



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, FEBRUARY 9, 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, Finance, Technology
& Human Resources
General Manager, Engineering
Interim General Manager, Parks,
Recreation & Culture
Manager, Area Planning & Development
Division
Manager, North Surrey Section
Manager, South Surrey Section
Manager, Long Range Planning & Policy
Land Development Engineer

A. ADOPTION OF MINUTES

1. Regular Council - February 2, 2004

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That Council amend the minutes on Page 17,
Resolution RES.R04-263, by adding "and schedule a Regular Council - Land Use
meeting for March 1, 2004".

RES.R04-309 Carried

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That the minutes of the Regular Council
meeting held on February 2, 2004, be adopted, as amended.

RES.R04-310 Carried

2. January 26, 2004 Regular Council - Public Hearing Minutes - Amendment File: 0550-20-01

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council amend the January 26, 2004
Regular Council - Public Hearing minutes as noted in the memorandum dated
February 4, 2004 from the City Clerk.

RES.R04-311 Carried

B. DELEGATIONS**1. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15274****Rezoning Application: 7903-0316-00**

ADDRESS: CIVIC/LEGAL
2700 Crescent Drive/PID: 002-225-689, Pcl. "A"
(Reference Plan 12731), Lot 1, Blk. 6, District Lot 52,
Grp. 2, NWD, Plan 3136

APPLICANT: Kristin and Alfred Schenk
c/o A. J. Schenk
2435 - 125A Street
Surrey, B.C. V4A 8H7

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

The purpose of the rezoning is to permit the development of a single family dwelling.

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. and E. Legg and P. Berrettoni expressing support and from M. de Spot expressing opposition to the proposed application.

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

**2. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15275**

Rezoning Application: 7903-0299-00

ADDRESS: CIVIC/LEGAL
3106 - 140 Street/PID: 015-682-455, Lot 2, Sec. 21,
Twp. 1, NWD, Plan 83445

APPLICANT: Horst and Ulrike Baecker
c/o H.Y. Engineering Ltd. (Holden Yip/Richard Brooks)
#4 - 15243 - 91 Avenue
Surrey, B.C. V3R 8P8

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

The purpose of the rezoning is to allow subdivision into 3 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 were no persons present to object to the proposed application.

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15279**

Rezoning Application: 7903-0099-00

ADDRESS: CIVIC/LEGAL
2653 King George Highway/PID: 000-922-021, Lot 5,
Sec. 23, Twp. 1, NWD, Plan 13340

2630 - 152 Street/ PID: 000-709-441, Lot 9, Except Pcl. E (Bylaw Plan 62660), Sec. 23, Twp. 1, NWD, Plan 13340
2656 - 152 Street (also known as 2688 - 152 Street)/ PID: 000-709-450, Lot 10, Except: Firstly Pcl. A (Explan. Plan 15327); Secondly: Part Subdivided by Plan 42343; Thirdly: Pcl. C (Bylaw Plan 62660); Legal Subdivision 5, Sec. 23, Twp. 1, NWD, Plan 13340
Portion of King George Highway/Portion of road dedicated under Plan 5388

APPLICANT: Benuzzo and Carmela Santelli, and Rosanna Santelli,
c/o R. A. (Rick Johnson)
3184 - 204 Street
Langley, B. C. V2Z 2C7

PROPOSAL: To rezone the properties and portion of road 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. The following uses are permitted provided that the *gross floor area* of each individual business does not exceed 370 square metres [4,000 sq.ft.] except a maximum of two (2) business premises may each have a *gross floor area* not to exceed 520 square metres [5,600 sq.ft.):
 - (a) *Retail stores* excluding the following:
 - i. *adult entertainment stores*;
 - ii. *auction houses*; and
 - iii. *secondhand stores and pawnshops*;
 - (b) *Personal service uses* limited to the following:
 - i. *Barbershops*;
 - ii. *Beauty parlours*;
 - iii. *Cleaning and repair of clothing*; and
 - iv. *Shoe repair shops*;
 - (c) *Eating establishments* excluding *drive-through restaurants*;
 - (d) *Neighbourhood pub*;
 - (e) *Office uses* excluding the following:
 - i. *social escort services*; and
 - ii. *methadone clinics*;
 - (f) *General service uses* excluding the following:
 - i. *funeral parlours*;
 - ii. *drive-through banks*; and

- iii. vehicle rentals;
 - (g) Community services; and
 - (h) Child care centres.
2. One dwelling unit per lot provided that the dwelling unit is:
- (a) Contained within the principal building; and
 - (b) Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the lot.

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Sign By-law, 1999, No. 13656", as amended, Part 5, Section 27(2), Sub-section (a), as follows:

- (a) To allow three (3) fascia signs for the north elevation and one (1) fascia sign for the east elevation, as shown on Schedule A, Building 1;
- (b) To allow four (4) fascia signs for the north elevation and one (1) fascia sign on the west elevation as shown on Schedule A, Building 2; and
- (c) To allow two (2) fascia signs on the south elevation, three (3) fascia signs on the west elevation; one (1) fascia sign on the north elevation and one (1) fascia sign on the east elevation as shown on Schedule A, Building 3.

The purpose of the rezoning and development variance permit is to permit the development of a 1,732 sq.m. (18,644 sq. ft.) Shopping centre.

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 E. and A. Condrau, K. Greenwood, and O. Madsen expressing concerns and from W. Nimmon expressing opposition to the proposed application.

