



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 12, 2004
Time: 7:00 p.m.

Present:

Chairperson - Mayor McCallum
Councillor Villeneuve
Councillor Tymoschuk
Councillor Steele
Councillor Priddy
Councillor Bose
Councillor Watts
Councillor Hunt
Councillor Higginbotham

Absent:

Councillors Entering Meeting as Indicated:

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
General Manager, Finance, Technology & HR
City Solicitor
Manager, Long Range Planning & Policy
Development
Manager, Area Planning & Development Division.
Manager, South Surrey Section
Manager, North Surrey Section
Manager, Land Development

A. ADOPTION OF MINUTES

1. Regular Council - Land Use - December 15, 2003

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the minutes of the Regular Council -

Land Use meeting held on December 15, 2003, be adopted.

RES.R04-58

Carried

2. Regular Council - Public Hearing - December 15, 2003

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the minutes of the Regular Council -

Public Hearing meeting held on December 15, 2003, be adopted.

RES.R04-59

Carried

3. Regular Council - Public Hearing - December 16, 2003

It was

Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the minutes of the Regular Council -

Public Hearing meeting held on December 16, 2003, be adopted.

RES.R04-60

Carried

B. DELEGATIONS - PUBLIC HEARING**1. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15250****Rezoning Application: 7903-0358-00**

ADDRESS: CIVIC/LEGAL
15899 - 110 Avenue/PID: 009-457-828, Lot "A", Sec. 15,
B5N, R1W, NWD, Plan 11138

APPLICANT: Huei-Chin Chien and Li-Lin Lin
c/o H.Y. Engineering
9128 - 152 Street, Unit 200
Surrey, B.C. V3R 4E7

PROPOSAL: To rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)".

The purpose of the rezoning is to allow subdivision into approximately 7 single family lots.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the property was indicated to the Public Hearing.

There was correspondence on table from M. Yasinchuk stating concerns regarding the preservation of large trees.

There were no persons present to object to the proposed rezoning application.

**2. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15251****Rezoning Application: 7902-0362-00**

ADDRESS: CIVIC/LEGAL
10940 - 156 Street/PID: 004-990-986, Lot 50, Sec. 15,
B5N, R1W, NWD, Plan 52471
10970 - 156 Street/PID: 004-990-978, Lot 49, Sec. 15,
B5N, R1W, NWD, Plan 52471

APPLICANT: Long Fung, Yuan Zhou and Charanjit S. and
Inderjit K. Rattan
c/o Coastland Engineering & Surveying Ltd.
#101, 19292 - 60 Avenue
Surrey, B.C. V3S 3M2

PROPOSAL: To rezone the properties from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)".

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 16, Section F, as follows:

- (a) To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 6.9 metres (23 ft.) for proposed Lot 1; and
- (b) To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 3.2 metres (10 ft.) for proposed Lot 9.

The purpose of the rezoning and development variance permit is to permit the development of approximately nine single family lots while retaining the existing homes.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the properties was indicated to the Public Hearing.

There were no persons present to object to the proposed rezoning application.

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15253**

Rezoning Application: 7903-0066-00

ADDRESS: **CIVIC/LEGAL**
8771 – 160 Street/PID: 010-765-808, Lot 51, Sec. 26,
Twp. 2, NWD, Plan 2824
15964 – 88 Avenue/PID: 018-594-956, Lot 1, Sec. 26,
Twp. 2, NWD, Plan LMP14051

APPLICANT: Trustees of the Congregation of the Surrey Korean Presbyterian Church, and Trustees of the Congregation of the Grace Presbyterian Church
c/o Lubor Trubka Associates Architects
1200 – 1500 West Georgia Street
Vancouver, B.C. V6G 2Z6

PROPOSAL: To rezone the property at 15964 – 88 Avenue from "Assembly Hall 1 Zone (PA-1)" to "Comprehensive Development Zone (CD)" and to rezone the property at 8771 – 160 Street from "Single Family Residential Zone (RF)" to "Comprehensive Development Zone (CD)".

Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *Church.*
2. *Care facility.*
3. *Assembly hall, excluding churches.*

The purpose of the rezoning is to permit the phased development of a regional church, care facility and assembly hall.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the properties was indicated to the Public Hearing.

There was correspondence on table from J. Zondag expressing support for the proposed application.

The Mayor noted that S. Van West, J. Hughes, E. Marks, J. Marks, and J. Zondag had expressed support for the proposed application and not wishing to speak at this time.

Elaine Godwin, 9016 - 164 Street, was in attendance and expressed concerns for the preservation of large trees on the subject property and adjacent area, as well as the proposed widening of 160 Street.

**4. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, 15230**

Rezoning Application: 7902-0282-00

ADDRESS: **CIVIC/LEGAL**
Portion of 12627 - 80 Avenue/PID: 004-934-644, Lot 9,
Sec. 30, Twp. 2, NWD, Plan 12756
Portion of 12561 - 80 Avenue/PID: 018-112-641, Lot 2,
Sec. 30, Twp. 2, NWD, Plan LMP 8874

APPLICANT: Dhindsa Investments Ltd.
c/o Sarbjit S. Bains
8875 - 159A Street
Surrey, B.C. V4N 2X9

PROPOSAL: To rezone a portion 12627 - 80 Avenue from "Light Impact Industrial Zone (IL)" to "Comprehensive Development Zone (CD)" and to rezone a portion of 12561 - 80 Avenue from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)".

The purpose of the rezoning is to permit the development of a two-storey, multi-tenant industrial building with additional office uses.

Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *Light impact industry.*
2. *Recycling depots* provided that:
 - (a) The use is confined to an enclosed *building*; and
 - (b) The storage of used tires is prohibited.
3. *Automotive service uses.*
4. Automobile painting and body work.
5. *General service uses* limited to the following
 - (a) driving schools;
 - (b) *industrial equipment rentals*;
 - (c) taxi dispatch offices;
 - (d) industrial first aid training; and
 - (e) trade schools.
6. *Warehouse uses.*
7. Office uses excluding *social escort services* and *methadone clinics* and further provided that the total floor area for office uses does not exceed 1,717 square metres (18,485 sq.ft.).
8. *Accessory uses* including the following:
 - (a) *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, c.267 as amended.
 - (b) *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Community services*;
 - (d) *Child care centres*; and
 - (e) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):
 - i. contained within the *principal building*;
 - ii. occupied by the owner or a caretaker, for the protection of the businesses permitted;
 - iii. restricted to a maximum number of:
 - a. one *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq.ft.] in floor area;

- b. two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq.ft.]; and
 - c. notwithstanding Sub-sections B.8(c) iii.a. and iii.b., the maximum number shall be two *dwelling units* for *lots* less than 4.0 hectares [10 acres] in area and three *dwelling units* for *lots* equal to or greater than 4.0 hectares [10 acres] in area; and
- iv. Restricted to a maximum floor area of:
- a. 140 square metres [1,500 sq.ft.] for one (first) *dwelling unit* on a *lot* and where a *lot* has been subdivided by a strata plan then there shall only be one 140-square metre [1,500 sq.ft.] *dwelling unit* within the strata plan;
 - b. 90 square metres [970 sq.ft.] for each additional *dwelling unit*; and
 - c. Notwithstanding Sub-sections B.8 (e) iv.a. and iv.b., the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.
- (f) Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:
- a. it is part of an automobile painting and body work business;
 - b. the number of rebuilt *vehicles* ready for sale shall not exceed 5 at any time;
 - c. the business operator holds a current and valid Motor Dealer's certificate; and

- d. the business operator is an approved Insurance Corporation of British Columbia Salvage Buyer.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the properties was indicated to the Public Hearing.

There was correspondence on table from T. Steeves citing concerns regarding the increase in traffic and pollution as well as from L. Boudville and R. Vilash stating opposition to the proposed application. There was also correspondence from Bruce Seligman, ARKTOS Developments Ltd. expressing support for the proposed application.

