



# City of Surrey

## Regular Council - Land Use

### Minutes

Council Chamber  
City Hall  
14245 - 56 Avenue  
Surrey, B.C.  
MONDAY, DECEMBER 15, 2008  
Time: 5:30 p.m.

**Present:**

Mayor Watts  
Councillor Villeneuve  
Councillor Steele  
Councillor Gill  
Councillor Martin  
Councillor Rasode  
Councillor Bose  
Councillor Hepner

**Absent:**

Councillor Hunt

**Councillors Entering  
Meeting as Indicated:**

**Staff Present:**

City Manager  
City Clerk  
Acting City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Parks, Recreation & Culture  
General Manager, Human Resources  
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**

**CLOVERDALE/CLAYTON**

1. **7908-0148-00**  
**19495 - 55 Avenue**  
**Martini Construction Ltd./Revo Holdings Ltd., Inc. No. 258129**  
Development Variance Permit  
*in order to permit the development of an industrial building.*

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 approve Development Variance Permit No. 7908-0148-00, (Appendix IV) varying the following, to proceed to Public Notification:
- (a) to reduce the minimum rear yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.68 metres (6 ft.).

RES.R08-2610

Carried

**FLEETWOOD/GUILDFORD**

2. **7908-0052-00**  
**9998 and 10020 - 176 Street; 17626 Barnston Drive East**  
**Richard Bernstein, c/o Chris Dikeakos Architect/0794043 B.C. Ltd., Inc.**  
**No. 0794043**

**Director Information:**

**Joginder Dhaliwal**

**No Officer Information Filed**

OCP Amendment of a portion from Commercial to Multiple Residential Rezoning from CD (By-law No. 14876) and CG-2 to CD (based on C-8 and RM-45)/ Development Permit  
*in order to permit the development of a mixed-use commercial and multi-family residential development.*

It was

Moved by Councillor Hepner

Seconded by Councillor Bose

That Council refer the application back to staff to work with the applicant towards developing conditions of approval to allow the OCP amendment and rezoning by-laws to proceed to a Public Hearing.

RES.R08-2611

Carried

This report is being forwarded to Council in advance of a full application review process since the application involves a significant policy-related decision and it was not considered practical to undertake all of the work associated with refining and detailing the proposal until it is determined if Council is prepared to consider the related OCP amendment.

**NEWTON**

3. **7908-0267-00**  
**7315 King George Highway**  
**Ann Marie Rideout, Pizza Pizza/High Noon Investment Corporation, Inc.**  
**No. BC0530244**

Development Permit/Development Variance Permit

*in order to allow for an exterior renovation of an existing commercial building for a proposed restaurant. DVP to permit an additional fascia sign and allow for an outdoor walk-in cooler/freezer to be at 0 metre lot line.*

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. Council authorize staff to draft Development Permit No. 7908-0267-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0267-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to vary the Sign By-law (No. 13656) to permit one additional fascia sign on the north elevation of the building; and
  - (b) to reduce the northerly side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 0 metres to allow for an outdoor walk-in cooler/freezer.
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) registration of a shared parking easement on the adjacent property at 7319 King George Highway in order to accommodate required parking for the subject property;
  - (d) registration of an easement and a Section 219 Restrictive Covenant on the adjacent property to the north at 7319 King George Highway to allow a fascia sign, exhaust duct and vent located on the subject building to encroach into the adjacent property; and
  - (e) removal of existing free-standing sign that is located on the King George Highway road allowance.

RES.R08-2612

Carried

4. **7908-0115-00**  
**13542 - 73A Avenue and 7319 King George Highway**  
**Ken Hoschka, Sunrise Poultry Processing Ltd./High Noon Investment Corporation, Inc. No. 530244**  
 Development Permit/Development Variance Permit  
*to provide for landscaping at 7319 King George Highway and to vary the westerly and southerly setbacks to permit a cooler addition and to legalize an existing compression room and a sewage filtration/DAF building for a poultry processing plant.*

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

1. Council authorize staff to draft Development Permit No. 7908-0115-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0115-00, (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum westerly front yard setback of the IL Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.);
  - (b) to reduce the minimum southerly side yard setback of the IL Zone from 7.5 metres (25 ft.) to 3.8 metres (12 ft.) for the compression room; and
  - (c) to reduce the minimum southerly side yard setback of the IL Zone from 7.5 metres (25 ft.) to 1.2 metres (4 ft.) for the sewage filtration/DAF building.
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) payment of landscaping security;
  - (d) registration of an easement containing a Section 219 Restrictive Covenant in favour of the city, to allow the parking requirements of the subject site to be met on the adjacent property at 7319 King George Highway; and
  - (e) fulfill the building permit requirements for the existing compression room, spiral freezer and sewage filtration/DAF building.

