



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, APRIL 19, 2004
Time: 7:00 p.m.

Present:

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

Absent:

Councillor Watts
Councillor Hunt

Staff Present:

City Manager
City Clerk
General Manager, Planning & Development
General Manager, Engineering
General Manager, Finance, Technology & HR
Manager, Area Planning & Development Division
Manager, North Surrey Section
Manager, South Surrey Section

Councillors Entering Meeting as Indicated:

A. ADOPTION OF MINUTES

1. Special (Regular) Council - April 5, 2004

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the minutes of the Special (Regular)
Council meeting held on April 5, 2004, be adopted.

RES.R04-997 Carried

2. Council-in-Committee - April 5, 2004

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the minutes of the
Council-in-Committee meeting held on April 5, 2004, be received.

RES.R04-998 Carried

3. Regular Council - Land Use - April 5, 2004

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the minutes of the Regular Council –
Land Use meeting held on April 5, 2004, be adopted.

RES.R04-999 Carried

4. Regular Council - Public Hearing - April 5, 2004

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the minutes of the Regular Council -
Public Hearing meeting held on April 5, 2004, be adopted.

RES.R04-1000

Carried**B. DELGATIONS - PUBLIC HEARING****1. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15346****Rezoning Application: 7903-0271-00**

ADDRESS: **CIVIC/LEGAL**
13427 - 111A Avenue/PID: 009-546-987, Lot 125, Sec. 15,
B5N, R2W, NWD, Plan 20787
13453 - 111A Avenue/PID: 004-750-462, Lot 98, Sec. 15,
B5N, R2W, NWD, Plan 16243
13475 - 111A Avenue/PID: 000-440-965, Lot 87, Sec. 15,
B5N, R2W, NWD, Plan 15061
13476 - 112 Avenue/PID: 010-046-950, Lot 86, Sec. 15,
B5N, R2W, NWD, Plan 15061

APPLICANT: Cherington Intercare Inc.
c/o Richard Balfour
2638 W. 14th Avenue
Vancouver, B.C. V6K 2W9

PROPOSAL: To rezone the property at 13427 -111A Avenue from
"Single Family Residential Zone (RF)" to "Special Care
Housing 2 Zone (RMS-2)" and rezone the properties at
13453 - 111A, 13475 - 111A Avenue and
13476 - 112 Avenue from "Special Care Housing 1 Zone
(RMS-1)" to "Special Care Housing 2 Zone (RMS-2)".

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law, 1993, No. 12000", as
amended, Part 29, Section F, and Table C.4, Section C.1, as
follows:

- (a) To reduce the minimum north yard setback from
7.5 metres (25 ft.) to 4.0 metres (13 ft.);
- (b) To reduce the minimum south yard setback from
7.5 metres (25 ft.) to 5.5 metres (18 ft.);

- (c) To reduce the minimum west yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.); and
- (d) To reduce the required on-site parking spaces from 100 to 65.

The purpose of the rezoning and development variance permit is to permit the expansion of the existing care facility in Surrey City Centre.

Permitted Uses

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

1. *Care facilities.*
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 operation of the *care facility*.
3. *Accessory uses* including the following:
 - (a) *Personal service uses*, limited to barbershops and hair salons;
 - (b) *Child care centres*;
 - (c) Office uses limited to physical and mental health services on an out-patient basis, medical and dental offices, health clinics and counselling services, but excluding *methadone clinics*;
 - (d) *Eating establishment* provided that the seating capacity shall not exceed 35 and the said *eating establishment* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended; and
 - (e) *Convenience store*.

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 M. Rector and F. Ashford had registered opposition to the proposed rezoning application and not wishing to speak.

Patricia Green, 13460 - 111A Avenue was in attendance, indicated her opposition to the proposed application, and commented that she had concerns relative to adequate parking, safety of children, and potential loss of view from her home.

Dennis Guiotto, 11145 Bolivar Crescent was in attendance and commented that the proposed project would result in the loss of the view from his property and that he was opposed to the rezoning application.

