrial Use Permit to allow for a temporary truck parking facility
 for a period not to exceed two years.*

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and an application for a Temporary Industrial Use Permit on property located at 10198 Grace Road.

The applicant is proposing:

- an OCP amendment to declare the site a Temporary Industrial Use Permit Area; and
- a Temporary Industrial Use Permit

in order to allow the temporary parking and storage of heavy trucks for a period not to exceed two years.

The Acting General Manager of Planning & Development was recommending that to implement Council's previous decision granting approval to proceed to this project that the application be approved, subject to the conditions outlined in the report.

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

1. a By-law be introduced to declare the property a Temporary Industrial Use Permit Area and a date for Public Hearing be set.

2. Council approve Temporary Industrial Use Permit No. 7904-0135-00 (Appendix V) to proceed to Public Notification.
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) registration of a Section 219 Restrictive Covenant to prohibit on site truck washing, truck fuel storage or refuelling, storage of waste petroleum fluids and vehicle maintenance and to prohibit the parking and storage of vehicles containing dangerous goods defined by the *Transport of Dangerous Goods Act*;
 - (c) submission of adequate security to ensure the vehicles are removed and the site is restored to its vacant state upon expiration of the Temporary Industrial Use Permit; and
 - (d) submission of landscape cost estimate to the specification of the City Landscape Architect and submission of appropriate securities to ensure that this landscaping is installed.

RES.R06-2009

Carried

It was

Moved by Councillor Higginbotham

Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 67 Amendment By-law 2006, No. 16096" pass its first reading.

RES.R06-2010

Carried

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

It was

Moved by Councillor Higginbotham

Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 67 Amendment By-law 2006, No. 16096" pass its second reading.

RES.R06-2011

Carried

It was then Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Official
 Community Plan By-law, 1996, No. 12900, Text No. 67 Amendment By-law
 2006, No. 16096" be held at the City Hall on September 25, 2006, at 7:00 p.m.
 RES.R06-2012 Carried

RESIDENTIAL/INSTITUTIONAL

SOUTH SURREY

25. **7906-0022-00**
2215 - 123 Street
Clarence Arychuk, Hunter Laird Engineering Ltd./Ocean Bluff Developments Ltd.
 Rezoning
Rezone a portion of the site from RF to RF-O to permit subdivision into 4 single family lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 2215 - 123 Street.

The applicant is proposing:

- a rezoning from RF to RF-O on a portion of the site

in order to permit subdivision into 4 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 Higginbotham
 Seconded by Councillor Gill
 That:

1. a By-law be introduced to rezone Block A, shown on Appendix V attached, from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential Oceanfront Zone (RF-O)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issue final adoption: 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) registration of a Section 219 Restrictive Covenant to ensure future house construction is in accordance with the recommendations in the approved geotechnical report;
- (e) registration of a shared access easement and Section 219 Restrictive Covenant over the panhandle portion of Lots 2 and 3 to allow shared access driveway and landscaping entry for all 4 lots;
- (f) completion of an archival record of the Christopherson house in accordance with the recommendations of the Heritage Advisory Commission;
- (g) registration of a Section 219 Restrictive Covenant to restrict the building envelopes on proposed Lots 1 and 4 for the purpose of tree retention; and
- (h) registration of a Section 219 Restrictive Covenant to prohibit access to proposed Lots 1 and 4 from 123 Street.

RES.R06-2013

Carried

It was

Moved by Councillor Higginbotham
Seconded by Councillor Gill

That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16097" pass its first reading.

RES.R06-2014

Carried

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

It was

Moved by Councillor Higginbotham
Seconded by Councillor Gill

That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16097" pass its second reading.

