



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C
MONDAY, APRIL 16, 2007
Time: 4:00 pm

Present:

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

Absent:

Councillor Hepner

Councillors Entering Meeting as Indicated:

Staff Present:

City Manager
City Clerk
Manager, Long Range Planning & Policy
Development
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Parks, Recreation & Culture
Manager Current Planning, Area Planning &
Development, South Division
Manager, Area Planning & Development, North
Division
Land Development Engineer
City Solicitor

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

FLEETWOOD/GUILDFORD

1. **7906-0357-00**
15428 Fraser Highway
David Smith, Fleetwood Development Corporation/Fleetwood Development Corporation
Development Permit
Development Permit to allow two new free-standing signs for an existing commercial site.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 15428 Fraser Highway.

The applicant is proposing:

- a Development Permit

in order to allow installation of two new free-standing signs for an existing commercial site.

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 Council approve the attached

Development Permit No. 7906-0357-00 (Appendix V) and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R07-1170

Carried

NEWTON

2. 7907-0014-00

7488 King George Highway

Jim Wong, Studio One Architecture Inc./King's Cross Shopping Centre Ltd., Inc. No. 477298

Development Permit/Development Variance Permit

DP to permit building modifications and to allow two replacement free-standing signs on a shopping centre site. DVP to allow a fascia sign to extend above the roofline on a parapet and to allow awning signage.

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit and a Development Variance Permit on property located at 7488 King George Highway.

The applicant is proposing:

- a Development Permit to allow building alterations and to allow two replacement free-standing signs; and
- a Development Variance Permit to vary the following by-law regulations:
- allow a fascia sign located on a parapet to extend above the roofline of the building face;
- allow one (1) additional awning sign; and
- allow the two (2) awning signs to be located on awnings that project less than 1.2 metres (4.0 ft.) from the building face

in order to permit a Mark's Work Wearhouse store within the King's Cross Shopping Centre.

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

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

1. Council authorize staff to draft Development Permit No. 7907-0014-00 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7907-0014-00 (Appendix V) varying the Sign By-law (No. 13656) as follows to proceed to Public Notification:
 - (a) Part 5 Section 27 Sub-section 2.(e) is varied to allow one (1) fascia sign on the west building elevation to extend above the roofline of the building face;
 - (b) Part 5 Section 27 Sub-section 3.(a) is varied to allow one (1) additional awning sign on the subject premise; and
 - (c) Part 5 Section 27 Sub-section 3.(g) is varied to allow the two (2) awning signs to be located on awnings that project less than 1.2 metres (4.0 ft.) from the building face.
3. Council instruct staff to resolve the following issue prior to approval:
 - (a) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R07-1171

Carried**SOUTH SURREY**

3. **7906-0467-00**
3033 - 152 Street
Michael Ward (South Point BT Holdings Ltd.)/SFE BT Holdings Limited,
Inc. No. 585656
 Rezoning/Development Permit
Amend CD By-law No. 13712 to increase the number of commercial units that have a floor area of less than 370 m² (4,000 ft.²) and Development Permit amendment to increase landscaping along Highway No. 99.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit and rezoning on property located at 3033 - 152 Street.

The applicant is proposing:

- to amend CD By-law No. 13712 as follows:

- increase the total gross floor area permitted on the site for individual businesses which do not exceed 186 square metres (2,000 sq.ft.) from 5% to 7.5%;
- increase the total gross floor area permitted for individual businesses which exceed 186 square metres (2,000 sq.ft.) but do not exceed 370 square metres (4,000 sq.ft.) from 5% to 7.5%; and
- reduce the total gross floor area permitted on the site for individual businesses exceeding 370 square metres (4,000 sq.ft.) from 90% to 85%; and a Development Permit amendment