**2. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15341**

Rezoning Application: 7903-0361-00

ADDRESS: CIVIC/LEGAL
13685 - 64 Avenue/PID: 016-131-878, Lot 2, Sec. 16,
Twp. 2, NWD, Plan 85732
13721 - 64 Avenue/PID: 010-685-201, W.150 ft., Lot 33,
SW1/4, Sec. 16, Twp. 2, NWD, Plan 2163
13735 - 64 Avenue/PID: 008-694-451, Westerly Portion
Lot "A", Except: S.7 ft. (Ref. Plan 33166), Sec. 16, Twp. 2,
NWD, Plan 20214
13751 - 64 Avenue/PID: 008-694-478, Pcl. "One"
(N14002E), Lot "A", Sec. 16, Twp. 2, NWD, Plan 20214
13779 - 64 Avenue/PID: 007-791-631, Lot "B", Sec. 16,
Twp. 2, NWD, Plan 20214

APPLICANT: 2681323 Enterprises Ltd.
c/o McElhanney Consulting Ltd. (James Pernu)
13160 - 88 Avenue
Surrey, B.C. V3W 3K3

PROPOSAL: To rezone the property at 13685 - 64 Avenue from "Single Family Residential Zone (RF)" and "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

To rezone the properties at 13721, 13735, 13751 and 13779 - 64 Avenue from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

The purpose of the rezoning is to allow subdivision into approximately 43 single family residential small lots ranging in size from 320m² (3,445 sq.ft) to 522m² (5,619 sq.ft.).

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 B. LeDrew, K. and M. Johnson, J.K. Hannah, C. Ma, and a 28-signature petition expressing opposition and concerns relative to increased traffic, drainage issues, and illegal suites with respect to the proposed rezoning application.

The Mayor noted that the following persons had expressed an opinion in writing and not wishing to speak:

NAME	FOR	AGAINST	UNDECIDED
D. Bremner		X	
W. Williams		X	
J. Williams		X	
J. Gill	X		
J. Sivia	X		
A. Schmidt			X
H. Mulek		X	
J. Ozanich		X	
K. Bates		X	
E. Folk		X	
F. Nielsen		X	
M. Johannes		X	
L. Nielsen		X	
C. Blackwell		X	
K. Blackwell		X	
D. Popil		X	
P. Davis		X	
A. Grewal	X		
J. Hannah		X	
I. Minmas	X		
H. Kaler	X		
J. Crimeni		X	
R. Enman		X	
A. Burnett		X	
H. Deol	X		
B. Sibia	X		
P. Bath	X		
P. Cheema	X		

Ken Borrie, 13865 - 65 Avenue was in attendance and commented that he had concerns regarding increased traffic along 64 Avenue due to the addition of extra 43 units, increased traffic accidents, pedestrian and school children safety, egress and ingress points along 138 Street, basement suites, lack of walkways, and lack of traffic lights at 138 Street and 64 Avenue. He indicated that he was opposed to the proposed application.

Cindy Davis, 13845 - 65 Avenue was in attendance and commented that she had concerns regarding lot size, safety of children, salmon-bearing Hyland Creek, lack of greenbelts, preservation of trees, and overload on area school populations. She indicated her opposition to the proposed application.

Dave Popil, 30 - 6537 - 138 Street was in attendance and commented that he had concerns regarding safety of children and seniors, ingress and egress points,

secondary suites, water quality, and expressed opposition to the proposed rezoning application.

Janis Crimeni, 6505 - 138 Street was in attendance and commented that she had concerns regarding increased traffic, lack of synchronization in street lights, in particular left turns, increased numbers of townhouse projects in the area, pedestrian safety, higher density and smaller lot sizes, and lack of sidewalks.

Arlene Burnett, 13809 - 65 Avenue was in attendance and commented that she had concerns regarding increased traffic, egress and ingress points along 138 Street, construction vehicles, capacity of schools, sewer system upgrades, and emergency services.

