

**A. ADOPTION OF MINUTES**

**1. Regular Council - Land Use - July 11, 2005**

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That the minutes of the Regular Council – Land Use meeting held

on July 11, 2005, be adopted.

RES.R05-1810

Carried

**A. ADOPTION OF MINUTES**

**2. Regular Council - Public Hearing - July 11, 2005**

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That the minutes of the Regular Council - Public Hearing meeting

held on July 11, 2005, be adopted.

RES.R05-1811

Carried

**B. DELEGATIONS**

**C. COMMITTEE REPORTS**

**D. BOARD/COMMISSION REPORTS**

**E. MAYOR'S REPORT**

**F. COUNCILLORS' REPORTS**

**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R171** Land Acquisition for Park: 6572 - 194 Street  
File: 0870-20/352/F

The General Manager, Engineering submitted a report concerning the acquisition of land for park at 6572 - 194 Street.

The General Manager, Engineering was recommending approval of the recommendations outlined in his report.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts

That Council authorize the partial acquisition of ± 20,559 ft.<sup>2</sup> (.47 acres) from PID 012-657-786 (6572 - 194 Street) for park/open space as set out in the East Clayton Land Use Plan, for the amount of \$328,944 plus GST.

RES.R05-1812

Carried

**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R172** Land Acquisition for Park:  
6660/6684 - 192 Street; 6657/6685 - 194 Street  
File: 0870-20/352/H; 7904-0281-00

The General Manager, Engineering submitted a report concerning the acquisition of land for a park at 6660/6684 - 192 Street and 6657/6685 - 194 Street.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts

That Council authorize the partial acquisition of ±42,207 ft.<sup>2</sup> (.97 acres) from PID 008 637 857 (6660 - 192 Street), PID 008 637 822 (6684 - 192 Street), PID 014 295 521 (6657 - 194 Street), PID 008-534-373 (6685 - 194 Street) for park/open space as set out in the East Clayton Land Use Plan, for the amount of \$960,000 plus GST.

RES.R05-1813

Carried

**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R173** Land Acquisition for Park:  
6673/6685/6711 - 196 Street  
File: 0870-20/352/I

The General Manager, Engineering submitted a report concerning the acquisition of land for a park at 6673/6685/6711 - 196 Street.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts

That Council authorize the partial acquisition of ± 28,310 ft<sup>2</sup> (.65 acres) from PID 008-542-848 (6673 - 196 Street), PID 008-542-821 (6685 - 196 Street), PID 004-615-

743 (6711 - 196 Street) for park/open space as set out in the East Clayton Land Use Plan, for the amount of \$393,000 plus GST.

RES.R05-1814

Carried**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R174** Water System Quality - 2004 Annual Report  
File: 5600-42

The General Manager, Engineering submitted a report to inform Council of the results of the 2004 Water System Quality Annual Report.

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

1. This report be received for information.
2. A copy of this report be forwarded to the Medical Health Officer.

RES.R05-1815

Carried**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R175** Contract Award - MS 4805-002-11: Tag Construction Ltd.  
File: 4805-002/11; 5250-20-48

The General Manager, Engineering submitted a report concerning the award of Contract MS 4805-002-11. Tenders were received as follows:

	<i>Contractor</i>	<i>Tender Amount With GST</i>	<i>Corrected Amount</i>
1.	Tag Construction Ltd.	\$1,440,458.08	No Change
2.	Triahn Enterprises Ltd.	\$1,908,481.96	No Change

The Engineer's pre-tender estimate was \$1,506,902.40 including GST.

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That Contract M.S. 4805-002-11 be awarded to the low bidder, Tag Construction Ltd., in the amount of \$1,440,458.08, including GST.

RES.R05-1816

Carried**G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R176** Contract Award - MS 1705-001-1: TAG Construction Ltd.  
File: 1705-001/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of contract MS 1705-001-1. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. TAG Construction Ltd.	\$3,979,116.00
2. B. Cusano Contracting Inc.	4,460,726.21
3. JJM Construction Ltd.	4,624,754.00

The Engineer's pre-tender estimate was \$4,226,929.00 including GST.

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That Contract M.S. 1705-001-1 be awarded to the low bidder, TAG  
Construction Ltd., in the amount of \$3,979,116.00 (including GST).

RES.R05-1817

Carried

### G. CORPORATE REPORTS

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R177** Late Grant Application  
File: 1850-20

The General Manager, Finance, Technology & Human Resources submitted a report concerning a late grant application.

