



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, APRIL 30, 2007
Time: 4:25 p.m.

Present:

Chair - Councillor Bose
Mayor Watts
Councillor Villeneuve
Councillor Steele
Councillor Gill
Councillor Martin
Councillor Hepner
Councillor Hunt
Councillor Higginbotham

Absent:

Staff Present:

City Manager
City Clerk
Acting General Manager, Planning & Development
City Solicitor
General Manager, Engineering
General Manager, Finance & Technology
General Manager, Human Resources

A. DELEGATIONS

1. Kathy Hodson

Crescent Park Annex Property Owners Association (CPAPOA)

File: 7907-0048-00; 0550-20-10

Kathy Hodson, John Drent, and Tim Rendall of the Crescent Park Annex Property Owners Association (CPAPOA) and other residents from the area were in attendance to make a presentation to introduce the property owners' issues and to propose possible steps that can be taken to preserve the liveability of their neighborhood.

Following are the comments of the delegation:

- The CPAPOA was first formed in 1990's to seek protection of wooded areas and quality of the neighborhood.
- In 2000, 89 property owners petitioned for down-zoning from Single family Resident (RF) to Half Acre Residential (RH) to preserve unique characteristics of the neighborhood:
 - Large lots, most full half acre, this lot layout has been in existence for many years;
 - Mature tree cover; and
 - Abundant green space, used by many different mammals.
- In 2001, the Planning and Development staff presented Corporate Report L003 dated February 1, 2001 presenting three options to Mayor and Council.
- City Staff recommended Option 3 giving each owner the opportunity to apply to down-zone to CD or retain RF zoning and Mayor and Council endorsed this option on February 5, 2001.
- The proposed development was enabled to proceed to create 22 lots from existing 10 lots.
- The decision to endorse option 3 failed to meet CPAPOS needs and did not resolve the issue. Option 3 observed "there may be small enclaves of RF zoned properties, which may give rise to neighborhood conflicts when these properties are proposed to subdivided.
- From 2001 to 2007:

- The neighborhood remains “under review”; status remains unresolved. The neighborhood desire for self-determination remains unabated.
- Lack of clarity includes the potential for further pockets of development through infill subdivision.
- Properties exist for continued piecemeal erosion of the unique characteristics and uncertainty has created a downward spiral against property owners’ interest.
- Need for area-wide re-zoning: The February 2001 decision to endorse Option 3 failed to meet our needs and did not resolve the issue. Without appropriate re-zoning, our neighborhood remains exposed to random opportunistic development into smaller lots.
- The CPAPOA is now faced with a new February 2007 development proposal 07-0048 being built by a division of Ocean Park Developments; and again the neighborhood is facing potential conflict with a developer and conflicts with neighbors.
- The CPAPOA have in hand a petition that shows 234 signature representing 172 properties in the area and immediately adjacent.
- 83% of property owners who responded have signed in favor of rejecting application 07-0048.
- In closing we summarize the two main points:
 - The Crescent Park Annex neighborhood has been suspended in an unresolved state of uncertainty that allows the prospect of piecemeal subdivision projects to erode the unique characteristics that the vast majority of property owners want to preserve.
 - As predicted by the planning department in recommending the option that was subsequently endorsed by the Mayor and Council in 2001, we are experiencing ongoing neighborhood conflict over unwanted subdivision proposals.
- The CPAPOA request the following help from the Mayor and Council
 - The CPAPOA request that the Mayor and Council review the wording, intent, interpretation and application of the existing infill policy to determine whether this directive can be made to demand greater conformity in cases such as this where there is strong neighborhood opposition to proposed development that does not conform to the characteristics of the surrounding properties, and whether this directive should be incorporated in some form into the zoning bylaws to give it more teeth.
 - Whereas this area has been involved in a process since February 5, 2001 when Council passed a resolution permitting a partial rezoning of the area, and whereas that option (Option 3) failed to address the concerns of the neighborhood, and whereas the rezoning remains uncompleted and neighborhood issues unresolved, and whereas the Planning Department has continued to designate the area as “under review”, the CPAPOA request that Mayor and Council direct its planning and legal staff to determine whether there may be sufficient cause to halt any and all further subdivision in the Crescent Park Annex area until such time as the issues raised have been clearly resolved.

- The CPAPOA request that Mayor & Council direct, in accordance with the authority and requirement of the Local Government Act, that all building permits be withheld related to construction within the Crescent Park Annex boundaries until:
 - The Crescent Park Annex Property Owners' Association has been given sufficient time to re-establish a neighborhood consensus regarding an appropriate Comprehensive Development zoning recommendation and poll all concerned residents concerning the implementation of such zoning, and
 - City staff have then reviewed with the community and reported to council on the matter of an appropriate zoning by-law and any other course of action relative to preserving the existing character of the subject residential area, and
 - Council has achieved a clear resolution of the issues relative to this neighborhood.
- In light of the forgoing the CPAPOA request that Mayor & Council reconsider the decision of February 5, 2001 and endorse an area-wide rezoning to an acceptable CD zoning.
- As part of a staff review, the CPAPOA request that Council direct its Environmental Advisory Committee to investigate the condition and benefit of our forest corridor as well as the hazards presented by water table disruption and forest fragmentation. The CPAPOA also request that staff conduct a neighborhood character study to assess the appropriateness of the planning department's very old preliminary concept plan and replace it with a current neighborhood plan in consultation with the area residents.
- In summary, the CPAPOA request that Mayor & Council consider giving us the same opportunities they gave St. Helens's for neighborhood self determination. The CPAPOA needs an area-wide managed approach to development rather than the current random ad hoc approach that has been happening in the neighborhood. This will help create a strong, vibrant, contributing, and sustainable community.