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15344**

Rezoning Application: 7904-0052-00

ADDRESS: CIVIC/LEGAL
12905 - 80 Avenue/PID: 025-498-029, Lot 1, Sec. 29,
Twp. 2, NWD, Plan BCP1396

APPLICANT: Mainland Demo Contracting Ltd.
c/o Joe Dhaliwal
#305 - 9288 - 120 Street
Surrey, B.C. V3V 4B8

PROPOSAL: To rezone the property from "Comprehensive Development Zone (CD) (By-law 14926)" to "Comprehensive Development Zone (CD)".

The purpose of the rezoning is to allow the development of a multiple phase business park with some commercial uses over the entire site.

Permitted Uses

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

1. *Light impact industry* including wholesale and retail sales of products produced on the *lot* or stored on the *lot* as part of the permitted *industrial use*; provided that the total floor area used for retail sales and display of goods and products to the public shall not exceed 50% of the floor area of the permitted *industrial use*. In addition to the proceeding restriction on floor area, a clothing store, a grocery store, a sweets store, a jewellery

store or a video store, shall not be permitted unless the products sold through such store are manufactured or part of a *warehouse use* on the same business premises as the store.

2. *Retail stores*, excluding the following, provided that the total floor area of all *retail stores* permitted by Section B.2 does not exceed 10% of the total floor area constructed on-site at any time, and further, provided that the total floor area of all *retail stores* permitted by Section B.2. does not exceed a maximum of 4,200 m² [45,000 sq.ft.]:
 - (a) *Adult entertainment stores*;
 - (b) Auction houses; and
 - (c) *Secondhand stores* and *pawnshops*.
3. Office uses excluding:
 - (a) *Social escort services*; and
 - (b) *Methadone clinics*.
4. *General service uses* excluding *drive-through banks*.
5. *Warehouse uses*.
6. *Accessory uses* including the following:
 - (a) *Personal service uses* limited to the following:
 - i. Barbershops;
 - ii. Beauty parlours;
 - iii. Cleaning and repair of clothing; and
 - iv. Shoe repair shops.
 - (b) *Recreational facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Eating establishments*, excluding *drive-through restaurants* and provided that the total floor area of each individual *eating establishment* in Block B does not exceed 745 square metres [8,000 sq.ft.];
 - (d) *Community services*;
 - (e) *Assembly halls* limited to *churches*, provided that:
 - i. The *church* does not exceed a total floor area of 700 square metres [7,500 sq. ft.];
 - ii. The *church* accommodates a maximum of 300 seats; and
 - iii. There is not more than one *church* on a *lot*.
 - (f) *Child care centre*; and
 - (g) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):

- i. Contained within a *principal building*;
- ii. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
- iii. Restricted to a maximum number of:
 - a. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;
 - b. Two *dwelling units* in each *principal building* of 2,800 square metres [30,000 sq. ft.] or greater in floor area; and
 - c. Notwithstanding Sub-sections B.6 (g) iii.a. and iii.b., the maximum number shall be two *dwelling units* for *lots* less than 4.0 hectares [10 acres] in area and three *dwelling units* for *lots* equal to or greater than 4.0 hectares [10 acres] in area.
- iv. Restricted to a maximum floor area of:
 - a. 140 square metres [1,500 sq. ft.] for one (first) *dwelling unit* on a *lot* and where a *lot* has been subdivided by a strata plan then there shall only be one 140-square metre [1,500-sq. ft.] *dwelling unit* within the strata plan;
 - b. 90 square metres [970 sq. ft.] for each additional *dwelling unit*; and
 - c. Notwithstanding Sub-sections B.6 (g) iv.a. and iv.b., the maximum floor area shall not exceed 33% of the total floor area of the *principal building* within which the *dwelling unit* is contained.