The General Manager, Finance, Technology & Human Resources was recommending approval of the recommendations outlined in her report.

Mayor McCallum noted that the following motion would be divided:

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

1. Not approve the late grant application from Crescent Beach Community Services; and  
RES.R05-1818 Carried

2. Approve a contribution of \$2,000 from the Council Initiative Fund.  
RES.R05-1819 Carried

### G. CORPORATE REPORTS

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R178** External Auditor Appointment  
File: 1860-30; 1610-01

The General Manager, Finance, Technology & Human Resources submitted a report concerning the external auditor appointment.

The General Manager, Finance, Technology & Human Resources was recommending approval of the recommendations outlined in her report.

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

1. Appoint KPMG as the City Auditor for a period of five years, beginning with the fiscal year-end of December 31, 2005;
2. Instruct the City Clerk to request the Surrey Public Library and the Logging Ditch Improvement District to appoint KPMG as their auditor for a period of five years, beginning with the fiscal year-end of December 31, 2005; and
3. Instruct staff to enter into a contractual agreement with KPMG as outlined within the request for proposal received on June 1, 2005.

RES.R05-1820

Carried

## G. CORPORATE REPORTS

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R179** Purchase of Pumper / Rescue Fire Apparatus  
File: 1700-01; 1100-01

The Fire Chief submitted a report concerning the purchase of pumper / rescue fire apparatus.

The Fire Chief was recommending approval of the recommendations outlined in his report.

It was Moved by Councillor Hunt  
Seconded by Councillor Watts  
That Council approve the award of contract REP#1220-30-17-08 for the supply of one 1500 IGPM Triple Combination Pumper / Rescue Unit to Safetek Emergency Vehicles Ltd. in the amount of CDN \$624,093.00 including all applicable taxes and RFQ#1220-40-17-05 for \$58,450 including all applicable taxes for loose equipment.

RES.R05-1821

Carried

## G. CORPORATE REPORTS

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R180** Lower Mainland Treaty Advisory Committee - Comprehensive Review and

Amendments to LMTAC First Principles & General Lower Mainland Treaty  
Negotiations Update

File: 0450-20 (LMTAC); 0440-01 (First Nations);  
0540-20 LMTAC

The staff representative to LMTAC on behalf of Councillor Priddy submitted a report to seek Council's endorsement of the proposed update amendments to the LMTAC First Principles and to apprise Council of the status of ongoing Lower Mainland Treaty negotiations.

The staff representative to LMTAC on behalf of Councillor Priddy was recommending approval of the recommendations outlined in his report.

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

1. Endorse the proposed update amendments to the existing LMTAC First Principles and the recommended four new Principles enclosed herein; and
2. Receive the Lower Mainland Treaty Negotiation updates for information.

RES.R05-1822

Carried

## G. CORPORATE REPORTS

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R181** Tree Topping and Removal on Burlington Northern Santa Fe Railway Property  
West of 12626 - 15 Avenue and 1489 - 126A Street  
File: 7904-0432-00; 12626-15000

The General Manager, Planning & Development submitted a report concerning tree topping and removal on Burlington Northern Santa Fe Railway property.

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

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

1. Receive this report as information; and
2. Authorize the City Clerk to:
  - (a) Schedule a "show cause" hearing at which the owner(s) of Dave Matheson Professional Tree Service (Business License No. 036817) will be given the opportunity to provide information to Council as to why Council should not revoke or suspend the business license of that firm in relation to that firm's part in the unauthorized cutting of trees on Burlington Northern Santa Fe ("BNSF") Railway property in the vicinity of 15 Avenue and 126A Street, during or about early May 2005, which tree cutting was in contravention of the Surrey Tree Preservation By-law, 1996, No. 12880 (the "Tree By-law"); and

- (b) Provide notice of the hearing and the reason for such hearing to the owner(s) of Dave Matheson Professional Tree Service at least two weeks in advance of the date of the hearing.

RES.R05-1823

Carried

## **G. CORPORATE REPORTS**

1. The Corporate Reports, under date of July 18, 2005, were considered and dealt with as follows:

**Item No. R182** Expansion to and Renovation of City Hall  
File: 0800-20 (City Hall); 0760-20

The General Manager, Planning & Development submitted a report concerning the expansion and renovation of City Hall.