RES.R08-2613

Carried

- 5. **7908-0057-00**  
**7475 - 135 Street**  
**Maciej Dembek/Strata Plan BCS1684**

Development Permit  
*in order to construct roof extensions over outdoor decks which form part of 2 existing banquet halls.*

The General Manager of Planning & Development was recommending that the application be referred back to staff.

It was Moved by Councillor Martin  
 Seconded by Councillor Gill  
 That Council refer the proposal back to staff to work with the applicant to substantially reduce the proposed roof extensions to cover the two decks.

RES.R08-2614

Defeated with Councillors Villeneuve, Steele, Gill, Martin, Rasode, Bose, and Councillor Hepner against.

It was Moved by  
 Seconded by  
 That Development Permit

No. 7908-0057-00 be approved.

RES.R08-2615

Carried

**SOUTH SURREY**

- 6. **7908-0244-00**  
**15292 - 32 Avenue**  
**John Mele/0776788 B.C. Ltd., Inc. No. 0776788**

**Director Information:**

**Charles Westgard**

**Officer Information: (as at December 8, 2007)**

**Dave Mann (Secretary)**

**Charles Westgard (President)**

Rezoning from RA to IB/Development Permit/Development Variance Permit  
*in order to permit development of a 3-storey office/warehouse building and to vary the maximum building height and rear and side yard setback requirements.*

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 Gill  
That:

1. a By-law be introduced to rezone the subject site from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Business Park Zone (IB)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council authorize staff to draft Development Permit No. 7908-0244-00 in accordance with the attached drawings (Appendix II).
3. Council approve Development Variance Permit No. 7908-0244-00, (Appendix VII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the IB Zone from 7.5 metres (25 ft.) to 1.5 metres (5 ft.);
  - (b) to reduce the minimum west side yard setback of the IB Zone from 7.5 metres (25 ft.) to 6.7 metres (22 ft.); and
  - (c) to vary the maximum building height of the IB Zone allowed from 12.0 metres (39 ft.) to 12.9 metres (42 ft.).
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) final approval from the Ministry of Transportation and Infrastructure;
  - (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) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department; and
  - (f) registration of a modified shared access easement with the neighbouring property to the west (15272 Croydon Drive).

RES.R08-2616

Carried

It was Moved by Councillor Martin  
 Seconded by Councillor Gill  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16863" pass its first reading.  
 RES.R08-2617 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. 16863" pass its second reading.  
 RES.R08-2618 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. 16863" be held at the  
 City Hall on January 19, 2009, at 7:00 p.m.  
 RES.R08-2619 Carried

7. **7908-0186-00**  
**2332 - 160 Street**  
**Paul Dabbs, Omicron Consulting Group/Loblaw Properties West Inc., Inc.**  
**No. 74514A**  
 Development Permit to permit development of a retail store (Loblaw Superstore)  
 in Grandview Corners/Development Variance Permit  
*in order to permit an additional fascia sign on the west elevation of the building.*

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 Hepner  
 That:

1. Council authorize staff to draft Development Permit No. 7908-0186-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0186-00, (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to vary Part 5 Section 27(2)(a) of the Surrey Sign By-law (By-law No. 13656) to permit an additional fascia sign on the west elevation of the building.
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; and
- (b) submission of a finalized landscaping plan and landscaping cost estimate to the satisfaction of the City Landscape Architect.