The Mayor noted that 21 persons had expressed support for the proposed application and not wishing to speak at this time.

Pritam Bolla, 7923 - 127 Street, was in attendance and expressed support for the proposed application.

Dr. Mohan Singh, 7996 - 126A Street, was in attendance and commented that he had concerns regarding increased traffic and expressed support for the proposed application.

Stephan Rill, 7915 - 124A Street, was in attendance and commented that he represents the residents advisory association who are opposed to the rezoning of the residential acreage to industrial use.

Mayor McCallum noted the following persons had indicated in writing their support/opposition to the proposed rezoning:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
Kulwinder Bahig	X		
Sarabjit Sandhu	X		
Tarsem Hayer	X		
Anwar M.	X		
Yadbinder Basi	X		
Kuldip Jagpal	X		
Hakam Aulakh	X		
Bhudindor Rai	X		
Gurbinder Dhaliwal	X		
Sukhjinder Bhachu	X		
Jasbir Chaniana	X		
Prit Sahi	X		
H. Manani	X		
M. Singh	X		
M. Chand	X		
Jandu Randhir	X		
J. Gill	X		
G. Bachna	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
P. Sanghera	X		
A. Gill	X		
S. Gill	X		
Triston Deo		X	
Dario Rossi		X	
Satya Bala		X	
Suman Deo		X	
Joginder Singh Sekhon		X	
Mongal Singh	X		
Japinder Sehra	X		
Jaswinder Singh Dhillon	X		
Jasvinder Singh	X		
Parmjit Singh Gill	X		
Harjinder Dassal	X		
M. Maniani	X		
G. Grewal	X		
S. Giga	X		
D. Badial	X		
J. Sivia	X		
H. Dhindsa	X		
M. Gill	X		
K. Bal	X		
A. Bamrah	X		
D. Pannaich	X		
R. Sharma	X		
G. Srai	X		
J. Grewal	X		
J. Badyal	X		
G. Brar	X		
L. Sangha	X		
A. Brar	X		
K. Randhawa	X		
S. Bal	X		
N. Samra	X		
S. Sangha	X		
J. Khera	X		
R. Singh	X		
R. Rossi		X	
S. Agar		X	
R. Rana	X		
R. Dhaliwal	X		
J. Dhanoya	X		
J. Aujla	X		
G. Aujla	X		
H. Dhillon	X		
J. Gill	X		
J. Toor	X		
H. Dhillon	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
G. Dhaliwal	X		
T. Litt	X		
S. Gill	X		
H. Thind	X		
M. Bayal	X		
S. Litt	X		
S. Gill	X		
T. Mahal	X		
A. Dhillon	X		
S. Kang	X		
J. Kang	X		
B. Aujla	X		
K.S. Sidhu	X		
B. Stockli		X	
K. Rivett		X	
T. Fogarty		X	
L. Sequeira		X	
J. Crawford		X	
K. Kainth		X	
G. Doubleday		X	
A. Garstin		X	
J. Aulakh	X		
D.S. Pannu	X		
P. Sidhu	X		
S.S. Punia	X		
G. Gursharn	X		
I.S. Phandar	X		
B.S. Braich	X		
V. Badayal	X		
D. Johl	X		
S. Dular	X		
B. Gill	X		
J. Bal	X		
G. Braich	X		
A. Chhina	X		
G. Singh	X		
J. Toor	X		
K. Pandher	X		
R. Dhatt	X		
S. Tiwana	X		
M. Prihar	X		
G. Ghag	X		
H. Park	X		
H. Oh	X		
Gerry Blonski	X		
B. Grewal		X	
K.S. Grewal	X		
P.S. Phandar	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
K. Dhaliwal	X		
M.S. Gill	X		
D.S. Sidhu	X		
D.W. Sandhu	X		
S.S. Uppal	X		
J.S. Bahm	X		
P.S. Padda	X		
G. Gorewael	X		
A. Dhillon	X		
M.S. Uihl			
T. Griffith		X	
B. Sandhu	X		

**5. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15231**

Rezoning Application: 7902-0271-00

Councillor Watts stated that her family operates a business located in the immediate vicinity of the proposed application, and that there was no conflict of interest, pecuniary or otherwise.

ADDRESS: **CIVIC/LEGAL**
Portion of 12561 - 80 Avenue/PID: 018-112-641, Lot 2,
Sec. 30, Twp. 2, NWD, Plan LMP8874

APPLICANT: Dhindsa Investments Ltd.
c/o Sarbjit S. Bains
8875 - 159A Street
Surrey, B.C. V4N 2X9 and
c/o Pacific Land Group (Oleg Verbenkov)
Suite 101, 7485 - 130 Street
Surrey, B.C. V3W 1H8

PROPOSAL: To rezone a portion of the property from "One-Acre Residential Zone (RA)" to "Light Impact Industrial Zone (IL)".

The purpose of the rezoning is to permit the development of a truck parking facility for approximately 200 trucks. Associated with the truck parking facility is a two-storey building to house a truck wash/repair facility on ground level; and offices and a caretaker's unit on the second level on the rear portion of the adjacent lot at 12627 - 80 Avenue which is currently zoned "Light Impact Industrial Zone (IL)".

Permitted Uses

Land and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *Light impact industry.*
2. *Recycling depots* provided that:
 - (a) The use is confined to an enclosed *building*; and
 - (b) The storage of used tires is prohibited.
3. *Transportation industry.*
4. *Automotive service uses.*
5. Automobile painting and body work.
6. *Vehicle storage and parking facilities* including truck parking and recreational *vehicle* storage.
7. *General service uses* limited to the following:
 - (a) driving schools; and
 - (b) *industrial equipment rentals.*
 - (c) taxi dispatch offices;
 - (d) industrial first aid training; and
 - (e) trade schools.
8. *Warehouse uses.*
9. Office uses limited to the following:
 - (a) Architectural and landscape architectural offices;
 - (b) Engineering and surveying offices;
 - (c) General contractor offices;
 - (d) Government offices; and
 - (e) Utility company offices.
10. *Accessory uses* including the following:
 - (a) *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.
 - (b) *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Community services*;
 - (d) *Assembly halls* limited to *churches*, provided that:
 - (i) the *church* does not exceed a total floor area of 700 square metres (7,500 sq. ft.);
 - (ii) the *church* accommodates a maximum of 300 seats; and
 - (iii) there is not more than one *church* on a *lot*.
 - (e) *Child care centres*; and
 - (f) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):

- i. Contained within the *principal building*;
- ii. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
- iii. Restricted to a maximum number of:
 - a. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;
 - b. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 - c. Notwithstanding Sub-sections B.10 (f) iii.a. and iii.b., the maximum number shall be two *dwelling units* for *lots* less than 4.0 hectares [10 acres] in area and three *dwelling units* for *lots* equal to or greater than 4.0 hectares [10 acres] in area.
- iv. Restricted to a maximum floor area of:
 - a. 140 square metres [1,500 sq. ft.] for one (first) *dwelling unit* on a *lot* and where a *lot* has been subdivided by a strata plan then there shall only be one 140-square metre [1,500 sq. ft.] *dwelling unit* within the strata plan;
 - b. 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 - c. Notwithstanding Sub-sections B.10 (f) iv.a. and iv.b., the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.
- g. Sales of rebuilt *vehicles* less than 5,000 kilograms [11,023 lbs.] *G.V.W.* provided that:

- i. it is part of an automobile painting and body work business;
- ii. the number of rebuilt vehicles ready for sale shall not exceed 5 at any time;
- iii. the business operator holds a current and valid Motor Dealer's certificate; and
- iv. the business operator is an approved Insurance Corporation of British Columbia Salvage Buyer.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the property was indicated to the Public Hearing.