The Mayor noted that the following persons had expressed an opinion in writing and indicated whether they were in favour or against the proposal as follows:

	FOR	AGAINST	UNDECIDED
R. Johnson	X		
F. Santelli	X		
J. Holden	X		
S. Scott	X		
C. Gonzales	X		
D. Swaile		X	

	FOR	AGAINST	UNDECIDED
A. Perrea	X		
B. Tomkinson		X	

Bill Tomkinson, #36, 2672 - 151 Street, was in attendance and commented that he was not in favour of the proposed development. He continued that there are enough strip malls in the area and that more residential development is needed. He added concerns relating to traffic congestion and speeding, property devaluation, and safety of pedestrians.

Rick Johnson, 3184 - 204 Street, Langley, B.C., was in attendance and commented that he is the project manager for the proposed application. He added that 575 invitations were sent to area residents to attend a public information meeting and only 24 attended, mostly residents of the Woodbridge complex. He continued that the main concern raised was access to King George Highway. He added that Trevor Ward, Traffic Consultant, was hired to address those concerns. Rick Johnson commented that a neighbourhood pub use is not proposed for this application.

Trevor Ward, Traffic Consultant, was in attendance and commented that he lives in the area of the proposed application. He continued that access on 152 Street would be restricted to right-in/right-out movement and no left turn. He added that access on King George Highway would be right-in, right-out and left-in. He stated that a centre left turn lane would be developed on King George Highway, allowing for left turns into this particular project and left turn into the project across the road, which would increase safety.

4. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15277

Rezoning Application: 7903-0347-00

ADDRESS: CIVIC/LEGAL
16070 - 112 Avenue/PID:005-959-543, Lot 23, Sec. 14,
 B5N, R1W, NWD, Plan 38624

APPLICANT: Bernice Quintal
 c/o CitiWest Consulting Ltd.
 #101 - 9030 King George Hwy
 Surrey, B.C. V3V 7Y3

PROPOSAL: To rezone the property 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 side yard setback from 1.8 metres (6 ft.) to 1.08 metres (3.5 ft.) for the existing home on proposed Lot 2.

The purpose of the rezoning is to allow subdivision into approximately 4 single family lots and one remainder large lot (shown as Lot 2 on Schedule A for further subdivision potential). The development variance permit is to retain the existing dwelling.

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.

**5. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15278**

Rezoning Application: 7903-0371-00

ADDRESS: **CIVIC/LEGAL**
6076 - 138 Street/PID: 002-547-708, Lot 11, Sec. 9,
Twp. 2, NWD, Plan 42277
6118 - 138 Street/PID: 010-765-999, Lot 2, Except:
N.125.4 ft. Blk. 2, Sec. 9, Twp. 2, NWD, Plan 2840

APPLICANT: Gurcharan S. and Jasmer Dhaliwal and Malkit S. and
 Parvinder K. Gill
 c/o Alpha Beta Developments Ltd. (Riad Yassin)
 #1208 - 1030 W. Georgia St.
 Vancouver, B.C. V6E 2Y3

PROPOSAL: To rezone the properties from "One-Acre Residential Zone (RA)" to "Multiple Residential 15 Zone (RM-15)".

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law 1993, No. 12000", as amended, Part 21, Section F, as follows:

- (a) To reduce the minimum side yard setback along the south property line from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.) for Building 10, 4.2 metres (13.8 ft.) for Building 9 and 4.5 metres (15 ft.) for Building 8 and
- (b) To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 3.7 metres (12 ft.) for Building

8, 3.4 metres (11.2 ft.) for Building 7, and
 3.6 metres (11.8 ft.) for Building 6.

The purpose of the rezoning and development variance is to permit the development of a 48-unit townhouse complex.

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.

The Mayor noted that the following persons had expressed an opinion in writing and indicated whether they were in favour or against the proposal as follows:

	FOR	AGAINST	UNDECIDED
J. Spurr	X		
M. Kubus	X		
A. Spurr	X		
J. Kubus	X		
M. Gill	X		

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

**6. Surrey Zoning By-law, 1993, No. 12000,
 Text Amendment By-law, 2004, No. 15271**

ADDRESS: CIVIC/LEGAL
 As per attached list (Schedule "A") of Highway Industrial Zones (CHI) Properties in Surrey City Centre.

APPLICANT: City of Surrey, Council Initiative
 14245 -56 Avenue
 Surrey, BC V3X 3A2

PROPOSAL:

To authorize amendments to "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 39, "Highway Commercial Industrial Zone (CHI)", as follows:

- a) The preamble to Section B. Permitted Uses is to be deleted and replaced with the following:

"Land and *structures* outside *City Centre* shall be restricted to the uses listed in Sub-sections 1 through 16 only, or for a combination of the uses listed in Sub-sections 1 through 16. Land and *structures* located within the *City Centre* shall be restricted to the uses listed in Sub-section 17 only or for a combination of the uses listed in Sub-section 17".

