



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, FEBRUARY 23, 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
Manager, Area Planning &
Development Division
Manager, North Surrey Section
Manager, South Surrey Section
Manager, Long Range Planning &
Policy Development

A. ADOPTION OF MINUTES

1. Special (Regular) Council - February 9, 2004

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the Special (Regular)
Council meeting held on February 9, 2004, be adopted.
RES.R04-408 Carried

2. Regular Council - Land Use - February 9, 2004

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the Regular Council –
Land Use meeting held on February 9, 2004, be adopted.
RES.R04-409 Carried

3. Council-in-Committee - February 9, 2004

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the
Council-in-Committee meeting held on February 9, 2004, be received.
RES.R04-410 Carried

4. Regular Council - Public Hearing - February 9, 2004

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the Regular Council -
Public Hearing meeting held on February 9, 2004, be adopted.
Carried

RES.R04-411

B. DELEGATION - PRESENTATION

**1. Heritage Advisory Commission
File: 6800-01-HAC; 0550-20-10**

The Heritage Advisory Commission was in attendance to present the 2004 Friends of Heritage Awards for 2004.

Note: See Special Heritage Advisory Commission Notes under Board/Commission Reports, Item D.1 of this agenda.

Councillor Higginbotham commented that it was a pleasure to present the "Friends of Heritage" Awards in honour of Heritage Week. She added that this year's theme is "Defending Canada: Heritage of Military Places". Councillor Higginbotham continued that awards are presented on an annual basis to groups and individuals who have saved heritage in the City of Surrey.

Councillor Higginbotham introduced members of the Surrey Heritage Advisory Commission who were in attendance.

Councillor Higginbotham then presented awards to the following:

- Fraser Valley Heritage Rail Society;
- The Real Estate Foundation of British Columbia and Mr. Tim Pringle, Executive Director;
- Port Kells Community Association;
- Mabel Bishop; and
- Peace Portal Golf Club.

The Regular Council - Public Hearing meeting adjourned at 7:15 p.m. for a short reception for the recipients of the "Friends of Heritage" Awards.

The Regular Council - Public Hearing meeting reconvened at 7:45 p.m. with all members of Council in attendance.

B. DELEGATIONS - PUBLIC HEARING**1. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15282****Rezoning Application: 7903-0461-00**

ADDRESS: CIVIC/LEGAL
14836 - 33 Avenue (also shown as 3288 - 148 Street)/
PID: 024-833-983, Lot 1, Sec. 27, Twp. 1 and District
Lot 155, Grp. 2, NWD, Plan LMP47049

APPLICANT: Persepolis Builders Ltd.
c/o Lubor Trubka Associates Architects (Lubor Trubka)
#1200 - 1500 W. Georgia Street
Vancouver, B.C. V6G 2Z6

PROPOSAL: To rezone the property from "Comprehensive Development
Zone (CD)" (By-law 12938) to "Comprehensive
Development Zone (CD)" (By-law 12000).

The purpose of the rezoning and development variance
permit is to permit the development of an approximately
4,831.5m² (52,000 sq. ft.) retail shopping centre.

Permitted Uses

The *Lands and structures* shall be used for the following
uses only, or for a combination of such uses provided that a
minimum of 25% of the total floor area shall be used by
individual businesses with a *gross floor area* not exceeding
370 square metres [4,000 sq.ft.] and further provided the
maximum *gross floor area* of any individual business does
not exceed 2,000 square metres [21,500 sq.ft.):

1. *Retail stores* excluding the following:
 - (a) *adult entertainment stores*;
 - (b) *auction houses*; and
 - (c) *secondhand stores and pawnshops*.
2. *Personal service uses* limited to the following:
 - (a) *Barbershops*;
 - (b) *Beauty parlours*;
 - (c) *Cleaning and repair of clothing*; and
 - (d) *Shoe repair shops*.
3. *Eating establishments* excluding *drive-through restaurants*.
4. *Office uses* excluding the following:
 - (a) *social escort services*; and
 - (b) *methadone clinics*.
5. *General service uses* excluding the following:

- (a) funeral parlours; and
- (b) *drive-through banks*.
- 6. *Community services*.
- 7. *Child care centres*.
- 8. *Accessory uses* limited to 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)(a), as follows:

- (a) To permit one (1) fascia sign on the west elevation of Building A (as shown on Schedule A) which is not the lot frontage or premise frontage.
- (b) To permit one (1) fascia sign on the west elevation of Building D (as shown on Schedule A) which is not the lot frontage or premise frontage.

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.

Note: See Development Variance Permit 7903-0461-00 under Clerk's Report, Item I.1(a) of this agenda.

There was correspondence on table from Peace Arch Motors and Davin Management Ltd. supporting the application, and from L. Kind expressing concerns.

Brian Nosko, 65, 14909 - 32 Avenue, was in attendance and commented that he represents the Ponderosa Station Strata Council who wished to convey support for the proposed project. He added that there were some concerns regarding the entrance to 33 Avenue and he then made the suggestion that the entrance be moved to 148 Street. He continued that there were also concerns regarding the location of the garbage dumpsters and loading area for the grocery and drug stores, noting that the obvious location would be between the two stores. He then added concerns regarding noise from rooftop equipment and suggested that some type of noise baffling be installed to reduce noise.

Mr. Nosko then related concerns regarding spillover from parking lot lighting, landscaping, and the pedestrian entrance tying into the Ponderosa Station pedestrian walkway on 148 Street. He made the suggestion that the pedestrian access be directed across 148A Street into the complex, making for easier access for residents.

2. **Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15284**

Rezoning Application: 7903-0352-00

ADDRESS: CIVIC/LEGAL
15323 - 34 Avenue
(also shown as 3430 Rosemary
Heights Cr.)/PID: 025-120-506, Lot 30, Sec. 26, Twp. 1,
NWD, Plan LMP51034

APPLICANT: Rosemary Developments Ltd.
c/o Lisa Balsor
13484 - 13A Avenue
Surrey, B.C. V4A 1C4

PROPOSAL: To rezone the property from "Comprehensive Development
Zone (CD)" (By-law No. 14386) to "Single Family
Residential (12) Zone (RF-12)" (By-law No. 12000).

The purpose of the rezoning is to allow subdivision into 5
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 rezoning application.

