



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C  
MONDAY, SEPTEMBER 29, 2008  
Time: 5:05 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  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Parks, Recreation & Culture  
General Manager, Finance & Technology  
Deputy City Manager  
Manager, Area Planning & Development,  
North Division  
Manager, Area Planning & Development,  
South Division  
Land Development Engineer  
City Solicitor

#### A. ADOPTION OF MINUTES

#### B. LAND USE APPLICATIONS

#### COMMERCIAL/INDUSTRIAL/AGRICULTURAL

#### SURREY CITY CENTRE/WHALLEY

##### 1. 7908-0112-00

13401 - 108 Avenue, 10858 West Whalley Ring Road, 13450 Gateway Drive,  
13479 - 108 Avenue

Randy Knill, D & A Architects / Station Tower Developments Company Ltd.  
Dundee Canada (Urban Park) Holdings Inc., Dundee Canada (GatewayL7)  
Holdings Inc., Dundee Canada (GatewayL8) Holdings Inc.

Rezoning from CD (By-law Nos. 10464 & 12660) to CD (based on C-35 and  
RMC-150) / Development Permit

*in order to permit the development of two office buildings and two high-rise  
apartment towers.*

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 the application be deferred as requested

by the applicant.

RES.R08-2074

Carried

2. **7908-0085-00**  
**9450 - 120 Street**

Wojciech Grzybowicz, WG Architecture Inc. / Centex Projects Ltd., Inc.  
No. 771288

Development Permit / Development Variance Permit

*in order to permit the development of a new 928-square metre (9,991 sq. ft.) commercial/retail building and to allow for site improvements to the parking lot on the adjacent properties.*

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 Martin  
Seconded by Councillor Steele  
That:

1. Council authorize staff to draft Development Permit No. 7908-0085-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0085-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear (east) yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
  - (b) to reduce the minimum side (south) side yard setback of the C-8 Zone from 7.5 metres (2.5 ft.) to 0 metre (0 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) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (c) resolution of any outstanding urban design issues to the satisfaction of the Planning and Development Department;
  - (d) registration of a reciprocal access easement to allow pedestrians circulation between the subject property and 9470 - 120 Street (Lot A);
  - (e) ensure that an agreement is in place between 9470 - 120 Street (Lot A), 9430 to 9444 - 120 Street (Lot 3) and the subject property, for

the proposed landscape improvements and for the maintenance of this landscaping within the parking lot; and

- (f) issuance of Development Variance Permit No. 7908-0085-00.

RES.R08-2075

Carried

- 3. 7908-0078-00**  
**13656 - 102 Avenue and Lane**  
**Harp Hoonjan, Platinum Projects Ltd. / A.L. Sott Financial (102nd) Inc., Inc.**  
**No. 299751**  
Development Permit / Development Variance Permit  
*in order to permit the development of a single storey commercial building built to LEED Gold Standard.*

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. Council authorize staff to draft Development Permit No. 7908-0078-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0078-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 2.0 metres (6.5 ft.);
  - (b) to reduce the minimum flanking side yard (east) setback of the C-8 Zone from 7.5 metres (25 ft.) to 2.0 metres (6.5 ft.); and
  - (c) to vary the Sign By-law to allow an increase in the height of the two (2) proposed free-standing signs, located in the City Centre Special Sign Area, from 3.6 metres (12 ft.) to 4.5 metres (15 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) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;

- (c) resolution of all urban design and architectural issues to the satisfaction of the City Architect;
- (d) issuance of Development Variance Permit No. 7908-0070-00;
- (e) completion of the road closure and acquisition of the abutting lane to the west of the subject property; and
- (f) submission of road dedication plans to the satisfaction of the Approving Officer.

RES.R08-2076

Carried

**RESIDENTIAL/INSTITUTIONAL**

**FLEETWOOD/GUILDFORD**

- 4. 7908-0074-00**  
**14410 - 89A Avenue**  
**Clarence Arychuk, Hunter Laird Engineering Ltd. / Tejinder Singh Kular**  
Rezoning from RA to RF  
*in order to allow subdivision into 3 single family 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 Hepner  
Seconded by Councillor Steele  
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; and
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect.