- b) The following heading is to be inserted below the preamble and above Sub-section 1 in Section B:

"Outside City Centre"

- c) The following paragraph is to be inserted as Sub-section 17 under Section B. Permitted Uses:

"17. Land and *structures* located within *City Centre* shall be used for the following uses only, or for a combination of such uses:

- (a) *Eating establishments* excluding *drive-through restaurants*;
 - (b) *General service uses* excluding *drive-through banks*;
 - (c) *Beverage container return centres* provided that:
 - (i) the use is confined to an enclosed *building*; and
 - (ii) the *building* has a maximum floor area of 279 square metres [3,003 sq.ft.];
 - (d) *Indoor recreational facilities*, including *bingo halls*;
 - (e) *Tourist accommodation*;
 - (f) *Parking facilities*;
 - (g) *Retail stores* excluding the following:
 - (i) *adult entertainment stores*; and
 - (ii) *secondhand stores* and *pawnshops*;
 - (h) *Assembly halls*;
 - (i) *Community services*;
 - (j) *Office uses* excluding the following:
 - (i) *social escort services*; and
 - (ii) *methadone clinics*;
 - (k) *Child care centres*; and
 - (l) *Accessory uses* including the following:
 - (i) One *dwelling unit* per *lot* provided that the *dwelling unit* is:
 - a. Contained within the *principal building*; and
 - b. Occupied by the owner or the owner's employee, for the protection of the businesses permitted on the *lot*."
- d) The following heading is to be inserted below Sub-section 16 in Section B:

"Within City Centre"

- e) The following paragraph is to be inserted at the end of sub-section J. Special Regulations:

"6. For land and *structures* located within *City Centre*, outdoor storage of any goods, materials, or supplies is specifically prohibited."

The purpose of this amendment is to specifically eliminate some permitted uses that are not compatible with the long-term vision for the City Centre and by adding other uses that are consistent with the vision for City Centre; the amendments will act to ensure that development on CHI zoned sites in the City Centre is consistent with the long-term vision for City Centre.

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

There was correspondence on table from R.D. Wallace, Burnaby Three Investments Inc. expressing concerns and the Whalley Business Improvement Association and the Canadian Petroleum Products Institute expressing concerns regarding the proposed text amendment and requesting deferral of the public hearing.

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

	<u>For</u>	<u>Against</u>	<u>Undecided</u>
Pete Nichols		X	
Paul Griffin		X	
Teresa Andrews		X	
Scott Menges		X	
Simon Evans		X	

Pete Nichols, Whalley Business Improvement Association (WBIA) representative, #300, 10524 King George Highway, was in attendance and commented that he had forwarded an e-mail to Council expressing ongoing support for Council's vision for the City Centre and proposed CHI zone amendments. He continued that the WBIA had expressed support for the proposed zoning changes as they dealt with automotive or autobody uses in the area. He added that they were not aware of the sweeping nature of the current proposal and therefore suggests the proposal be referred back to the Planning & Development Department for review with affected parties.

Paul Griffin, Canadian Bankers Association representative, 521 - 625 Howe Street, Vancouver, B.C., was in attendance and commented that his group applauds Council for its efforts to revitalize Surrey City Centre. He continued

that the Canadian Bankers Association had concerns regarding the proposed by-law, which prohibits drive through banks. He stated that he found out about the proposed application last Thursday and that he wanted to relate that studies indicate drive-through banks, featuring ABMs, reduce the need for parking, encourage good traffic flow, and have positive impacts on the cityscape and environment. He added that ABMs can be placed in locations not necessarily seen from the streetscape, and would actually provide for a better environment due to the nature of drive-through banks operating after business hours, providing useful, practical service to people in a safe environment.

He continued that there are some banks located in the area that have drive-through service, some don't. He added that banking is a highly competitive business and it could be that banks may look at the options competitors have in the area, which may influence their decision to locate elsewhere.

Teresa Andrews, Director, Real Estate, McDonald's Restaurants, 4400 Still Creek Drive, Burnaby, B.C., was in attendance and commented that her organization requests deferral of this proposal noting that they received the Notice of Public Hearing just last week and require more time to review the application. She continued that the proposed amendment would have a negative impact on businesses within the area.

Scott Menges, Director, Real Estate, Tim Hortons, 26585 Gloucester Way, Langley, B.C., was in attendance and commented that he requests Council consider a request for deferral of the proposed text amendment of the by-law to allow more time to understand and find something that will work for the businesses in the area.

Simon Evans, President, B.C. Restaurant and Food Services Association, 140 - 475 West Georgia Street, Vancouver, B.C., was in attendance and commented that he represents 4,000 to 5,000 member businesses featuring all types of eating establishments, to support colleagues and operators of restaurants in urging Council to defer consideration of the proposed text amendment. He advised that the Notice of Public Hearing was received at the end of last week, and for that reason he wished to ensure there was opportunity for proper discussion to find a solution. He added that the proposed amendment would detrimentally affect a number of Surrey businesses and future redevelopment, and could have a negative economic impact for hundreds of people working in this industry.

He continued that they were disappointed that there was no opportunity for consultation, which is vital, whether business-to-business or business-to-community leaders, and they would like that opportunity. He stated that he would like to make sure Council considers all the critical information regarding economic and employment impacts and the significant portion of current sales generated by drive-through customers. He added that those customers are Surrey residents and that Council should have all the information and understand the full

implications for customers, residents, and businesses. He continued that without knowing the potential repercussions, it would be imprudent to proceed tonight and he respectfully requested adjournment to allow input into the process and have the benefit of consultation with Council and staff.

Patty Parente, 833 East 15th Street, North Vancouver, B.C., Director, Real Estate, A & W Food Services Canada, was in attendance and commented that her organization respectfully requests to defer consideration of the proposed text amendment to the Zoning By-law. She continued that her organization only learned about the proposed amendments at the end of last week, that due process should be encouraged to allow conversation with businesses and that she respectfully requests Council's consideration.