in order to allow an increased number of small-scale retail units within a large format commercial retail complex and additional landscaping along Highway No. 99.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. a By-law be introduced to amend Part B.1 of "Comprehensive Development (CD) (By-law No. 13712) as follows (Appendix IV) and a date for Public Hearing be set:
 - (a) increase the total gross floor area permitted on the site for individual businesses, which do not exceed 186 square metres (2,000 sq. ft.) from 5% to 7.5%;
 - (b) increase the total gross floor area permitted for individual businesses which exceed 186 square metres (2,000 sq. ft.) but do not exceed 370 square metres (4,000 sq. ft.) from 5% to 7.5%; and
 - (c) reduce the total gross floor area permitted on the site for individual businesses exceeding 370 square metres (4,000 sq. ft.) from 90% to 85%.
2. Council authorize staff to draft Development Permit No. 7906-0467-00 to amend Development Permit No. 7900-0177-00.
3. Council instruct staff to resolve the following issue prior to final adoption:
 - (a) provide finalized landscaping plan and financial securities for landscaping along the eastern portion of the property adjacent to Highway No. 99 to the specifications and satisfaction of the City Landscape Architect (Appendix V).

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 1999, No. 13712 Amendment By-law, 2007,
 No. 16343" pass its first reading.

RES.R07-1172 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 1999, No. 13712 Amendment By-law, 2007,
 No. 16343" pass its second reading.

RES.R07-1173 Carried

It was then Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13712 Amendment
 By-law, 2007, No. 16343" be held at the City Hall on Monday, April 30, 2007, at
 7:00 p.m.

RES.R07-1174 Carried

**4. 7906-0360-00
 2958 and 2976 King George Highway
 Carson Nofle, Focus Architecture Inc./0754740 B.C. Ltd., Inc. No. 0754740**

Director Information:

Franz Gehriger

David Jonash

Development Variance Permit

*Development Variance Permit to vary the rear yard setback of a four-storey
 mixed-use (commercial/residential) building.*

The General Manager of Planning & Development submitted a report concerning
 an application for a Development Variance Permit on properties located at
 2958 and 2976 King George Highway.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:
 - Section F.2 of the Comprehensive Development Zone (CD)
 (By-law No. 16346) is varied as follows:
 - the minimum rear yard setback is varied from 7.5 metres
 (25 ft.) to 6.0 metres (20 ft.) for principal buildings and from
 7.5 metres (25 ft.) to 5.4 metres (17.7 ft.) for cantilevered roof
 overhangs

in order to accommodate an amended road concept for a mixed-use (commercial/residential) complex.

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 Gill
Seconded by Councillor Steele
That Council approve Development
Variance Permit No. 7906-0360-00, (Appendix V) varying the following, to
proceed to Public Notification:

- (a) in Section F.2 of the "Comprehensive Development Zone (CD)" (By-law No. 16246), the rear yard setback is relaxed from 7.5 metres (25 ft.) to 6.0 metres (20 ft.) for principal building; and from 7.5 metres (25 ft.) to 5.4 metres (17.7 ft.) for cantilevered roof overhangs.

RES.R07-1175

Carried

5. **7906-0329-00**
2950 King George Highway
Michael Ward/0725293 B.C. Ltd., Inc. No. 0725293
Note: Effective November 17, 2006 Company Name Changed to KGH BT Holdings Limited
Director Information:
Andrew J. Bibby
Andrew B. Galbraith
David E. Olson
Rekha S. Patel
Officer Information: (as at May 24, 2006)
William J. Abelmann (Chair)
Michael H. Beattie (Vice President)
Ryan P. Beechinor (Other Offices)
Andrew J. Bibby (President)
Graham W. Drexel (Treasurer)
Rekha S. Patel (Other Offices)
Jean I. Whittet-Brown (Secretary)
Development Variance Permit
Development Variance Permit to vary the rear yard and the side yard setbacks of a four storey mixed-use (commercial/ residential) building.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 2950 King George Highway.

The applicant is proposing:

- a Development Variance Permit to relax the following by-law regulations:

- Section F.2 and F.3 of the "Comprehensive Development Zone (CD)" (By-law No. 16247) are varied as follows:
- the rear yard setback is varied from 6 metres (20 ft.) to 4.67 metres (15.3 ft.) for the principal building, from 6 metres (20 ft.) to 3.6 metres (11.8 ft.) for cantilevered roof overhangs and from 6 metres (20 ft.) to 1.0 metre (3 ft.) for parkade structures; and
- the side yard setback is varied on one side only from 6 metres (20 ft.) to 5.73 metres (18.8 ft.) for the principal building, and from 6 metres (20 ft.) to 4.48 metres (14.7 ft.) for cantilevered roof overhangs.

in order to accommodate an amended road concept for mixed-use (commercial/residential) complex.