3. **Surrey Official Community Plan By-law, 1996, No. 12900,
No. 93 Amendment By-law, 2004, No. 15289**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15290**

Rezoning Application: 7903-0293-00

ADDRESS: CIVIC/LEGAL
15360 - 24 Avenue/PID: 011-342-919, W1/2 Lot 14,
Sec. 14, Twp. 1, NWD, Plan 8492
15370 - 24 Avenue/PID: 011-342-765, E1/2 Lot 14,
Sec. 14, Twp. 1, NWD, Plan 8492
15380 - 24 Avenue/PID: 011-338-016, W1/2 Lot 1,
Sec. 14, Twp. 1, NWD, Plan 8492
15390 - 24 Avenue/PID: 004-586-441, E1/2 Lot 1, Except:
Part Road on Plan 75722; Sec. 14, Twp. 1, NWD,
Plan 8492
2370 - 153A Street/PID: 011-342-692, N1/2, Lot 13,
Sec. 14, Twp. 1, NWD, Plan 8492

2371 - 154 Street/PID: 011-338-148, N1/2 Lot 2, Sec. 14,
Twp. 1, NWD, Plan 8492

APPLICANT: Grace Park, Patricia Michaelson, Roger and Alice Olson,
Carole and Randolph Hall, John Kuhn, Vincenzo Ferraro
and Kathleen Anderson
c/o 636237 B.C. Ltd. (Richard Coulter)
1491 Cory road
White Rock, B.C. V4B 3H9 and
Ankenman Associates (Mark Ankenman)
#200 - 12321 Beecher Street
Surrey, B.C. V4A 3A7

PROPOSAL: **By-law 15289**
To authorize the redesignation of the properties from Urban
(URB) to Commercial (COM).

By-law 15290
To rezone the properties at 15360, 15370,
15380 - 24 Avenue, 2371 - 154 Street and
2370 - 153A Street from "Single Family Residential Zone
(RF)" to "Community Commercial Zone (C-8)" and to
rezone the property at 15390 - 24 Avenue from "Highway
Commercial Industrial Zone (CHI)" to "Community
Commercial Zone (C-8)".

DEVELOPMENT VARIANCE PERMIT

To vary " Surrey Zoning By-law, 1993, No. 12000, as
amended, Part 5 Table C.2 and Part 36 Section F, as
follows:

- (a) To reduce the required number of off-street parking
spaces from 80 to 76;
- (b) To reduce the minimum front (153A and 154 Street)
yard setback from 7.5 metres (25 ft.) to 2 metres
(6.6 ft.); and
- I To reduce the minimum side (24 Avenue) yard
setback from 7.5 metres (25 ft.) to 2 metres (6.6 ft.)
for the main floor and 0 m (0 ft.) for the second
floor.

The purpose of the redesignation, rezoning and
development variance permit is to permit the development
of a two-storey 2,908m² (31,300 sq. ft.) commercial
building.

Note: See Development Variance Permit 7903-0293-00 under Clerk's Report, Item I.1(b) of this agenda.

The Mayor noted that the following persons had expressed an opinion in writing:

NAME	FOR	AGAINST	UNDECID ED
John Myring	X		
Roy Quinones		X	
Bruce Nelson	X		
Chris Myring	X		
Dean Duck	X		
Akram Khan	X		
Alanna Lee	X		
Darryl Gill	X		
Antony Numans	X		
Tom Thomsen	X		
John Kuhn	X		
Brian K. Hall	X		
Tom Wiebe	X		
Dan Quon			X
Roger Olson	X		
Pasquale Canino	X		
Grace H. Park	X		
Daljit Batu	X		
Wendy Lownsborough		X	
Glen Jones		X	
Paul Wells		X	
Kathy Sové		X	
Roger A. Sové			
Raymond Aldus		X	
Helen Dolmat	X		
Mary Ann Aldus		X	
Allan Young		X	
Helen Young		X	
Joyce Howard		X	
Les Howard		X	
Denis Roberts		X	

There was correspondence on table from S. Quinones and R. Quinones in opposition.

John Myring, 15262/15268/15280 - 24th Avenue, 2365 - 153 Street, 2372, 2350 - 152A Street, was in attendance and commented he supports the project and that it would be a good use of the property. He continued that the widening of 24 Avenue is important for the future of big box development and traffic flow. He added that he had proposed a land exchange to allow some of his property be used to facilitate the widening of 24 Avenue.

Paul Wells, 2299 - 153A Street, was in attendance and asked for clarification on the possible uses for C8 zoning. He related concerns regarding the lack of sidewalks, safety of children, and increased traffic in the area.

The developer was in attendance and commented that the proposed project is an appropriate use of land and would provide several benefits such as replacement of existing structure, investment of \$6.5 million, tax dollars and jobs to the local community. He noted that two public information meetings were held and that he was prepared to address the concerns raised relative to the provision of sidewalks, and traffic calming devices to mitigate traffic on side streets and that he was also prepared to work with the neighbours for a comfortable transition.

**4. Surrey Official Community Plan By-law, 1996, No. 12900,
No. 92 Amendment By-law, 2004, No. 15285**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15286**

Rezoning Application: 7903-0369-00

ADDRESS: **CIVIC/LEGAL**
13516 - 96 Avenue/PID: 009-639-004, Lot 2, Sec. 32,
Twp. 2, NWD, Plan 11968
13526- 96 Avenue/PID: 009-639-012, Lot 3, Sec. 32,
Twp. 2, NWD, Plan 11968
13536 - 96 Avenue/PID: 009-639-021, W1/2 Lot 4, Sec.
32, Twp. 2, NWD, Plan 11968
13546 - 96 Avenue/PID: 001-132-229, E1/2 of Lot 4, Sec.
32, Twp. 2, NWD, Plan 11968

APPLICANT: Jasdev S. Chahal, Perminder S. and Kuldip K. Sahota,
Jasbir S. and Amandeep K. Chahal, and
Gurpreet K. Chahal
c/o Gurdev S. Chahal
7670 - 144A Street
Surrey, B.C. V3S 9K8
c/o Barnett Dembek Architects (Dave Walls)
#202 - 12448 - 82 Avenue
Surrey, B.C. V3W 3E9

PROPOSAL: **By-law 15285**
To authorize the redesignation of the properties from Urban
(URB) to Multiple Residential (RM).

By-law 15286
To rezone the properties at 13516 and 13526 - 96 Avenue
and portions of 13536 and 13546 - 96 Avenue from "Single

Family Residential Zone (RF)" to "Comprehensive Development Zone (CD)".

Permitted Uses

The *Lands* and *structures* shall be used for *ground-oriented multiple unit residential buildings*.

The purpose of the rezoning and redesignation is to permit the development of 39, 3-storey townhouse units in Surrey City 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 were no persons present to object to the proposed rezoning application.

**5. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15283**

Rezoning Application: 7903-0366-00

ADDRESS: CIVIC/LEGAL
15412 - 84 Avenue/PID: 012-133-418, W1/2 Lot 9,
Sec. 26, Twp. 2, NWD, Plan 1362

APPLICANT: 408535 B.C. Ltd.
c/o Roger Jawanda and Bill Kruger
#101 - 9030 King George Highway
Surrey, B.C. V3V 7Y3; and
c/o Jaswant Mann
15230 - 84 Avenue
Surrey, B.C. V3S 2N1

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 ten 10 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 rezoning application.