RES.R08-2620

Carried**SURREY CITY CENTRE/WHALLEY**

8. **7908-0237-00**  
**10824 and 10840 - 125 Street**  
**Tony Dulay, 0730589 B.C. Ltd./0730589 B.C. Ltd., Inc. No. 0730589**  
**Director Information:**  
**Sukhjeevan Dulay**  
**Officer Information: (as at July 21, 2008)**  
**Sukhjeevan Dulay (President, Secretary)**  
 OCP Amendment/Temporary Industrial Use Permit  
*in order to allow the operation of a truck parking facility for a period not to exceed two years.*

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 amend the Official Community Plan by declaring the subject site a Temporary Industrial Use Permit Area 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. Council approve Temporary Industrial Use Permit No. 7908-0237-00 (Appendix IV) to proceed to Public Notification.
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) registration of a Section 219 Restrictive Covenant to prohibit on-site truck washing, truck fuel storage or refuelling, storage of on-site petroleum fluids and vehicle maintenance and to prohibit the parking and storage of vehicles containing dangerous goods defined by the *Transportation of Dangerous Goods Act*;
- (c) submission of adequate security to ensure the vehicles are removed and the site is restored to its vacant state upon expiration of the Temporary Industrial Use Permit; and
- (d) confirmation that all of the issues identified in Corporate Report No. R216 for truck parking facilities, and specifically surfacing material and the delineation of stalls, have been achieved to the satisfaction of the General Manager, Engineering.

RES.R08-2621

Carried

It was

Moved by Councillor Villeneuve

Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 84 Amendment By-law 2008, No. 16864" pass its first reading.

RES.R08-2622

Carried

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

It was

Moved by Councillor Villeneuve

Seconded by Councillor Gill

That "Surrey Official Community Plan

By-law, 1996, No. 12900, Text No. 84 Amendment By-law 2008, No. 16864" pass its second reading.

RES.R08-2623

Carried

It was then

Moved by Councillor Villeneuve

Seconded by Councillor Gill

That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, Text No. 84 Amendment By-law 2008, No. 16864" be held at the City Hall on January 19, 2009, at 7:00 p.m.

RES.R08-2624

Carried

RESIDENTIAL/INSTITUTIONALCLOVERDALE/CLAYTON

## 9. 7904-0201-00

**6890 - 176 Street and 17745 - 68 Avenue****Clarence Arychuk, Hunter Laird Engineering Ltd.****Fred Charlton/SSR Enterprises Ltd.**

OCP Amendment from Agriculture to Suburban and a portion to Urban

NCP Amendment of portions from Half Acre Cluster (2 upa) to Small Lots, Creek

Area and Townhouse Cluster (10 upa), Creek Area from Single Family

Residential to Small Lots and Open Space, from Townhouse Cluster (10 upa) to

Creek Area &amp; Realignment of 177 Street

Rezoning from A-1 and RF-G to CD (based on RC), RF-12 and RF-G

Development Permit/Development Variance Permit

*in order to allow subdivision into 7 CD (based on RC) lots, 15 RF-12 lots, 2 RF-G lots and 15 townhouse units and dedication of open space for stream protection.*

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 Villeneuve

That:

1. a By-law be introduced to amend the OCP by redesignating the subject site from Agriculture to Suburban and a portion to Urban and a date for Public Hearing be set.
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. a By-law be introduced to rezone Block A of the subject site as shown on the Survey Plan (Appendix II) from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000), to rezone Block B from "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and to rezone Block C from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Single Family Residential Gross Density Zone (RF-G)" (By-law No. 12000) and a date be set for Public Hearing.
4. a By-law be introduced to rezone Block D of the subject site as shown on the Survey Plan (Appendix II) from "General Agriculture Zone (A-1)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (Bylaw No. 12000) and a date be set for Public Hearing.

5. Council authorize staff to draft Development Permit No. 7904-0201-00 in accordance with the attached drawings (Appendix V) for the design of the 15 townhouse units and the landscape buffer adjacent the ALR.
6. Council approve Development Variance Permit No. 7904-0201-00, (Appendix XI) varying the following, to proceed to Public Notification:
  - (a) to vary the RF-12 Zone for proposed Lot 14, in order to allow a driveway and garage from 68 Avenue, rather than from the flanking street (177 Street).
7. Council instruct staff to resolve the following issues prior to final adoption:
  - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) approval from the Ministry of Transportation and Infrastructure;
  - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (e) submission of a finalized landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
  - (f) resolution of all urban design issues to the satisfaction of the Planning and Development Department;
  - (g) demolition of existing buildings and structures to the satisfaction of the Planning and Development Department;
  - (h) the applicant to finalize agreement with the Strata Council of the townhouse development to the east (Weybridge) for connection of a sanitary sewer line;
  - (i) the applicant to finalize the sale of proposed Lot 21 to the City with the City's Realty Services Section; and
  - (j) the applicant to address any concerns related to the proposed open space areas to the satisfaction of the General Manager, Parks, Recreation and Culture.