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 expressed an opinion in Writing and not wishing to speak:

NAME	FOR	AGAINST	UNDECIDED
D. Pattar	X		
S. Pattar	X		
I. Rai	X		
G. Mann	X		
Harvinder	X		
J. Singh Mann	X		
M. Dhaliwal	X		
R. Singh Mann	X		
M. Mami	X		
M. Singh Sahota	X		
D. Dhaliwal	X		
A. Grewal	X		
R. S. Dhaliwal	X		
S. S. Nahal	X		
J. Dhaliwal	X		
H. Dhaliwal	X		
N. Sohal	X		
B. Sohal	X		
B. Sidhu	X		
L. Gill	X		
K. Singh	X		
K. Singh Basra	X		
R. Sandhu	X		

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

**4. Surrey Official Community Plan By-law, 1996, No. 12900,
Text No. 43 Amendment By-law, 2004, No. 15339**

Rezoning Application: 7903-0471-00

ADDRESS: CIVIC/LEGAL
6039 – 196 Street/PID: 002-044-901, Lot 385, Sec. 10,
Twp. 8, NWD, Plan 65554

APPLICANT: 627988 B.C. Ltd.
c/o Ed Dubuc
19602 Fraser Highway
Langley, B.C. V3A 4C5

PROPOSAL: To amend "Surrey Official Community Plan By-law, 1996, No. 12900" as amended, in Division A Schedule B Temporary Use Permit Areas, under the heading Temporary Commercial Use Permit Areas, by adding a new heading "Temporary Commercial Use Permit Area No. 11". This amendment will permit parking and storage

of new and used vehicles for a period not to exceed two years.

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

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. 15340**

Rezoning Application: 7903-0460-00

ADDRESS: **CIVIC/LEGAL**
6413 - 176 Street (also shown as Highway #15)/
PID: 009-292-853, Lot 9, Except Part Dedicated Road On
Plan LMP54234, Sec. 18, Twp. 8, NWD, Plan 24144
17565 - 64 Avenue/PID: 009-305-041, Lot 8, Sec. 18,
Twp. 8, NWD, Plan 24144

APPLICANT: Hung-Sik and Kyong-Ok Shin and Edwin Petursson
c/o Rimark Consulting
3184 - 204 Street
Langley, B.C. V2Z 2C7

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

DEVELOPMENT VARIANCE PERMIT

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

- (a) The number of fascia signs is increased from 2 to 3.

The purpose of the rezoning and development variance permit is to permit the development of a self-storage warehouse facility.

Permitted Uses

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

1. *Light impact industry.*
2. *Recycling depots* provided that:
 - (a) The use is confined to an enclosed *building*; and
 - (b) The storage of used tires is prohibited.
3. *Transportation industry.*
4. *Automotive service uses.*
5. Automobile painting and body work.

6. *Vehicle storage and parking facilities* including truck parking and recreational *vehicle storage*.
7. *General service uses* limited to the following:
 - (a) driving schools; and
 - (b) *industrial equipment rentals*.
 - (c) taxi dispatch offices;
 - (d) industrial first aid training; and
 - (e) trade schools.
8. *Warehouse uses*.
9. Office uses limited to the following:
 - (a) Architectural and landscape architectural offices;
 - (b) Engineering and surveying offices;
 - (c) General contractor offices;
 - (d) Government offices; and
 - (e) Utility company offices.
10. *Accessory uses* including the following:
 - (a) *Coffee shops* provided that the seating capacity shall not exceed 35 and the said *coffee shop* is not licensed by the Liquor Control and Licensing Act, R.S.B.C. 1996, chapter 267, as amended.
 - (b) *Recreation facilities*, excluding go-kart operations, drag racing and rifle ranges;
 - (c) *Community services*;
 - (d) *Assembly halls* limited to *churches*, provided that:
 - (i) the *church* does not exceed a total floor area of 700 square metres (7,500 sq. ft.);
 - (ii) the *church* accommodates a maximum of 300 seats; and
 - (iii) there is not more than one *church* on a *lot*.
 - (e) *Child care centres*; and
 - (f) *Dwelling unit(s)* provided that the *dwelling unit(s)* is (are):
 - i. Contained within the *principal building*;
 - ii. Occupied by the owner or a caretaker, for the protection of the businesses permitted;
 - iii. Restricted to a maximum number of:
 - a. One *dwelling unit* in each *principal building* less than 2,800 square metres [30,000 sq. ft.] in floor area;