RES.R06-2015

Carried

It was then

Moved by Councillor Higginbotham
Seconded by Councillor Gill

That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16097" be held at the
City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-2016

Carried

26. **7905-0185-00**
3355 Rosemary Heights Drive
Hunter Laird Engineering Ltd., Dan Dawson, Dawson Pacific
Holdings/Rosemary Developments Ltd., Inc. No. 410635
NCP Amendment/Rezoning/Development Permit
NCP amendment from Institutional Residential to Garden Apartments. Rezone from CD to CD and Development Permit to allow for a 37-unit apartment building.

The General Manager of Planning & Development submitted a report concerning an application to amend the Neighbourhood Concept Plan, and applications for rezoning and a Development Permit on property located at 3355 Rosemary Heights Drive.

The applicant is proposing:

- an NCP amendment from Institutional Residential to Garden Apartments;
- a rezoning from CD (By-law No. 13516) to CD; and
- a Development Permit

in order to permit the development of a 37-unit apartment 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 Higginbotham
Seconded by Councillor Gill
That:

1. a By-law be introduced to rezone the property from "Comprehensive Development Zone (CD)" (By-law No. 13516) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7905-0185-00 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 landscaping plan and cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) resolution of outstanding design issues to the satisfaction of the City Architect.

4. Council pass a resolution to amend Rosemary Heights Central Neighbourhood Concept Plan to redesignate the land from Institutional Residential to Garden Apartments when the project is considered for final adoption.

RES.R06-2017

Carried

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16098" pass its first reading.

RES.R06-2018

Carried

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

It was

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16098" pass its second reading.

RES.R06-2019

Carried

It was then

Moved by Councillor Higginbotham
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16098" be held at the
 City Hall on September 25, 2006, at 7:00 p.m.

RES.R06-2020

Carried

C. CORPORATE REPORTS

D. ITEMS DEFERRED BY COUNCIL

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

NEWTON

1. **7906-0186-00**
5052 King George Highway
Lee Mackenzie, Greenline Management Ltd./Kulwant Dhaliwal,
Paramjit Dhaliwal, Gurmail Dhaliwal and Ravinder Dhaliwal
 ALR
Subdivision within the ALR to create two lots.

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the ALR on property located at 5052 King George Highway.

The applicant is proposing:

- Subdivision within the ALR under Section 21(2) of the ALC Act

in order to allow subdivision into two (2) lots.

Delegation:

Mr. Lee McKenzie, Greenline Management Ltd., agent for the applicant, was in attendance and commented that the owners would like to be able to succeed their property to their children in the future. He advised that the application does meet all requirements in its ability to do intensive farming, yet it is classed as Class 4; restrictive to intensive farming on its own. He continued that they would like the application to go forward to the ALC and he noted that he had been involved in other ALC applications that have allowed larger parcels of land to be divided so that the land may be divided to enable families to live on their own parcel of land.

He added that the property does meet the ten-acre requirement, however, there may be an issue with driveways for each house, yet secondary buildings would be allowed on the large site. He stated that the property can't sustain intensive agriculture because of its class. He noted that his clients, two brothers had to go together in 1993 just to afford the property; their children may not be able afford to purchase this property. He asked that the application be approved to go before the ALC. He added that he could not meet with the Agricultural Advisory Committee to discuss this application as other municipalities do. He noted that the purpose of this application is to keep the land agricultural and help families help their own children.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Application 7906-0186-00 be denied.
Carried

RES.R06-2021

E. DELEGATIONS

- 1. Peter Chittim**
File: 6630-01; 0550-20-10

Peter Chittim was in attendance regarding 9985 Grace Road & Royal Heights Neighbourhood Association.

Note: See separate correspondence in the binder flap regarding this item.

