



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, APRIL 30, 2007
Time: 5:30 p.m.

Present:

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

Absent:

Councillors Entering Meeting as Indicated:

Staff Present:

City Manager
City Clerk
Acting General Manager, Planning &
Development
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Parks, Recreation & Culture
General Manager, Human Resources
Manager Current Planning, Area Planning &
Development, North Division
Manager, Current Planning, Area Planning &
Development, South Division
Land Development Engineer
City Solicitor

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

be varied to deal with the delegations, items E.1 and E.2, prior to dealing with Land Use
Application portion of the meeting.

That the Regular Council-Land Use agenda

RES.R07-1290

Carried

A. ADOPTION OF MINUTES

E. DELEGATIONS

1. Mike McLennan, Interim Chairperson South Cloverdale Homeowners Association File: 7906-0169-00; 0550-20-10

Mike McLennan, Interim Chairperson, South Cloverdale Homeowners Association was in attendance regarding Development Permit Application No. 7906-0169-00 (18655 - 52 Avenue).

Note: See separate correspondence in the binder flap regarding industrial development in South Cloverdale.

Note: See Land Use Applications, Item B.1 of the Regular Council - Land Use agenda.

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That correspondence (presentation) as
provided by the delegation, be received.
RES.R07-1291 Carried

Following are the comments from the delegation:

- The South Cloverdale area will be formulating their association's constitution and bylaw at their Wednesday night meeting. Mr. McLennan is acting as the interim chair, and has been asked to appear by the group to address some issues in the area. There are 8 specific requests and asked that the response be done in writing.
- The first issue is the train whistle noise adjacent to the boundaries of the association residents. The residents would like the noise stopped and would like Council to make that request on their behalf or advise of the proper channel. With the expansion of the Surrey ports there are trains travelling through the area all evening. The crossing is a controlled crossing and the whistles are still being used.
- The second issue is traffic calming and the disrepair of 54 Avenue from 184 Street through to 192 Street; some patching has taken place however there is no road-patching standard.
- Thirdly, the Association is requesting to review all development applications within the boundaries of the association, specifically for the light industrial. The association is requesting that they be given a reasonable amount of time to respond to the applications being proposed. And in the final decisions that their recommendations be incorporated to mitigate financial damage to the area homeowners. Multiple properties have had re-assessments done and had their assessment reduced by approximately 100,000 dollars per home, approving the development has caused approximately 300,000 in property damage, and that does not include the other 24 homes in the area that will be appealing their assessment later this year. Mr. McLennan will work within the context of the association to help the property owners with that process.
- Fourth, the Association requests the opportunity to review the current and long term transportation plan for the area and the area adjacent to the boundaries of the association, specifically the issues associated with 184 Street and Highway No. 10. The association believes that the intersection of 184 Street and Highway 10 will require major upgrades to remedy the traffic issues; some traffic issues are related to the hill, others are lack of advance turn lanes in all direction including at the college that has increase the traffic in the area. There are vehicles allowed to traffic skirt along 53 Avenue, south of the new college down thru the light industrial area and connecting into 192 Street, we would like to be apprised of any remedy to this situation.
- Fifth, regarding the Homelessness Shelter on 184 Street, the Association has no understanding of what the City is doing with that location, and would like to have the information regarding this location to share with the people that it will effect.
- Sixth, a member of the Association has requested that a bylaw infraction be initiated against the individuals that approve light industrial development

contrary to bylaw 10071, and ask that a non-bias form be provided for that. The City position is that the bylaw was repealed with an initiation of an additional bylaw that removed all the dialogue in 10071. Bylaw 10071 allowed for the agricultural lands not being impacted, many members purchased their home with bylaw 10071 being in place, and they feel that they are grandfather under the bylaw 10071. The residents did not take part in the public hearing process as they would not approved 60 foot buildings being built adjacent to their homes. The members would like to know what was the public process and who was the benefactor of the public process, if that information was provided and then we may understand the rational for revoking bylaw 10071.