RES.R08-2077

Carried

It was Moved by Councillor Martin  
Seconded by Councillor Gill  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16772" pass its first reading.  
RES.R08-2078 Carried

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

It was Moved by Councillor Martin  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16772" pass its second reading.  
RES.R08-2079 Carried

It was then Moved by Councillor Hepner  
Seconded by Councillor Gill  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law 2008, No. 16772" be held at the  
City Hall on October 20, 2008, at 7:00 p.m.  
RES.R08-2080 Carried

5. **7907-0383-00**  
**9714 and 9732 - 160 Street**  
**H.Y Engineering Ltd. / Rajpal Singh Bains, Jasbir Kaur Bains and**  
**Gurnam Kaur Bains, Janet May Duplisse**  
Rezoning from RA to RF-12  
*in order to allow subdivision with the neighbouring properties to the south into*  
*fourteen (14) small single family 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 Martin  
Seconded by Councillor Steele  
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 (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;

- (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
- (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
- (d) 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 and Culture;
- (e) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
- (f) registration of a Section 219 Restrictive Covenant on proposed Lot 14 for tree protection.

RES.R08-2081 Carried with Councillor Bose opposed

It was Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16773" pass its first reading.

RES.R08-2082 Carried with Councillor Bose opposed

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

It was Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16773" pass its second reading.

RES.R08-2083 Carried with Councillor Bose opposed

It was then Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16773" be held at the  
 City Hall on October 20, 2008, at 7:00 p.m.

RES.R08-2084 Carried

- 6. 7907-0173-00**  
**14970 and 14975 - 101A Avenue and 10160 - 149 Street**  
**Foad Rafii, Rafii Architects Inc. / Cartier Place Developments Inc.**  
**Rezoning from CD (By-law No. 11805) to CD (based on RM-135) /**  
**Development Permit**  
*in order to permit the development of 637 apartment units within 3 high-rise buildings in Guildford.*

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 Hepner  
Seconded by Councillor Steele  
That:

1. Council file Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16557.
2. Council rescind Resolution No. R08-31 of the January 14, 2008 Regular Council - Land Use meeting adopting the recommendations and conditions of approval for Application No. 7907-0173-00.
3. a By-law be introduced to rezone the subject site from "Comprehensive Development Zone (CD)" (By-law No. 11805) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for a new Public Hearing for the new By-law.
4. the notification area for the Public Hearing be increased from 100 metres (300 ft.) to 500 metres (0.3 mile).
5. Council authorize staff to draft Development Permit No. 7907-0173-00 in accordance with the attached drawings (Appendix II).
6. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the Planning and Development Department;
  - (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
  - (e) registration of a Statutory Right-of-Way for right of pedestrian passage on the 2.4-metre (8 ft.) wide east-west walkway;
  - (f) discharge of Restrictive Covenant BG327892, which regulates the design of a 20-storey high-rise apartment tower with a maximum of 115 dwelling units on Lot 3 (14970 - 101A Avenue);

- (g) discharge of Restrictive Covenant BG327894, which regulates the design of a 22-storey high-rise apartment tower, with a maximum 127 units on Lot 4 (14975-101A Avenue);
- (h) discharge of Restrictive Covenant BG327896, which regulates the design of one 18-storey high-rise apartment building, with a maximum of 103 dwelling units on Lot 5 (10160 - 149 Street);
- (i) the applicant to register reciprocal access easements between proposed Lots A, B and C to allow for reciprocal pedestrian and vehicular access for residents and visitors of the development;
- (j) registration of a Restrictive Covenant to ensure that any landscaping, including fencing on the property line, which is planted within the existing east-west statutory right-of-way for the watermain is reinstated if maintenance is required and which would be the responsibility of the owners; and
- (k) the applicant to ensure that agreement with Cartier Place residents is finalized regarding the security gate system.

RES.R08-2085

Carried

It was

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

No. 12000, Amendment By-law, 2008, No. 16557" be filed.

RES.R08-2086

Carried

It was

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That Council rescind Resolution No. R08-31

of the January 14, 2008 Regular Council - Land Use Meeting approving adopting the recommendation and conditions of approval for Application No. 7907-0173-00.