In response to questions the delegation stated:

- The CPAPOA could not rezone to CD without that community consensus.
- Development 07-0048 is within the green corridor, currently running through the two largest lots that are heavily forested.
- On the south side of 22 Avenue there may be an appetite for those residents to be involved in the zoning review; we have not asked any property owners, there have been concerns as to where the boundary will be for polling of rezoning.

It was

Moved by Mayor Watts

Seconded by Councillor Hepner

That the 232-signature petition opposed to development application 07-0048; and a copy of the presentation, be received.

Carried

2. **Stephen Casson**
Capilano Group
 File: 5400-80; 0550-20-10

Martin Kopelow and Sheldon Kopelow, property owners were in attendance to discuss left hand access to 77 Avenue while heading North on King George Highway.

It was Moved by Councillor Steele
 Seconded by Councillor Martin
 That the presentation document circulated to
 Council, be received.

Carried

Following are the comments of the delegation:

- The installation of the median will jeopardize the livelihood of others and us, a median has been built and does not allow consumers to make a left hand access – there was no consultation with the local community, we have advised of the effect of this.
- The two biggest responses were your sign and we were just driving by and decided to come in was number two, the effect is both critical and has caused a 33% drop in sales.
- KGH and 77th is not a high fatality corner, you can see that a prospective client wanted to get to the store they would not know how to access the retail outlets.
- The tenants and the landlords were not notified of the installation of the median.
- Request that this median be removed allowing a left hand turn onto 77 Avenue from KGH.

Councillor Villeneuve left the meeting at 5:08 p.m. and returned at 5:10 p.m.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

1. The Corporate Reports, under date of April 30, 2007, were considered and dealt with as follows:

Item No. C006 Surrey City Centre Plan Update - Phase I Results
 File: 6520-20 (Surrey City Centre)

The Acting General Manager, Planning & Development submitted a report to present the results of Phase I of the Update of the 1991 Surrey City Centre Plan and advise Council of the next steps in the process.

Acting General Manager, Planning & Development was recommending that the report be received for information.

RES.R01- It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That Corporate Report C006 be received for
 information.
Carried

Item No. C007 Surrey City Development Corporation -
 Shareholder Agreements and Partnering Agreement
 File: 0112-03

The City Solicitor submitted a report to obtain Council approval of an agreement between the City, as the sole shareholder of SCDC, and SCDC respecting the rights, responsibilities and involvement of the City in the business and affairs of SCDC (the "Shareholder Agreement") and approval of an agreement between the City and SCDC outlining the forms of assistance the City ;may be providing SCDC (the "Partnering Agreement").

The City Solicitor was recommending approval of the recommendations outlined in his report.

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

1. receive this report as information;
2. approve the shareholder Agreement between the City of Surrey (the "City") and Surrey City Development Corporation ("SCDC"), as documented in Appendix "A" to this report; and
3. approve the Partnering Agreement between the City and SCDC, as documented in Appendix "B" to this report.

Carried

Item No. C008 Surrey City Development Corporation
 (the "Development Corporation")
 File: 0112-03

The City Manager submitted a report to document the status of the Surrey City Development Corporation (SCDC) including the decisions that have been made in respect to the composition of the Board of Directors, Executive Committee and Officer positions, the draft Business Plan for the Corporation and further actions being taken to make operational the SCDC.

The City Manager was recommending approval of the recommendations outlined in his report.

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

1. received this report as information; and
2. authorize staff to proceed with further necessary actions toward having the Surrey City Development Corporation commence operations.

Carried

Item No. C009 New Soil Conservation and Protection By-law
File: 3900-20

The General Manager, Engineering, and the Acting General Manager, Planning & Development submitted a report to seek Council approval for a new Soil Conservation and Protection By-law. The new By-law will replace Surrey Soil Removal and Depositing Regulation By-law, 1979, No. 5880, which was adopted by City Council in 1979. The new By-law includes enhanced soil management measures and enforcement capabilities to better protect lands and the environment within the City of Surrey while allowing for reasonable opportunities for soil deposition and removal.

The General Manager, Engineering, and the Acting General Manager, Planning & Development was recommending approval of the recommendations outlined in their report.

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

1. authorize the City Clerk to introduce the proposed Soil Conservation and Protection By-law (the "By-law"), as contained in Appendix I;
2. adopt the proposed City Policy titled Soil Deposition and Removal in the City of Surrey as contained in Appendix IV;
3. authorize the City Clerk to forward the By-law along with a copy of this report to the Ministry of Community Services, Ministry of Environment and the Ministry of Energy, Mines and Petroleum Resources for approval, after the By-law has been given three readings;
4. authorize the City Clerk to introduce a by-law to amend the Municipal Ticket Information Utilization By-law, 1994, No. 12508 as contained in Appendix II; and
5. authorize the City Clerk to introduce a By-law to amend the Surrey Fee Setting By-law, No. 14577, as contained in Appendix III, to establish a new fee for a Soil Deposition and Removal Permit.

Carried

D. DELEGATION REQUESTS

E. COUNCILLORS' REPORTS

F. OTHER COMPETENT BUSINESS

G. ADJOURNMENT

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That the Council-in-Committee meeting do

now adjourn.

Carried

The Council-in-Committee adjourned at 5:25 p.m.

Margaret Jones, City Clerk

Councillor Bose, Chairperson