- Seventh, is a request that the City adopts criteria that guarantee that any development proposal will not adversely affect adjacent property values. Concerned with the influx of new projects threaten to introduce complexity that will erode the tax base and the achievable gains of years past.
- The Planning and Development Department ('P&D') department's inability to accurately estimate and communicate the total and real cost of new projects leads to an undermining of the City's tax base and the volume of projects leads to costly mistakes while it contributes to staff burnout in an already competitive labour market, collectively these challenges threaten the P&D creditability while eroding the City's tax base. The P&D should be able to estimate and communicate the effect of the development on property value of sites adjacent to any development prior to making any recommendation in order for this to happen policy and adequate resources are required to be in place, we are all shareholders in the City and it makes sense to approve proposal that enhance the communities in which we reside, furthermore it is paramount that developments provide a positive tax contribution in every way, developments that damage property value and create a situation whereby every resident in Surrey has to pay more tax to sustain service levels.
- Bylaw 10771 that covers the area where the association exists now, and dealt with things like building siting and orientation, minimizing the facade exposure to residential users, maximize the use of agriculture, character of buildings, visual impacts and compatibility with the surrounding areas.
- We purchased our houses knowing that the bylaw 10771 was in place, why has the bylaw been changed, and who benefited from the bylaw change.

2. Irvin Boschman, Agent
Clover Valley Business Park
File: 7906-0169-00; 0550-20-10

Irvin Boschman, Agent, Clover Valley Business Park; Sam Chan of Ionic Architect; and Patricia Campbell of DMG Landscaping were in attendance regarding Development Permit Application No. 7906-0169-00 (18655 - 52 Avenue).

Note: See separate correspondence in the binder flap regarding industrial development in South Cloverdale.

Note: See Land Use Applications, Item B.1 of the Regular Council - Land Use agenda.

Following are the comments of the delegation:

- The application to subdivide began in April 2006 and upon PLA, a permit was applied for in September 2006. We placed our development sign on the site, which had my personal name and my personal cell number on it making it very easy to reach me.
- Along with Ionic Architect we have had subsequent meetings, and many more meetings with the City planning staff and other concerned departments. We came up with plans that were reviewed by the Advisory Design Panel, we made more adjustment and were set for the Council agenda of April 2, which would have grandfather us into the current development cost charges, now that is no longer a possibility.
- The property became politicized sometime in February, however I was not aware of that until mid March. The Planner advised that we should delay going to Council to allow for area residents to provide input into the plans.
- Have logged over 300 messages between P&D, myself and the consultants, and the planning staff have worked as diligently as possible, under the difficult circumstances.
- The previous delegation declined dialogue with us, and we are not happy to be here to defend what by law we are allowed to do. Our land is zoned for the intended purpose; our zoning is augmented by a development permit process, which allows input into form and character. The development permit process is not to interfere with what is allowed within the bylaw, yet when I read the Corporate Report I see concern with the height, mezzanine, and property values.
- Form and character are the issues here and we have adequately taken care of those issues in our proposal.
- Property value issues, the purchasers knowingly purchased their property with the knowledge that they abutting industrial land, how can I be held responsibility for the property owners those decisions.
- We have a 10-meter landscape buffer on our north boundary in addition to a 6-meter restrictive covenant on the residential south boundary, in a total of 52 feet of landscaping.
- The City plans a business corridor here with good reason; the area was all pre-zoned with 6m covenants to avoid this type of conflict.

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

CLOVERDALE/CLAYTON

1. **7906-0169-00**
18655 - 52 Avenue
Irwin Boschman/Clover Valley Business Park Ltd., Inc No. 0753959
Development Permit
Development Permit to permit six new industrial buildings on two proposed lots (three buildings per lot).

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 18655 - 52 Avenue.

The applicant is proposing:

- a Development Permit

in order to permit the development of 6 industrial buildings on two proposed IL 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. Council authorize staff to draft Development Permit No. 7906-0169-00 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) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;

- (d) preparation and registration of a reciprocal access and parking agreement between the two proposed lots; and
- (e) registration of a Restrictive Covenant to prohibit automotive service uses and automobile painting and body work.
- RES.R07-1292 Carried with Councillor Bose against.

Note: See Delegations, Items E.1 and E.2 of the Regular Council - Land Use Agenda (Clerk's).

NEWTON

2. **7906-0345-00**
12320 – 88 Avenue
John Murchie/529754 B.C. Inc.
 Development Permit
Development Permit to permit an addition to an existing industrial building.

The Acting General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 12320 - 88 Avenue.

The applicant is proposing:

- a Development Permit

in order to allow for a 2,577 sq. m. (27,700 sq.ft.) addition to the existing 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 Hunt
 Seconded by Councillor Steele
 That:

1. Council authorize staff to draft Development Permit No. 7906-0345-00 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) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;

- (c) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (d) satisfactory resolution of outstanding building permit issues; and
- (e) registration of a Section 219 Restrictive Covenant to prohibit a single direct access to 88 Avenue for this site and ensure use of the shared access with the property at 17390 - 88 Avenue.