RES.R08-2087

Carried

It was

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

No. 12000, Amendment By-law 2008, No. 16774" pass its first reading.

RES.R08-2088

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 2008, No. 16774" pass its second reading.  
 RES.R08-2089 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 2008, No. 16774" be held at the  
 City Hall on October 20, 2008, at 7:00 p.m.  
 RES.R08-2090 Carried

## NEWTON

### 7. 7908-0026-00

#### 12853 - 74 Avenue

Douglas Massie, Chercover Massie & Associates Ltd. / 6513891 Canada Ltd.

#### Director Information:

Mark Catroppa

Manoj Sikka

No Officer Information: (as at January 30, 2006)

#### **Rezoning from RF-SS to CCR**

*in order to permit the development of a childcare centre, within a single family dwelling for a maximum of 25 children.*

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 Hepner  
 Seconded by Councillor Steele  
 That:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Secondary Suite Zone (RF-SS)" (By-law No. 12000) to "Child Care Zone (CCR)" (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 finalized arborist report, landscaping plan and landscape cost estimate to the satisfaction of the City Landscape Architect; and

- (c) submission of building permit drawings that satisfactorily address Building Code requirements.

RES.R08-2091 Carried

It was Moved by Councillor Gill  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16775" pass its first reading.

RES.R08-2092 Carried

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

It was Moved by Councillor Gill  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16775" pass its second reading.

RES.R08-2093 Carried

It was then Moved by Councillor Gill  
Seconded by Councillor Steele  
That the Public Hearing on "Surrey Zoning  
By-law, 1993, No. 12000, Amendment By-law 2008, No. 16775" be held at the  
City Hall on October 20, 2008, at 7:00 p.m.

RES.R08-2094 Carried

**8. 7907-0313-00**

**Portion of 14853 - 60 Avenue**

**Mr. Doug Johnson / The Trustees of the Bethany-Newton United Church**

NCP Amendment from Mixed Commercial-Residential Townhouse and Creeks & Riparian Setback to Mixed Commercial-Residential Apartments, Townhouses (25 upa max.) and Proposed Park and Walkway / Partial rezoning from RA to CD (based on the RM-15 Zone and C-5 Zone) / Development Permit *in order to permit the development of a mixed commercial-residential complex comprising 27 apartment units above 715.53 square metres (7,702 sq. ft.) of neighbourhood commercial space and 35 townhouses.*

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 Villeneuve  
Seconded by Councillor Steele  
That:

1. a By-law be introduced to rezone the portion of the property shown as Blocks A and B in Appendix VIII from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.

2. Council approve the applicant's request to reduce the required indoor amenity space from 177 square metres (1,905.8 sq. ft.) to a minimum of 65 square metres (707 sq. ft.).
3. Council authorize staff to draft Development Permit No. 7907-0313-00 in accordance with the attached drawings (Appendix II).
4. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (d) resolution of outstanding urban design and architectural issues to the satisfaction of the Planning and Development Department;
  - (e) the applicant adequately address the impact of reduced indoor amenity space; and
  - (f) registration of a reciprocal access agreement with the existing church, which will be on a separate lot following this development, and the property to the east located at 14907 - 60 Avenue.
5. Council pass a resolution to amend the South Newton NCP to redesignate the easterly portion of the property, as shown in Appendix VI, from "Mixed Commercial Residential Townhouses" and "Creeks and Riparian Setbacks" to "Townhouses (25 upa max)", "Mixed Commercial Residential Apartments", and "Proposed Parks and Walkways", when this project is considered for final adoption.

RES.R08-2095

Carried

It was

Moved by Councillor Martin  
Seconded by Councillor Gill  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16776" pass its first reading.