C. COMMITTEE REPORTS

1. Police Committee - January 27, 2004

RES.R04-312	<p>It was</p> <p>meeting held on January 27, 2004, be received.</p>	<p>Moved by Councillor Tymoschuk Seconded by Councillor Steele That the minutes of the Police Committee be received.</p> <p><u>Carried</u></p>
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2. Social Planning Committee Minutes - January 29, 2004

RES.R04-313	<p>It was</p> <p>Committee meeting held on January 29, 2004, be received.</p>	<p>Moved by Councillor Villeneuve Seconded by Councillor Watts That the minutes of the Social Planning Committee meeting held on January 29, 2004, be received.</p> <p><u>Carried</u></p>
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3. Agricultural Advisory Committee - February 5, 2004

RES.R04-314	<p>(a) It was</p> <p>Advisory Committee meeting held on February 5, 2004, be received.</p>	<p>Moved by Councillor Hunt Seconded by Councillor Watts That the minutes of the Agricultural Advisory Committee meeting held on February 5, 2004, be received.</p> <p><u>Carried</u></p>
	<p>(b) The recommendations of these minutes were considered and dealt with as follows:</p>	

**Ministry of Transportation and Highways (MoTH)
Border Infrastructure Program (BIP)**

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the Ministry of Transportation and Highways be requested to conduct an assessment of the cumulative effects of the Border Infrastructure Program on agricultural lands, and create a compensation / mitigation package for the total of these projects (Highways 10, 15 and 8th Avenue).

Before the question was called:

It was Moved by Councillor Higginbotham
Seconded by Councillor Villeneuve
That the above motion be referred to staff for review and report back to Council.
Carried

RES.R04-315

D. BOARD/COMMISSION REPORTS

E. MAYOR'S REPORT

1. Proclamations

Mayor McCallum read the following proclamations:

(a) HERITAGE WEEK
February 16 - 22, 2004

WHEREAS the Province of British Columbia annually recognizes the importance of protecting and conserving our rich and diverse heritage; and

WHEREAS Aboriginal peoples constructed earthworks and other defenses to protect their villages; and

WHEREAS a network of fortifications was first developed in the early 19th century by fur traders in the territory that was to become British Columbia and later settlers formed volunteer and militia units; and

WHEREAS the Esquimalt Naval Base was established by the Royal Navy in 1855, and has remained Canada's west coast naval base since the formation of the Royal Canadian Navy in 1910; and

WHEREAS British Columbia men and women of diverse origins and backgrounds have made great personal sacrifices and continue to serve in actions defending Canada, such as peace-keeping efforts all over the world; and

WHEREAS the Royal Canadian Legion, with its 166 Branches, serves veterans, ex-service persons and communities throughout the Province; and

WHEREAS cenotaphs and memorials throughout the province bid us to remember those who served; and armouries, drill halls, fortifications, industrial sites, military bases, hospitals, and many other places reflect and preserve our military heritage; and

WHEREAS Our Lieutenant Governor, by and with the advice and consent of the Executive Council, has been pleased to enact Order in Council 903 on October 11, 2002;

NOW, THEREFORE, BE IT RESOLVED, in acknowledging the history of the defence of Canada and the heritage of military places of this province, that I, D. W. (Doug) McCallum, do hereby declare the week of February 16 - 22, 2004 as "HERITAGE WEEK" in the City of Surrey.

Doug W. McCallum
Mayor

F. COUNCILLORS' REPORTS

1. National Heritage Week

Councillor Higginbotham reported that the following events are scheduled for National Heritage Week:

February 19, 2004 at 2:00 p.m. - celebrating Norwegian Heritage Storyboard in Tannery Park at the Fraser River Boardwalk Park.

February 21, 2004 at 10:30 a.m. - unveiling of the Sullivan Community Heritage Storyboard at the Sullivan Community Hall.

February 21, 2004 at 11:00 a.m. - unveiling of the Heritage Railway Storyboard, at the Fraser Valley Heritage Rail storage barn.

She added that the various Royal Canadian Legions would also be honouring veterans and peacekeeping forces throughout National Heritage Week.

2. authorize the City Clerk to bring forward a By-law to close and remove the dedication as highway of a $\pm 2,067$ ft.² (± 192 m²) unopened portion of Roxburgh Road at Wellington Drive for consideration by Council.

RES.R04-317

Carried

Item No. R026 Amendment to the Surrey Highway & Traffic By-law, No. 13007 to Include a Provision for the Handling of Discarded Shopping Carts
File: 5360-15; 3900-01; 3900-20-15288

The General Manager, Engineering submitted a report to obtain Council approval to include a fee for the retrieval of discarded shopping carts, such that the retrieval and storage fee will act to encourage businesses to improve control of their respective shopping carts and cover the costs for the City to provide the service to collect and store the carts.

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

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

1. Approve amendments to Surrey's Highway and Traffic By-law, 1997, No. 13007, to include Section 82.1, titled "Discarded Shopping Carts" as documented in this report, which will act to impose fees for the retrieval of discarded shopping carts collected by the City.
2. Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings.

RES.R04-318

Carried

Item No. R027 Highway 99 Corridor - Financing of Servicing
File: 6520-20 (Hwy 99 Corridor); 6520-20 (GH); 3150-00

The General Manager, Engineering submitted a report to provide Council with an overview of the engineering servicing and financial strategy for the Highway 99 Corridor Land Use Plan (Corridor), and seek Council support for an area specific DCC.