Ben Deo, 7950 - 126A Street, was in attendance and commented that he opposed the proposed application citing concerns of increased truck traffic, traffic congestion, motor vehicle accidents, noise and carbon monoxide fumes. He continued that the pollution would pose health concerns to the residents in the area.

Cora Rossi, 7965 - 126A Street, was in attendance and commented that she opposed the proposed application.

It was

Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That the information as submitted by

Cora Rossi be received.

RES.R04-61

Carried

Cora Rossi continued and stated that the current parked trucks in the neighbourhood are grandfathered and that the truckers coming in would be from other areas. She stated that she had concerns regarding increased truck traffic traveling along 80 Avenue, noise, types of cargo, wear and tear of roads, decreased property values, ineffective berm, and pollution. She stated that a 588-signature petition had previously been submitted to Council expressing opposition to the proposed application.

Steven Rill, 7915 - 124A Street, was in attendance and stated that he represents the 80th Avenue Residents Association. He expressed concerns regarding the proposed application.

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That letters from Dwain Johnson &
Associates, L. Boudville, T. Steeves, as submitted by Mr. Rill, be received.
Carried

RES.R04-62

Ruth Renwick, 12528 - 77A Avenue, was in attendance and stated that she and her family use the area for recreational purposes. She expressed concern regarding increased noise from the trucks, pollution, traffic congestion, and wear and tear of road.

Joanne Hutson, 12550 - 77B Avenue, was in attendance and commented that 82 Avenue should be opened up and that 80 Avenue should be closed. She added that she was opposed to the proposed application and that the greenspace should be reinstated. She continued that there is a truck parking lot across from the B.C. Hydro building on 128 Street near 88 Avenue.

Rohaib Garstin, 7998 - 125 Street, was in attendance and commented that he opposed the proposed application due to increased noise and vibration from the truck traffic.

The Mayor noted that approximately 108 persons had expressed support and 14 persons had expressed opposition to the proposed application.

Pritam Bolla, 7923 - 127 Street, was in attendance and commented that a petition had been previously submitted regarding the truck traffic along 80 Avenue. He added that the trucks are using 82 Avenue and that he supports the proposed application.

S. Dhingra, 12456 - 79A Avenue, was in attendance and commented that one of the reasons he immigrated to Canada was the high quality of life. He expressed concerns regarding increased pollution, health and safety of children, and added that he opposed the proposed application.

Kuldip S. Jagpal, President, Gurdwara Dashmesh Darbar, 12885 - 85 Avenue, was in attendance and commented that there is a need for a truck parking lot and that he supported the proposed application.

David Johal, 7743 - 128 Street, was in attendance and commented that he represents the Indo Canadian Business Association Surrey/Delta and stated that there is a huge demand in the Newton area for truck parking clearly evidenced by illegal, unauthorized truck parking lots in the area. He stated that the best position would be to open up a legal truck parking facility and collect revenues.

Don DeMille, 11492 - 92 Avenue, Delta, B.C., was in attendance and commented that greenways should not be given up. He added that vehicles are the major cause of negative health qualities of air and cited health hazards due to increased pollution. He expressed concern regarding property devaluation and spread of industry in the area.

Oleg Verbenkov, Pacific Land Group, agent for the application was in attendance and commented that he wished to address some of the concerns raised regarding the proposal. He continued that the reason for this application is that the City has received many complaints regarding truck parking in residential areas. He added

that Newton has temporary truck parking facilities which will be used for other purposes. He noted that door to door canvassing was conducted in January 2003 within a three day period and contacted approximately 29 people of which 20 were in favour of the proposal as well as from business owners in the area. He added that 1,092 invitations to a public information meeting were sent out in May of 2003 and 41 people attended, 62% who filled out forms were in favour of the proposed project. He added that trucks would be diverted from 80 Avenue to 82 Avenue. He then addressed concerns regarding increased noise and added that the trucks in the proposed facility would not face 80 Avenue but be located behind the berm, reducing noise being transmitted. He stated that an acoustical study had been undertaken in the fall of 2003 and that the owner had dedicated a portion of the property as a greenway and provided funds for the berm, walkway and landscaping.

Dario Rossi, 7965 - 126 Street, was in attendance and commented that he opposed the proposed application due to increased noise, potential hazardous cargo, and traffic congestion. He continued that he has a degree in traffic economics, noting that truck traffic is not promoted within city core areas in Europe. He added that the economy is fueled by consumers, a fact which should not be forgotten. He noted that 588 families had registered opposition to the proposed project in the previously submitted petition. He added that this type of facility should be developed in areas away from residential areas.

A resident, 125 Street and 79 Avenue, was in attendance and commented that she opposed the proposed application due to increased noise, traffic, and health hazards from pollution.

Mayor McCallum noted the following persons had indicated in writing their support/opposition to the proposed rezoning:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
Kulwinder Bahig	X		
Sarabjit Sandhu	X		
Tarsem Hayer	X		
Anwar M.	X		
Yadbinder Basi	X		
Kuldip Jagpal	X		
Hakam Aulakh	X		
Bhudindor Rai	X		
Gurbinder Dhaliwal	X		
Sukhjinder Bhachu	X		
Jasbir Chaniana	X		
Prit Sahi	X		
H. Manani	X		
M. Singh	X		
M. Chand	X		
Jandu Randhir	X		
J. Gill	X		
G. Bachna	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
P. Sanghera	X		
A. Gill	X		
S. Gill	X		
Triston Deo		X	
Dario Rossi		X	
Satya Bala		X	
Suman Deo		X	
Joginder Singh Sekhon		X	
Mongal Singh	X		
Japinder Sehra	X		
Jaswinder Singh Dhillon	X		
Jasvinder Singh	X		
Parmjit Singh Gill	X		
Harjinder Dassal	X		
M. Maniani	X		
G. Grewal	X		
S. Giga	X		
D. Badial	X		
J. Sivia	X		
H. Dhindsa	X		
M. Gill	X		
K. Bal	X		
A. Bamrah	X		
D. Pannaich	X		
R. Sharma	X		
G. Srail	X		
J. Grewal	X		
J. Badyal	X		
G. Brar	X		
L. Sangha	X		
A. Brar	X		
K. Randhawa	X		
S. Bal	X		
N. Samra	X		
S. Sangha	X		
J. Khara	X		
R. Singh	X		
R. Rossi		X	
S. Agar		X	
R. Rana	X		
R. Dhaliwal	X		
J. Dhanoya	X		
J. Aujla	X		
G. Aujla	X		
H. Dhillon	X		
J. Gill	X		
J. Toor	X		
H. Dhillon	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
G. Dhaliwal	X		
T. Litt	X		
S. Gill	X		
H. Thind	X		
M. Bayal	X		
S. Litt	X		
S. Gill	X		
T. Mahal	X		
A. Dhillon	X		
S. Kang	X		
J. Kang	X		
B. Aujla	X		
K.S. Sidhu	X		
B. Stockli		X	
K. Rivett		X	
T. Fogarty		X	
L. Sequeira		X	
J. Crawford		X	
K. Kainth		X	
G. Doubleday		X	
A. Garstin		X	
J. Aulakh	X		
D.S. Pannu	X		
P. Sidhu	X		
S.S. Punia	X		
G. Gursharn	X		
I.S. Phandar	X		
B.S. Braich	X		
V. Badayal	X		
D. Johl	X		
S. Dular	X		
B. Gill	X		
J. Bal	X		
G. Braich	X		
A. Chhina	X		
G. Singh	X		
J. Toor	X		
K. Pandher	X		
R. Dhatt	X		
S. Tiwana	X		
M. Prihar	X		
G. Ghag	X		
H. Park	X		
H. Oh	X		
Gerry Blonski	X		
B. Grewal		X	
K.S. Grewal	X		
P.S. Phandar	X		

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Undecided</u>
K. Dhaliwal	X		
M.S. Gill	X		
D.S. Sidhu	X		
D.W. Sandhu	X		
S.S. Uppal	X		
J.S. Bahm	X		
P.S. Padda	X		
G. Grewal	X		
A. Dhillon	X		
M.S. Uihl			
T. Griffith		X	
B. Sandhu	X		

**6. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15252**

Rezoning Application: 7903-0123-00

ADDRESS: CIVIC/LEGAL
6789 - 148 Street/PID: 009-427-830, Lot B, Sec. 15,
Twp. 2, NWD, Plan 76644

APPLICANT: Dharbinder S. and Permjit K. Dhaliwal
c/o Dharbinder S, Dhaliwal (Bob Dhaliwal)
14746 - 68 Avenue
Surrey, B.C. V3S 2B7

PROPOSAL: To rezone the property from "Half-Acre Residential Zone (RH)" to "Single Family Residential Zone (RF)".