RES.R07-1293

Carried**RESIDENTIAL/INSTIUTIONAL****FLEETWOOD/GUILDFORD**

3. **7906-0494-00**
10990 - 156 Street
Mike Helle, Coastland Engineering & Surveying Ltd./Charanjit Rattan and Inderjit Rattan
Rezoning/Development Variance Permit
Rezone from RA to RF to permit subdivision into 5 single family residential lots.
Development Variance Permit to vary rear and front yard setbacks for the existing house on proposed Lot 5.

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 10990 - 156 Street.

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following Zoning By-law regulation:
 - vary the rear and front yard setbacks pf the RF Zone for the existing house to be retained on proposed Lot 5

in order to allow subdivision into 5 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 "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 approve Development Variance Permit No. 7906-0494-00, (Appendix X) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone for the existing house to be retained on proposed Lot 5 from 7.5 metres (25 ft.) to 4.0 metres (13 ft.); and
 - (b) to reduce the minimum front yard setback of the RF Zone for the existing house to be retained on proposed Lot 5 from 7.5 metres (25 ft.) to 4.0 metres (13. ft.).
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) approval from the Ministry of Transportation;
 - (c) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (e) address Parks, Recreation and Culture Department concerns about the pressure the proposed development will have on Parks, Recreation and Culture amenities in the area.

RES.R07-1294

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16388" pass its first reading.

RES.R07-1295

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. 16388" pass its second reading.
 RES.R07-1296 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. 16388" be held at the
 City Hall on May 14, 2007, at 7:00 p.m.
 RES.R07-1297 Carried

4. **7906-0317-00**
16944 and 16982 Fraser Highway
Michael Chaho, Ammcad Development Services/0781096 B.C. Ltd., Inc.
No. 0781096
Director Information:
Sawsan Haddad
No Officer Information filed
Gurjeet and Surinder Dhindsa
 OCP Amendment/Rezoning
*Amend the OCP from Suburban to Urban. Rezone from RA to RF-12 to allow
 subdivision into approximately 61 small single family lots.*

The Acting General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, and a rezoning application on properties located at 16944 and 16982 Fraser Highway.

The applicant is proposing:

- an OCP amendment from Suburban to Urban; and
- a rezoning from RA to RF-12

in order to allow subdivision into approximately 61 small 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 Steele
 That this application be referred back to
 staff to work with the applicant in designing a subdivision that complies with the
 Suburban designation.
 RES.R07-1298 Carried

NEWTON

5. **7902-0359-01**
6071 - 148 Street
Roger Jawanda, CitiWest Consulting Ltd./Devinder Bala and Balwant Bala
Development Variance Permit
Development Variance Permit to vary the rear yard setback to retain an existing house.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 6071 - 148 Street.

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - reduce the northerly rear yard setback of proposed Lot 9 from 7.5 metres (25 ft.) to 6.3 metres (21 ft.)

in order to permit the retention of an existing 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 Hunt
Seconded by Councillor Steele
That:

1. Council approve Development Variance Permit No. 7902-0359-01, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum northerly rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 6.3 metres (21 ft.) for an existing building.

RES.R07-1299

Carried

SURREY CITY CENTRE/WHALLEY

6. **7906-0343-01**
14333 - 104 Avenue
as Agent: **Minten & Stewart Architecture**
Owners: **545263 B.C. Ltd.**
Director Information:
Charan Singh Rai
Officer Information: (as at June 20, 2005)
Jasjit Khurana (Secretary)
Sharan Singh Rai (President)

Development Permit/Development Variance Permit
Development Permit to establish signage details for a proposed mixed-use building in Guildford. Development Variance Permit to vary the Sign By-law.

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 14333 - 104 Avenue.

The applicant is proposing:

- a Development Permit; and
- a Development Variance Permit to vary the following Surrey Sign By-law regulations:
 - to permit three (3) identification signs on the building; and
 - to increase the maximum projection of a fascia sign from the face of the building from 0.5 metre (1.6 ft.) to 0.91 metre (3 ft.)

in order to permit the installation of signage on a proposed mixed-use building in Guildford.

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

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

1. Council authorize staff to draft Development Permit No. 7906-0343-01 in accordance with the attached drawings (Appendix III).
2. Council approve Development Variance Permit No. 7906-0343-01, (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to permit three (3) identification signs on the proposed building; and
 - (b) to increase the maximum projection of a fascia sign from the face of the proposed building from 0.5 metre (1.6 ft.) to 0.91 metre (3 ft.).
3. Council instruct staff to resolve the following issues prior to approval:
 - (a) finalize design details to the satisfaction of the City Architect;
 - (b) final approval of Development Variance Permit No. 7906-0343-01; and

- (c) final approval of Development Permit No. 7906-0343-00.