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

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

1. Receive this report as information; and
2. Authorize additional expenditure authority to a maximum of \$975,000 for the contract related to expanding and renovating City Hall.

RES.R05-1824

Carried

Councillor Priddy made the suggestion that clarification be provided for similar future requests for expenditure authority authorization.

## **H. BY-LAWS**

### **FINAL ADOPTIONS**

1. "Land Purchase and Highway Dedication By-law, 2005, No. 15796"

3900-20-15796 - Council Initiative

A by-law to authorize the purchase of land required for municipal purposes and to dedicate certain of the said land for use as a public highway.

Approved by Council: June 13, 2005  
Corporate Report Item No. R140

It was Moved by Councillor Hunt  
Seconded by Councillor Tymoschuk  
That "Land Purchase and Highway Dedication By-law, 2005, No.  
15796" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.  
RES.R05-1825 Carried

## H. BY-LAWS

### FINAL ADOPTIONS

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15747"

7904-0403-00 - James and Marianne Emmerton, c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RM-D (BL 12000) to RF-0 (BL 12000) - 12992 - 13 Avenue - to permit the development of a single family dwelling.

Approved by Council: May 18, 2005

- \* Planning & Development advise that (see memorandum dated July 13, 2005 in by-law back-up) there is not a registered building scheme, however, the house plans and geotechnical report are being registered on title.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15747" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.  
RES.R05-1826 Carried

## H. BY-LAWS

### FINAL ADOPTIONS

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15512"

7904-0281-00 - 679803 B.C. Ltd., c/o Doug Brealey, 679803 B.C. Ltd.

RA (BL 12000) to RF-9C (BL 12000) - 6660 and 6684 - 192 Street, 6657 and 6685 - 194 Street - to allow subdivision into approximately 71 small single family lots with coach houses in East Clayton.

Approved by Council: September 27, 2004

**Note:** This By-law is proceeding in conjunction with Corporate Report Item No. R172 of this Agenda.

- \* Planning & Development advise that (see memorandum dated July 14, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive



Covenant will also be registered to tie the building scheme to the land.

- \* In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the East Clayton Neighbourhood Concept Plan to redesignate portions of the site from Medium-High Density (15 - 25 upa) and Low Density (6 - 10 upa) to Medium Density (10 - 15 upa).

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That Council amend the East Clayton Neighbourhood Concept Plan to redesignate portions of the site from Medium-High Density (15 - 25 upa) and Low Density (6 - 10 upa) to Medium Density (10 - 15 upa).

RES.R05-1827 Carried

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15512" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1828 Carried

**H. BY-LAWS**

FINAL ADOPTIONS

- 4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15672"

7904-0228-00 - Merlot Investments & Technology Ltd. and Silk Road Holdings Ltd., c/o Coastland Engineering & Surveying Ltd. (Mike Helle)

RA (BL 12000) to RF-12 (BL 12000) - 8357 - 168 Street - to allow subdivision into approximately (8) small single family lots.

Approved by Council: February 21, 2005

- \* Planning & Development advise that (see memorandum dated July 12, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Hunt  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15672" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1829 Carried

**H. BY-LAWS**

FINAL ADOPTIONS

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15684"

7904-0126-00 - Roland and Peitja Storteboom, J.S. Jensen Construction Ltd., Oasis Development Ltd.,  
c/o Coastland Engineering & Surveying Ltd. (Michael Helle)

RF and RA (BL 12000) to RF-12 and RF (BL 12000) - 18328 and 18348 67 Avenue, Portion  
of 18312 - 67 Avenue, Portions of 6638, 6648 and 6658 - 183 Street to allow subdivision into 21  
small single family lots and 4 standard single family lots.

Approved by Council: March 7, 2005

- \* Planning & Development advise that (see memorandum dated July 12, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.
- \* In addition, Planning & Development advise that it is now in order for Council to pass a resolution amending the North Cloverdale West Neighbourhood Concept Plan to redesignate a portion of the site (Blocks B and C) from Single Family Residential to Small Lots.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That Council amend the North Cloverdale West Neighbourhood  
Concept Plan to redesignate a portion of the site (Blocks B and C) from Single Family Residential to  
Small Lots.

RES.R05-1830

Carried

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-  
law, 2005, No. 15684" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate  
Seal.