The purpose of the rezoning is to allow subdivision into 3 single family residential lots.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the property was indicated to the Public Hearing.

There were no persons present to object to the proposed rezoning application.

**7. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15249**

Rezoning Application: 7903-0166-00

ADDRESS: CIVIC/LEGAL
Portion of 6930 - 192 Street/PID: 005-109-493, Lot 7,
Sec. 15, Twp. 8, NWD, Plan 24582

APPLICANT: 543212 B.C. Ltd
c/o McElhanney Consulting Services Ltd.
13160 - 88 Avenue
Surrey, B.C. V3W 3K3

PROPOSAL: **BLOCK A**
To rezone a portion of the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Coach House Zone (RF-9C)".

BLOCK B
To rezone a portion of the property from "One-Acre Residential Zone (RA)" to "Single Family Residential Coach House Zone (RF-12C)".

The purpose of the rezoning is to allow subdivision into approximately 28 small single family lots, with coach houses, 6 with 9 metre (30 ft.) frontages, 22 with 12-metre (40 ft.) frontages and a remainder lot.

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the property was indicated to the Public Hearing.

There were no persons present to object to the proposed rezoning application.

**8. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2003, No. 15254**

Rezoning Application: 7903-0203-00

ADDRESS: CIVIC/LEGAL
2175 – 123 Street/PID: 010-337-695, Lot 15, Sec. 18,
Twp. 1, NWD, Plan 18121

APPLICANT: Mamie Liang
2175 – 123 Street
Surrey, B.C. V4A 3L6

PROPOSAL: To rezone the property from "Single Family Residential Zone (RF)" to "Comprehensive Development Zone (CD)".

Permitted Uses

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. One *single family dwelling*.
2. *Accessory uses* including the following:

- (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended; and
- (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Subdivision and Development By-law, 1986, No. 8830", as amended, Part V, Section 24(a), as follows:

- (a) To waive the requirement to provide road widening, curb & gutter, sidewalks, street lighting and underground wiring.

The purpose of the rezoning and development variance permit is to permit the development of a home that is larger than permitted by the existing "Single Family Residential Zone (RF)".

The Notice of the Public Hearing, except the legal description, was read by the City Clerk. The location of the property was indicated to the Public Hearing.

There were no persons present to object to the proposed rezoning application.

9. Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2003, No. 15245

APPLICANT: City of Surrey, Council Initiative
14245 56 Avenue
Surrey, B.C. V3X 3A2

PROPOSAL: To amend "Surrey Zoning By-law, 1993, No. 12000", as amended, as follows:

- (a) Schedule F - Map of Neighbourhood Concept Plan and Infill Areas is amended by inserting Map 19 - Area XIX for the South Westminster Neighbourhood Concept Plan.
- (b) Schedule G - Amenity Requirements in Neighbourhood Concept Plan (NCP) and Infill Areas, is hereby amended by adding a new Item 19, after Item 18, as follows:

			Per Unit Contribution - All Residential	Per Acre Contribution - All Non- residential	Anticipated Revenue
19.	Area XIX on Schedule F of this By- law	Police Protection	\$54.46 per dwelling	\$218.65 per acre	\$329,683.50
		Fire Protection	\$236.09 per dwelling	\$944.68 per acre	\$1,425,023.95
		Park/Pathways Development	\$855.00 per dwelling	n/a	\$2,800,000.00
		Library Materials	\$122.35 per dwelling	n/a	\$400,626.95
		Total Contribution: Per unit or per acre	\$1,267.90 per dwelling	\$1,163.33 per acre	
		Total Anticipated Revenue			\$4,955,334.40

This amendment is necessary to incorporate the amenity contributions for the South Westminster Neighbourhood Concept Plan.

The Notice of the Public Hearing was read by the City Clerk.

There was correspondence on table from I. Mott providing comments relative to the proposed application.

John DeMille, 11442 - 92 Avenue, Delta, B.C., was in attendance and commented that he had conducted a stream study of the area and noted the salmon bearing streams in the area. He stated that the City should maintain funding for stream corridors to enhance salmon bearing streams.

Ian Mott, 6049 - 154A Street, was in attendance and commented that the land was defined to be highway/commercial and that he opposed the downgrading of the lands. He expressed various concerns regarding property values and noted discussions, which took place at the October 22, 2001 Council meeting, requesting Council make careful consideration before making a decision regarding the proposed application.

A short recess was called at 9:13 p.m. and the meeting reconvened at 9:23 p.m. with all members of Council present.

C. COMMITTEE REPORTS

D. BOARD/COMMISSION REPORTS**1. Surrey Heritage Advisory Commission - December 17, 2003**

(a) It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the minutes of the Heritage Advisory
Commission meeting held on December 17, 2003, be received.
RES.R04-66 Carried

(b) The recommendations of these minutes were considered and dealt with as follows:

Statements of Significance

It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the following sites be added to the
Surrey Community Heritage Register and that staff work with the
consultant to prepare Heritage Assessment Sheets for each of the sites:

- Semiahmoo Trail from the Nicomekl River to 28 Avenue and from 24 Avenue to 20 Avenue;
- Mound Farm (excluding Snow House and Smith House);
- Green Timbers Inaugural Plantation;
- Peach Arch;
- King George Highway (Rte. 99A) & Royal Oak Trees;
- Lorne Circus;
- Great Northern Rail Right-of-Way segment;
- Surrey Centre and Old McLellan Road;
- Centennial Totem Pole;
- B.C. Southern Rail Right-of-Way;
- Great Northern Railway Right-of-Way on Harvie Road;
- Redwood Park;
- Loyal Orange Lodge;
- Brownsville (Sandbar).

RES.R04-67 Carried

**Sale of Surplus Parkland Located at 13951 Crescent Road
(Daniel Johnson House)**

It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the purchasers of the property located
at 13951 Crescent Road (Daniel Johnson House), be invited to appear as a
delegation at a future HAC meeting to discuss the Loyal Orange Lodge.

RES.R04-68 Carried

Miscellaneous Items

It was Moved by Councillor Higginbotham
 Seconded by Councillor Watts
 That Mayor McCallum forward
 correspondence to the new Minister of Canadian Heritage to encourage the
 continuation of the Canadian Historic Places Initiatives.

RES.R04-69

Carried**E. MAYOR'S REPORT****F. COUNCILLORS' REPORTS**

There were no items under Councillors' Reports at this time.