The following comments were provided:

- He wished to speak on behalf of the petition submitted regarding TMS Trucking and 9985 Grace Road
- Amar Investments and Jetes' Trucking, owners of 9985 Grace Road, has it divided in half by a chainlink fence and the western half is rented to TMS Transportation.
- The property was developed under permit 7903-0449-00 as truck parking and office space in the designated IL1 zone, but was granted a variance for the storage of steel building beams.
- The TMS operation has evolved into more than a steel beam into a receiving, sorting, distribution and shipping yard.
- This is an entirely different expectation to what initially led to believe the operation would be and is inconsistent with the expectations of the property.
- A memo from the Engineering Department of August 4, 2000 stated there were no objections to the requested variance permit given there was no building proposed and no employees working on the site.
- He stated that this is not the case, given that this operation relies upon employees to fulfill shifts Mondays, Saturdays and Sunday from 6:30 a.m. to Midnight, moving steel beams approximately 40 feet in length and weighing over 4000 lbs. each.
- These beams are packaged into bundles of six by a huge forklift for strapping prior to shipping to Alberta.
- The residents who signed the petition have lived in the area for many years.
- Their homes represent their life's work and are their retirement homes.
- Mr. Chittim then proceeded to play a tape of noise emanating from the site.
- Several by-law provisions have been violated with respect to noise.
- AMAR Investments, Jetes' Trucking and TMS Transportation are violating these by-laws on a daily basis, of which they have been made aware of by the By-law Department on numerous occasions.
- Light Impact Industrial zoning cited in Part 48A under Special Regulations, Sub-section j(4)(b) states "do not emit noise in excess of 70dB(a) measured at any point on any boundary of the lot on which the use is located, provided that where a lot abuts a lot other than an industrial lot, the noise level shall not exceed 60dB(a)."
- A sound reading was done from a residential home on 116 overlooking Grace Road, and a peak noise reading of over 100dB's was obtained, directed related to the steel noise.
- Back-up beepers on forklifts were measured and a reading of over 90 dBs were obtained.
- According to WCB, a forklift backup beepers can be adjusted to a lower dB level while still being effective and meeting WCB standards.
- Portable lights set up to work in the dark are shining right into the front windows of homes.
- One resident with young children was threatened when they attempted to complain about the lights.

- TMS has operated without a proper business license at 9985 Grace Road for four years; it is operating a transient business as there are no offices, no infrastructure, no paving, and no money invested in the site.
- The business comprises of two large forklifts and a large quantity of steel I beams and it could easily be relocated.
- The homes in the area being affected range in price from \$300,000 to \$900,000 and cannot be relocated.
- A petition was submitted in February 2006.
- A chronology of events was then provided and notification area was questioned.
- The "Notice of Development Variance Permit" which was distributed to a limited number of residents in September 2000 is felt to have been misleading as it does not specify the intention of the permit to allow for a storage yard including steel distribution operation.
- There are now 40 empty shipping containers on Jetes' lot and more added daily.
- The development proposal sign for Jetes' Trucking stated specific floor area, employee parking of 4 stalls and truck parking of 68 stalls. The site includes lumber and container storage, excess employee vehicle parking, no formal parking stalls to accommodate 66 trucks.
- There is a violation of IL1 zoning in the Zoning By-law under Park 48.A, Section 6(7)(f) dealing with the trailer on the property for caretaker/security personnel.
- The problems relating to 9985 Grace Road were aided by Planning Department with a focus on attracting business to the area.
- A resident of 116 Street has submitted letters to the City of Surrey for six years regarding the zoning variance and operation of the steel yard.
- They appreciate the efforts of By-law & Licensing Enforcement staff, but they need long-term solutions to the variance problems.
- The VanKam operation next door to Jetes has done an excellent job of property beautification and are operating quietly within the guidelines of the IL1 zone.
- They implore Council to support their petition and find the means to stop the TMS operation at 9985 Grace Road immediately and permanently; and to prevent any business or variance that exceeds the purposes outlined in IL1 zone.

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

TO BE FILED

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15568"

7904-0226-00 - City of Surrey

RA (BL 12000) to RF-9C (BL 12000) - 19010 - 72 Avenue - to allow subdivision into approximately 10 small single family lots with coach houses.

