



Corporate *NO: R227*

Report *COUNCIL DATE: November 5, 2001*

REGULAR COUNCIL			
TO:	Mayor & Council	DATE:	November 1, 2001
FROM:	General Manager, Planning & Development	FILE:	7901-0110-00
SUBJECT:	Zoning Amendment By-law No. 14505 for Phoenix Drug and Recovery House(6655 and 6659 King George Highway)		

RECOMMENDATION

The Planning & Development Department recommends that:

1. Zoning Amendment By-law No. 14505 be filed; and
2. The applicant be advised of Council's decision.

BACKGROUND

At the Public Hearing on September 17, 2001, for Rezoning By-law No. 14505 (rezoning from RF to RMS-1), Michael Wilson (the applicant), of the Phoenix Drug and Alcohol Drug Recovery and Education Society, indicated that his organization was withdrawing the application for rezoning the property at 6655 and 6659 King George Highway, to allow a drug and alcohol recovery house with 10 beds and would be reducing the facility's bed count from ten to six. Council completed the Public Hearing and then tabled Rezoning By-law No. 14505 for a report from staff.

DISCUSSION

Following the Public Hearing, the applicant advised the City, in a letter dated September 19, 2001, that the Society would like to proceed, within one month, with their original application and Rezoning By-law after

further consultation with the neighbourhood. However, to date, no further consultation has been initiated by the applicant.

In consideration of the fact that the applicant indicated at the Public Hearing that he was withdrawing the application and the level of public concern expressed at the Public Hearing by the community, on the proposed drug and recovery house, it is recommended that Council file the rezoning by-law and that the applicant be informed of Council's decision and be advised that a new application will need to be submitted if their organization wishes to pursue the proposed drug and alcohol facility in the future. A new application will allow the applicant to start the process afresh and demonstrate to the public that a complete and proper public consultation review process will be undertaken prior to Council's consideration of the application.

Optionally, Council could simply hold the application in abeyance. However, this may add to the uncertainty in the community and may jeopardize the legitimacy of the Public Hearing since the public, as well as the applicant, will probably want to approach Council with comments regarding any revisions to the proposal.

Based on the requirements of Provincial legislation, the Surrey Zoning By-law currently allows a drug and alcohol recovery facility (i.e. a care facility) for six or less persons in care in any residential zone, provided that the operation meets the requirements of the *Community Care Facilities Act*, including any necessary licensing requirements. As such, the subject drug and alcohol recovery house could continue to operate at the current location if it meets the above-stated conditions.

CONCLUSION

Since the applicant advised that he was withdrawing the rezoning application during the Public Hearing, it is recommended that Rezoning By-law No. 14505 be filed. A new application will be required if the applicant wishes to pursue the establishment of a drug and recovery facility in the future involving more than 6 persons in care, which will allow the applicant to undertake appropriate public consultation before the application is considered by Council.

Murray D. Dinwoodie
General Manager
Planning & Development Department

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