**6. Surrey Semiahmoo Trail Heritage Designation
By-law, 2004, No. 15280**

ADDRESS: See Schedule B-Map of Designated Segments of Semiahmoo Trail

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

PROPOSAL: To establish a Heritage Designation By-law to protect the cultural, historical, natural and heritage value and character of the majority of Semiahmoo Trail between the Nicomekl River and 20 Avenue. The proposed bylaw sets out the lands and streets being designated, the alterations to the lands that can be undertaken with or without a Heritage Alteration Permit, exemptions from the Heritage Alteration Permit for such things as normal park and trail maintenance, street crossings and utilities.

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.

The Mayor noted that the following persons had indicated their support/opposition:

NAME	FOR	AGAINST	UNDECIDED
M. Mostowy	X		
F. Gibson	X		
B. Cryderman		X	

There was correspondence on table from H. Bateman, C. Caine, S. & J. Wright, R. Marnoch, B. Bury, R. Dowle, T. & N. Neilson, T. & B. Garvey, and W. Burns supporting the designation and from G. Bailey expressing concerns with respect to access.

Alistair Fraser, #64, 15055 - 20 Avenue, was in attendance and commented that he represents the "Friends of Semiahmoo Trail" organization. He continued that he supports the proposed application providing that additional segments of the Trail be designated as heritage. He added that the proposed by-law would protect the majority of the Semiahmoo Trail from the Nicomekl River to 20 Avenue and that the "Friends of Semiahmoo Trail" are appreciative of the priority placed on the proposed by-law and the efforts of the Surrey Heritage Advisory Commission. He stated that he applauds the objective of placing the Trail on the National Heritage Register.

He then noted that as a resident living in the area, he sees the benefit and value of the parklike setting, enhancing quality of life, by providing a wonderful trail for joggers, bicyclists, walkers, dog-walkers, and a refuge for birds and small

wildlife. He added that Semiahmoo Trail requires protection, and should be placed on the National Heritage register. He then thanked Engineering, Parks, Recreation and Culture Departments and the Surrey Heritage Advisory Commission. He also questioned the Semiahmoo Trail Design Standards which had been reviewed and supported by the Surrey Heritage Advisory Commission on September 17, 2003 and asked that a copy of the report be provided to the Friends of Semiahmoo Trail in order that they may provide input.

Terry Rolfe, 3145 Semiahmoo Trail, was in attendance and commented that she lives on the road portion closest to 32 Avenue and supports Council's long term plan to preserve the Trail so that area residents may continue to enjoy flowers, split rail fences and horses. She stated that they had seen many changes relative to new development, which seemed to be at odds to what was originally intended. She commented on the restrictions that no new development be made relative to access to the Trail and noted that she was told that there would be no further access to the Trail. She also related concerns with respect to excessive traffic flow, speeding traffic, and safety of children crossing the road to access the Semiahmoo Trail. She added that she seeks further information regarding the peripheral corridor and future access to the Trail. She raised concerns regarding increased traffic flow along 32 Avenue and requested "no parking" signage be installed.

Larry Ramsell, 14391 Crescent Road, was in attendance and commented that he had concerns relative to speeding traffic, protection of the salmon-bearing Elgin Creek, and preservation of heritage large evergreens and maple trees on his property. He noted that trees had been paint-marked on his property without permission and added that he opposed the proposed application.

He then made the suggestion that if the north side of Crescent Road is used for the Trail, the trees should be moved or replaced by mature trees. He also suggested that a box culvert be installed along Elgin Creek similar to that used on Chantrell Creek allowing for easier egress from his driveway. He continued that another suggestion would be to use the south side of Crescent Road toward Elgin Hall where the Trail could cross over Crescent Road, linking up with the trail from the dyke near the golf course.

Dan Wiens, 33110 Edgewood, Abbotsford, B.C. was in attendance and commented that he is the Project Manager for Parkland Homes and that he supports the City's goal for preservation of the Semiamoo Trail. He requested clarification relative to furthering pedestrian walkways along the Nicomekl River, down Elgin Road and along Crescent Road as there are some access problems. He stated that Crescent Road has heritage designation that poses concerns relative to poor site lines and vegetation retention. He added that he can't get access off Crescent Road, only from Elgin Road, which he understood would be open to traffic in the long term. He requested information regarding the Elgin sanitary pump.

Bernie Cryderman, 3167 Semiamoo Trail, was in attendance and commented that his property is 500 feet from the Trail and has one driveway. He stated that he had asked City staff regarding the potential subdivision of property and addition of another driveway and was told that all driveways would be closed along the Semiamoo Trail and that he could not subdivide. He added that he noted there are now 7 new driveways on properties along the Trail. He respectfully requested Council look at this by-law with the end of possibly putting in a clause that would make it clear that he is still allowed to use his property and build a garage. He added that there is a salmon-bearing stream on his property and that he needs another driveway to use his property. He reiterated his suggestion that Council consider adding a clause to this by-law that would protect homeowners that live along the Trail.

Barry Porter, 2878 Semiamoo Trail, was in attendance and commented that are 7 new homes being built nearing final stages of completion. He noted that the parking problem in the area would limit itself shortly as the new homes become occupied.

Pat Coffe, 2868 Semiamoo Trail, was in attendance and commented that he understood long term plans are to close the Trail and questioned why addresses were given along Semiamoo Trail. He questioned why the addresses were not given along the lane in behind the existing homes.

Barb Paton, 3417 - 148 Street, was in attendance and clarified a previous speaker's comments regarding access from the Trail to his property. She made the suggestion to stop the Trail at Elgin Elementary School.

C. COMMITTEE REPORTS

1. Public Art Advisory Committee - November 13, 2003

- (a) It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the minutes of the Public Art Advisory
Committee meeting held on November 13,2003, be received.

RES.R04-412

Carried

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

Surrey Museum Public Art Project

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council adopt the budget that would
result from combining the Surrey Museum public art allocation, the

Cloverdale Town Centre allocation and the Public Art Master Plan unallocated amount of \$6,500 for a total amount of \$54,400.

RES.R04-413 Carried

Artwork Donation from Muse Atelier

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the City accept the donation of the print from Muse Atelier that has been pulled from the copper plates that form the "Tree of Knowledge" sculpture at the Semiahmoo Library / RCMP District Office.

RES.R04-414 Carried

2. Public Art Advisory Committee - December 5, 2003

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the notes of the Public Art Advisory Committee meeting held on December 5, 2003, be received.

RES.R04-415 Carried

3. Public Art Advisory Committee - February 12, 2004

(a) It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the minutes of the Public Art Advisory Committee meeting held on February 12, 2004, be received.

RES.R04-416 Carried

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

Surrey Museum Public Art Project

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council endorse the Selection Panel recommendation that Jill Anholt be selected as the artist for Phase 1 of the Surrey Museum Public Art Project.

RES.R04-417 Carried

Public Art Master Plan 2004-2006

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council request the Interim General
Manager, Parks, Recreation & Culture to review the Public Art Master
Plan 2004 – 2006 and then forward to Council for approval.