Approved by Council: November 15, 2004

- * Planning & Development advise that (see memorandum dated August 8, 2006 in by-law back-up) By-law No. 15568 should be filed as Council approved recommendations in Corporate Report R060 that the lands be acquired by the City of Surrey to facilitate a future land exchange with the Greater Vancouver Water District for park/open space in the East Clayton area. The acquisition has since completed and the rezoning by-law should be filed.

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15568" be filed.

RES.R06-2022

Carried

FINAL ADOPTIONS

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16028"

7905-0363-00 - Centaur Designs Ltd., c/o Krishan Anand

RF to CD (BL 12000) - 13233 and 13257 Old Yale Road - to permit the development of 85 stacked townhouse units.

Approved by Council: May 29, 2006

Note: A Development Permit (7905-0363-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(a).

It was

Moved by Councillor Higginbotham

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2006, No. 16028" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2023

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16049"

7905-0383-00 - Doon Developments Ltd., c/o Joe Dhaliwal

CD (BL 12892) to CD (BL 12000) - 9277 - 121 Street - to permit the development of 26 townhouse units.

Approved by Council: June 26, 2006

Note: A Development Permit (7905-0383-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(b).

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16049" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2024

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005,
No. 15846A"

7904-0364-00 - 0706177 B.C. Ltd., c/o Hunter Laird Engineering Ltd.
(Clarence Arychuk)

A-1 (BL 12000) to CD (BL 12000) - Portion of 7075 - 180 Street - to
allow the development of 37 townhouse units.

Approved by Council: October 3, 2005

This by-law is proceeding in conjunction with By-law 18546B.

Note: A Development Permit (7904-0364-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(c).

- * Planning & Development advise that (see memorandum dated September 7, 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, Planning & Development advise that it is now in order for Council to pass a resolution amending the North Cloverdale West Neighbourhood Concept Plan to redesignate portions of the land from:

(a) Single Family Residential to Small Lots (Block B); and

- (b) Townhouse Cluster (10 - 12 upa) to Townhouse (15 upa) (Block A)

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Council amend the North Cloverdale
 West Neighbourhood Concept Plan to redesignate portions of the land from:

- (a) Single Family Residential to Small Lots (Block B); and
 (b) Townhouse Cluster (10 - 12 upa) to Townhouse (15 upa) (Block A)

RES.R06-2025 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15846A" be finally adopted, signed
 by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2026 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005,
 No. 15846B"

7904-0364-00 - 0706177 B.C. Ltd., c/o Hunter Laird Engineering Ltd.
 (Clarence Arychuk)

A-1 (BL12000) to RF-12 (BL12000) - Portion of 7075 - 180 Street - to
 allow the development of approximately 35 small single family lots.

Approved by Council: October 3, 2005

This by-law is proceeding in conjunction with By-law 18546A.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15846B" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2027 Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15849"

7905-0105-00 - 0756968 B.C. Ltd., (Paul Binning), c/o CitiWest Consulting Ltd.
(Roger Jawanda)

RA to RF (BL 12000) - 15704 - 112 Avenue - to allow subdivision into approximately 8 single family residential lots with the neighbouring RF-zoned property to the east at 11155 - 157A Street.

Approved by Council: October 3, 2005

- * Planning & Development advise that (see memorandum dated September 7, 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 Higginbotham

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2005, No. 15849" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2028

Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15854"

7904-0432-00 - Paul and Gay Hough, c/o Hunter Laird Engineering Ltd.
(Clarence Arychuk)

RF (BL 12000) to RF-O (BL 12000)- 12626 - 15 Avenue - to permit the development of a single family dwelling.

Approved by Council: October 3, 2005

Note: A Development Variance Permit (7904-0432-01) on the site is to be considered for Final Approval under Clerk's Report, Item I.3(a).

- * Planning & Development advise that (see memorandum dated September 8, 2006 in by-law backup) that there is not a registered building scheme but the house plans and geotechnical report are being registered on title as restrictive covenants (RC). There is also an RC that requires that any future proposed development (including a pool), will be subject to a geotechnical study.