G. CORPORATE REPORTS

1. The Corporate Reports, under date of January 12, 2004, were considered and dealt with as follows:

Item No. R001 Contract Award M.S. 1204-002:
 CAP Ventures Ltd.
 File: 1204-002; 5250-20-12

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1204-002. Tenders were received as follows:

	<i>Contractor</i>	<i>Tender Amount with GST</i>	<i>Corrected Amount with GST</i>
1.	C.A.P. Ventures Ltd.	\$754,521.20	No Change
2.	Sandpiper Contracting Ltd.	767,108.68	No Change
3.	Aggressive Roadbuilders Ltd.	769,342.84	No Change
4.	Ponte Brothers Contracting Ltd.	825,582.04	No Change
5.	TAG Construction Ltd.	833,423.00	No Change
6.	Hyland Excavating Ltd.	873,721.34	No Change
7.	Pedre Contractors Ltd.	927,262.00	\$926,930.30
8.	Westpro Contractors Ltd.	1,273,300.00	No Change

The Engineer's pre-tender estimate was \$838,510.00 including GST.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Watts
That Contract M.S. 1204-002 be awarded to
the low bidder, C.A.P. Ventures Ltd., in the amount of \$754,521.20, including
GST.

RES.R04-70

Carried

Item No. R002 32 Avenue Truck Route - 152 to 176 Streets
File: 8630-30 (Truck); 5400-80 (03200)

The General Manager, Engineering submitted a report to inform Council of TransLink's decision regarding Surrey's request to delete 32 Avenue, from 152 Street to 176 Street, from the truck route network, and seek Council's direction on noise mitigation works.

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

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

1. receive the report; support the funding approach; and
2. direct staff work with the community on the type of noise mitigation to be installed on sections of 32 Avenue, between 152 and 160 Streets.

RES.R04-71

Carried

Item No. R003 Proposed Text Amendments to the Highway Commercial Industrial (CHI) Zone for Surrey City Centre
File: 3900-20-12000; 6520-20 (Surrey City Centre)

The General Manager, Planning & Development submitted a report to present proposed text amendments to Part 39 of Surrey Zoning By-law, 1993, No. 12000, as amended (the "Zoning By-law") to amend the uses permitted in the Highway Commercial Industrial (CHI) Zone, as it applies to lands within the City Centre. The proposed amendments are intended to address Council's concerns regarding the character and quality of development in City Centre.

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

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

1. Receive this report as information;

2. Approve text amendments to the Surrey Zoning By-law, 1993, No. 12000, as amended, related to the Highway Commercial Industrial (CHI) Zone, as outlined in the Revised Appendix I attached to a memorandum to Mayor and Council, dated January 12, 2004; and
3. Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings and to set a date for the related Public Hearing.

RES.R04-72

Carried**H. BY-LAWS**

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15250"

7903-0358-00 - Huei-Chin Chien and Li-Lin Lin, c/o H.Y. Engineering Ltd.

RA (BL 12000) to RF (BL 12000) - 15899 - 110 Avenue - to allow subdivision into approximately 7 single family lots.

Approved by Council: December 15, 2003

It was

Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15250" pass its third reading.

RES.R04-73

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15251"

7902-0362-00 - Long Yu Fung, Yuan Zhu Zhou, Charanjit and Inderjit Rattan, c/o Coastland Engineering & Surveying Ltd.

RA (BL 12000) to RF (BL 12000) - 10940 and 10970 - 156 Street - to permit the development of approximately nine single family lots while retaining the existing homes.

Approved by Council: December 15, 2003

Note: See Development Variance Permit 7902-0362-00 under Clerk's Report, Item I.1(a) of this agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That a restrictive covenant be placed on title
 for the property, prohibiting cross access between this lot and the lot to the
 immediate west from 80 Avenue.
 RES.R04-77 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15231"
 7902-0271-00 - Dhindsa Investments Ltd., c/o Sarbjit Bains and
 c/o Pacific Land Group (Oleg Verbenkov)

RA (BL 12000) to IL (BL 12000) - Portion of 12561 - 80 Avenue - to
 permit the development of a truck parking facility for 200 trucks and a
 two-storey building to house a truck wash and truck repair facility on the
 ground level and offices and a caretaker's unit on the second level.

Approved by Council: December 1, 2003

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2003, No. 15231" pass its third reading.
 RES.R04-78 Carried with Councillors Bose against.

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That a restrictive covenant be placed on title
 for the property, prohibiting cross access between this lot and the lot to the
 immediate east from 80 Avenue.
 RES.R04-79 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That a restrictive covenant be placed on title
 requiring the truck washing and repair facility be restricted to the designated area.
 RES.R04-80 Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15252"
 7903-0123-00 - Dharbinder Singh and Permjit Kaur Dhaliwal,
 c/o Dharbinder Singh Dhaliwal (Bob Dhaliwal)

RH (BL 12000) to RF (BL 12000) - 6789 - 148 - Street - to allow
 subdivision into 3 single family residential lots.

Approved by Council: December 15, 2003

9. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2003, No. 15245"

3900-20-15245/6520-20 (South Westminster) -
Council Initiated Text Amendment

"Surrey Zoning By-law, 1993, No. 12000" as amended is hereby further amended in Schedule F - Map of Neighbourhood Concept Plan and Infill Areas by inserting Map 19. Area XIX and Schedule G - Amenity Requirements in Neighbourhood Concept Plan (NCP) and Infill Areas by adding a new Item 19. to incorporate the amenity contributions for the South Westminster Neighbourhood Concept Plan.

Approved by Council: December 8, 2003
Corporate Report Item No. C014

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Text Amendment By-law, 2003, No. 15245" pass its third reading.
Carried

RES.R04-84

FINAL ADOPTIONS

10. "Stop Up and Close of Walkway in the 14200 Block of 33 Avenue By-law, 2003, No. 15175"

3900-20-15175/0910-40/24 & 25 – Manfred and Elisabeth Koehler, Erik and Josephine Voute

A by-law to authorize the stop up and closure of 74 square metres and 75 square metres of walkway in the 14200 block of 33 Avenue. This closure will allow the consolidation of the closed portions of walkway with the adjacent properties.

Compensation: \$8,000.00 (payable to the City of Surrey)

Approved by Council: September 15, 2003
Corporate Report Item No. R181

Note: Council is advised that, pursuant to Section 527 (1) of the Local Government Act, By-law 15175 was advertised in the Now Newspaper notifying the public that the by-law would be adopted within the required 30 days to allow the opportunity for the public to submit any concerns or comments to Council. No submissions were received regarding this by-law.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That "Stop Up and Close of Walkway in the
 14200 Block of 33 Avenue By-law, 2003, No. 15175" be finally adopted, signed
 by the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-85 Carried

It was Moved by Councillor Higginbotham
 Seconded by Councillor Hunt
 That Council pass the following resolution
 pertaining to a road (walkway) closure in the 14200 Block of 33 Avenue:

"BE IT RESOLVED that the City of Surrey submit a Petition to the
 Minister responsible for Municipal Affairs of the Province of British
 Columbia, for the closure of:

All that portion of road (shown as Walkway) dedicated by
 Plan LMP54473 lying between Lots 30 and 31, District
 Lot 166, Group 2, New Westminster District, shown
 outlined in heavy black line on a Reference Plan attached
 hereto, duly signed by the Mayor and Clerk, prepared by
 Christopher J. James, B.C.L.S. on the 30th day of October,
 2003, called Parcel A and containing 74 square metres and
 called Parcel B, containing 75 square metres.

(Portions of walkway)

and the vesting of title in the name of the City of Surrey."

RES.R04-86 Carried

11. "Portion of 114 Avenue at Bridgeview Drive Road Exchange By-law, 2003,
 No. 15242"

3900-20-15242/7903-0317-00/0870-30/30 - City of Surrey

To authorize the closure of 0.185 hectares of 114 Avenue and its exchange for
 0.169 hectares of 11376 - 129 Street and 0.111 hectares of 12952 - 114A Avenue.
 This exchange will facilitate both the closure of road no longer required for road
 purposes and the dedication of the previously constructed Bridgeview Drive.