RES.R04-418 Carried

4. Environmental Advisory Committee - January 21, 2004

It was Moved by Councillor Bose
Seconded by Councillor Watts
That the minutes of the Environmental
Advisory Committee meeting held on January 21, 2004, be received.

RES.R04-419 Carried

D. BOARD/COMMISSION REPORTS

1. Special Surrey Heritage Advisory Commission - February 19, 2004

It was Moved by Councillor Higginbotham
Seconded by Councillor Watts
That the notes of the Special Surrey
Heritage Advisory Commission meeting held on February 19, 2004, be received.

RES.R04-420 Carried

E. MAYOR'S REPORT

1. Proclamations

Mayor McCallum read the following proclamation:

(a) **KIDNEY MONTH**
March, 2004

WHEREAS The Kidney Foundation of Canada is a national volunteer
organization dedicated to improving the health and quality of life
of people living with kidney disease; and

WHEREAS the mandate of The Kidney Foundation is:

- to fund research and clinical education;

- to provide services for the special needs of individuals living with kidney disease;
- to advocate for access to high quality health care; and
- to actively promote awareness and commitment to organ donation; and

WHEREAS the March Drive is the major national fund raising campaign of The Kidney Foundation involving thousands of volunteers in a door-to-door solicitation of funds; and

WHEREAS the programs funded by the March Drive add to the quality of life of British Columbians who have or who will be touched in some way by kidney disease;

NOW, THEREFORE, BE IT RESOLVED that I, D.W. (Doug) McCallum, do hereby declare the month of March, 2004, as "KIDNEY FOUNDATION MONTH" in the City of Surrey.

Doug W. McCallum
Mayor

F. COUNCILLORS' REPORTS

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

G. CORPORATE REPORTS

1. The Corporate Reports, under date of February 23, 2004, were considered and dealt with as follows:

Item No. R031 Sale of City-Owned East Bridgeview Industrial Lands
South of 115 Avenue between Bridgeview Drive and
132 Street
File: 0910-40/62/63

The General Manager, Engineering submitted a report concerning the sale of City-owned East Bridgeview Industrial Lands.

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 Council approve:

- (a) the sale of the ±3.33 acre lot as serviced and the ±9.53 acre lot as unserviced, both located in the City's East Bridgeview industrial area, as shown on Appendix I, to the highest bidders; and
- (b) that up to a \$600,000 portion of land sale proceeds be set aside for future site preparation and servicing, as required for the continued development of the remaining City-owned East Bridgeview industrial lands.

RES.R04-421

Carried

Item No. R032 Proposed Sale of a Portion of City Land Located at
14652 - 105A Avenue
File: 0910-20/295

The General Manager, Engineering submitted a report concerning the proposed sale of a portion of City land located at 14652 - 105A Avenue.

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 Council accept the offer received to purchase a portion of the City land located at 14652 - 105A Avenue, subject to compliance with the notice provisions under Sections 26 and 94 of the *Community Charter*, SBC, 2003, Chap. 26.

RES.R04-422

Carried

Item No. R033 Road Closure at 88 Avenue and Kennedy Place
File: 7803-0153 (A); 5400-08

The General Manager, Engineering submitted a report concerning a road closure at 88 Avenue and Kennedy Place.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council authorize the City Clerk to bring
forward a By-law for consideration by Council to close and remove the dedication as
highway of a $\pm 64,463 \text{ ft.}^2$ ($\pm 5,989 \text{ m}^2$) opened portion of Kennedy Place at
88 Avenue.

RES.R04-423

Carried

Item No. R034 Groundwater & Soil Concerns Related to Developments
North of 64 Avenue, 140 Street to 142 Street
File: 7802-0104-00; 7802-0403-00

The General Manager, Engineering submitted a report concerning groundwater
and soil concerns related to developments north of 64 Avenue, 140 Street to
142 Street.

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

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

1. Receive this report; and
2. Instruct staff to ensure that the site servicing for each development
includes all the appropriate design and construction measures mentioned
in the groundwater and soil reports submitted by each applicant.

RES.R04-424

Carried

Note: See By-law Nos. 15236A, 15236B & 15237 under items H.15, H.16 &
H.17 of this agenda.

Item No. R035 DCC Credit for Polygon Development 148 Ltd.
File: 7802-0392-00; 3150-12

The General Manager, Engineering submitted a report concerning DCC credit for
Polygon Development 148 Ltd.

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 Council:

1. Approve the allocation of up to \$365,000 from the stormwater management component of the DCC funds for the design and construction of the Hyland Road storm system, between 150 Street and 152 Street, including associated utility relocations; and
2. Approve a credit of up to \$365,000 DCCs for the completion of this work as part of the Polygon townhouse development.

RES.R04-425

Carried

Item No. R036 Status Report on 2003 Capital Construction Program for Roads, Water, Sewer & Drainage
File: 0620-20 (CCP03); 5250-01

The General Manager, Engineering submitted a report to provide Council with a status report on the 2003 Capital Construction Program for roads, water, sewer, and drainage.

The General Manager, Engineering was recommending that the report be received for information.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Corporate Report R036 be received for
information.

RES.R04-426

Carried

Item No. R037 2004 Salmon Habitat & Restoration Program: "SHaRP"
File: 4804-905; 5250-20-48

The General Manager, Engineering submitted a report to apprise Council of the 2003 SHaRP program and seek authorization for the SHaRP program during the summer of 2004.

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:

1. Council authorize the 2004 SHaRP program for watershed stewardship and environmental enhancement activities to proceed with City funding to be set at \$200,000.
2. The City pursue Provincial and other external funding towards the 2004 SHaRP program.
3. Dillon Consulting Ltd. be hired to manage the 2004 SHaRP program, in the amount of \$60,000 excluding GST.
4. A copy of this report be forwarded to Surrey's MLA's, MP's and the Ministry of Water, Land & Air Protection (MWLAP).

RES.R04-427

Carried

Item No. R038 Contract Award M.S. 1204-001 -
 Sandpiper Contracting Ltd.
 File: 1204-001/11; 5250-20-12

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1204-001 to Sandpiper Contraction Ltd. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount Announced at Opening With GST</i>	<i>Corrected Tender Amount With GST</i>
1. Sandpiper Contracting Ltd.	\$1,342,716.25	No Change
2. LUPS Contractors Ltd.	1,507,068.79	\$1,517,768.79
3. B. Cusano Contracting Inc.	1,695,950.00	No Change
4. Ponte Bros. Contracting Ltd.	1,760,210.99	\$1,804,294.99
5. TAG Construction Ltd.	1,915,835.00	No Change

The Engineer's pre-tender estimate was \$1,502,000, including GST.

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. 1204-001 be awarded to
 the low bidder, Sandpiper Contracting Ltd., in the amount of \$1,342,716.25
 including GST.

