



City of Surrey

Regular Council - Land Use

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C
MONDAY, NOVEMBER 19, 2007
Time: 5:29 p.m.

Present:

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

Absent:

Councillor Martin

Staff Present:

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

Councillors Entering Meeting as Indicated:

A. ADOPTION OF MINUTES

B. LAND USE APPLICATIONS

COMMERCIAL/INDUSTRIAL/AGRICULTURAL

SOUTH SURREY

1. 7907-0116-00
15844 - 24 Avenue
Arthur Buse, Boldwing Continuum Architects Inc./
Harinderpal Singh Dhanju & Jaspreet Kaur Dhanju
OCP Amendment from Suburban to Commercial/Rezoning from RA to C-8/
Development Permit/Development Variance Permit
*in order to permit the development of a 3-storey retail/professional office building
and to increase the maximum allowable height from 12 metres (40 ft.) to
13 metres (43 ft.).*

The General Manager of Planning & Development submitted a report concerning an application to amend the Official Community Plan, a rezoning application, and applications for a Development Permit and a Development Variance Permit on property located at 15844 - 24 Avenue.

PROPOSAL

- **OCP Amendment** from Suburban to Commercial
- **Rezoning** from RA to C-8
- **Development Permit**
- **Development Variance Permit**

in order to permit the development of a 3-storey retail/professional office building and to increase the maximum allowable height from 12 metres (40 ft.) to 13 metres (43 ft.).

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

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

1. a By-law be introduced to amend the OCP by redesignating the subject site from Suburban to Commercial 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 subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Community Commercial Zone (C-8)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7907-0116-00 generally in accordance with the attached drawings (Appendix II).
5. Council approve Development Variance Permit No. 7907-0116-00, (Appendix VII) varying the following, to proceed to Public Notification.
 - (a) to vary the maximum building height of the C-8 Zone from 12 metres (40 ft.) to 13 metres (43 ft.).
6. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, 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 finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;

- (d) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (e) resolution of all urban design issues to the satisfaction of the City Architect;
- (f) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
- (g) the applicant adequately address deficiencies in tree retention on the site to the satisfaction of the Planning and Development Department.

RES.R07-2928 Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 193 Amendment By-law 2007, No. 16489" pass its
 first reading.

RES.R07-2929 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. 193 Amendment By-law 2007, No. 16489" pass its
 second reading.

RES.R07-2930 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. 193 Amendment By-law 2007,
 No. 16489" be held at the City Hall on December 3, 2007, at 7:00 p.m.

RES.R07-2931 Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2007, No. 16490" pass its first reading.

RES.R07-2932 Carried

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16490" pass its second reading.
RES.R07-2933 Carried

It was then Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16490" be held at the
City Hall on December 3, 2007, at 7:00 p.m.
RES.R07-2934 Carried

RESIDENTIAL/INSTITUTIONAL

CLOVERDALE/CLAYTON

2. **7907-0291-00**
19505 - 68A Avenue
Thomas Woo/BPRT Holdings Ltd.
Development Permit
*in order to permit the construction of 134 townhouse units in East Clayton,
replacing the original Development Permit No. 7905-0020-00.*

The General Manager of Planning & Development submitted a report concerning an application for a Development Permit on property located at 19505 - 68A Avenue.

PROPOSAL

- **Development Permit**

in order to permit the construction of 134 townhouse units in East Clayton, replacing the original Development Permit No. 7905-0020-00.

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

- It was Moved by Councillor Bose
Seconded by Councillor Steele
That:
1. Council rescind Resolution No. R07-2467 approving Development Permit No. 7905-0020-00.
 2. Council authorize staff to draft Development Permit No. 7907-0291-00 generally in accordance with the attached drawings (Appendix II).

- 3. Council instruct staff to resolve the following issues prior to final approval:
 - (a) submission of a road dedication plan to the satisfaction of the Approving Officer;
 - (b) resolution of issues identified by the Parks, Recreation & Culture Department;
 - (c) registration of a Section 219 Restrictive Covenant to secure the modified tandem parking arrangement; and
 - (d) discharge of the registered Section 219 Restrictive Covenant BB576011.

RES.R07-2935

Carried

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That Council rescind Resolution

No. R07-2467 of the September 10, 2007 Regular Council - Land Use Meeting approving Development Permit No. 7907-0020-00.

RES.R07-2936

Carried

NEWTON

- 3. **7906-0485-00**
14969 - 71A Avenue
Clarence Arychuk, Hunter Laird Engineering Ltd./Harjit and Baljinder Kaler
Rezoning from RA to RF
in order to allow subdivision into two single family residential lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 14969 - 71A Avenue.

PROPOSAL

- **Rezoning** from RA to RF

in order to allow subdivision into two single family residential lots.

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

It was

Moved by Councillor Steele
Seconded by Councillor Villeneuve
That:

1. a By-law be introduced to rezone the subject site 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) the applicant adequately address the shortfall in tree replacement in accordance with the Tree Protection By-law.