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

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

1. the proposed scope of engineering services as summarized in Section 4 of this report form the basis for the development of the Corridor.
2. the trunk utility services, and new or upgraded arterial and major collector roads necessary for the development of the Highway 99 Corridor Land Use Plan, be funded through an area specific development cost charge (DCC).
3. staff be authorized to take the necessary steps to implement the required amendment to the DCC By-law.

RES.R04-319

Carried

Item No. R028 Contract Award - M.S. 1704-004/11: Imperial Paving Ltd.
 File: 1704-004/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-004-11. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. Imperial Paving Ltd..	\$2,031,824.07
2. Columbia Bitulithic Ltd.	\$2,131,198.74
3. Winvan Paving Ltd.	\$2,137,533.65
4. Jack Cewe Ltd.	\$2,162,667.95
5. BA Blacktop Ltd.	\$2,207,850.66

The Engineer's pre-tender estimate was \$2,138,000 including GST. The actual tendered prices are the same unit rates as last year.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Contract M.S. 1704-004-11 be awarded
 to the low bidder, Imperial Paving Ltd., in the amount of \$2,031,824.07, including GST.

RES.R04-320

Carried

Item No. R029 Property Tax Exemption - Requests for Further Consideration
File: 1850-20; 1970-04

The City Clerk, and the General Manager, Finance, Technology & Human Resources submitted a report concerning requests for further consideration of property tax exemptions.

The City Clerk and the General Manager, Finance Technology & Human Resources were recommending approval of the recommendations outlined in their report.

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

1. Approve grants for the following organizations:
 - (a) Lighthouse of Faith Fellowship \$3,750
 - (b) Atira Women's Resource Society \$630
2. Make no request to the Province to write off taxes or waive penalties for the properties detailed in this report.

RES.R04-321

Carried

Item No. R030 Blackie Spit Park: Dogs Off-Leash
File: 6140-20/B

The Interim General Manager, Parks, Recreation and Culture submitted a report concerning dogs off-leash at Blackie Spit Park.

The Interim General Manager, Parks, Recreation and Culture was recommending approval of the recommendations outlined in his report.

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

1. Receive this report as information; and
2. Given the considerations of the options presented in the report, staff recommend the Blackie Spit Park Dog Management Plan as outlined in Option 3 of this report: fenced off-leash area in non-sensitive location within the park complete with fresh drinking water for dogs and people; dogs banned from environmentally sensitive areas of the park; and dogs permitted on-leash elsewhere throughout the park.

RES.R04-322

Carried with Councillor Watts against.

H. BY-LAWS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15274"

7903-0316-00 - Kristin and Alfred Schenk, c/o A.J. Schenk

RH (BL 12000) to CD (BL 12000) - 2700 Crescent Drive - to permit the development of a single family dwelling.

Approved by Council: January 26, 2004.

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15274" pass its third reading.

RES.R04-323

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15275"

7903-0299-00 - Horst and Ulrike Baecker, c/o H.Y. Engineering Ltd.
(Holden Yip and Richard Brooks)

RA (BL 12000) to CD (BL 12000) - 3106 - 140 Street - to allow subdivision into 3 single family lots.

Approved by Council: January 26, 2004.

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2004, No. 15275" pass its third reading.

RES.R04-324

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15279"

7903-0099-00 - Benuzzo and Carmela Santelli, Rosanna Santelli,
c/o R.A. (Rick) Johnson

RF (BL 12000) to CD (BL 12000) - 2630 and 2656 - 152 Street, 2653 King George Highway, Portion of King George Highway - to permit the development of a 1,732 sq.m. (18,644 sq.ft.) shopping centre.

Approved by Council: January 26, 2004

Note: See Development Variance Permit 7903-0099-00 under Clerk's Report Item I.1(a).

RES.R04-325	<p>It was</p> <p>No. 12000, Amendment By-law, 2004, No. 15279" pass its third reading.</p>	<p>Moved by Councillor Higginbotham Seconded by Councillor Hunt That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15279" pass its third reading. <u>Carried</u></p>
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- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15277"
 7903-0347-00 - Bernice Quintal, c/o CitiWest Consulting Ltd.

RA (BL 12000) to RF (BL 12000) - 16070 - 112 Avenue - to allow subdivision into approximately 4 single family lots and one remainder large lot (Lot 2, with further subdivision potential).

Approved by Council: January 26, 2004

Note: See Development Variance Permit 7903-0347-00 under Clerk's Report Item I.1(b).

RES.R04-326	<p>It was</p> <p>No. 12000, Amendment By-law, 2004, No. 15277" pass its third reading.</p>	<p>Moved by Councillor Hunt Seconded by Councillor Tymoschuk That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15277" pass its third reading. <u>Carried</u></p>
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- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15278"
 7903-0371-00 - Malkit and Parvinder Gill, Gurcharan and Jasmer Dhaliwal,
 c/o Alpha Beta Developments Ltd. (Riad Yassin)

RA (BL 12000) to RM-15 (BL 12000) - 6076 and 6118 - 138 Street - to permit the development of a 48-unit townhouse complex.

Approved by Council: January 26, 2004

Note: See Development Variance Permit 7903-0371-00 under Clerk's Report Item I.1(c).