RES.R04-428

Carried

Item No. R039 Allstream - Municipal Access Agreement
File: 5450-30 (Allstream)

The General Manager, Engineering submitted a report concerning the Allstream - Municipal Access Agreement.

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 Council authorize the execution of an agreement with Allstream Corp. ("Allstream") granting Allstream a 5-year, non-exclusive right to install telecommunications infrastructure within the Yale Road, West Whalley Ring Road, 102 Avenue and 140 Street rights-of-way.

RES.R04-429

Carried

Councillor Bose left the meeting at 8:50 p.m. due to a potential conflict of interest as his family owns property in the area.

Item No. R040 Bell Mobility - Municipal Access Agreement
File: 5450-30 (Bell)

The General Manager, Engineering submitted a report concerning Bell Mobility Municipal Access Agreement.

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

It was Moved by Councillor Hunt
Seconded by Councillor Villeneuve
That Council authorize the execution of an agreement with Bell Mobility Inc. ("Bell Mobility") granting Bell Mobility a 5-year, non-exclusive right to install telecommunications infrastructure within the 64 Avenue road right-of-way near the Serpentine River bridge.

RES.R04-430

Carried

Councillor Bose returned to the meeting at 8:52 p.m.

Item No. R041 Contract Award - M.S. 1704-004-21:
Aggressive Roadbuilders Ltd.
File: 1704-004/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-004-21. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. Aggressive Roadbuilders Ltd.	\$2,258,346.28
2. Winvan Paving Ltd.	\$2,378,269.47
3. Jack Cewe Ltd.	\$2,400,003.58
4. TAG Construction Ltd.	\$2,933,308.70

The Engineer's pre-tender estimate was \$2,374,000 including GST.

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 Contract M.S. 1704-004-21 be awarded
 to the low bidder, Aggressive Roadbuilders Ltd., in the amount of \$2,258,346.28,
 including GST.

RES.R04-431

Carried

Item No. R042 The Surrey Home Ownership Assistance Program -
 Status Report and Proposed Funding Allocation for 2004
 File: 4815-20

The General Manager, Planning & Development submitted a report to:

1. Advise Council of the results of the Program for the year 2003;
2. Obtain Council authorization for funding of \$450,000 for the continuation of the Program in 2004; and
3. Obtain Council authorization for staff to negotiate a new agreement with the GVHC for administering the Program in 2004.

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. Authorize funding in the amount of \$450,000 for the Home Ownership Assistance Program (the "Program") for the year 2004, which is the second year of the three year extension to the Program approved by Council in early 2003;

3. Authorize staff to negotiate a new administration agreement with the Greater Vancouver Housing Corporation ("GVHC") for the 2004 Program year; and
4. Authorize the City Clerk to bring forward the necessary expenditure by-law for the required readings.

RES.R04-432

Carried**H. BY-LAWS**

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15282"

7903-0461-00 - Persepolis Builders Ltd., c/o Lubor Trubka Associates Architects
(Lubor Trubka)

CD (BL 12938) to CD (BL 12000) - 14836 - 33 Avenue - to permit the development of an approximately 4,831.5 m² (52,000 sq.ft.) retail shopping centre.

Approved by Council: February 9, 2004

Note: See Development Variance Permit 7903-0461-00 under Clerk's Report Item I.1(a) of this agenda.

It was

Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15282" pass its third reading.

RES.R04-433

Carried

Council requested that the concerns raised at the Public Hearing be addressed prior to final adoption.

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15284"

7903-0352-00 - Rosemary Developments Ltd., c/o Lisa Balsor

CD (BL 14386) to RF-12 (BL 12000) - 15323 - 34 Avenue - to allow subdivision into 5 single family lots.

Approved by Council: February 9, 2004

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15284" pass its third reading.
Carried

RES.R04-434

- 3. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 93 Amendment By-law, 2004, No. 15289"

7903-0293-00 - Roger and Alice Olson, Patricia Michaelsen, Vincenzo Ferraro and Kathleen Anderson, Carole and Randolph Hall, John Kuhn, Grace Park, c/o Richard Coulter, 636237 B.C. Ltd and c/o Ankenman Associates (Mark Ankenman)

To authorize the redesignation of the properties located at 15360, 15370, 15380, 15390 - 24 Avenue, 2371 - 154 Street, 2370 - 153A Street from Urban (URB) to Commercial (COM).

Approved by Council: February 9, 2004

This by-law is proceeding in conjunction with By-law 15290.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 93 Amendment By-law, 2004, No. 15289" pass its third reading.

RES.R04-435

Carried

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15290"

7903-0293-00 - Roger and Alice Olson, Patricia Michaelsen, Vincenzo Ferraro and Kathleen Anderson, Carole and Randolph Hall, John Kuhn, Grace Park, c/o Richard Coulter, 636237 B.C. Ltd and c/o Ankenman Associates (Mark Ankenman)

RF and CHI (BL 12000) to C-8 (BL 12000) - 15360, 15370, 15380, 15390 - 24 Avenue, 2371 - 154 Street, 2370 - 153A Street - to permit the development of a two-storey 2,908 m² (31,300 sq.ft.) commercial building.

Approved by Council: February 9, 2004

This by-law is proceeding in conjunction with By-law 15289.

Note: See Development Variance Permit 7903-0293-00 under Clerk's Report Item I.1(b) of this agenda.

Councillor Villeneuve requested staff address concerns raised at the public hearing relative to traffic calming on 153A Street, and traffic concerns with respect to traffic on 24 Avenue prior to final adoption.

RES.R04-436	It was No. 12000, Amendment By-law, 2004, No. 15290" pass its third reading. <u>Carried</u>	Moved by Councillor Hunt Seconded by Councillor Steele That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15290" pass its third reading. <u>Carried</u>
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- 4. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 92 Amendment By-law, 2004, No. 15285"

7903-0369-00 - Jasdev Chahal, Perminder and Kuldip Sahota, Jasbir and Amandeep Chahal, Gurpreet Chahal, c/o Gurdev Chahal and c/o Barnett Dembek Architects (Dave Walls)

To authorize the redesignation of the properties located at 13516, 13526, 13536, and 13546 - 96 Avenue from Urban (URB) to Multiple Residential (RM).

Approved by Council: February 9, 2004

This by-law is proceeding in conjunction with By-law 15286.

RES.R04-437	It was By-law, 1996, No. 12900, No. 92 Amendment By-law, 2004, No. 15285" pass its third reading. <u>Carried</u>	Moved by Councillor Hunt Seconded by Councillor Steele That "Surrey Official Community Plan By-law, 1996, No. 12900, No. 92 Amendment By-law, 2004, No. 15285" pass its third reading. <u>Carried</u>
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"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15286"

7903-0369-00 - Jasdev Chahal, Perminder and Kuldip Sahota, Jasbir and Amandeep Chahal, Gurpreet Chahal, c/o Gurdev Chahal and c/o Barnett Dembek Architects (Dave Walls)

RF (BL 12000) to CD (BL 12000) - 13516 and 13526 - 96 Avenue, Portions of 13536 and 13546 - 96 Avenue - to permit the development of 39, 3-storey townhouse units in Surrey City Centre.