RES.R05-1831

Carried

## H. BY-LAWS

### FINAL ADOPTIONS

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15374"

7904-0003-00 - 673858 B.C. Ltd., 673860 B.C. Ltd., c/o Hunter Laird Engineering Ltd. and c/o Enver  
Creek Homes Ltd.

RA (BL 12000) to RF-12 & RF-9 (BL 12000) - 6084 and 6132 150 Street - to allow  
subdivision into approximately 69 single family residential lots (14 RF-9 lots and 55 RF-12 lots).

Approved by Council: May 17, 2004

- \* Planning & Development advise that (see memorandum dated July 14, 2005 in by-law back-up) the

building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

In addition, Council approved amendments to the South Newton NCP to increase the opportunity for small-lot residential development. The amendment adds a new land use designation to the South Newton NCP called "Single Family Residential Flex 6 to 14.5 upa". The proposed development is in keeping with this new designation, therefore, a resolution to amend the South Newton NCP from "Single Family Residential" to "Single Family Residential Small Lots" is no longer required.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15374" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1832

Carried

## H. BY-LAWS

### FINAL ADOPTIONS

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15521"

7904-0128-00 - Toscana Holdings Inc., BIR Investments Inc., c/o McElhanney Consulting Services Ltd.  
(Dwight Heintz)

RA (BL 12000) to RF (BL 12000) - 7272 - 143 Street - to allow subdivision into 5 single family lots.

Approved by Council: October 18, 2004

- \* Planning & Development advise that (see memorandum dated July 15, 2005 in by-law back-up) the building scheme which has been filed with the City Clerk has been developed by a Design Consultant based on a character study of the surrounding neighbourhood. The building scheme will be registered concurrently with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219 Restrictive Covenant will also be registered to tie the building scheme to the land.

The Mayor noted that this item was not in order for consideration at this time.

## H. BY-LAWS

### MISCELLANEOUS

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15791"

7905-0027-00 - Four Square Gospel Church of Canada, c/o Ted Haddock, Four Square Gospel Church

RF (BL 12000) to CD (BL 12000) - 14615 - 16 Avenue - to allow for a church facility with a maximum of 150 seats.

Approved by Council: June 27, 2005

- \* Planning & Development advise that (see memorandum dated July 14, 2005, in by-law back-up) By-law 15791 contains an error in the maximum height of the building stating "30 metres [98 feet]" and should be amended to reflect "9 metres [30 feet]". This amendment does not jeopardize the Public Hearing as the amendment does not affect land use or density. It is therefore requested that Council rescind third reading of By-law 15791, amend the by-law as noted, and approve third reading as amended.

It was Moved by Councillor Hunt  
 Seconded by Councillor Higginbotham  
 That Council rescind Resolution R05-1790 of the July 11, 2005  
 Regular Council-Public Hearing Council Minutes passing Third Reading of "Surrey Zoning By-law,  
 1993, No. 12000, Amendment By-law, 2005, No. 15791".

RES.R05-1833

Carried

It was Moved by Councillor Hunt  
 Seconded by Councillor Higginbotham  
 That Council amend "Surrey Zoning By law, 1993, No. 12000,  
 Amendment By-law, 2005, No. 15791" in Section 2.G.1 by deleting "30 metres [98 feet]" and inserting  
 "9 metres [30 feet]" in its place.

RES.R05-1834

Carried

It was Moved by Councillor Hunt  
 Seconded by Councillor Higginbotham  
 That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-  
 law, 2005, No. 15791" pass its third reading, as amended.

RES.R05-1835

Carried

Councillor Bose requested staff work at providing some level of comfort addressing the issues raised at the Public Hearing.

## H. BY-LAWS

### MISCELLANEOUS

- 9 "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15792"

7905-0033-00 - Tri-Pacific Investment Group Ltd., c/o Carson Nofle

RF and CHI (BL 12000) to RM-70 (BL 12000) - 13295 - 108 Avenue - to permit the development of a four-storey, 112-unit apartment building in Surrey City Centre.

Approved by Council: June 27, 2005

- \* Legislative Services advise that (see memorandum dated July 12, 2005 in by-law back-up) at the July 11, 2005 Regular Council-Public Hearing meeting, the speaker's list was inadvertently overlooked. As a result, to give the delegations an opportunity to address Council, it is recommended that Council rescind third reading of By-law 15792 and that a second public hearing be held to facilitate those delegations.