RES.R07-2937

Carried

It was

Moved by Councillor Steele
Seconded by Councillor Villeneuve
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16491" pass its first reading.

RES.R07-2938

Carried

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

It was

Moved by Councillor Steele
Seconded by Councillor Villeneuve
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16491" pass its second reading.

RES.R07-2939

Carried

It was then

Moved by Councillor Steele
Seconded by Councillor Villeneuve
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16491" be held at the
City Hall on December 3, 2007, at 7:00 p.m.

RES.R07-2940

Carried

SOUTH SURREY

4. **7907-0343-00**
1688 - 134B Street
Yvonne McLeod/Yvonne Frances McLeod and Brian Thomas McLeod
 Restrictive Covenant Amendment
in order to permit a proposed new dwelling to encroach into the 5-metre (16 ft.) easterly setback covenant area.

The General Manager of Planning & Development submitted a report concerning an application to amend the Restrictive Covenant on property located at 1688 - 134B Street.

PROPOSAL

- **Restrictive Covenant Amendment**

in order to permit a proposed new dwelling to encroach into the 5-metre (16 ft.) easterly setback covenant area.

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

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

1. Council approve the proposed amendment to the Restrictive Covenant on the subject lot as follows:
 - (a) to allow a single family dwelling to encroach within the 5.0-metre (16 ft.) setback area, adjacent the 7.0-metre (23 ft.) wide tree preservation covenant area.

RES.R07-2941

Carried

5. **7907-0252-00**
3486 - 155 Street
Tim and Nancy Barker
 Development Variance Permit
in order to increase the maximum height of an accessory structure from 4.0 metres (13 ft.) to 6.5 metres (21 ft.) to allow retention of an existing sports court on an RA zoned site.

The General Manager of Planning & Development submitted a report concerning an application for a Development Variance Permit on property located at 3486 - 155 Street.

PROPOSAL

- **Development Variance Permit**

in order to increase the maximum height of an accessory structure from 4.0 metres (13 ft.) to 6.5 metres (21 ft.) to allow retention of an existing sports court on an RA zoned site.

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

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

1. Council approve Development Variance Permit No. 7907-0252-00, (Appendix II) varying the following, to proceed to Public Notification:
 - (a) to vary the maximum building height for an accessory structure in the RA Zone from 4.0 metres (13 ft.) to 6.5 metres (21 ft.).

RES.R07-2942

Carried**SURREY CITY CENTRE/WHALLEY**

6. **7907-0227-00**
13121 - 108 Avenue
Eric Aderneck, Aplin & Martin Consultants Ltd./Serjit Chima and Makhan Chima
Rezoning from RF to RF-9
in order to allow subdivision into approximately 11 small single family residential lots.

The General Manager of Planning & Development submitted a report concerning an application for rezoning on property located at 13121 - 108 Avenue.

PROPOSAL

- **Rezoning** from RF to RF-9

in order to allow subdivision into approximately 11 small single family residential lots

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

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

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Single Family Residential (9) Zone (RF-9)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
 - (e) the applicant address the concern that the development will place additional pressure on existing park facilities to the satisfaction of the General Manager, Parks, Recreation & Culture; and
 - (f) registration of a Section 219 Restrictive Covenant on proposed Lots 1 through 11, inclusive, to require a minimum front yard setback of 5.5 metres (18 ft.).

RES.R07-2943

Carried

It was

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

No. 12000, Amendment By-law, 2007, No. 16492" pass its first reading.

RES.R07-2944

Carried

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

It was Moved by Councillor Steele
Seconded by Councillor Villeneuve
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16492" pass its second reading.
RES.R07-2945 Carried

It was then Moved by Councillor Steele
Seconded by Councillor Villeneuve
That the Public Hearing on "Surrey Zoning
By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16492" be held at the
City Hall on December 3, 2007, at 7:00 p.m.
RES.R07-2946 Carried

C. CORPORATE REPORTS

1. The Corporate Report under date of November 19, 2007 was considered and dealt with as follows:

Item No. L009 Development Application No. 7905-0120-00
(Quadri Properties) - Douglas Area
File: 7905-0120-00

The General Manager, Planning & Development submitted a report to advise Council on the results of the staff review process on issues related to traffic, drainage, transportation, access, border security and tree preservation concerns raised at the September 10, 2007, Public Hearing in relation to Development Application No. 7905-0120-00 (Quadri Properties) in the Douglas area (proposed layout attached as Appendix I). The report also outlines additional requirements to address the concerns raised and provides additional information on other existing development applications in the Douglas Neighbourhood Concept Plan ("NCP").