Approved by Council: February 9, 2004

This by-law is proceeding in conjunction with By-law 15285.

RES.R04-438	<p>It was</p> <p>No. 12000, Amendment By-law, 2004, No. 15286" pass its third reading.</p> <p><u>Carried</u></p>	<p>Moved by Councillor Hunt</p> <p>Seconded by Councillor Steele</p> <p>That "Surrey Zoning By-law, 1993,</p>
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5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15283"
 - 7903-0366-00 - 408535 B.C. Ltd., c/o Roger Jawanda/Bill Kruger and
c/o Jaswant Mann

RA (BL 12000) to RF (BL 12000) - 15412 - 84 Avenue - to allow
subdivision into approximately ten (10) single family lots.

Approved by Council: February 9, 2004

RES.R04-439	<p>It was</p> <p>No. 12000, Amendment By-law, 2004, No. 15283" pass its third reading.</p> <p><u>Carried</u></p>	<p>Moved by Councillor Hunt</p> <p>Seconded by Councillor Steele</p> <p>That "Surrey Zoning By-law, 1993,</p>
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6. "Surrey Semiahmoo Trail Heritage Designation By-law, 2004, No. 15280"
 - 3900-20-15280/6800-20 (Semiahmoo Trail) - Council Initiative

To introduce a Heritage Designation By-law for the Semiahmoo Trail to protect
the majority of Semiahmoo Trail between the Nicomekl River and 20 Avenue.

Approved by Council: To be approved
Corporate Report Item No. R020

RES.R04-440	<p>It was</p> <p>Designation By-law, 2004, No. 15280" pass its third reading.</p> <p><u>Carried</u></p>	<p>Moved by Councillor Hunt</p> <p>Seconded by Councillor Steele</p> <p>That "Surrey Semiahmoo Trail Heritage</p>
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Councillor Villeneuve requested staff address the concerns raised at the public
hearing and report back to Council.

FINAL ADOPTIONS

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

Grant Rice, 10378 - 125A Street, was in attendance and commented that the proposed partial closure of the lane would present a major inconvenience to area residents, in particular, children walking to and from school. He further discussed concerns relative to cutting down trees in the area, setbacks, and the developer's agreement regarding land exchange. He requested the building height for the proposed development, and noted that the building would block natural sunlight. He noted that the pathway is used by area residents to access the waterfront and taking away that part of the community for a subdivision would go against community planning.

It was

Moved by Councillor Hunt

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" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-441

Carried with Councillors Villeneuve and Bose against.

8. "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: February 9, 2004
Corporate Report Item No. R026

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Highway and Traffic By-law, 1997,
 No. 13007, Amendment By-law, 2004, No. 15288" be finally adopted, signed by
 the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-442 Carried

9. "Surrey Development Cost Charge By-law, 2002, No. 14650, Amendment
 By-law, 2004, No. 15276"

3900-20-15276 - Regulatory By-law Text Amendment

"Surrey Development Cost Charge By-law, 2002, No. 14650", as amended is
 further amended in Section 2 by inserting new definitions of Assisted Living
 Residence, Person with Disability, and Qualified Occupant, and amending
 Schedule B. These amendments are necessary to include a new DCC rate for
 Assisted Living Residences in the RM-45, RM-70, RM-135 and RM-150 zones
 located outside the City Centre.

Approved by Council: January 26, 2004
 Corporate Report Item No. R012

- * Council is advised that the Deputy Inspector of Municipalities of the Province of
 British Columbia has approved By-law 15276 (see letter dated February 10, 2004
 in by-law back-up), therefore Final Adoption is in order for consideration.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Development Cost Charge
 By-law, 2002, No. 14650, Amendment By-law, 2004, No. 15276" be finally
 adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.
 RES.R04-443 Carried

INTRODUCTIONS

10. "Surrey Close and Remove the Dedication of Highway of a Portion of Lane at
 72 Avenue and 128 Street By-law, 2004, No. 15255"

3900-20-15255/1799-302 - Council Initiative

A By-law to authorize the closure and removal of dedication of highway of
 534 square metres of lane at 72 Avenue and 128 Street. This closure is intended
 to facilitate an increase in the size of the school site located at 12870 - 72 Avenue.
 In accordance with the *Community Charter*, S.B.C. 2003, c.26, the disposition of
 the lane will be considered by City Council at a later date.

Approved by Council: February 9, 2004

Corporate Report Item No. R024

- * At the September 8, 2003 Regular Council-Public Hearing meeting, Council approved Corporate Report R184 to proceed with a road exchange by-law at 72 Avenue and 128 Street. After consultation with Legal Services, the procedures under the *Community Charter* apply and road exchange by-laws are no longer applicable. It is therefore in order that Council rescind Resolution R03-2244 approving Corporate Report No. R184 and proceed with by-law introduction via Corporate Report R024 approved February 9, 2004.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council rescind Resolution R03-2244
of the September 8, 2003 Regular Council-Public Hearing Minutes approving
Corporate Report R184.

RES.R04-444

Carried

Note: Council is advised that the area of road to be closed, as approved under Corporate Report Item No. R024, was based on a preliminary survey. The final survey indicates an increase in the area to be closed from 533 sq.m. to 534 sq.m.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Lane at 72 Avenue and 128 Street By-law,
2004, No. 15255" pass its first reading.

RES.R04-445

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Lane at 72 Avenue and 128 Street By-law,
2004, No. 15255" pass its second reading.

RES.R04-446

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Lane at 72 Avenue and 128 Street By-law,
2004, No. 15255" pass its third reading.

RES.R04-447

Carried

11. "Surrey Close and Remove the Dedication of Highway of a Portion of Roxburgh Road at Wellington Drive By-law, 2004, No. 15256"

3900-20-15256/7997-0154 - Council Initiative

A By-law to authorize the closure and removal of dedication of highway of 192 square metres of Roxburgh Road at Wellington Drive. This closure is intended to facilitate a proposed eight lot single family residential subdivision. In accordance with the *Community Charter*, S.B.C. 2003, c.26, the disposition of the road to the developer will be considered by City Council at a later date.

Approved by Council: February 9, 2004
Corporate Report Item No. R025

- * At the December 15, 2003 Regular Council-Public Hearing meeting, Council approved Corporate Report R259 to proceed with a road exchange by-law at Roxburgh Road and Wellington Drive. After consultation with Legal Services, the procedures under the *Community Charter* apply and road exchange by-laws are no longer applicable. It is therefore in order that Council rescind Resolution R03-3305 approving Corporate Report No. R259 and proceed with by-law introduction via Corporate Report R025 approved February 9, 2004.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council rescind Resolution R03-3305
of the December 15, 2003 Regular Council-Public Hearing Minutes approving
Corporate Report R259.