RES.R07-1300

Carried

C. CORPORATE REPORTS

D. ITEMS TABLED BY COUNCIL

E. DELEGATIONS

Items E.1 and E.2 were dealt with earlier in the meeting.

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16046"

7906-0163-00 - Samson Developments Ltd., c/o NSDA Architects (Derek Neale)

RF to CD (BL 12000) - 15306, 15312 and 15322 - 18 Avenue - to permit the development of a four-storey, 30 unit apartment building.

Approved by Council: June 26, 2006

Note: A Development Permit (7906-0163-00) 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. 16046" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R07-1301 Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16005"

7905-0343-00 - City of Surrey, c/o Realty Services Division

I-4 (BL 5942) to IL (BL 12000) - 12943 - 114A Avenue, 12936, 12940,
12982, 12983 and 12990 - 114B Avenue, 12953 - 115A Avenue, 12974,
12980, 12988 and 12990 - 115B Avenue, Portions of 114A Avenue,
114B Avenue and 115A Avenue - to create 3 lots with the adjoining IL lot
and to facilitate future industrial development in Bridgeview.

Approved by Council: April 24, 2006

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16005" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R07-1302 Carried

3. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 134 Amendment
By-law, 2006, No. 15959"

7904-0259-00 - C-Cone Holdings Inc., c/o Coastland Engineering &
Surveying Ltd. (Mike Helle)

To authorize the redesignation of a portion of the site located at 17475 and
17483 - 64 Avenue from Suburban (SUB) to Urban (URB).

Approved by Council: February 20, 2006

This by-law is proceeding in conjunction with By-law 15960.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 134 Amendment By-law, 2006, No. 15959" be
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate
Seal.
RES.R07-1303 Carried with Councillor Bose against.

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15960"

7904-0259-00 - C-Cone Holdings Inc., c/o Coastland Engineering & Surveying Ltd. (Mike Helle)

RA to RF-12 (BL 12000) - 17475 and 17483 - 64 Avenue - to allow subdivision into approximately 12 small single family lots.

Approved by Council: February 20, 2006

This by-law is proceeding in conjunction with By-law 15959.

Note: A Development Permit (7904-0259-00) 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 April 24, 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 West Cloverdale Local Area Plan to redesignate the northern portions of the site from 1/2 Acre Suburban Single Family to Urban Single Family.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Council amend the West Cloverdale
Local Area Plan to redesignate the northern portions of the site from 1/2 Acre
Suburban Single Family to Urban Single Family.

RES.R07-1304 Carried with Councillor Bose against.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 15960" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1305 Carried with Councillor Bose against.

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16097"

7906-0022-00 - Ocean Bluff Developments Ltd., c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RF to RF-O (BL 12000) - Portion of 2215 - 123 Street to permit subdivision into 4 single family lots. Two of the proposed lots fronting 123 Street are proposed to remain RF.

Approved by Council: September 11, 2006

- * Planning & Development advise that (see memorandum dated April 26, 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.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16097" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-1306

Carried with Councillor Bose against.

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16059"

7905-0400-00 - Nico River Developments Ltd., c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RF to RF-12 and RF-9 (BL 12000) - 2550, 2562, 2580 - 128 Street, 12822 - 26 Avenue - to allow subdivision into 21 single family small lots.

Approved by Council: July 10, 2006

- * Planning & Development advise that (see memorandum dated April 27, 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 when the subject development application was originally presented to Council on July 10, 2006, 10 existing trees were shown for retention. After a more detailed assessment of the degree and location of filling required to develop this sloping site, it has been determined that the 6 trees along the northernmost and westernmost edges will not survive site re-grading without moving the retaining walls and jeopardizing the buildability of the adjacent RF-9 lots. To respond to the net loss of 4 trees, the applicant proposes to plant 4 additional replacement trees on the site.

Please refer to the memorandum in the by-law backup for further detail.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 16059" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R07-1307 Carried with Councillor Bose against.

MISCELLANEOUS

7. "Provincial Rental Housing Corporation Housing Agreement, Authorization
 By-law, 2007, No. 16331"

7906-0190-00 - Provincial Rental Housing Corporation

A by-law to authorize the City of Surrey to enter into a housing agreement with the Provincial Rental Housing Corporation and Howe Sound Rehabilitation Services Society. This agreement will ensure the development is restricted to adults with significant permanent disability including impairment of physical or mental ability and who may require medical and/or other support services.

Approved by Council: March 12, 2007.

This by-law is proceeding in conjunction with By-law 16113.