8. Council pass a resolution to amend the North Cloverdale West NCP to redesignate portions of land from "Half Acre Cluster (2 upa)" to "Small Lots", "Creek Area" and "Townhouse Cluster (10 upa), from "Single Family Residential" to "Small Lots" and "Creek Area", from "Townhouse Cluster (10 upa)" to "Creek Area" and to realign 177 Street.

RES.R08-2625

Carried

It was

Moved by Councillor Gill  
Seconded by Councillor Villeneuve  
That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 234 Amendment By-law 2008, No. 16865" pass its first reading.

RES.R08-2626

Carried

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

It was

Moved by Councillor Gill  
Seconded by Councillor Villeneuve  
That "Surrey Official Community Plan

By-law, 1996, No. 12900, No. 234 Amendment By-law 2008, No. 16865" pass its second reading.

RES.R08-2627

Carried

It was then

Moved by Councillor Gill  
Seconded by Councillor Villeneuve  
That the Public Hearing on "Surrey Official

Community Plan By-law, 1996, No. 12900, No. 234 Amendment By-law 2008, No. 16865" be held at the City Hall on January 19, 2009, at 7:00 p.m.

RES.R08-2628

Carried

It was

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

No. 12000, Amendment By-law 2008, No. 16866A" pass its first reading.

RES.R08-2629

Carried

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

It was

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

No. 12000, Amendment By-law 2008, No. 16866A" pass its second reading.

RES.R08-2630

Carried

It was then  
 Moved by Councillor Gill  
 Seconded by Councillor Villeneuve  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16866A" be held at the  
 City Hall on January 19, 2009, at 7:00 p.m.  
 RES.R08-2631 Carried

It was  
 Moved by Councillor Gill  
 Seconded by Councillor Villeneuve  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16866B" pass its first reading.  
 RES.R08-2632 Carried

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

It was  
 Moved by Councillor Gill  
 Seconded by Councillor Villeneuve  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16866B" pass its second reading.  
 RES.R08-2633 Carried

It was then  
 Moved by Councillor Gill  
 Seconded by Councillor Villeneuve  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16866B" be held at the  
 City Hall on January 19, 2009, at 7:00 p.m.  
 RES.R08-2634 Carried

## NEWTON

- 10. 7908-0299-00**  
**15918 - 26 Avenue**  
**Amacon Development (Morgan Heights) Corp., Inc. No. 749736**  
 Development Variance Permit  
*in order to vary the parking requirement from 398 to 395 stalls for an approved  
 apartment 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 Hepner  
 Seconded by Councillor Steele  
 That:

1. Council approve Development Variance Permit No. 7908-0299-00,  
 (Appendix I) varying the following, to proceed to Public Notification:

- (a) to reduce the minimum number of on-site parking spaces from 398 to 395.

RES.R08-2635

Carried**11. 7908-0256-00****13730 - 72 Avenue****Bernard Perreten, Bernard Perreten Architecture Inc./The City of Surrey**  
Development Permit/Development Variance Permit*in order to permit a 1,169 sq.m. (12,580 sq.ft.) addition to the Newton Wave Pool and Development Variance Permit to allow for a setback relaxation.*

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 authorize staff to draft Development Permit No. 7908-0256-00 in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7908-0256-00 (Appendix V) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum northerly side yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 2.7 metres (9 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 tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
  - (c) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

RES.R08-2636

Carried

12. **7908-0091-00**  
**5904 - 144 Street**  
**James Pernu, McElhanney Consulting Services Lt,**  
**0749813 B.C. Ltd.**

**Director Information:**

**Bhupinder Singh Bal**

**Gurcharn Singh Brar**

**Officer Information: (as at February 23, 2007)**

**Bhupinder Bal (President)**

Partial NCP Amendment from Single Family Residential to Single Family Flex Residential/Partial Rezoning from RA to RF-12/