Compensation: \$Nil

Approved by Council: December 1, 2003
 Corporate Report Item No. R249

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Portion of 152 Street at 72 Avenue
 Road Exchange By-law, 2003, No. 15247" be finally adopted, signed by the
 Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-89 Carried

MISCELLANEOUS

14. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003,
 No. 15236A"

7902-0104-00 - Kulvinder K. Binning, c/o Roger Jawanda,
 CitiWest Consulting Ltd.

RA (BL 12000) to CD (BL 12000) - 14023 - 64 Avenue - to allow
 subdivision into 2 half-acre gross density type lots, 3 single family
 residential zone (RF) lots and 7 single family small lots for By-laws
 15236A and 15236B.

Approved by Council: December 1, 2003

- * This by-law is proceeding in conjunction with By-laws 15236B and 15237.
- * At the December 1, 2003 Regular Council-Land Use meeting, Council approved first and second readings of By-law 15236A and passed the following resolution:

"A Public Hearing be scheduled after the completion and resolution of a City-initiated independent review of the geotechnical and groundwater reports submitted by the applicant."

Planning and Development advise that (reference memorandum dated January 9, 2004 in by-law back-up) that this independent review has been completed and it is therefore in order for Council to schedule the Public Hearing for By-law 15236A.

Furthermore, as a result of the City-initiated review noted above, the Planning Department requests that Council pass the following resolution:

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That Council instruct staff to ensure that the
 applicants, through their consultants and subconsultants, address the issues noted
 in the independent review reports (ie. review/clarify/confirm) to the satisfaction of
 the General Manager of Engineering.
 RES.R04-90 Carried

RES.R04-91

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15236A" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.
Carried

15. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003,
 No. 15236B"

7902-0104-00 - Kulvinder K. Binning, c/o Roger Jawanda,
 CitiWest Consulting Ltd.

RA (BL 12000) to RF and RF-12 (BL 12000) - Portions of
 14023 - 64 Avenue - to allow subdivision into 2 half-acre gross density
 type lots, 3 single family residential zone (RF) lots and 7 single family
 small lots for By-laws 15236A and 15236B.

Approved by Council: December 1, 2003

- * This by-law is proceeding in conjunction with By-laws 15236A and 15237.
- * At the December 1, 2003 Regular Council-Land Use meeting, Council approved
 first and second readings of By-law 15236B and passed the following resolution:

"A Public Hearing be scheduled after the completion and resolution of a City-
 initiated independent review of the geotechnical and groundwater reports
 submitted by the applicant."

Planning and Development advise that (reference memorandum dated
 January 9, 2004 in by-law back-up) that this independent review has been
 completed and it is therefore in order for Council to schedule the Public Hearing
 for By-law 15236B.

Furthermore, as a result of the City-initiated review noted above, the Planning
 Department requests that Council pass the following resolution:

RES.R04-92

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council instruct staff to ensure that the
 applicants, through their consultants and subconsultants, address the issues noted
 in the independent review reports (ie. review/clarify/confirm) to the satisfaction of
 the General Manager of Engineering.
Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15236B" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.
 RES.R04-93 Carried

16. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15237"

7902-0403-00 - Herman and Christine Klynstra, Wolfgang and Margarete
 Fieguth, c/o H.Y. Engineering Ltd. (Richard Brooks)

RA (BL 12000) to RF-12 (BL 12000) - 6455 and 6493 - 142 Street - to
 allow subdivision into 27 single family small lots.

Approved by Council: December 1, 2003

* This by-law is proceeding in conjunction with By-laws 15236A and 15236B.

* At the December 1, 2003 Regular Council-Land Use meeting, Council approved
 first and second readings of By-law 15237 and passed the following resolution:

"A Public Hearing be scheduled after the completion and resolution of a City-
 initiated independent review of the geotechnical and groundwater reports
 submitted by the applicant."

Planning and Development advise that (reference memorandum dated
 January 9, 2004 in by-law back-up) that this independent review has been
 completed and it is therefore in order for Council to schedule the Public Hearing
 for By-law 15237.

Furthermore, as a result of the City-initiated review noted above, the Planning
 Department requests that Council pass the following resolution:

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council instruct staff to ensure that the
 applicants, through their consultants and subconsultants, address the issues noted
 in the independent review reports (ie. review/clarify/confirm) to the satisfaction of
 the General Manager of Engineering.
 RES.R04-94 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15237" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.
 RES.R04-95 Carried

17. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 37
 Amendment By-law, 2003, No. 15143"

3900-20-15143/3900-20-12900 - Council Initiated Text Amendment

"Surrey Official Community Plan By-law, 1996, No. 12900" as amended, is hereby further amended by replacing Appendix B. Regional Context Statement; Part 3 Land Use Strategy, Section 3.8 Performance Criteria, Figure 6 Performance Criteria Table is amended in Row 8 "*Transportation/Servicing*", under "Indicator" and under "Performance Requirement"; and Appendix A Official Community Plan Development Scenario is amended by adding new paragraph "Adjustment to the Employment Growth Estimates" immediately following Figure A-9 OCP Job Growth Scenario.

The revised Regional Context Statement and related amendments are in order to incorporate amendments to the Official Community Plan that have occurred since the adoption of initial Regional Context Statement in 1998, and to demonstrate how the current Official Community Plan is consistent with the GVRD Livable Region Strategic Plan.

Approved by Council: October 6, 2003
 Corporate Report R215

- * Planning & Development advise that (reference memorandum dated January 9, 2004 in by-law back-up) at the October 6, 2003 Regular Council meeting Council approved first and second reading of By-law 15143. Pursuant to Section 866 of the *Local Government Act*, following these readings the City Clerk submitted a copy of the by-law for acceptance to the Greater Vancouver Regional District (GVRD) Board of Directors. As communicated in a letter dated December 8, 2003 from the Chair of the Board of Directors of the GVRD (see Appendix "B" in by-law back-up), on November 28, 2003 the GVRD Board of Directors passed the following resolution:

"That the GVRD Board accept the Surrey Official Community Plan By-law No. 15143 - Revised Regional Context Statement as being consistent with the Livable Region Strategic Plan (1996)".

In consideration of the GVRD Board of Directors resolution, it is now in order for Council to set a date for Public Hearing.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15143" be held at the
 City Hall on January 26, 2004, at 7:00 p.m.

RES.R04-96

Carried

I. CLERK'S REPORT

1. Formal Approval of Development Variance Permits

It is in order for Council to now pass resolutions authorizing the Mayor and Clerk to sign the following permits:

- (a) **Development Variance Permit No. 7902-0362-00**
Long Fung, Yuan Zhou and Charanjit S. and Inderjit K. Rattan
c/o Coastland Engineering & Surveying Ltd.
 10940 & 10970 - 156 Street

To reduce the minimum rear yard setback requirement from 7.5 metres (25 ft.) to 6.9 metres (23 ft.) for proposed Lot 1; and to reduce the minimum rear yard setback requirement from 7.5 metres (25 ft.) to 3.2 metres (10 ft.) for proposed Lot 9 to permit the development of approximately nine single family lots while retaining the existing homes.

Note: See By-law 15251, H.2 of this agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Variance Permit
 No. 7902-0362-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance 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.R04-97

Carried

- (b) **Development Variance Permit No. 7903-0203-00**
Mamie Liang
 2175 - 123 Street

To waive the requirement to provide road widening, curb & gutter, sidewalks, street lighting and underground wiring to permit the development of a home that is larger than permitted by the existing RF.

Note: See By-law 15254, H.8 of this agenda.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0203-00 be approved; that the Mayor and Clerk be authorized to
sign the Development Variance 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.
Carried

RES.R04-98

- (c) **Development Variance Permit No. 7903-0421-00**
Carol Investments Inc.
c/o Punjabi Masihi Church (Rajesh Gupta)
13128 - 80 Avenue

To reduce the number of required off-street parking spaces from 40 stalls to 26 stalls to permit a church as an accessory use in Unit 101 of Building "A".