It was Moved by Councillor Hunt  
 Seconded by Councillor Watts  
 That Council rescind Resolution R05-1791 of the July 11, 2005  
 Regular Council-Public Hearing Council Minutes passing Third Reading of "Surrey Zoning By-law,

1993, No. 12000, Amendment By-law, 2005, No. 15792".

RES.R05-1836

Carried

It was then

Moved by Councillor Hunt

Seconded by Councillor Watts

That the Public Hearing on "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15792" be held at the Surrey Sport & Leisure Complex on July 25, 2005, at 7:00 p.m.

RES.R05-1837

Carried

**H. BY-LAWS**

**INTRODUCTIONS**

- 10. "Local Improvement Sewer Main Construction [4794-602] By-law, 1998, No. 13503, Amendment By-law, 2005, No. 15805"

3900-20-15805/1998-13503 - Council Initiated Amendment

To amend "Local Improvement Sewer Main Construction [4794-602] By-law, 1998, No. 13503" by amending Item 11 and inserting new Schedule C. These amendments will remove the reference to "Local Improvements Cost Sharing By law, 1970, No. 3250" which was repealed on May 30, 2005 and will insert an amortization Schedule that will provide the details necessary for a pre-payment.

Approved by Council: To be approved

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Local Improvement Sewer Main Construction [4794-602] By-law, 1998, No. 13503, Amendment By-law, 2005, No. 15805" pass its first reading.

RES.R05-1838

Carried

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

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Local Improvement Sewer Main Construction [4794-602] By-law, 1998, No. 13503, Amendment By-law, 2005, No. 15805" pass its second reading.

RES.R05-1839

Carried

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

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Local Improvement Sewer Main Construction [4794-602] By-law, 1998, No. 13503, Amendment By-law, 2005, No. 15805" pass its third reading.

RES.R05-1840

Carried

**H. BY-LAWS**

FINAL ADOPTIONS (Cont"d.)

11. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15652"

7904-0127-00 - 699880 B.C. Ltd., c/o Ionic Architecture (Sam Chan)

RA (BL 12000) to CD (BL 12000) - 16741 Old McLellan Road - to permit the development of a mixed use multiple family and commercial development consisting of 18 townhouse units, 3 apartment units above retail and 3 ground floor retail units.

Approved by Council: February 7, 2005

**Note:** A Development Permit (7904-0127-00) on the site is to be considered for Final Approval under Item I.2(c).

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15652" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-1841

Carried

**I. CLERK'S REPORT**

**1. Development Variance Permit No. 7905-0033-00  
Tri-Pacific Investment Group Ltd.  
c/o Carson Nofle**

13295 - 108 Avenue (also shown as 13291 - 108 Avenue)

To reduce the front yard setback requirement from 7.5 metres (25 ft.) to 3.4 metres (11 ft.); the eastern side yard setback requirement from 7.5 metres (25 ft.) to 2.9 metres (9.5 ft.); and to waive the requirement to provide balconies for 12 bachelor units, to permit the development of a four-storey, 112-unit apartment building in Surrey City Centre.

**Note:** See By-law 15792 under Item H.1.

\* Council is requested to rescind Resolution No. RES.R05-1802 which gave final approval to Development Variance Permit No. 7905-0033-00.

It was Moved by Councillor Hunt  
Seconded by Councillor Steele  
That Council rescind Resolution No. RES.R05-1802 which gave final approval to Development Variance Permit No. 7905-0033-00.

RES.R05-1842

Carried

**I. CLERK'S REPORT**

**2. Formal Approval of Development Permits**

- (a) **Development Permit No. 7905-0066-00**  
**Jerry Jensen, North American Reload Inc./Southern Railway of BC**  
5330 - 180 Street

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

"That Development Permit No. 7905-0066-00 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. 7905 0066 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.R05-1843

Carried

**I. CLERK'S REPORT**

**2. Formal Approval of Development Permits**

- (b) **Development Permit No. 7904-0267-00**  
**F. Pedersen Design Ltd. /Performance Mall Properties Inc.**  
18940 - 94 Avenue

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

"That Development Permit No. 7904-0267-00 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. 7904 0267 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.R05-1844

Carried

**I. CLERK'S REPORT**

**2. Formal Approval of Development Permits**

- (c) **Development Permit No. 7904-0127-00**  
**Sam Chan, c/o Ionic Architecture/699880 B.C. Ltd., Inc. No. 699880**  
 16741 Old McLellan Road

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

"That Development Permit No. 7904-0127-00 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 15652 under Item H.11.