RES.R08-2096

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 2008, No. 16776" pass its second reading.  
 RES.R08-2097 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 2008, No. 16776" be held at the  
 City Hall on October 20, 2008, at 7:00 p.m.  
 RES.R08-2098 Carried

### SOUTH SURREY

9. **7907-0381-00**  
**16230, 16240, 16250 and 16270 - 16 Avenue**  
**Joe Minten, JM Architecture / Corey Saran and Anke Saran, TDM Projects**  
**Inc., Inc. No. 668969, Wam B.C. Investment Corp., Inc. No. 0806889**  
 Rezoning from RF to RM-15 / Development Permit  
*in order to permit the development of a 33-unit townhouse project.*

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 Martin  
 Seconded by Councillor Steele  
 That:

1. a By-law be introduced to rezone the subject site from "Single Family Residential Zone (RF)" (By-law No. 12000) to "Multiple Residential 15 Zone (RM-15)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7907-0381-00 in accordance with the attached drawings (Appendix II).
3. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) 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 plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
- (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 and Culture;
- (f) registration of a Section 219 Restrictive Covenant to specifically prohibit the conversion of the tandem parking spaces into livable space;
- (g) registration of a Reciprocal Access Agreement to ensure join access with the properties to the east and southeast to the satisfaction of the Engineering Department; and
- (h) the applicant adequately address the shortfall on tree replacement.

RES.R08-2099

Carried

It was

Moved by Councillor Martin  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16777" pass its first reading.

RES.R08-2100

Carried

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

It was

Moved by Councillor Martin  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16777" pass its second reading.

RES.R08-2101

Carried

It was then

Moved by Councillor Martin  
 Seconded by Councillor Steele  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16777" be held at the  
 City Hall on October 20, 2008, at 7:00 p.m.

RES.R08-2102

Carried

**SURREY CITY CENTRE/WHALLEY**

- 10. 7908-0126-00**  
**13740 - 94A Avenue**  
**Fraser Health Authority, c/o Jenny Lasmana / Fraser Health Authority**  
**Amend CD By-law No. 15487 / Development Permit / Development Variance Permit**

*in order to permit the development of a child care centre and office uses in a modular building for the Fraser Health Authority.*

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 Comprehensive Development By-law No. 15487 and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7908-0126-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7908-0126-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum western side yard setback of CD Zone (By-law No. 15487, as amended) from 3.6 metres (12 ft.) to 3.2 metres (10 ft.);
  - (b) to reduce the minimum number of parking spaces from 45 to 17; and
  - (c) to waive the requirement in CD Zone (By-law No. 15487, as amended) that no off-street parking be provided within the front yard.
4. 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) 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 plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
- (d) resolution of all urban design issues to the satisfaction of the Planning and Development Department.

RES.R08-2103 Carried

It was Moved by Councillor Martin  
 Seconded by Councillor Higginbotham  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15487 Amendment By-law, 2008,  
 No. 16778" pass its first reading.

RES.R08-2104 Carried

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

It was Moved by Councillor Martin  
 Seconded by Councillor Higginbotham  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15487 Amendment By-law, 2008,  
 No. 16778" pass its second reading.

RES.R08-2105 Carried

It was then Moved by Councillor Martin  
 Seconded by Councillor Higginbotham  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15487 Amendment  
 By-law, 2008, No. 16778" be held at the City Hall on October 20, 2008, at  
 7:00 p.m.

RES.R08-2106 Carried

**11. 7908-0070-00**

**11356 - 142 Street**

**Avnash Banwait / Malkit Singh Swaich**

Rezoning from RA to RF / Development Variance Permit

*in order to allow subdivision into two single family lots and retain an existing house.*

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 Gill  
Seconded by Councillor Steele  
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 approve Development Variance Permit No. 7908-0070-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 5.9 metres (19 ft.) for proposed Lot 1; and
  - (b) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 23.5 metres (77 ft.) for proposed Lot 1.
3. Council instruct staff to resolve the following issues prior to approval:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
  - (d) issuance of Development Variance Permit No. 7908-0070-00.

RES.R08-2107 Carried

It was Moved by Councillor Gill  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16779" pass its first reading.

RES.R08-2108 Carried

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

It was Moved by Councillor Gill  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law 2008, No. 16779" pass its second reading.

RES.R08-2109 Carried



It was then Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16779" be held at the  
 City Hall on October 20, 2008, at 7:00 p.m.