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

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That:

1. Council approve Development Variance Permit No. 7906-0329-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) in Section F.2 of the "Comprehensive Development Zone (CD)" (By-law No. 16247) the minimum rear yard setback is varied from 6 metres (20 ft.) to 4.67 metres (15.3 ft.) for the principal building from 6 metres (20 ft.) to 3.6 metres (11.8 ft.) for cantilevered roof overhangs and from 6 metres (20 ft.) to 1.0 metre (3 ft.) for parkade structures; and
 - (b) in Section F.3 of the "Comprehensive Development Zone (CD)" (By-law No. 16247) the minimum side yard setback is varied on one side only from 6 metres (20 ft.) to 5.73 metres (18.8 ft.) for the principal building, and from 6 metres (20 ft.) to 4.48 metres (14.7 ft.) for cantilevered roof overhangs.

RES.R07-1176

Carried

6. **7906-0384-00**
3507 - 176 Street
Coriolis Consulting Corporation/Kashmir Singh Akali, Aman Prit Kaur Akali, Parmjit Singh Bains and Parminder Singh Bains
Rezoning
Rezone from A-1 to CD to permit the development of a second dwelling associated with a farm operation in the ALR.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 3507 - 176 Street.

The applicant is proposing:

- a rezoning from A-1 to CD

in order to permit the development of a second dwelling associated with the farm operation in the ALR.

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 Martin
Seconded by Councillor Gill
That:

1. a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
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) approval from the Ministry of Transportation; and
 - (d) registration of a Section 219 Restrictive Covenant to restrict access via 176 Street to one driveway only in accordance with the Ministry of Transportation's requirements.

RES.R07-1177

Carried

It was

Moved by Councillor Martin
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16374" pass its first reading.

RES.R07-1178

Carried

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

It was Moved by Councillor Martin
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2007, No. 16374" pass its second reading.
 RES.R07-1179 Carried

It was then Moved by Councillor Martin
 Seconded by Councillor Gill
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16374" be held at the
 City Hall on Monday, April 30, 2007, at 7:00 p.m.
 RES.R07-1180 Carried

RESIDENTIAL/INSTITUTIONAL

FLEETWOOD/GUILDFORD

7. **7906-0448-00**
9259 - 156 Street
Mike Helle, Coastland Engineering & Surveying Ltd./Charanjit Rattan and
Inderjit Rattan
 Rezoning
Rezone from RM-D to RF to permit subdivision into two single family residential
lots.

The Acting General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 9259 - 156 Street.

The applicant is proposing:

- a rezoning from RM-D to RF

in order to allow subdivision into two 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 Steele
 That:

1. a By-law be introduced to rezone the property from "Duplex Residential Zone (RM-D)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to approval:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
- (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
- (c) submission of a subdivision layout to the satisfaction of the Approving Officer.

RES.R07-1181 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Gill
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2007, No. 16375" pass its first reading.

RES.R07-1182 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, 2007, No. 16375" pass its second reading.

RES.R07-1183 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, 2007, No. 16375" be held at the
 City Hall on Monday, April 30, 2007, at 7:00 p.m.

RES.R07-1184 Carried

8. **7906-0371-00**
8217,8225, 8233, 8243 - 164 Street; 16345 and 16365 - 82 Avenue;
Portion of 16376 Fraser Highway and Portion of 16366 Fraser Highway
Kevin Dhaliwal/Legendary Developments Ltd., Inc. No. 659980 Nikki Baljit
Dhaliwal and Kamaljit Singh Bassi Amardeep Singh Dhaliwal, Sadhu Singh
Dhaliwal and Surjit Singh Rai, Valley Custom Homes Ltd., Inc. No. 0684666,
Baldev Singh Nijjer and Rajinder Pal Kaur Nijjer, Somal Properties Ltd.,
Inc. No. 636609, Amardeep Kevin Dhaliwal
 OCP Amendment/NCP Amendment/Rezoning/Development Permit/Development
 Variance Permit

Amend OCP from Urban to Multiple Residential. Amend NCP for a portion from Low Density Townhouses to Medium Density Townhouses. Rezone from RA and C-4 to RM-30 and DP to allow the development of approximately 70 townhouse units. DVP to relax setbacks.