In addition, according to Council's instruction, an RC has also been prepared which provides restrictions on landscaping to maintain view corridors for the two neighbouring lots to the east. The document has been reviewed by these neighbours and the neighbour at 12638 - 15 Avenue has expressed concern over

the following clause relating to the enforcement of the RC: "*The Covenantor agrees with the City that the City is not required or is under no obligation in law or equity to prosecute or enforce this Agreement in any way whatsoever.*" The neighbour's view is that this clause in the RC does not provide her with the level of comfort that the City will enforce the conditions of the RC. The Assistant City Solicitor has advised that this is a standard clause the City utilizes to allow the enforcement of the RC at the discretion of the City.

The approval of Development Variance Permit No. 7904-0432-01 was not in order for approval at the June 26, 2006 Public Hearing meeting, and approval was postponed until approval could be granted concurrently with approval for Rezoning By-law No. 15854. Upon adoption of Rezoning By-law No. 15854, it is in order to execute Development Variance Permit No. 7904-0432-01.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15854" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R06-2029

Carried with Councillor Bose against.

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7905-0363-00**
Matthew Cheng/Centaur Designs Ltd.
 13233 and 13257 Old Yale Road

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

"That Development Permit No. 7905-0363-00 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 16028 under Item H.2.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Development Permit
 No. 7905-0363-00 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.R06-2030

Carried

- (b) **Development Permit No. 7905-0383-00**
Joe Dhaliwal, c/o Doon Developments Ltd.
Doon Developments Ltd., Inc. No. 469310
 9277 - 121 Street

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

"That Development Permit No. 7905-0383-00 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 16049 under Item H.3.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Development Permit
 No. 7905-0383-00 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.R06-2031

Carried with Councillor Bose against.

- (c) **Development Permit No. 7904-0364-00**
0706177 BC Ltd.
Hunter Laird Engineering Ltd.
 7075 - 180 Street

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

"That Development Permit No. 7904-0364-00 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 15846A under Items H.4.

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

No. 7904-0364-00 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.R06-2032

Carried

2. Applications/By-laws/Permits to be Filed

- (a) **Development Variance Permit No. 7904-0108-00**
Vera Williamson, c/o Paul Chislett
18375 - 60 Avenue

Memo from the Manager, North Division, Planning & Development Department advising that on June 7, 2005, the applicant requested the file be closed, and advising that the applicant did not respond to the City's registered letter dated June 7, 2005 from the City to confirm the request and to inform that unless we were advised otherwise within 30 days, the file would be closed.

Planning & Development are recommending to Council that Development Variance Permit 7904-0108-00 be filed.

It was
Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Development Variance Permit

7904-0108-00 be filed.

RES.R06-2033

Carried

3. Formal Approval of Development Variance Permits

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

- (a) **Development Variance Permit No. 7904-0432-01**
Paul and Gay Hough
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
 12626 - 15 Avenue

To reduce the minimum front yard setback requirement from 10 metres (32.8 ft.) to 4.8 metres (15.7 ft.); to reduce the minimum rear yard setback requirement from 10 metres (32.8 ft.) to 4.8 metres (15.7 ft.), and to relax the minimum lot depth requirement from 45 metres (147.6 ft.) to 30 metres (98.4 ft.), to permit the development of a single family dwelling.

Note: See separate correspondence in the binder flap regarding this Development Variance Permit.

Note: See By-law 15854 under Item H.7.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That Development Variance Permit
 No. 7904-0432-01 be approved; that the Mayor and Clerk be authorized to sign the Development Variance Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R06-2034

Carried with Councillors Bose and Villeneuve against.

J. OTHER BUSINESS

K. ADJOURNMENT

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

RES.R06-2035

Carried

The Regular Council- Land Use meeting adjourned at 5:23 p.m.

Certified Correct:



 City Clerk



 Mayor