Development Variance Permit

*in order to allow subdivision into 5 single family small lots and a remnant lot for future development and relax lot depth and setback requirement for two (2) 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 Gill

That:

1. a By-law be introduced to rezone a portion of the subject site shown as Block A on Appendix I from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (12) Zone (RF-12)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7908-0091-00, (Appendix VIII) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum front yard setback of the RF-12 Zone for Lot 2 from 6.0 metres (20 ft.) to 5.0 metres (17 ft.);
  - (b) to reduce the minimum rear yard setback of the RF-12 Zone for Lot 2 from 7.5 metres (25 ft.) to 5.0 metres (17 ft.);
  - (c) to reduce the minimum rear yard setback of the RF-12 Zone for Lot 3 from 7.5 metres (25 ft.) to 6.5 metres (21 ft.) for 50% of the dwelling unit and 5.0 metres (17 ft.) for the other 50% of the dwelling unit;
  - (d) to reduce the lot depth for Lot 2 from 22 metres (72 ft.) to 19.9 metres (65 ft.); and
  - (e) to reduce the lot depth for Lot 3 from 22 metres (72 ft.) to 21.5 metres (71 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:

- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
  - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
  - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
  - (d) registration of a Section 219 Restrictive Covenant for "no build" on a portion of Lot 4 until future consolidation with the adjacent property (5882 - 144 Street);
  - (e) registration of a Section 219 Restrictive Covenant for creek protection for the westerly portion of the creek; and
  - (f) applicant to address the shortfall in trees replacement.
4. Council pass a resolution to amend the South Newton Neighbourhood Concept Plan to redesignate a portion of land shown as Block "A" on Appendix I from "Creek Riparian Area" to "Single Family Residential Flex (6 - 14.5 upa)" when the project is considered for final adoption.

RES.R08-2637

Carried

It was

Moved by Councillor Villeneuve  
 Seconded by Councillor Gill  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16867" pass its first reading.

RES.R08-2638

Carried

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

It was

Moved by Councillor Villeneuve  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16867" pass its second reading.

RES.R08-2639

Carried

It was then

Moved by Councillor Villeneuve  
 Seconded by Councillor Steele  
 That the Public Hearing on "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law 2008, No. 16867" be held at the  
 City Hall on January 19, 2009, at 7:00 p.m.

RES.R08-2640

Carried



**SOUTH SURREY**

13. **7908-0288-00**  
**3109 - 161 Street**  
**Ross Yamaguchi, Emaar Development Ltd.**  
**662347 B.C. Ltd., Inc. No. 662347**  
**Director Information:**  
**Robert Booth**  
**Maurice Ouellete**  
**Officer Information: (as at January 20, 2008)**  
**Robert Booth (President)**  
**Maurice Ouellette (Secretary)**  
Development Permit  
*in order to permit the addition of one townhouse unit and modifications to the site plan and landscaping plan for the townhouse complex previously approved by Council .*

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 Council approve the attached  
Development Permit No. 7908-0288-00 (Appendix V), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R08-2641

Carried

14. **7908-0286-00**  
**1630, 1632, 1640 and 1644 King George Highway**  
**Bob Geoghegan**  
**0792821 B.C. Ltd., Inc. No. 0792821**  
**Director Information:**  
**John Baggio**  
**Robert D. Geoghegan**  
**Officer Information: (as at May 31, 2008)**  
**John Baggio (Secretary)**  
**Robert D. Geoghegan (President)**  
Development Variance Permit  
*in order to permit an attached double or single tandem garage located in the basement on 4 semi-detached 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. Council approve Development Variance Permit No. 7908-0286-00, (Appendix III) varying the following, to proceed to Public Notification:
  - (a) to allow for an attached double car or tandem garage located in the basement (at least 50% underground).
2. Council instruct staff to resolve the following issue prior to approval:
  - (a) the joint access easement (for the rear garages) on the subject lots be discharged; and
  - (b) discharge existing Building Scheme and place new Building Scheme on title to address changes to the site.