This item was tabled to be dealt with later in the meeting when the applicant was present.

**9. 7906-0292-00
15353 - 92 Avenue**

Alven Barte, Craven Huston Powers Architects/Fraser Valley Christian High School Association, Inc. No. 56701

Development Variance Permit to vary the maximum building height and minimum building setbacks for a proposed gymnasium and classroom addition at Fraser Valley Christian High School.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 15353 - 92 Avenue.

The applicant is proposing:

- a Development Variance Permit to vary the following By-law regulations in the PA-2 Zone:
- to increase the maximum building height from 9.0 metres (30 ft.) to 11.2 metres (37 ft.) except for a parapet entry feature which may have a maximum height of 11.5 metres (38 ft.); and
- to reduce the minimum side yard setback on a flanking street (92 Avenue) from 11.5 metres (38 ft.) to 8.5 metres (28 ft.)

in order to allow a gymnasium and classroom addition to Fraser Valley Christian High School.

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 Villeneuve
Seconded by Councillor Steele
That:

1. Council approve Development Variance Permit No. 7906-0292-00, (Appendix VI) varying the following, to proceed to Public Notification:
 - (a) to increase the maximum building height of the PA-2 Zone from 9.0 metres (30 ft.) to 11.2 metres (37 ft.) except for a parapet entry feature which may have a maximum height of 11.5 metres (38 ft.); and

- (b) to reduce the minimum side yard setback on a flanking street (92 Avenue) of the PA-2 Zone from 11.5 metres (38 ft.) to 8.5 metres (28 ft.).

RES.R07-1185

Carried**SOUTH SURREY**

10. 7906-0304-00
15609 - 32 Avenue
Robert Salikan, Salikan Architecture Inc./0751880 B.C. Ltd., Inc. No.
BC0751880

Director Information:

Feng Chen

Jian Miao

Zerong Shu

Yong Hong Wang

Xiaotao Xie

No Officer Information Filed

Rezoning/Development Permit/Development Variance Permit

Rezone from A-1 to RM-30 and DP to permit development of a 25-unit townhouse project. DVP to vary the rear yard setback for principal buildings and visitor parking.

The Acting General Manager of Planning & Development submitted a report concerning applications for a Development Permit, a Development Variance Permit and rezoning application on property located at 15609 - 32 Avenue.

The applicant is proposing:

- a rezoning from A-1 to RM-30;
- a Development Permit;
- a Development Variance Permit to vary the RM-30 Zone as follows:
 - to reduce the rear yard setback requirements for principal buildings from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and
 - to allow 1 visitor parking stall within the required rear yard setback

in order to permit the development of a 25-unit townhouse project.

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

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

1. a By-law be introduced to rezone the property from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve the applicant's request to eliminate the required indoor amenity space.
3. Council authorize staff to draft Development Permit No. 7906-0304-00 generally in accordance with the attached drawings (Appendix III).
4. Council approve Development Variance Permit No. 7906-0304-00, (Appendix IX) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RM-30 Zone from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and
 - (b) to vary the off-street parking and loading/unloading requirements of the RM-30 Zone to permit one (1) visitor parking stall to encroach into the rear yard setback.
5. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (d) the applicant adequately address the impact of no indoor amenity space.

RES.R07-1186

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16378" pass its first reading.

RES.R07-1187

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16378" pass its second reading.
RES.R07-1188 Carried

It was then Moved by Councillor Hunt
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16378" be held at the
City Hall on Monday, April 30, 2007, at 7:00 p.m.
RES.R07-1189 Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

E. DELEGATIONS

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15617"
7904-0361-00 - Apna Drywall and Construction Ltd.,
c/o HY Engineering Ltd. (Richard Brooks)

RA (BL 12000) to RF (BL 12000) - 15585 - 109 Avenue - to allow
subdivision into approximately four single family lots and a remainder lot.

Approved by Council: January 10, 2005

- * Planning & Development advise that (see memorandum dated April 12, 2007 in by-law back-up) the initial subdivision proposal was to create 4 single family lots and 1 remainder lot. The applicant subsequently demolished the house on the subject lot, to enable revision to the subdivision plan to create 6 single family lots.
- * In addition the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15617" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1190

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16027"

7906-0032-00 - Weststone Properties KG Ltd.,
 c/o Weststone Properties Ltd.