RES.R04-327	<p>It was</p> <p>No. 12000, Amendment By-law, 2004, No. 15278" pass its third reading.</p>	<p>Moved by Councillor Tymoschuk Seconded by Councillor Hunt That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15278" pass its third reading. <u>Carried</u></p>
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6. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2004, No. 15271"

3900-20-15271/6520-20 (Surrey City Centre) - Council Initiative

To authorize amendments to "Surrey Zoning By-law, 1993, No. 12000" as amended, in Part 39, Highway Commercial Industrial Zone (CHI), Section B. Permitted Uses, and Section J. Special Regulations. By specifically eliminating some permitted uses that are not compatible with the long-term vision for the City Centre and by adding other uses that are consistent with the vision for City Centre, the amendments will act to ensure that development on CHI zoned sites in the City Centre is consistent with the long-term vision for City Centre.

Approved by Council: January 12, 2004
Corporate Report Item No. R003

It was Moved by Councillor Watts
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Text Amendment By-law, 2004, No. 15271" pass its third reading.

Before the question was called:-

It was Moved by Councillor Bose
Seconded by Councillor Watts
That "Surrey Zoning By-law, 1993,
No. 12000, Text Amendment By-law, 2004, No. 15271" be referred to staff for further consultation with stakeholders and report back with recommendations.

RES.R04-328

Carried

INTRODUCTIONS

7. "Surrey Close and Remove the Dedication of Highway of a Portion of Walkway at 104 Avenue and 125B Street By-law, 2004, No. 15281"

3900-20-15281/7803-0292-00 - Council Initiative

A By-law to authorize the closure and removal of dedication of highway of 138 square metres of walkway at 104 Avenue and 125B Street. This closure is intended to facilitate a proposed two-lot residential subdivision. In accordance with the Community Charter, S.B.C. 2003, the disposition of the walkway to the developer will be considered by City Council at a later date.

Approved by Council: January 26, 2004
Corporate Report Item No. R008

RES.R04-329 It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Walkway at 104 Avenue and 125B Street
By-law, 2004, No. 15281" pass its first reading.

Carried

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

RES.R04-330 It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Walkway at 104 Avenue and 125B Street
By-law, 2004, No. 15281" pass its second reading.

Carried

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

RES.R04-331 It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Walkway at 104 Avenue and 125B Street
By-law, 2004, No. 15281" pass its third reading.

Carried

8. "Fleetwood Villa Holdings Ltd. Housing Agreement, Authorization By-law,
2004, No. 15287"

3900-20-15287/7903-0213-00 - Fleetwood Villa Holdings Ltd.

A by-law to authorize the City of Surrey to enter into a Housing Agreement. The
purpose of the Agreement is to ensure the proposed development is restricted to
those 70 years of age or older

Approved by Council: To be approved.

RES.R04-332 It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Fleetwood Villa Holdings Ltd.
Housing Agreement, Authorization By-law, 2004, No. 15287" pass its first
reading.

Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Fleetwood Villa Holdings Ltd.
 Housing Agreement, Authorization By-law, 2004, No. 15287" pass its second
 reading.

RES.R04-333 Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Fleetwood Villa Holdings Ltd.
 Housing Agreement, Authorization By-law, 2004, No. 15287" pass its third
 reading.

RES.R04-334 Carried

9. "Highway and Traffic By-law, 1997, No. 13007, Amendment By-law, 2004,
 No. 15288"

3900-20-15288/5360-15/3900-01 - Regulatory By-law Text Amendment

"Highway and Traffic By-law, 1997, No. 13007" as amended, is further amended
 by inserting new Section 82.1 "Discarded Shopping Carts". This amendment will
 act to impose fees for the retrieval of discarded shopping carts collected by the
 City.

Approved by Council: To be approved.
 Corporate Report Item No. R026

Note: This By-law will be in order for consideration of Three Readings, should
 Council approve the recommendations of Corporate Report Item No. R026
 of this Agenda.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Highway and Traffic By-law, 1997,
 No. 13007, Amendment By-law, 2004, No. 15288" pass its first reading.

RES.R04-335 Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Highway and Traffic By-law, 1997,
 No. 13007, Amendment By-law, 2004, No. 15288" pass its second reading.

RES.R04-336 Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Highway and Traffic By-law, 1997,
 No. 13007, Amendment By-law, 2004, No. 15288" pass its third reading.
 RES.R04-337 Carried

FINAL ADOPTIONS

- 10. "Surrey Close and Remove the Dedication of Highway of a Portion of 113 Avenue, 113A Avenue, 114 Avenue, 114A Avenue, 154A Street, 156 Street and portion of Lane between 154A Street and 156 Street By-law, 2004, No. 15257"

3900-20-15257/7902-0345-00 - Council Initiative

A By-law to close and to remove the dedication of a highway of 0.878 hectares of 114 Avenue, 114A Avenue, 154A Street, 156 Street and lane, 0.605 hectares of 113 Avenue, 113A Avenue, 114 Avenue, 154A Street, and 156 Street, and 0.152 hectares of 113 Avenue and 156 Street. This closed road is to be dedicated park.