RES.R08-2642

Carried

- 15. 7908-0239-00**  
**172 - 172 Street**  
**Bob Ambardar, Cressey Development/Fred R. Kilby and Jean Carriere**  
Partial Rezoning from RF to RF-9  
*in order to allow subdivision into two single family small lots and a remainder parcel.*

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 Gill  
That:

1. a By-law be introduced to rezone the portion of the site shown as Block 2 on Appendix I 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) registration of a Section 219 Restrictive Covenant for "no build" on Block 1 until future consolidation with the adjacent properties for future redevelopment to mixed commercial/residential use as per the NCP designation; and
- (e) the applicant address the shortfall in tree replacement.

RES.R08-2643

Carried

It was

Moved by Councillor Martin  
 Seconded by Councillor Gill  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law 2008, No. 16868" pass its first reading.

RES.R08-2644

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. 16868" pass its second reading.

RES.R08-2645

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. 16868" be held at the  
 City Hall on January 19, 2009, at 7:00 p.m.

RES.R08-2646

Carried

**SURREY CITY CENTRE/WHALLEY**

**16. 7907-0233-00**

**9770 King George Highway**

**Robert H. Lee, Mara & Natha Architect/Grace Hanin Community Church  
 Development Permit**

*in order to permit the expansion and exterior modification of an existing church  
 and the installation of two free-standing signs.*

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 Council approve the attached  
Development Permit No. 7907-0233-00 (Appendix II), authorize the Mayor and Clerk to sign the Development Permit, and authorize the transfer of the Permit to the heirs, administrators, executors, successors and assigns of the title of the land within the terms of the Permit.

RES.R08-2647

Carried

### C. CORPORATE REPORTS

1. The Corporate Report under date of December 15, 2008 was considered and dealt with as follows:

**Item No. L008**      Development Application No. 7907-0081-00  
Proposed Rezoning from RA to RF and RF-12  
- By-law No. 16713: 14633 - 111A Avenue -  
Ekam Development Ltd.  
File: 7907-0081-00

The General Manager, Planning & Development submitted a report to advise Council on the changes made by the applicant to the proposed subdivision layout for Development Application No. 7907-0081-00. These changes have been made in response to the issues raised at the Public Hearing held July 14, 2008 and the direction provided by Council following the Public Hearing. The report also outlines optional courses of action that are available to Council in relation to the continuation of the application approval process and makes a recommendation in this regard.

The General Manager, Planning & Development was recommending approval of the recommendations outlined in his report.

It was Moved by Councillor Bose  
Seconded by Councillor Martin  
That Council:

1. Receive this report as information;
2. Refer the application back to staff (Option 1) to work with the applicant to design a subdivision layout for the subject site, based solely on the RF Zone in accordance with Council Resolution No. RES. R08-1700; and

3. Instruct the City Clerk to forward a copy of this Corporate Report and the related Council resolution to the applicant.

RES.R08-2648

Carried with Councillors Rasode, Hepner and Councillor Gill against.

**D. ITEMS TABLED BY COUNCIL**

**E. DELEGATIONS**

**F. CORRESPONDENCE**

**G. NOTICE OF MOTION**

**H. BY-LAWS**

TO BE FILED

1. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 67 Amendment By-law, 2006, No. 16096"

7904-0135-00 - Sumitter Pattar, c/o Aplin & Martin Consultants Ltd.

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 19 "Truck Parking" to allow the temporary parking and storage of heavy trucks on the property located at 10198 Grace Road for a period not to exceed two years.

Approved by Council: September 11, 2006

- \* Planning & Development advise that (see memorandum dated December 1, 2008 in by-law back-up) By-law No. 16096 should be filed as the application has been inactive for 1 ½ years and the applicant has not responded to the registered letter sent on September 26, 2008 advising the file would be closed unless outstanding requirements were addressed within 30 days.

It was Moved by Councillor Steele  
Seconded by Councillor Hepner  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, Text No. 67 Amendment By-law, 2006, No. 16096" be  
filed.

RES.R08-2649

Carried

- 2. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 60  
Amendment By-law, 2006, No. 15958"

7905-0353-00 - Philmon Properties Ltd., c/o Philmon Properties Ltd.  
(Nolan Fisher)

To amend "Surrey Official Community Plan By-law, 1996, No. 12900", as  
amended, in Division A Schedule B. Temporary Use Permit Areas, under the  
heading "Temporary Commercial Use Permit Areas, by adding a new heading  
"Temporary Commercial Use Permit Area No. 12". This amendment will permit  
additional staff parking for the Fleetwood Arms Pub on property located at  
16042 - 84 Avenue for a period not to exceed two years.