RES.R04-448

Carried

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Roxburgh Road at Wellington Drive
By-law, 2004, No. 15256" pass its first reading.

RES.R04-449

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Roxburgh Road at Wellington Drive
By-law, 2004, No. 15256" pass its second reading.

RES.R04-450

Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Close and Remove the
 Dedication of Highway of a Portion of Roxburgh Road at Wellington Drive
 By-law, 2004, No. 15256" pass its third reading.
 RES.R04-451 Carried

12. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 94 Amendment
 By-law, 2004, No. 15291"

3900-20-15291/6440-01/3900-20/12900 - Council Initiative

8068, 8084, 8110, 8142 - 120A Street, 8115 and 8139 - 121A Street,
 12120 - 82 Avenue, 12101 - 80 Avenue, Portion of 8060 - 121A Street, Portion of
 12110 - 80 Avenue (also known as 12130/12160 - 80 Avenue), Portion of
 7955 - 122 Street

To authorize the redesignation of the properties from Commercial (COM) to
 Multiple Residential (RM).

Approved by Council: April 17, 2003
 Corporate Report Item No. C009

- * Council is requested to pass a resolution to waive the public hearing notice
 requirement (Section 892(4) of the *Local Government Act*) pursuant to
 Section 892(7) as follows: "Subsection (4) does not apply if 10 or more parcels
 owned by 10 or more persons are the subject of the by-law alteration". The
 property owners and occupants only will be notified accordingly.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council waive the public hearing
 notice requirement per Section 892(7) of the *Local Government Act*.
 RES.R04-452 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 94 Amendment By-law, 2004, No. 15291" pass its
 first reading.
 RES.R04-453 Carried with Councillor Bose against.

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 94 Amendment By-law, 2004, No. 15291" pass its
second reading.

RES.R04-454 Carried with Councillor Bose against.

It was then Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Public Hearing on "Surrey Official
Community Plan By-law, 1996, No. 12900, No. 94 Amendment By-law, 2004,
No. 15291" be held at the City Hall on March 22, 2004, at 7:00 p.m.

RES.R04-455 Carried

13. "Surrey Close and Remove the Dedication of Highway of a Portion of Lane at
134A Street between 63 Avenue and 64 Avenue By-law, 2004, No. 15292"

3900-20-15292/7803-0175-00 - Council Initiative

A By-law to authorize the closure and removal of dedication of highway of
54 square metres of unopened lane at 134A Street between 63 Avenue and
64 Avenue. This closure is intended to facilitate a proposed six lot 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. R010

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Lane at 134A Street between 63 Avenue
and 64 Avenue By-law, 2004, No. 15292" pass its first reading.

RES.R04-456 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of Lane at 134A Street between 63 Avenue
and 64 Avenue By-law, 2004, No. 15292" pass its second reading.

RES.R04-457 Carried

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

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Close and Remove the
 Dedication of Highway of a Portion of Lane at 134A Street between 63 Avenue
 and 64 Avenue By-law, 2004, No. 15292" pass its third reading.

RES.R04-458 Carried

MISCELLANEOUS

14. "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

- * By-law 15257 was adopted by Council at the February 9, 2004 Regular Council-
 Public Hearing meeting, however, the by-law contained an error in the description
 of road, referencing Street instead of Avenue. It is therefore in order for Council
 to rescind Final Adoption, and amend the by-law as follows:

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council rescind Resolution R04-338 of
 the February 9, 2004 Regular Council-Public Hearing Minutes passing Final
 Adoption of "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".

RES.R04-459 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Council amend "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" in Section 1. by deleting
 the words "114 Street, 114A Street" and inserting "114 Avenue, 114A Avenue".

RES.R04-460 Carried

15. "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.

Note: This By-law will be in order for consideration of Third Reading, should Council approve the recommendations of Corporate Report Item No. R034 of this Agenda.

- * At the January 26, 2004 Regular Council-Public hearing meeting, Council passed the following resolution:

"That the application be referred to Engineering for a report to Council, in layman's terms, on the issues raised at the Public Hearing."

In response, the Engineering Department has submitted a report to be presented at the February 23, 2004 Regular Council-Public Hearing meeting.

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That "Surrey Zoning By-law, 1993,

No. 12000, Amendment By-law, 2003, No. 15236A" pass its third reading.

Carried with Councillor Bose against.

RES.R04-461

16. 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.

Note: This By-law will be in order for consideration of Third Reading, should Council approve the recommendations of Corporate Report Item No. R034 of this Agenda.

* At the January 26, 2004 Regular Council-Public hearing meeting, Council passed the following resolution:

"That the application be referred to Engineering for a report to Council, in layman's terms, on the issues raised at the Public Hearing."

In response, the Engineering Department has submitted a report to be presented at the February 23, 2004 Regular Council-Public Hearing meeting.

RES.R04-462	It was No. 12000, Amendment By-law, 2003, No. 15236B" pass its third reading. <u>Carried</u>	Moved by Councillor Hunt Seconded by Councillor Watts That Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15236B" pass its third reading. <u>Carried</u>
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17. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15237"

7902-0403-00 - 471691 B.C. Ltd.

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.

Note: This By-law will be in order for consideration of Third Reading, should Council approve the recommendations of Corporate Report Item No. R034 of this Agenda.

* At the January 26, 2004 Regular Council-Public hearing meeting, Council passed the following resolution:

"That the application be referred to Engineering for a report to Council, in layman's terms, on the issues raised at the Public Hearing."

In response, the Engineering Department has submitted a report to be presented at the February 23, 2004 Regular Council-Public Hearing meeting.

It was
 No. 12000, Amendment By-law, 2003, No. 15237" pass its third reading.
 RES.R04-463

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That "Surrey Zoning By-law, 1993,
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. 7903-0461-00**
Persepolis Builders Ltd.
c/o Lubor Trubka Associates Architects (Lubor Trubka)
 14836 - 33 Avenue (also shown as 3288 - 148 Street)

To permit one (1) fascia sign on the west elevation of Building A (as shown on Schedule A) which is not the lot frontage or premise frontage, and to permit one (1) fascia sign on the west elevation of Building D (as shown on Schedule A) which is not the lot frontage or premise frontage, to permit the development of an approximately 4,831.5m² (52,000 sq. ft.) retail shopping centre.

Note: See By-law No. 15282, under H.1 of this agenda.