Approved by Council: January 26, 2004

The Mayor called for any persons wishing to make representation on this by-law, and there were no persons present to speak to this by-law.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Surrey Close and Remove the
 Dedication of Highway of a Portion of 113 Avenue, 113A Avenue, 114 Avenue,
 114A Avenue, 154A Street, 156 Street and portion of Lane between 154A Street
 and 156 Street By-law, 2004, No. 15257" be finally adopted, signed by the Mayor
 and Clerk, and sealed with the Corporate Seal.
 RES.R04-338 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. 7903-0099-00**
Benuzzo and Carmela Santelli, and Rosanna Santelli,
c/o R. A. (Rick Johnson)
2653 King George Highway, 2630 - 152 Street, 2656 - 152 Street (also known as 2688 - 152 Street) & Portion of King George Highway/Portion of road dedicated under Plan 5388.

To relax requirements as follows:

- (a) To allow three (3) fascia signs for the north elevation and one (1) fascia sign for the east elevation, as shown on Schedule A, Building 1;
- (b) To allow four (4) fascia signs for the north elevation and one (1) fascia sign on the west elevation as shown on Schedule A, Building 2; and
- (c) To allow two (2) fascia signs on the south elevation, three (3) fascia signs on the west elevation; one (1) fascia sign on the north elevation and one (1) fascia sign on the east elevation as shown on Schedule A, Building 3.

To permit the development of a 1,732 sq.m. (18,644 sq. ft.) shopping centre.

Note: See By-law No. 15279 under Item H.3.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Development Variance Permit
No. 7903-0099-00 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.R04-339

Carried

- (b) **Development Variance Permit No. 7903-0347-00**
Bernice Quintal
c/o CitiWest Consulting Ltd.
16070 - 112 Avenue

To reduce the minimum side yard setback from 1.8 metres (6 ft.) to 1.08 metres (3.5 ft.) for the existing home on proposed Lot 2, to allow subdivision into approximately 4 single family lots and one remainder large lot (shown as Lot 2 on Schedule A for further subdivision potential). The development variance permit is to retain the existing dwelling.
File: 7903-0347-00

Note: See By-law No. 15277 under Item H.4.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0347-00 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.R04-340

Carried

- (c) **Development Variance Permit No. 7903-0371-00**
Gurcharan S. and Jasmer Dhaliwal and Malkit S. and
Parvinder K. Gill
c/o Alpha Beta Developments Ltd. (Riad Yassin)
6076 & 6118 - 138 Street

To relax requirements as follows:

- (a) To reduce the minimum side yard setback along the south property line from 7.5 metres (25 ft.) to 2.3 metres (7.5 ft.) for Building 10, 4.2 metres (13.8 ft.) for Building 9 and 4.5 metres (15 ft.) for Building 8, and
- (b) To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 3.7 metres (12 ft.) for Building 8, 3.4 metres (11.2 ft.) for Building 7, and 3.6 metres (11.8 ft.) for Building 6.

To permit the development of a 48-unit townhouse complex.

Note: See By-law No. 15278, under Item H.5.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0371-00 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.R04-341

Carried

- (d) **Development Variance Permit No. 7903-0428-00**
West Fraser Real Estate Holdings Ltd., c/o Warren Perrott
 11125 - 124 Street

To increase the maximum height of a free-standing sign from 4.6 metres (15 ft.) to 7.62 metres (25 ft.) to allow two new free-standing signs on a commercial site in South Westminster.

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. 7903-0428-00 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.R04-342

Carried

- (e) **Development Variance Permit No. 7904-0006-00**
Trustees of the Congregation of the Canadian Reformed Church
 17473 - 60 Avenue

To reduce the minimum front yard setback requirement from fifty (50 ft.) to 9 metres (30 ft.) and to reduce the minimum rear yard setback requirement from fifty (50 ft.) to 10.3 metres (34 ft.) to permit the redevelopment of a church in Cloverdale.

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. 7904-0006-00 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.R04-343

Carried

- (f) **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: Memorandum from Planning & Development recommending Council rescind resolution RES.R03-3234, and approve Development Variance Permit No. 7903-0421-00 with the following amendment:

In Clause No. 3 (a)(ii), delete "7:30 p.m." and insert "6.30 p.m." and delete the word "midnight" and insert "3:00 a.m.".

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

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Variance Permit
 No. 7903-0421-00 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.R04-344

Carried

2. Delegation Requests

- (a) **Dianne Bolton, Executive Director**
Board of Director
Whalley Business Improvement Association
 File: 6930-20 (W); 0550-20-10

Requesting to appear before Regular Council on February 23, 2004, to make a presentation regarding their Strategic Plan that outlines strategies and goals for the coming year and complements and enhances the City's Whalley Revitalization Strategy.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Dianne Bolton, Executive Director,
 Board of Director, Whalley Business Improvement Association be heard as a delegation at Council-in-Committee on February 23, 2004.

RES.R04-345

Carried

- (b) **Bill Harper, Chair**
Save Saint Mary's Coalition
 File: 0460-20; 0550-20-10

Requesting to appear before Council regarding the actions of the Fraser Health Authority and the provincial government in the closure of Saint Mary's Hospital.

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

1. correspondence from Bill Harper, Chair, Save Saint Mary's Coalition be received; and
2. he be provided with a copy of a recent letter to the President and Chief Executive Officer of the Fraser Health Authority expressing Council's concerns regarding the closure of Saint Mary's Hospital.

RES.R04-346

Carried

J. CORRESPONDENCE

CITY CLERK'S REPORT TO COUNCIL ON CORRESPONDENCE ITEMS

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the following correspondence Items 1
 to 3 be received, and the appropriate person or agency be informed.