Approved by Council: February 20, 2006

- \* Planning & Development advise that (see memorandum dated December 1, 2008  
in by-law back-up) By-law No. 15958 should be filed as the application has been  
inactive for 20 months and the applicant has not responded to the registered letter  
sent on August 28, 2008 advising the file would be closed unless outstanding  
requirements were addressed within 30 days.

It was Moved by Councillor Gill  
Seconded by Councillor Bose  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, Text No. 60 Amendment By-law, 2006, No. 15958" be  
filed.

RES.R08-2650

Carried

FINAL ADOPTIONS

- 3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16652"

7907-0268-00 - Ernest and Reta Gray, c/o Ernest Gray

RA to RH (BL 12000) - 13893 - 20 Avenue - to allow subdivision into  
two half-acre single family lots.

Approved by Council: April 28, 2008

- \* Planning & Development advise that (see memorandum dated December 10, 2008 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 Section 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Rasode  
Seconded by Councillor Gill  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2008, No. 16652" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R08-2651

Carried

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15487, Amendment By-law, 2008, No. 16778"

7908-0126-00 - Fraser Health Authority, c/o Jenny Lasmana,  
Fraser Health Authority

To amend CD By-law 15487 in Section 2, sub-sections A, B and C - these amendments will correct a typographical error and permit the development of a child care centre and office uses in a modular building for the Fraser Health Authority located at 13740 - 94A Avenue.

Approved by Council: September 29, 2008

**Note:** A Development Permit (7908-0126-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(a).

It was Moved by Councillor Hepner  
Seconded by Councillor Gill  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15487, Amendment By-law, 2008,  
No. 16778" be finally adopted, signed by the Mayor and Clerk, and sealed with  
the Corporate Seal.

RES.R08-2652

Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2007, No. 16483"

7906-0450-00 - Golden Touch Property Developments Ltd. and  
J.A. Construction Ltd.,  
c/o McElhanney Consulting Services Ltd. (Darren Braun)

A-1 to CD (BL 12000) - 17127 - 80 Avenue and 8230 - 170A Street - to allow subdivision into approximately 11 suburban residential lots, 1 large remainder lot and open space.

Approved by Council: November 5, 2007

- \* Planning & Development advise that (see memorandum dated December 11, 2008 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 Section 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

- \* In addition, at the November 19, 2007 Regular Council-Public Hearing meeting, Council passed the following resolution:

"That the concerns raised during the Public Hearing be reviewed by staff prior to final."

In response, Planning & Development advise that staff met with residents to discuss the concerns raised at the Public Hearing and explained how they can develop their property in the future.

It was  
Moved by Councillor Hepner  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2007, No. 16483" be finally adopted, signed by  
the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R08-2653

Carried

#### MISCELLANEOUS

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16604"

7905-0331-00 - Satnam S. Aujla, c/o Anatoly Morgulis

RA (BL 12000) to CD (BL 12000) - 14126 - 64 Avenue - to permit the development of a 15-unit townhouse project.

Approved by Council: March 10, 2008



**Note:** A Development Permit (7905-0331-00) on the site is to be considered for Final Approval under Clerk's Report, Item I.1(b).

- \* Planning & Development advise that (see memorandum dated December 11, 2008 in by-law backup) the legal description and civic address of the subject property has changed. It is therefore requested that Council rescind third reading and amend the by-law accordingly prior to considering the by-law for final adoption.
- \* In addition, Planning & Development advise that it is in order for Council to pass a resolution amending the South Newton Neighbourhood Concept Plan to redesignate the site from "Townhouses 15 upa max" to "Townhouses 25 upa max".

It was Moved by Councillor Hepner  
Seconded by Councillor Steele  
That Council rescind Resolution R08-716 of the March 31, 2008 Regular Council - Public Hearing Minutes passing Third Reading of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16604".