RF and RM-D to RM-30 (BL 12000) - 2636 and 2646 King George
 Highway, 2707 and 2709 Parkway Drive, 2681 and 2683 Parkway Drive,
 Portion of King George Highway - to permit the development of a 53-unit
 townhouse development.

Approved by Council: May 29, 2006

Note: A Development Permit (7906-0032-00) on the site is to be considered for
 Final Approval under Clerk's Report, Item I.1(a).

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16027" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1191

Carried

3. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 138 Amendment
 By-law, 2006, No. 15997"

7905-0402-00 - EPTA Properties (Winter Crescent) Holdings Ltd.,
 c/o Aplin & Martin Consultants Ltd. (Michael Sanderson)

To authorize the redesignation of the properties located at 14655 and 14685 Winter Crescent from Suburban (SUB) and Urban (URB) to Urban (URB).

Approved by Council: April 10, 2006

This by-law is proceeding in conjunction with By-law 15998.

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 138 Amendment By-law, 2006, No. 15997" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1192

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15998"

7905-0402-00 - EPTA Properties (Winter Crescent) Holdings Ltd.,
c/o Aplin & Martin Consultants Ltd. (Michael Sanderson)

A-1 to CD (BL 12000) - 14655 and 14685 Winter Crescent - to permit the development of 51 single family residential detached bare land strata lots.

Approved by Council: April 10, 2006

This by-law is proceeding in conjunction with By-law 15997.

- * Planning & Development advise that (see memorandum dated April 13, 2007 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 King George Highway Corridor Land Use Development Concept Plan to redesignate the site from Nicowynd East (recreational and related uses under a comprehensive development) to Clustering at Urban Single Family Density (8 upa).

It was Moved by Councillor Higginbotham
 Seconded by Councillor Martin
 That Council pass a resolution amending the
 King George Highway Corridor Land Use Development Concept Plan to
 redesignate the site from Nicowynd East (recreational and related uses under a
 comprehensive development) to Clustering at Urban Single Family Density
 (8 upa).

RES.R07-1193

Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Martin
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 15998" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1194

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7906-0032-00**
Weststone Properties KG Ltd.
c/o Weststone Properties Ltd.
 2636 and 2646 King George Highway; 2707 and 2681 Parkway Drive

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

"That Development Permit No. 7906-0032-00 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 No. 16027 under Item H.2 of this agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That Development Variance Permit
 No. 7906-0032-00 be approved; that the Mayor and Clerk be authorized to
 sign the Development Variance Permit; and that Council authorize the
 transfer of the Permit to the heirs, administrators, executors, successors,
 and assigns of the title of the land within the terms of the Permit.

RES.R07-1195

Carried

J. OTHER BUSINESS**1. Sign Bylaw**

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That a staff bring forward a report regarding
the number of variances and the type of variances required on the sign bylaw for
Council consideration.

RES.R07-1196

Carried

It was Moved by Councillor Bose
Seconded by Councillor Villeneuve
That the Regular Council - Land Use
adjourn and reconvene after Council-in-Committee is completed.

RES.R07-1197

Carried

The meeting adjourned at 4:12 p.m. and reconvened at 4:15 p.m. with all members of
Council, except Councillor Hepner in attendance.

B. LAND USE APPLICATIONS (continued)**8. 7906-0371-00**

**8217,8225, 8233, 8243 - 164 Street; 16345 and 16365 - 82 Avenue;
Portion of 16376 Fraser Highway and Portion of 16366 Fraser Highway
Kevin Dhaliwal/Legendary Developments Ltd., Inc. No. 659980 Nikki Baljit
Dhaliwal and Kamaljit Singh Bassi Amardeep Singh Dhaliwal, Sadhu Singh
Dhaliwal and Surjit Singh Rai, Valley Custom Homes Ltd., Inc. No. 0684666,
Baldev Singh Nijjer and Rajinder Pal Kaur Nijjer, Somal Properties Ltd.,
Inc. No. 636609, Amardeep Kevin Dhaliwal**

OCP Amendment/NCP Amendment/Rezoning/Development Permit/Development
Variance Permit

