



City of Surrey

Council-in-Committee

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, MAY 28, 2007
Time: 4:40 p.m.

Present:

Mayor Watts
Councillor Villeneuve
Councillor Steele
Councillor Gill
Councillor Martin
Councillor Hepner
Councillor Bose
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
General Manager, Parks, Recreation & Culture

A. DELEGATIONS

1. **Ellen Gould, Research Associate** **Canadian Centre for Policy Alternatives** File: 2280-20; 0550-20-10

Ellen Gould, Research Associate, Canadian Centre for Policy Alternatives was in attendance regarding the Trade, Investment & Labour Mobility Agreement (TILMA) between British Columbia and Alberta and the implication for Surrey. Following are the comments provided during the presentation:

- The first part of the agreement states "Each party is responsible for compliance with this Agreement by its government entities".
- April 1, 2007 - local governments are covered if 'amend or renew' a bylaw that make it less consistent with TILMA, eg. if Surrey imposes increased restriction on liquor licenses.
- April 2009 - planned full extension of TILMA to local governments, school boards, Crown Corporations.
- The significance of TILMA's agreement for local government:
 - Covers investment and services, not just cross-border trade and labour mobility.
 - Under investment and services agreement dispute panels have ruled against governments that enacted:
 - A ban on internet gambling
 - Restrictions on a housing development on agricultural land
 - Establishment of an ecological reserve
- Allison Young, Federal negotiator is quoted regarding trade negotiation "no longer deals solely with 'at the border issues' such as tariff reduction but is now grappling with 'behind the border' domestic regulatory concerns".
- TILMA's key Provision – Government can be challenged if they create "obstacles" to investments: "Obstacles" can be existing, new, or proposed regulations, programs, policies, bylaws, requirements, guidelines and any other government "measure".
- TILMA Compared to other investment agreements: TILMA's wording "Governments shall not 'restrict or impair investment' " versus NAFTA's

wording "Government shall not 'expropriate' and Government shall not 'impair investment' through unreasonable and discriminatory means".

- Do the following create obstacles to investment?
 - Heritage conservation bylaws
 - Restriction on size of liquor establishments.
 - Restriction on development on agricultural land
- TILMA's definition of investment: financial assets or the establishment or expansion of an enterprise.
- Other TILMA requirements
 - Regulations have to be 'reconciled' between Alberta and BC.
 - Does Surrey maintain bylaws that are not 'reconciled' with those imposed by Alberta Municipalities? Does Surrey provide 'mutual recognition' of Alberta regulations?
 - "The Agreement provides an incentive for reconciliation at the lower of the two standards in question." quoted from the Vancouver Administrative Report.
 - Surrey will have to provide the 'best treatment' to Alberta businesses in 'like circumstances' to local ones.
 - Possible challenges to city services?
 - Eg. UPS NAFTA case where private US firm is demanding best treatment given to Canada Post. Only services Surrey delivers as strict monopoly - no mixed public/private delivery - exempted from TILMA.
 - No business subsidies if they distort investment decision - including no tax waivers to foster land use goals.
 - Businesses registered in one province automatically registered in the other.
 - Implication for pawnshops, massage parlors and other such controversial businesses?
 - Stricter procurement requirements than under Agreement on Internal Trade. Note - exemptions for procurement do not apply where governments procure services for citizens.
 - No ability to appeal to higher courts within TILMA.

In response to questions the delegation stated:

- TILMA is a simple agreement, are you restricting someone's investment or restricting their expansion, and if any expansion is in Alberta you are in contravention with the TILMA agreement. The BC government would say 'as long as you don't discriminate' yet they have given no reasons as to their intent behind that statement. There is a provision in the agreement where they will be able to amend the agreement.
- We have yet to see someone look at the 'trade cases', and there is a problem that the resolutions may be narrowed towards a few individuals if done thru the UBCM.
- (T1705)
- Name any trade barriers with Alberta and yet there are none, it seems like a response to concerns that are relatively minor.

**2. Tiina Mack, Parks Planning Research & Design Manager
Parks, Recreation & Culture
File: 1640/20-J; 0550-20-10**

Tiina Mack, Parks Planning Research & Design Manager, Parks, Recreation & Culture was in attendance to make a presentation on the Joe Brown Park Concept Plan. Following are comments:

- A yearlong process on the Joe Brown Park Conceptual Plan, a joint project with the Engineering Department.
- Reviewed the area encompassing the park. The park is continually filled by Engineering to bring it up to grade.
- The existing uses and photographs of the park were reviewed.
- The planning process and the timelines were reviewed.
- Three options were presented.
- The parking lot is deep into the park.
- At the first open house there were 102 participants and 92 comments forms received 76 support option A and mixed opinions on the other options. We had further meetings with the stakeholders and advised of the general community response.
- We came up with the preferred option, passive at the western portion, and there are equestrian only trails, and there will also be people only trails, the parking lot is staying where it is.
- Results of the second open house - 66 people attend and 50-comment forms received - 15 from equestrian - 74% support the preferred plan.
- Key issues were reviewed.

In response to questions from Council, the delegation commented:

- We are looking at incorporating a play area for younger children in the future.
- We do work closely with the RCMP on the illegitimate uses in the evening.
- It is the only park that has an equestrian area, there are trails in other parks, there is no home based equestrian centre in the other parks.
- There has always been a gate, and now the gate is locked during the daytime and we open the gate on the weekends.
- Our purposes are to have a plan that will be approved and that there is no money to develop.

It was

Moved by Councillor Martin
Seconded by Councillor Hepner
That the Joe Brown Park Concept Plan

report as presented be received.

Carried

Note: See Delegation Request, Item I.3(c) of the Regular Council - Public Hearing agenda.

B. ITEMS REFERRED BY COUNCIL

C. CORPORATE REPORTS

1. The Corporate Report, under date of May 28, 2007, was considered and dealt with as follows:

Item No. C012 Grandview Heights Neighbourhood Concept Plan #2 -
Character Defining Elements
File: 6520-20 (Grandview Heights #2)

The Acting General Manager, Planning & Development submitted a report to respond to comments and directions related to the draft preferred land use concept for Grandview Heights Neighbourhood Concept Plan ("NCP") #2, received at the Council-in-Committee meeting of April 2, 2007. The character defining elements of the NCP area, which were inherent in the proposed plan, have been further refined and are described more fully in this report. Sections of this report also provide information related to the larger Grandview Heights area and how this NCP will be integrated with nearby parks and open space networks and other land uses. This report also illustrates the distinct identity of NCP #2 as a neighbourhood with attractive, accessible and unique public spaces.

Councillor Hunt returned at 5:45 p.m.

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

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

1. Receive Corporate Report C012 for information; and
2. Authorize staff to hold a public open house in order to seek feedback on a draft preferred land use concept for the Grandview Heights Neighbourhood Concept Plan #2, as shown in Appendix I of this report.

Carried

It was Moved by Mayor Watts
Seconded by Councillor Higginbotham
That Council request that staff look at the opportunity for massing civic facilities and provide a report on what that would look like.

Carried

D. DELEGATION REQUESTS

E. COUNCILLORS' REPORTS

F. OTHER COMPETENT BUSINESS

G. ADJOURNMENT

It was

Moved by Councillor Villeneuve

Seconded by Councillor Steele

That the Council-in-Committee meeting do

now adjourn.

Carried

The Council-in-Committee adjourned at 6:04 p.m.

Margaret Jones, City Clerk

Councillor Bose, Chairperson