RES.R08-2654

Carried

It was Moved by Councillor Hepner  
Seconded by Councillor Gill  
That Council amend Section 1 of "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16604" by deleting the existing legal description and civic address and inserting the following in its place:

"Parcel Identifier: 027-534-481  
Parcel A Section 9 Township 2 New Westminster District Plan BCP36596

14118 – 64 Avenue"

RES.R08-2655

Carried

It was Moved by Councillor Gill  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16604" pass its third reading, as amended.

RES.R08-2656

Carried Councillor Bose against

It was Moved by Councillor Gill  
Seconded by Councillor Rasode  
That Council amend the South Newton Neighbourhood Concept Plan to redesignate the site from "Townhouses 15 upa max" to "Townhouses 25 upa max".

RES.R08-2657

Carried Councillor Bose against

It was Moved by Councillor Gill  
 Seconded by Councillor Hepner  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2008, No. 16604" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R08-2658 Carried

FINAL ADOPTIONS (Cont'd.)

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2008, No. 16736"

7907-0221-00 - Pacific Link Industrial Park Ltd.,  
 c/o Pacific Land Resource Group (Oleg Verbenkov)

IL-1 and IB-2 to CD (BL 12000) - 10225, 10279, 10321, 10377,  
 10449 - 120 Street 10278, 10281, 10323 Grace Road 11796, 11850,  
 11897, 11959, 11966 - 103A Avenue - to permit the development of  
 mixed-use business park with supporting commercial and retail uses.

Approved by Council: July 14, 2008

**Note:** A Development Permit (7908-0069-00) 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 December 11, 2008 in by-law backup) all subject conditions have been met except the finalization of the Master Plan to the satisfaction of the Planning & Development Department. The applicant is in the process of finalizing this plan. In order to meet tenant obligations for Block A, the applicant has requested that final adoption of the rezoning by-law move forward in advance of finalization of the Master Plan. The Block A Development Permit is consistent with the Master Plan and staff concur with the applicant's request. It is anticipated that the Master Plan development permit will come forward for Council approval over the next several weeks.

It was Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2008, No. 16736" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R08-2659 Carried Councillor Bose against

**I. CLERK'S REPORT**

**1. Formal Approval of Development Permits**

- (a) **Development Permit No. 7908-0126-00**  
**13740 - 94A Avenue**  
**Fraser Health Authority, c/o Jenny Lasmana / Fraser Health Authority**

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

"That Development Permit No. 7908-0126-00 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 16778 under Item H.4.

It was  
Moved by Councillor Gill  
Seconded by Councillor Hepner  
That Development Permit  
No. 7908-0126-00 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.R08-2660

Carried

- (b) **Development Permit No. 7905-0331-00**  
**14118 - 64 Avenue**  
**Satnam Singh Aujla/Anatoly Morgulis**

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

"That Development Permit No. 7905-0331-00 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 16604 under Item H.6.

It was Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That Development Permit  
 No. 7905-0331-00 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.R08-2661

Carried Councillor Bose

- (c) **Development Permit No. 7908-0069-00**  
**10377 - 120 Street**  
**Pacific Link Industrial Park Ltd., Inc. No. 605005**  
**Oleg Verbenkov, Pacific Land Resource Group**

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

"That Development Permit No. 7908-0069-00 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 16736 under Item H.7.

It was Moved by Councillor Gill  
 Seconded by Councillor Steele  
 That Development Permit  
 No. 7908-0069-00 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.R08-2662

Carried

- (d) **Development Permit No. 7906-0177-00**  
**2332 - 160 Street**  
**Loblaw Properties West Inc., Inc. No. A47145**  
**Paul Dabbs, Omicron**

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

"That Development Permit No. 7906-0177-00 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 Gill  
Seconded by Councillor Steele  
That Development Permit

No. 7906-0177-00 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.R08-2663

Carried with Councillor Bose against.

**J. OTHER BUSINESS**

**K. ADJOURNMENT**

It was

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

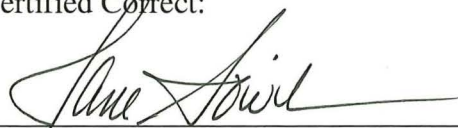
meeting do now adjourn.

RES.R08-2664

Carried

The Regular Council- Land Use meeting adjourned at 6:08 p.m.

Certified Correct:



Jane Sowik, Acting City Clerk



Mayor Dianne Watts