*Amend OCP from Urban to Multiple Residential. Amend NCP for a portion from
Low Density Townhouses to Medium Density Townhouses. Rezone from RA and
C-4 to RM-30 and DP to allow the development of approximately 70 townhouse
units. DVP to relax setbacks.*

The Acting General Manager of Planning & Development submitted a report
concerning applications for a Development Permit, Development Variance Permit
and rezoning, and applications to amend the Official Community Plan and the
Neighbourhood Concept Plan on properties located at 8217,8225, 8233,
8243 - 164 Street; 16345 and 16365 - 82 Avenue, a Portion of 16376 Fraser
Highway and Portion of 16366 Fraser Highway

The applicant is proposing:

- an OCP amendment from Urban to Multiple Residential;

- an NCP amendment for a portion of the subject site from "Low Density Townhouses" to "Medium Density Townhouses";
- a rezoning from RA and C-4 to RM-30;
- a Development Permit; and
- a Development Variance Permit to vary the following Zoning By-law regulations:
 - reduce the minimum south side yard setback of the RM-30 Zone along 82 Avenue, from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) to the building face; and to 4.6 metres (15 ft.) to the porch; and
 - reduce the minimum front (east) yard setback of the RM-30 Zone along 164 Street from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to the building face; and to 4 metres (13 ft.) to the porch

in order to permit the development of 70 townhouse units.

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

In response to questions from Council, the developer responded:

- The City requested that we include the subject property (property along 182 Avenue) into our development and that is why we now require the NCP amendment.
- The development will be market housing.
- Along 182 Street there will be a lot of landscaping.

It was

Moved by Councillor Higginbotham
Seconded by Councillor Gill
That:

1. a By-law be introduced to redesignate the site (Block A on Survey Plan) from Urban to Multiple Residential and a date for Public Hearing be set (Appendix I).
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)" and "Local Commercial Zone (C-4)" (By-law No. 12000) to "Multiple Residential 30 Zone (RM-30)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).

4. Council approve the applicant's request to eliminate the required indoor amenity space.
5. Council authorize staff to draft Development Permit No. 7906-0371-00 in accordance with the attached drawings (Appendix III).
6. Council approve Development Variance Permit No. 7906-0371-00, (Appendix VIII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum south side yard setback of the RM-30 Zone along 82 Avenue, from 7.5 metres (25 ft.) to 6.1 metres (20 ft.) to the building face; and to 4.6 metres (15 ft.) to the porch; and
 - (b) to reduce the minimum front (east) yard setback of the RM-30 Zone along 164 Street, from 7.5 metres (25 ft.) to 5.5 metres (18 ft.) to the building face; and to 4 metres (13 ft.) to the porch.
7. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) the applicant adequately address the impact of no indoor amenity space;
 - (f) demolition of all existing buildings and structures to the satisfaction of the Building Division;
 - (g) resolution of minor building design and landscaping issues to the satisfaction of the City Architect and City Landscape Architect; and
 - (h) registration of a Section 219 Restrictive Covenant to specifically identify the allowable tandem parking arrangement and to prohibit the conversion of the tandem parking spaces into livable space.

8. Council pass a resolution to amend the Fleetwood Town Centre NCP to redesignate portions of the site from Low Density Townhouses to Medium Density Townhouses when the project is considered for final adoption.

RES.R07-1198 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 182 Amendment By-law 2007, No. 16376" pass its first reading.

RES.R07-1199 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. 182 Amendment By-law 2007, No. 16376" pass its second reading.

RES.R07-1200 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. 182 Amendment By-law 2007,
No. 16376" be held at the City Hall on Monday, April 30, 2007, at 7:00 p.m.

RES.R07-1201 Carried

It was Moved by Councillor Hunt
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16377" pass its first reading.

RES.R07-1202 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, 2007, No. 16377" pass its second reading.

RES.R07-1203 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, 2007, No. 16377" be held at the
City Hall on Monday, April 30, 2007, at 7:00 p.m.

RES.R07-1204 Carried

K. ADJOURNMENT

It was

meeting do now adjourn.
RES.R07-1205

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

Carried

The Regular Council- Land Use meeting adjourned at 4:17 p.m.

Certified Correct:



City Clerk



Mayor