It was
 No. 7903-0461-00 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.R04-464

Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Development Variance Permit
Carried

- (b) **Development Variance Permit No. 7903-0293-00**
Grace Park, Patricia Michaelsen, Roger and Alice Olson, Carole and Randolph Hall, John Kuhn, Vincenzo Ferraro and Kathleen Anderson
c/o 636237 B.C. Ltd. (Richard Coulter) and c/o Ankenman Associates (Mark Ankenman)
 15360, 15370, 15380 & 15390 - 24 Avenue, 2371 - 154 Street and 2370 - 153A Street

To relax requirements as follows:

- (a) To reduce the required number of off-street parking spaces from 80 to 76;
- (b) To reduce the minimum front (153A and 154 Street) yard setback from 7.5 metres (25 ft.) to 2 metres (6.6 ft.); and
- (c) To reduce the minimum side (24 Avenue) yard setback from 7.5 metres (25 ft.) to 2 metres (6.6 ft.) for the main floor and 0 m (0 ft.) for the second floor.

To permit the development of a two-storey 2,908m² (31,300 sq. ft.) commercial building.

Note: See By-law No. 15290, under item H.3 of this agenda.

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That Development Variance Permit
 No. 7903-0293-00 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.R04-465

Carried

- (c) **Development Variance Permit No. 7903-0459-00**
642697 B.C. Ltd.
c/o Dave Mann
 6272 - 167B Street

To permit driveway access from the fronting street, rather than restricting access from the abutting lane to permit the development of a single family dwelling.

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

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That Development Variance Permit
 No. 7903-0459-00 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.R04-466

Carried

- (d) **Development Variance Permit No. 7904-0031-00**
642697 B.C. Ltd.
c/o Henry Yong
 6136 - 167B Street

To permit driveway access from the fronting street to permit the development of a single family dwelling.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Development Variance Permit
 No. 7904-0031-00 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.R04-467

Carried

2. Delegation Requests

- (a) **Sukhpreet Singh Heir, Secretary**
Gurdwara Sahib Dasmesh Darbar
 File: 0330-20; 0550-20-10

Requesting to appear before Council to make a formal presentation regarding the Festival of Vaisakhi.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Sukhpreet Singh Heir, Secretary,
 Gurdwara Sahib Dasmesh Darbar be heard as a delegation at Council-in-Committee.

RES.R04-468

Carried

- (b) **Deb Jack, Co-Chair**
Surrey Environmental Partners
 File: 5280-01; 0550-20-10

Requesting to appear before Council in April to make a presentation regarding LEED (Leadership in Energy and Environmental Design) Green Building Rating System, and the impact this international program can have on the preservation and incorporation of greenspace in the development of Surrey.

RES.R04-469
 It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Deb Jack, Co-Chair, Surrey
 Environmental Partners be heard as a delegation at Council-in-Committee.
Carried

- (c) **Al Kersey, Project Director**
2004 Optimist International U-18 Curling Championship
 File: 0550-20-10

Requesting to appear before Council to make a presentation regarding the 2004 Optimist International U-18 Curling Championship and the potential community impact.

RES.R04-470
 It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Al Kersey, Project Director, 2004
 Optimist International U-18 Curling Championship be heard as a
 delegation at Council-in-Committee.
Carried

- (d) **Liz Walker**
Sullivan Heights Secondary PAC
 File: 7903-0323-00; 5450-01; 0550-20-10

Requesting to appear before Council to express concerns and respond to questions Council may have regarding the application by Bell Mobility to construct a communication pole with 2 antennae within 300m of Sullivan Heights Secondary.

RES.R04-471
 It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Liz Walker, Sullivan Heights
 Secondary PAC be heard as a delegation at the March 1, 2004 Regular
 Council - Land Use meeting.
Carried

J. CORRESPONDENCE

CITY CLERK'S REPORT TO COUNCIL ON CORRESPONDENCE ITEMS

ACTION ITEMS

- Letter dated February 9, 2004 from **George Heyman, President, BC Government & Service Employees' Union (BCGEU)**, asking Council to

adopt the following resolution with respect to the severe provincial funding cuts to community social services and the devastating impact this is having on families in our community:

"WHEREAS community social services are vital to the health and well-being of thousands of British Columbians, especially women, people with disabilities, children and families in need, and the most vulnerable people in our society; and

WHEREAS these critical services are dependent on adequate funding by the provincial government; and

WHEREAS the provincial government has already cut \$100 million from the community social services sector since 2001, and plans to cut at least \$70 million more before March 31 of this year; and

WHEREAS these cuts are having a devastating impact on families and communities;

THEREFORE BE IT RESOLVED Council send a letter to the BC government calling on Premier Gordon Campbell, Finance Minister Gary Collins, and Minister of Children & Family Development Christy Clark, to put on hold any further cuts to community social service funding in the upcoming 2004/2005 budget, and to make every effort to restore program funding to the pre-2001 level.
File: 2710-01

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the letter dated February 9, 2004 from
George Heyman, President, BC Government & Service Employees' Union
(BCGEU) be received.

RES.R04-472

Carried

2. Letter dated January 28, 2004 from **Mayor John Lefebure, District of North Cowichan**, advising that at the January 21, 2004 regular meeting, the Municipal Council of the District of North Cowichan passed the following resolution with respect to BC Hydro - Proposed Rate Increase, and hoping Council will take their concerns into consideration:

"THAT Council direct the Mayor to write to the BC Utilities Commission, with a copy to BC Hydro and other BC municipalities, expressing concern over the proposed large single jump in hydro rates; and

FURTHER, THAT Council suggest a gradual increase of approximately 2% per year over 4-years."

File: 5500-04-01; 0480-20

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the letter dated January 28, 2004 from
Mayor John Lefebure, District of North Cowichan, be received.
RES.R04-473 Carried

3. Letter dated February 12, 2004 from **Gary Kroeker, President, British Columbia & Yukon Territory, Building & Construction Trades Council (BCYT-BCTC)**, advising that at their February 2, 2004 monthly meeting, their executive board members unanimously passed a motion to support TransLink's Ten Year Transportation Outlook, and are urging Council's support of the Ten Year Transportation Outlook and Three Year Financial Strategy.
File: 0450-20

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the letter dated February 12, 2004 from
Gary Kroeker, President, British Columbia & Yukon Territory, Building &
Construction Trades Council (BCYT-BCTC), be received.
RES.R04-474 Carried

K. NOTICE OF MOTION

Councillor Villeneuve made the following Notice of Motion:

THAT application No. 7903-0357-00 be renewed and if the majority of Council approves renewing the application;

THAT Resolution No. R04-236 from the January 26, 2004 Regular Council Public Hearing and Resolution No. R04-348 from the February 9, 2004 Regular Council Public Hearing be rescinded;

AND THAT if the majority of Council approves rescinding the above motions;

THAT a motion be made recommending to the Liquor Licensing Branch that the 70 seat patio be approved.

L. ANY OTHER COMPETENT BUSINESS

M. ADJOURNMENT

It was

Moved by Councillor Hunt
Seconded by Councillor Watts
That the Regular Council - Public Hearing

meeting do now adjourn.

RES.R04-475

Carried

The Regular Council- Public Hearing adjourned at 9:22 p.m.

Certified correct:



City Clerk



Mayor