- * Planning & Development advise that (see memorandum dated April 25, 2007 in by-law back-up) By-law 16331 received Final Adoption on April 2, 2007, in conjunction with Rezoning Application 7906-0190-00, however, a revision is required to Section A of Schedule A to reflect the correct legal description. As a result, Council is requested to rescind Final Adoption of By-law 16331 and amend the by-law accordingly.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That Council rescind Resolution R07-1071
 of the April 2, 2007 Regular Council-Land Use Minutes passing Final Adoption
 of "Provincial Rental Housing Corporation Housing Agreement, Authorization
 By-law, 2007, No. 16331"
 RES.R07-1308 Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That Council amend "Provincial Rental
 Housing Corporation Housing Agreement, Authorization By-law, 2007,
 No. 16331" by deleting Schedule A and replacing with new Schedule A as shown
 in memorandum in by-law backup.
 RES.R07-1309 Carried

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16322"

7906-0342-00 - Solterra Development (Sunset Court) Corp.
c/o Solterra Development (Craig Marcyniuk)

RA to CD (BL 12000) - Portion of 6520 - 194 Street - to permit the development of 124 multiple family residential units in East Clayton consisting of a 60-unit apartment building, 26 townhouse units and 38 carriage homes.

Approved by Council: February 26, 2007

- * Planning & Development advise that (see memorandum dated April 26, 2007 in by-law back-up) By-law 16322 received Third Reading on March 12, 2007, however, a revision is required to Section K. Subdivision to reflect the dimensions of the required road dedication. As a result, Council is requested to rescind Third Reading of By-law 16322 and amend the by-law accordingly.

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council rescind Resolution R07-899 of
the March 12, 2007 Regular Council-Public Hearing Minutes passing Third
Reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007,
No. 16322".

RES.R07-1310 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council amend "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16322" in Section K.
Subdivision as shown in the memorandum in by-law backup.

RES.R07-1311 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16322" pass its third reading, as
amended.

RES.R07-1312 Carried

9. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16064"

7905-0020-00 - BPRT Holdings Ltd., Progressive Construction Ltd., R.A.B.
Ventures #3 Ltd., and T.R. Projects Ltd.

RA to RM-30 (BL 12000) - Portion of 19519 - 68 Avenue - to allow the construction of approximately 230 townhouse units on 3 lots in East Clayton.

Approved by Council: July 10, 2006

- * Planning & Development advise that (see memorandum dated April 17, 2007 in by-law back-up) By-law 16064 received Third Reading on July 24, 2006, and now requires amendment to facilitate the new owners' intent to relocate the proposed detention pond (from proposed Lot 126 to proposed Lot 120) and pursue alternative development options for the 2 remaining RA lots (proposed Lots 125 and 126). The proposed townhouse development is now being restricted or limited to proposed Lot 127. Due to a new revised layout, Council is requested to rescind Third Reading of By-law 16064, and amend the by-law accordingly. The amendment limits the scope of the application and as a result, a new Public Hearing is not required.

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That Council rescind Resolution R06-1838
of the July 24, 2006 Regular Council-Public Hearing Minutes passing Third
Reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006,
No. 16064"

RES.R07-1313

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That Council amend "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16064" in Section 1 to
reflect the new Survey Plan and append a new Survey Plan, as shown on the
revised by-law in by-law back-up.

RES.R07-1314

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Gill
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16064" pass its third reading, as
amended.

RES.R07-1315

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7906-0163-00**
Derek Neale, NSDA Architects/Samson Developments Ltd.
 15306, 15312 and 15322 - 18 Avenue

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

"That Development Permit No. 7906-0163-00 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. 16046 under Item H.1.

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That Development Variance Permit
 No. 7906-0163-00 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.R07-1316

Carried

- (b) **Development Permit No. 7906-0195-00**
Don Andrew/Parkway Projects Ltd.
 10822 City Parkway

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

"That Development Permit No. 7906-0195-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Development Variance Permit
No. 7906-0195-00 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.R07-1317 Carried

- (c) **Development Permit No. 7904-0259-00**
Mike Helle, Coastland Engineering & Surveying Ltd.
C-Cone Holdings Inc., Inc. No. 635269
17475 - 64 Avenue and 17483 - 64 Avenue

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

"That Development Permit No. 7904-0259-00 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. 15960 under Item H.4.

It was Moved by
Seconded by
That Development Variance Permit
No. 7904-0259-00 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.R07-1318 Carried

J. OTHER BUSINESS

K. ADJOURNMENT

It was

meeting do now adjourn.
RES.R07-1319

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

Carried

The Regular Council- Land Use meeting adjourned at 6:14 p.m.

Certified Correct:



City Clerk



Mayor