It was

Moved by Councillor Hunt  
 Seconded by Councillor Steele

That Development Permit No. 7904 0127 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.R05-1845

Carried

**I. CLERK'S REPORT**

**3. Delegation Requests**

- (a) **John Briner & Candace Hodson**  
**Special Committee of the Rosemary Heights Residents Association**  
 File: 5460-01; 0550-20-10

Requesting to appear before Council regarding the closure of 156 Street at 40 Avenue & Rosemary Heights Central Neighbourhood Concept Plan.

It was

Moved by Councillor Hunt  
 Seconded by Councillor Steele

That John Briner & Candace Hodson, Special Committee of the Rosemary Heights Residents Association be dealt with through the engineering process.

RES.R05-1846

Carried

**I. CLERK'S REPORT**

**3. Delegation Requests**

- (b) **Jim McMurtry**  
 File: 3900-02- 0550-20-10



Requesting to appear before Council regarding blueberry cannons near residential areas.

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That Jim McMurtry be referred to the Minister of Agriculture.

Carried

RES.R05-1847

## **I. CLERK'S REPORT**

### **3. Delegation Requests**

- (c) **Jaskinder Dulay**  
**B.N. Dulay Trux Ltd.**  
File: 6745-01; 0550-20-10

Requesting to appear before Council regarding the purchase of property located at 10824 and 10480 - 125 Street with respect to rezoning and permitted uses.

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That Jaskinder Dulay, B.N. Dulay Trux Ltd., be directed to meet

with staff and that staff provide a report to Council.

Carried

RES.R05-1848

## **J. CORRESPONDENCE**

## **K. NOTICE OF MOTION**

### **1. City Arborist**

Councillor Priddy submitted the following Notice of Motion:

"THAT Surrey City staff be asked to report on the efficacy in certain circumstances to have an independent arborist reporting on development;

AND THAT staff provide recommendations on the circumstances on which the City Arborist reports and parameters under which they might function."

File: 6300-01

### **2. Alternate Governance Structure**

Councillor Villeneuve submitted the following Notice of Motion:

"THAT Council seek the opinion of the electors on the November 19, 2005 ballot, asking if the electors support a public consultation process to review the current and/or alternate governance structure for the City of Surrey."

File: 4200-01

**3. Zoning Amendment By-law No. 15423**

**7903-0269-00 - Sharon Rosenberg, c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)**

2885 Semiahmoo Trail

RA (BL 12000) to RH-G (BL 12000) - to allow subdivision into five singlefamily residential lots with a provision of 15% open space.

File: 7903-0269-00

At the July 11, 2005 Regular Council - Public Hearing, Councillor Higginbotham submitted the following Notice of Motion:

"THAT Council rescind Resolution No. R05-1693 of the June 27, 2005 Regular Council Land Use meeting stating that the Approving Officer require as a condition of subdivision approval that the applicant register a Restrictive Covenant on the title of Lot 17 that requires the owner of the lot to remove the driveway(s) serving the Lot off Semiahmoo Trail when the City is in a position to close Semiahmoo Trail across the frontage of Lot 17 or when Lot 17 is further subdivided, whichever occurs first".

It was

Moved by Councillor Higginbotham

Seconded by Councillor Watts

That Council rescind Resolution No. R05 1693 of the June 27, 2005 Regular Council Land Use meeting stating that the Approving Officer require as a condition of subdivision approval that the applicant register a Restrictive Covenant on the title of Lot 17 that requires the owner of the lot to remove the driveway(s) serving the Lot off Semiahmoo Trail when the City is in a position to close Semiahmoo Trail across the frontage of Lot 17 or when Lot 17 is further subdivided, whichever occurs first.

RES.R05-1849

Carried

**L. ANY OTHER BUSINESS**

**1. Fraser Valley Heritage Railway Society**

It was

Moved by Councillor Higginbotham

Seconded by Councillor Hunt

That Council approve an additional \$25,000 from the Council Initiatives Fund for the purpose of the Fraser Valley Heritage Railway Society purchasing a Heritage Car, this money together with the \$75,000 approved earlier, adds up to \$100,000 the Society is now requesting.

RES.R05-1850

Carried

**M. ADJOURNMENT**

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That the Regular Council meeting do now adjourn.

Carried

RES.R05-1851

The Regular Council adjourned at 7:47 p.m.