Note: See separate correspondence item in the binder flap regarding this Development Variance Permit.

Note: Council is requested to refer the Development Variance Permit back to Planning & Development to ensure the required conditions are met.

The Mayor noted that Development Variance Permit No. 7903-0421-00 was not in order for consideration at this time.

- (d) **Development Variance Permit No. 7903-0223-00**
Henry and Edna Hamm
c/o Neville Graham & Associates (Neville Graham)
13543 Marine Drive

To reduce the minimum rear yard setback requirement from 7.5 metres (25 ft.) to 4.7 metres (15.4 ft.) to retain the existing house for proposed Lot 2; and to reduce the lot depth requirement from 28 metres (90 ft.) to 26.9 metres (88.3ft.) for proposed Lot 1 and from 28 metres (90 ft.) to 26.0 metres (85.3 ft.) for proposed Lot 2, to permit the development of a two lot single family residential subdivision.

No concerns had been expressed by abutting property owners prior to printing of the Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Variance Permit

No. 7903-0223-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance 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.R04-99

Carried

- (e) **Development Variance Permit No. 7903-0367-00**
City of Surrey, c/o Ken Woodward
 16670 - 60 Avenue (also shown as
 16675 Old McLellan Rd)

To reduce the minimum lot width requirement from 30 metres (100 ft.) to 13 metres (43 ft.) for proposed Lot 1; and to reduce the minimum lot depth requirement from two times the width of the lot to 1.4 times the width for proposed Lot 2, to allow subdivision into two separate lots and one remainder lot.

No concerns had been expressed by abutting property owners prior to printing of the Agenda.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Variance Permit

No. 7903-0367-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance 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.R04-100

Carried

2. **Regular Council - July 24, 2003**
Development Permit No. 7903-0137-00
Joe Dhaliwal, Mainland Demo Contracting Ltd./Mainland Demo
 12905 - 80 Avenue

Council is requested to rescind Resolution R03-2162, which granted approval to Development Permit No. 7903-0137-00, as Development Permit 7903-0439-00, which replaces Development Permit No. 7903-0137-00, was approved by Council on December 15, 2003 under Resolution R03-3254.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council rescind Resolution
 R03-2162, which granted approval to Development Permit No. 7903-0137-00, as
 Development Permit 7903-0439-00, which replaces Development Permit
 No. 7903-0137-00, was approved by Council on December 15, 2003 under
 Resolution R03-3254.

RES.R04-101

Carried

3. Delegation Requests

- (a) **Harold Logan, Committee Chairperson**
Ocean Park Community Hall
Ed Fader and Alan McInnes
 File: 6800-10; 0550-20-10

Requesting to appear before Council to make a presentation with respect
 to the renovation of Ocean Park Community Hall and to seek Council's
 endorsement for the project.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Harold Logan, Committee Chairperson,
 Ocean Park Community Hall, and Ed Fader and Alan McInnes be heard as
 a delegation at Council-in-Committee.

RES.R04-102

Carried

4. Expropriation No. BW3804

File: 2260-4001; 1701-307

Realty Services, Engineering has served Expropriation Notice and copy of the
 relevant plan filed under Plan BCP 1050.

Council is requested to approve Expropriation Notice BW 3804.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council approve Expropriation Notice
 BW 3804.

RES.R04-103

Carried

J. CORRESPONDENCE

CITY CLERK'S REPORT TO COUNCIL ON CORRESPONDENCE ITEMS

RECOMMENDATION

INFORMATION ITEMS

1. Letter dated December 9, 2003 from **Mayor Derek R. Corrigan, City of Burnaby**, advising that at the December 8, 2003 Council meeting, the City of Burnaby Council adopted the following resolution regarding the "Status of Saint Mary's Hospital":

"THAT the Mayor, on behalf of the Council, write to Mr. Bob Smith, President and Chief Executive Officer of the Fraser Health Authority, expressing the City's opposition to the closure of Saint Mary's Hospital; stressing the City's position that services to Burnaby residents must not be compromised; and requesting that Council and the community be consulted prior to implementation of any possible future adjustments to Burnaby Hospital and that written assurances be provided that this will occur; and

THAT copies of the Fraser Health Authority's 2003 November 3 news release be sent to the President & CEO - Fraser Health Authority; the CEO - Saint Mary's Hospital; Save Saint Mary's Coalition; Sisters of Providence; the Minister of Health Services; Burnaby MPs and MLAs; Councils of New Westminster, Coquitlam and Surrey, and the Social Issues Committee."

File: 0480-20

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 9, 2003 from

Mayor Derek R. Corrigan, City of Burnaby, regarding the status of Saint Mary's Hospital be received.

RES.R04-104

Carried

2. Letter dated December 2, 2003 from **Mayor Derek R. Corrigan, City of Burnaby**, advising that at the December 1, 2003 Open Council meeting, the City of Burnaby adopted the following resolution regarding the "Public Sector Comparator for the Richmond-Airport-Vancouver Rapid Transit Project (RAVP)":

"WHEREAS Burnaby Council has previously expressed concern related to the financial analysis presented by TransLink in support of the proposed RAVP and more specifically its implementation as a public-private-partnership (P3); and

WHEREAS TransLink has since proceeded with the Request of Proposals that include the design, build, finance, operate and maintain (DBFOM) private partnership agreement over a 35 year term; and

WHEREAS TransLink has committed to use a public sector comparator to assess the relative value of the RAVP P3 proposals versus public sector delivery of RAVP.

THEREFORE BE IT RESOLVED:

1. that any appointments to the public sector comparator be done in a manner to eliminate any perception of bias or conflict of interest.
2. THAT TransLink publicly disclose the Terms of Reference developed for the public sector comparator, including all directives and assumptions, at the time it is issued to the public sector comparator.
3. THAT TransLink instruct the public sector comparator to: explicitly document the methodology used to prepare the financial analysis of risk transfer and discount rate; and consider new risks being absorbed by the public sector, such as but not limited to the potential commercial failure of the private partner in public sector comparator's overall assessment of risk transfer.
4. THAT TransLink be encouraged to secure a commitment from the Auditor General of British Columbia and provide the Auditor General with adequate time and resources to complete an audit of the public sector comparator's analysis to ensure fairness and accuracy.
5. THAT TransLink publicly disclose the results of the public sector comparator's analysis and the findings of the Auditor General's review of the public sector comparator's analysis to allow for a period of review and comment by the public and the municipal Councils of the GVRD prior to the Auditor General's review and a final recommendation on the potential award of the RAVP P3 contract being forwarded to the TransLink Board for their consideration."

File: 0480-20

It was

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the letter from Mayor

Derek R. Corrigan, City of Burnaby, regarding the Public Sector Comparator for the Richmond-Airport-Vancouver Rapid Transit Project (RAVP) be received.

RES.R04-105

Carried with Councillor Bose against.

3. Letter dated December 16, 2003 from **Lisa M. Zwarn, City Clerk, City of Langley**, advising that at the December 15, 2003 regular meeting, the City of Langley Council adopted the following resolution regarding 17805 - 60 Avenue, Chuck Keeling, Orangeville Raceway Ltd., City of Surrey OCP Amendment/Rezoning/Development Permit:

"THAT Council approve that a letter be written to the City of Surrey that the project proposing a gaming facility with approximately 400 slot machines and electronic table games, a restaurant and a show lounge located at 17805 - 60 Avenue in the City of Surrey, based on the criteria set out by the BC Lottery Corporation concerning infrastructure, policing costs, traffic impacts and impacts on amenities and character of neighbourhoods, will not significantly adversely affect the City of Langley."