RES.R08-2110

Carried**12. 7908-0093-00**

**9905 King George Highway; 13545, 13555, 13565 and  
 13583 - 98A Avenue**

**Patrick Cotter, Patrick Cotter Architect Inc. / Dae-A Real Estate  
 Development Company Ltd.**

Partial discharge Land Use Contract No. 420 / Rezoning from C-35 to CD (based  
 on RMC-150) / Development Permit

*in order to permit the development of three high-rise residential apartment  
 buildings, ground residential townhouses and lower level commercial space along  
 King George Highway.*

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 Martin  
 Seconded by Councillor Steele  
 That:

1. Council endorse the extension of 98B Avenue from 135A Street to East Whalley Ring Road and the designation of 98B Avenue as a major collector road from West Whalley Ring Road to East Whalley Ring Road.
2. a By-law be introduced to partially discharge Land Use Contract No. 420 and a date for Public Hearing be set.
3. a By-law be introduced to rezone the subject site from "Downtown Commercial Zone (C-35)" to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council authorize staff to draft Development Permit No. 7908-0093-00 in accordance with the attached drawings (Appendix II).
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 subdivision layout to the satisfaction of the Approving Officer;

- (c) resolution of all urban design and landscaping issues to the satisfaction of the Planning and Development Department; and
- (d) registration of a Section 219 "no-build" Restrictive Covenant on Block A and Block B prohibiting the issuance of a building permit until community amenities or money-in-lieu of amenities is provided.

RES.R08-2111

Carried

It was

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Land Use Contract No. 420,Authorization By-law, 1977, No. 5367 Partial Discharge By-law, 2008,  
No. 16780" pass its first reading.

RES.R08-2112

Carried

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

It was

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Land Use Contract No. 420,Authorization By-law, 1977, No. 5367 Partial Discharge By-law, 2008,  
No. 16780" pass its second reading.

RES.R08-2113

Carried

It was then

Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That the Public Hearing on "Surrey Land  
Use Contract No. 420, Authorization By-law, 1977, No. 5367 Partial Discharge  
By-law, 2008, No. 16780" be held at the City Hall on October 20, 2008, at  
7:00 p.m.

RES.R08-2114

Carried

It was

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

No. 12000, Amendment By-law 2008, No. 16781" pass its first reading.

RES.R08-2115

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 2008, No. 16781" pass its second reading.

RES.R08-2116

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 2008, No. 16781" be held at the City Hall on October 20, 2008, at 7:00 p.m.

RES.R08-2117

Carried

## C. CORPORATE REPORTS

## D. ITEMS TABLED BY COUNCIL

## E. DELEGATIONS

### 1. **Kalvinder Singh Bassi**

File: 6745-01; 0550-20-10

Kalvinder Singh Bassi was in attendance to discuss RF zoning requirements.

**Note:** A 4,616 signature petition is available in the Councillors' Library for perusal.

**Note:** See correspondence, Item F.1 of this agenda, regarding this delegation request. The delegation is requesting to defer the delegation portion and requests Council give consideration to their recommendations outlined in the correspondence.

## F. CORRESPONDENCE

### 1. Letter dated September 26, 2008 from **Kalvinder Singh Bassi, Director, Surrey Ratepayers Association**, requesting Council review and consider the following prior to rescheduling a date for their delegation appearance.

- Council direct that all actions by the City related to seeking compliance with the RF zone related to unauthorized additions or deck enclosures be held in abeyance until the matters raised in their letter have been carefully reviewed by City staff and City Council;
- Instruct staff to begin a formal review that would include a community consultation process to review the RF By-law, in particular, as it relates to the FAR and maximum CAP on floor area, and

- Add a service fee, similar to illegal suites, on the non-conforming additions.

File: 6745-01; 0550-20-10

It was

Moved by Councillor Hepner

Seconded by Councillor Villeneuve

That Council direct staff to undertake a review of the policy issues and administrative options in relation to the matters documented in the letter dated, September 26, 2008 from Mr. Kalvinder Singh Bassi on behalf of the Surrey Ratepayers Association and provide a report to Council on these matters complete with recommendations, and further that actions being taken by the City to address existing unauthorized house additions as described in the subject letter be held in abeyance pending Council consideration of the report and recommendations.