RES.R04-347

Carried

INFORMATION ITEMS

1. Letter dated January 30, 2004 from **Mayor Derek R. Corrigan, City of Burnaby**, advising that at their Open Council meeting held January 26, 2004, Burnaby City Council unanimously adopted the following resolution:

"WHEREAS the City of Burnaby paid \$1,691,396.86 for the Goods & Services Tax on purchases made by the City; and

WHEREAS the City of Burnaby's contribution to GST payments made by the GVRD, GVWD and GVS&DD is estimated to be approximately \$525,000 annually; and

WHEREAS the Federal Government is reported to be considering the elimination of the payment of GST by municipalities, school districts, universities and other

similar public bodies as an interim measure while consideration is given to sharing fuel tax revenue with local governments; and

WHEREAS the immediate elimination of GST payments by the City of Burnaby would reduce a proposed 2004 City of Burnaby tax increase of 3.4 percent by approximately 1.5 percent;

THEREFORE BE IT RESOLVED that the City Council of the City of Burnaby support the immediate and permanent elimination of GST payments by Municipalities, School Districts, University and other similar bodies; and

FURTHER BE IT RESOLVED a copy of this resolution and letter of support to the Prime Minister of Canada, the Minister of Finance Ralph Goodale, the Members of Parliament for Burnaby-Douglas and New Westminster-Coquitlam-Burnaby, the President of the FCM, UBCM and LMMA and other BC municipalities."

File: 2000-03

2. Letter dated January 30, 2004 from **Irene Gauld, Acting Township Clerk, Township of Langley**, advising that the Township of Langley Council, at their Regular meeting held January 26, 2004, adopted the following resolution regarding Major Road Infrastructure in the South Fraser Area:

"WHEREAS improvements to major road infrastructure in the South Fraser area are a high priority for all municipalities east of the Port Mann Bridge, as outlined in the Gateway Program; and

WHEREAS TransLink Chair Doug McCallum has said in recent media reports that twinning of the Port Mann Bridge is a high priority for the region; and

WHEREAS the Port Mann Bridge is owned and maintained by the Province of BC;

BE IT RESOLVED that the Township of Langley write a letter of support to Mayor McCallum and the Board of Directors of TransLink encouraging advancing the project to twin the Port Mann Bridge this year, and that the letter also be forwarded to all municipalities in the GVRD, the Premier of the Province of British Columbia, the new Minister of Transportation and the two Langley MLAs, MPs, and the Prime Minister of Canada."

File: 5400-27; 0480-20

3. Letter dated February 4, 2004 from **Mayor Hal Weinberg, Village of Anmore**, advising that at their January 13, 2004 Council meeting, Anmore Village Council unanimously adopted by the following resolution:

"That a letter be sent to the Union of British Columbia Municipalities requesting that they meet with the Provincial Government as soon as possible to consider

increasing the current Home Owner Grant ceiling in view of the very large average increase to the 2004 property assessments."

File: 1960-20; 0480-20

K. NOTICE OF MOTION

Councillor Steele left the meeting at 9:23 p.m. due to a potential conflict of interest as her son works for the applicant.

1. **Liquor License Amendment Application No. 7903-0357-00 Brewster's Pub, 7380 King George Highway 372363 British Columbia Ltd.**

At the February 2, 2004 Regular Council meeting, Councillor Higginbotham submitted the following Notice of Motion:

"That Resolution R04-236 of the January 26, 2004 Regular Council Public Hearing minutes, defeating the motion to recommend approval of the issuance of an amendment to a Liquor License to increase the patio seating capacity to 70 seats BE RESCINDED"

*If Resolution R04-236 is rescinded by Council, Councillor Higginbotham will be moving the following motion:

"After taking into account the following criteria outlined in the attached Planning Report dated December 15, 2003:

- (a) the potential for noise if the application is approved;
- (b) the impact on the community if the application is approved;
- (c) whether the amendment may result in the establishment being operated in a manner that is contrary to its primary purpose; and

after undertaking a Public Notification on January 26, 2004, to gather the views of area residents and businesses with respect to the proposed liquor license amendment application,

Surrey City Council recommends the issuance of the license, subject to the following condition:

1. a maximum patio capacity of 70 persons."

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Resolution R04-236 of the
January 26, 2004 Regular Council Public Hearing minutes, defeating the motion
to recommend approval of the issuance of an amendment to a Liquor License to
increase the patio seating capacity to 70 seats be rescinded.

RES.R04-348

Defeated on a tie vote with Councillors
Villeneuve, Hunt, Priddy and Bose against.

Councillor Steele returned to the meeting at 9:27 p.m.

L. ANY OTHER COMPETENT BUSINESS

1. Seniors' Rates

Councillor Watts requested information regarding seniors rates at the Surrey Sport & Leisure Complex.

2. Dogs at Blackie Spit

It was Moved by Councillor Priddy
Seconded by Councillor Watts
That staff work with Ministry of Water
Land, and Air Protection with respect to water access at Blackie Spit and that staff
review signage.

RES.R04-349

Carried

3. Committee Structure

Councillor Bose requested the February 10, 2004 meeting to discuss committee structure be postponed to 3:00 p.m. in order that Council may attend the funeral services for Frank McKinnon.

M. ADJOURNMENT


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

RES.R04-350

Carried

The Regular Council- Public Hearing adjourned at 9:33 p.m.

Certified correct:



City Clerk



Mayor