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

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

1. Receive this report as information;
2. Endorse the additional requirements for the subject Development Application (No. 7905-0120-00) as documented in this report, including construction of off-site road and pedestrian works be completed prior to final approval of Rezoning By-law No. 16443;

- 3. Grant Third Reading to Rezoning By-law No. 16443; and
- 4. Forward a copy of this report to the Border Services Agency outlining the residents' concerns, regarding border security in the Douglas area.

RES.R07-2947

Carried with Councillors Bose and Hepner against.

Note: See By-law No. 16443 under Item H.2.

D. ITEMS DEFERRED BY COUNCIL

1. 7907-0308-00

Mike Kompter, Hub Engineering Ltd./0787627 B.C. Ltd.

19356 - 16 Avenue and 1417 - 194 Street

OCP Amendment from Agricultural to Urban and Commercial

Rezoning from A-1 to RF-9, RF-12, RF-G, RM-15 and CG-2

in order to permit the development of a variety of uses, including commercial development, a 70-unit townhouse project and 183 single family small lots.

The applicant was not in attendance to appear before Council regarding this application.

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That Council:

- (a) Deny the proposed Official Community Plan Amendment and rezoning.
- (b) Refund the Rezoning, Subdivision and Development fees to the applicant.
- (c) Establish a moratorium on all development applications (OCP Amendments and Rezoning) including the initiation of new area plans in South-East Surrey until the next Major Review of the OCP is completed.

RES.R07-2948

Carried

E. DELEGATIONS

F. CORRESPONDENCE

G. NOTICE OF MOTION

H. BY-LAWS

FINAL ADOPTIONS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16258"

7906-0377-00 - Baltic Properties (Brookside) Ltd., c/o Ron Allen Architects Inc.
(Ron Allen)

A-1 to CD (BL 12000) - 19560 and 19572 Fraser Highway - to facilitate
the construction of a two-storey, 110-bed seniors' care facility.

Approved by Council: February 12, 2007

Note: A Development Permit (7906-0377-00) 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 Council rescind Resolution R07-677 of
the February 26, 2007 Regular Council-Public Hearing Minutes passing Third
Reading, of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007,
No. 16258".

RES.R07-2949

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. 16258" by deleting
Section F. Yards and Setbacks and inserting new Section F. Yards and Setbacks
as shown in the memorandum in by-law backup.

RES.R07-2950

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16258" pass its third reading, as
amended.

RES.R07-2951

Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2007, No. 16258" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R07-2952

Carried

MISCELLANEOUS

- 2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16443"

7905-0120-00 - Quadri Properties Ltd., c/o McElhanney Consulting Services Ltd.

RA to RF-12, RF-12C and RF-9 - 61 and 64 - 170 Street - to permit the development of 48 single family small lots, comprising of 18 RF-12 lots, 3 RF-12C lots with coach houses, and 27 RF-9 lots.

Approved by Council: July 23, 2007

Note: This By-law will be in order for consideration of Third Reading, should Council approve the recommendation of Corporate Report Item No. L009.

- * Planning and Development advise that on September 17, 2007 this file 7905-0120-00 was tabled back to staff to review traffic, drainage, access and security concerns raised at the Public Hearing.

It was Moved by Councillor Gill
 Seconded by Councillor Villeneuve
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2007, No. 16443" pass its third reading.
Carried with Councillor Bose against.

RES.R07-2953

I. CLERK'S REPORT

1. Formal Approval of Development Permits

- (a) **Development Permit No. 7907-0191-00**
Harold Leyenhorst, International Truck Body/ITB (BC) Holdings Inc.
 5285 - 192 Street

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

"That Development Permit No. 7907-0191-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That Development Permit
 No. 7907-0191-00 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.R07-2954

Carried

(b) **Development Permit No. 7906-0377-00**
Ron Allen Architects Inc./Baltic Properties (Brookside) Ltd.
 19560 and 19572 Fraser Highway

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

"That Development Permit No. 7906-0377-00 be approved; that the
 Mayor and Clerk be authorized to sign the Development Permit; and that
 Council authorize the transfer of the Permit to the heirs, administrators,
 executors, successors, and assigns of the title of the land within the terms
 of the Permit."

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That Development Permit
 No. 7906-0377-00 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.R07-2955

Carried

Note: See By-law No. 16258 under Item H.1.

J. OTHER BUSINESS

K. ADJOURNMENT

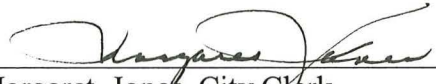
It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Regular Council - Land Use
 meeting do now adjourn.

RES.R07-2956

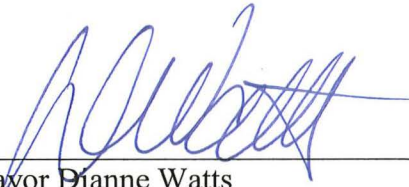
Carried

The Regular Council- Land Use meeting adjourned at 5:28 p.m.

Certified Correct:



Margaret. Jones, City Clerk



Mayor Dianne Watts