RES.R08-2118

Carried

## G. NOTICE OF MOTION

## H. BY-LAWS

### TO BE FILED

1. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 66 Amendment By-law, 2006, No. 16095"

7906-0079-00 - 0730589 B.C. Ltd., c/o Nirbhai Viridi, Architect

To amend "Surrey Official Community Plan By-law, 1996, No. 12900" as amended, in Division A of Schedule B Temporary Use Permit Areas, under the heading Temporary Industrial Use Permits by adding new Temporary Industrial Use Permit Area No 18 "Temporary Truck Parking Lot" to allow the development of an industrial building and the temporary storage of vehicles over 5,000 kilograms (11,023 lbs) G.V.W. on properties located at 10824 and 10840 - 125 Street.

Approved by Council: September 11, 2006

- \* Planning & Development advise that (see memorandum dated September 5, 2008 in by-law back-up) By-law No. 16095 should be filed as the applicant has requested that the initial application on the subject site be filed as a new application has been received under application 7908-0237-00.

It was Moved by Councillor Bose  
 Seconded by Councillor Hepner  
 That "Surrey Official Community Plan  
 By-law, 1996, No. 12900, Text No. 66 Amendment By-law, 2006, No. 16095" be  
 filed.

RES.R08-2119

Carried

**I. CLERK'S REPORT**

**1. Formal Approval of Development Permits**

- (a) **Development Permit No. 7907-0355-00**  
**M.C.A. Land Development Corp., Inc. No. 0342509**  
**John E. Kristianson, CTA Design Group Architecture and**  
**Engineering**  
 12941 - 115 Avenue

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

"That Development Permit No. 7907-0355-00 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 Bose  
 Seconded by Councillor Hepner  
 That Development Permit  
 No. 7907-0355-00 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.R08-2120

Carried

- (b) **Development Permit No. 7908-0114-00**  
**Viceroy Homes Ltd., Inc. No. 34647A**  
**Took Engineering Inc.**  
 19536 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. 7908-0114-00 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 Bose  
Seconded by Councillor Hepner  
That Development Permit

No. 7908-0114-00 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.R08-2121

Carried

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

- (a) **Temporary Industrial Use Permit No. 7906-0079-00**  
**Development Permit No. 7906-0079-00**  
**0730589 B.C. Ltd.**  
**c/o Nirbhai Virdi, Architect**  
10824 and 10840 - 125 Street

Memo from the Manager, Area Planning & Development - North Division, Planning & Development, advising that the applicant has requested that Temporary Industrial Use Permit No. 7906-0079-00 and Development Permit No. 7906-0079-00 be filed as the this application will be replaced by a new application, No. 7908-0237-00.

Planning & Development are recommending to Council that Temporary Industrial Use Permit No. 7906-0079-00 and Development Permit No. 7906-0079-00 be filed.

It was

Moved by Councillor Bose  
Seconded by Councillor Hepner  
That Temporary Industrial Use Permit

No. 7906-0079-00 and Development Permit No. 7906-0079-00 be filed.

RES.R08-2122

Carried

**Note:** See By-law No. 16095 under Item H.1.

## J. OTHER BUSINESS

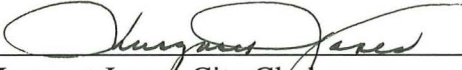
**K. ADJOURNMENT**

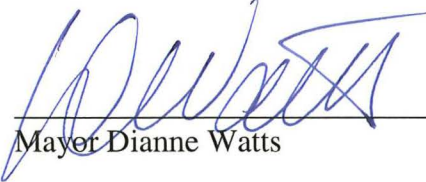
It was  
  
meeting do now adjourn.  
RES.R08-2123

Moved by Councillor Bose  
Seconded by Councillor Hepner  
That the Regular Council - Land Use  
  
Carried

The Regular Council- Land Use meeting adjourned at 5:50 p.m.

Certified Correct:

  
\_\_\_\_\_  
Margaret Jones, City Clerk

  
\_\_\_\_\_  
Mayer Dianne Watts