File: 7903-0376-00

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 16, 2003

from the City Clerk of the City of Langley regarding the proposed gaming facility and show lounge to be located at 17805 - 60 Avenue, be received.

RES.R04-106

Carried

4. Letter dated December 8, 2003 from **Mayor Wayne Wright, City of New Westminster**, advising that at the November 24, 2003 Council meeting, New Westminister City Council discussed Bill 75 - Significant Projects Streamlining Act and passed the following resolution:

"THAT the province be advised that the City of New Westminister is opposed to the enactment of Bill 75 - Significant Projects Streamlining Act and request that the Province not enact Bill 75."

File: 0480-20

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 8, 2003 from

Mayor Wayne Wright, City of New Westminister, regarding Bill 75 - Significant Projects Streamlining Act, be received.

RES.R04-107

Carried

ACTION ITEMS

5. Letter dated December 11, 2003 from **Mary Polak, Chairperson, Board of School Trustees, School District No. 36 (Surrey)**, advising that at the November 27, 2003 Regular meeting, the Board of School Trustees of School District No. 36 (Surrey) approved the following motion regarding school speed zone signage - four lane arterial roads:

"THAT the Chairperson write to the Mayor and Council, City of Surrey, requesting an amendment to the current traffic bylaws covering four lane arterial roadways to include speed tabs to be posted along with the school sign to improve student safety at the following schools:

Dr. F.D. Sinclair Elementary	Holly Elementary
Fleetwood Elementary	Ray Shepherd Elementary
Forsyth Road Elementary	Simon Cunningham Elementary
Green Timbers Elementary	Sullivan Elementary
Harold Bishop Elementary	Sunnyside Elementary; and
Hjorth Road Elementary	

THAT the Chairperson write to the Minister of Transportation requesting an amendment to the current traffic bylaws covering Highways #15 and #10 to include speed tabs to be posted along with the school sign to improve student safety at the following schools:

Anniedale Traditional School
Cloverdale Traditional School, and
Grandview Heights Elementary."

The Board of School Trustees of School District No. 36 (Surrey) further advises they would be pleased to discuss this matter further if Council requires additional information.

File: 0510-20; 5460-30

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 11, 2003

from Mary Polak, Chairperson, Board of School Trustees, School District No. 36 (Surrey) be referred to staff for a report.

RES.R04-108

Carried

6. Letter dated December 2, 2003 from **J. Marvin Hunt, Chair, Board of Directors, Greater Vancouver Regional District**, advising that on October 31, 2003, the Board of Directors received a report, "Responsibility for 9-1-1: Administration and Funding", and adopted the following recommendation:

"That the GVRD Board refer this report to member municipalities for comment and advice for the Board to consider member municipalities' comments at their November Board meeting."

File: 7150-20

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the letter dated December 2, 2003 from
J. Marvin Hunt, Chair, Board of Directors, Greater Vancouver Regional District
be referred to staff for a report.

RES.R04-109

Carried

7. Letter dated December 12, 2003 from **Anna Mathewson, Manager/Policy Coordinator, Fraser River Estuary Management Program (FREMP)**, enclosing a copy of the updated "A Living Working River: Estuary Management Plan for the Fraser River" and approval letters from each of the FREMP partner agencies; seeking Council's endorsement, and providing the following draft endorsement resolution for Council's consideration:

"WHEREAS an updated Estuary Management Plan for the Fraser River was prepared with input from representatives of the City of Surrey; and

WHEREAS the City of Surrey is committed to protecting and enhancing the ecosystem of the Fraser River Estuary through sound environmental management; and

WHEREAS the process for updating the Plan incorporated a multi-stakeholder consultation process to obtain input from local governments, community stakeholders, interest groups and the general public; and

WHEREAS the Fraser River Estuary Management Program partners have approved the updated Estuary Management Plan for the Fraser River and directed that the Plan be conveyed to the local governments for endorsement;

We, the Mayor and Council for the City of Surrey hereby endorse the updated Estuary Management Plan for the Fraser River."

File: 5650-01

Note: A copy of the Estuary Management Plan is available for perusal in the Clerk's Office.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the letter dated December 12, 2003
from Anna Mathewson, Manager/Policy Coordinator, Fraser River Estuary
Management Program (FREMP) be referred to staff for review and to provide a
Corporate Report to Council.

RES.R04-110

Carried

8. Letter dated December 11, 2003 from **J. Marvin Hunt, Chair, Board of Directors, Greater Vancouver Regional District**, advising that on October 3, 2003, the Board of Directors adopted the following resolution regarding marine emissions in Greater Vancouver area waterways, and seeking Council's support:

"THAT the Board:

- (a) urge the federal government to adopt the International Marine Organization (IMO) discharge standards for commercial passenger vessels within regulations under the Canada Shipping Act (CSA);
- (b) request an update from the federal government on the status of the request by the GVRD and City of Vancouver for designation of Indian Arm and English Bay/False Creek as no-discharge zones under the federal Pleasure Craft Sewage Pollution Prevention Regulation; and
- (c) forward this report to member municipalities and request their support for the actions the Board has taken on this matter."

File: 5280-01

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 11, 2003

from J. Marvin Hunt, Chair, Board of Directors, Greater Vancouver Regional District be referred to staff for a report.

RES.R04-111

Carried

9. Letter dated December 18, 2003 from **Mayor Derek R. Corrigan, City of Burnaby**, advising that at the December 15, 2003 Open Council meeting, the City of Burnaby adopted the following resolution regarding the possible ramifications of the adoption of Bill 75 - Significant Projects Streamlining Act, and asking Council to seriously consider their proposal:

"THAT WHEREAS Bill 75 provides the Provincial Government with sweeping powers to override Local Government bylaws, plans, policies and powers; and

WHEREAS Bill 75 allows the Province to override Local Government jurisdiction not only for Provincial projects, but also for private or mixed public/private projects if the Province considers these to be in the broader Provincial interest; and

WHEREAS the autocratic powers granted to the Province under Bill 75 have the potential to seriously undermine the current structure for ensuring cohesive Regional/Municipal land use planning and the important public safety protection that Local Government involvement brings to project development; and

WHEREAS Bill 75 contradicts the Provincial promotion of the Community Charter as a vehicle for recognizing Local Government as a responsible and autonomous level of government;

NOW THEREFORE BE IT RESOLVED THAT the City of Burnaby advise all Local Governments in the Province of British Columbia that the City of Burnaby is prepared to contribute to the legal costs of any British Columbia Local Government initiating a legal challenge to Bill 75, AND FURTHER, that an invitation be extended to all BC Local Governments to join the City of Burnaby in offering to contribute for this purpose."

File: 0450-01; 0481-20

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 18, 2003

from Mayor Derek R. Corrigan, City of Burnaby be received.

RES.R04-112

Carried

K. NOTICE OF MOTION

L. ANY OTHER COMPETENT BUSINESS

1. Appreciation in Property Values and Homeowner Grant

It was

Moved by Councillor Bose

Seconded by Councillor Villeneuve

That the matter be referred to staff for

review with the intent to raise the issue at the LMMA and UBCM.

RES.R04-113

Carried

2. Communications Towers - Softball City

Councillor Villeneuve requested staff report on the proposed location of the telecommunications tower in Softball City.

3. Film Tax for Films Produced in British Columbia

Councillor Villeneuve requested staff report on the film tax for films produced in British Columbia.

4. Motion to Convene a Closed Meeting

It was Moved by Councillor Bose
Seconded by Councillor Hunt
That Council do now adjourn to a Closed
Council meeting in the Board Room in accordance to Section 90 (e) of the
Community Charter.

RES.R04-114

Carried

M. ADJOURNMENT

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Regular Council - Public Hearing
meeting do now adjourn.

RES.R04-115


Carried

The Regular Council- Public Hearing adjourned at 10:17 p.m.

Certified correct:



City Clerk



Mayor