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

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

The Mayor noted that R.A. Johnson had expressed support in writing for the proposed application and not wishing to speak:

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

**6. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15345**

Rezoning Application: 7903-0312-00

ADDRESS: **CIVIC/LEGAL**
Portion of 7095 – 192 Street/PID: 000-720-488, Lot 13,
 Sec. 16, Twp. 8, NWD, Plan 52318
Portion of 19157 – 70 Avenue/PID: 007-846-371, Lot 2,
 Sec. 16, Twp. 8, NWD, Plan 74966

APPLICANT: Gerald Kinsey and Shiu Luk
 c/o Palladium Productions Inc. (Tom Morton)
 2248 – 13353 Commerce Parkway
 Richmond, B.C. V6V 3A1; and
 c/o McElhanney Consulting Services (James Pernu)
 13160 – 88 Avenue
 Surrey, B.C. V3W 3K3

PROPOSAL: **Block A**
 To rezone a portion of 19157 – 70 Avenue from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Coach House Zone (RF-9C)".

Block B
 To rezone a portion of 19157 - 70 Avenue and a portion of 7095 - 192 Street from "One-Acre Residential Zone (RA)" to "Multiple Residential 30 Zone (RM-30)".

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 22, Section F, as follows:

- (a) To reduce the minimum south side yard setback from 7.5 metres (25 ft.) to 1.6 metres (5.0 ft.);
- (b) To reduce the minimum north side yard setback from 7.5 metres (25 ft.) to 1.5 metres (5.0 ft.);
- (c) To reduce the minimum west front yard setback from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and
- (d) To reduce the minimum north east side yard setback from 7.5 metres (25 ft.) to 2.7 metres (8.8 ft.).

The purpose of the rezoning and development variance permit is to permit the development of approximately 15 small single family lots with 9 m (30 ft.) frontages, one lot with 112 townhouse units and one large remainder lot.

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.

**7. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15342**

Rezoning Application: 7903-0268-00

ADDRESS: CIVIC/LEGAL
14647 - 28 Avenue/PID: 008-613-061, Lot 5, Sec. 22,
Twp. 1, NWD, Plan 20053
2865 Semiahmoo Trail/PID: 005-938-414, Lot 34,
Sec. 22, Twp. 1, NWD, Plan 45603

APPLICANT: Van-Rock Holdings Inc., Patrick and Carol Coffey
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
#300 - 65 Richmond Street
New Westminster, B.C. V3L 5P5

PROPOSAL: To rezone the properties from "One-Acre Residential Zone (RA)" to "Half-Acre Residential Gross Density Zone (RH-G)".

The purpose of the rezoning is to allow subdivision into 13 half-acre gross density lots and the provision of 15% open space.

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 L. Rosenberg expressing support for the proposed rezoning application, and a 20 signature petition expressing concerns.

Cliff Shannon, 2875 - 145B Street was in attendance and commented that he opposed the portion of the by-law that would result in rezoning of property currently fronting 28 Avenue from its one acre zoning to half acre zoning. He noted that he had concerns regarding the precedent setting of higher density zoning and added that he had submitted a 20-signature petition expressing concerns regarding the proposed rezoning application. He requested Council consider a modification of the application to merge two lots fronting 28 Avenue with the lots immediately to the north, which would result in two one-acre lots on

28 Avenue. He discussed a statement that the majority of residents supported the rezoning application and commented that this may not be the case. He commented on the Public Information notification process, noted that lot owners immediately to the west on 29 Avenue were not included in this notification area and would be directly affected by the zoning change. He added he was not against the subdivision but would ask for the modification to the lots along 28 Avenue.

Roy Baer, 14589 - 28 Avenue was in attendance and commented that he had no objections to the proposed development. He added that he did have some concerns regarding increased traffic and pedestrian safety.

Pat Coffey, 2865 Semiahmoo Trail was in attendance and commented that there is existing natural vegetation in the area.

Mr. Bahji, 14465 - 28 Avenue, was in attendance and asked when the access road would be developed on his property.

Clayton Sprung, 3011 Semiamoo Trail, was in attendance and requested information with respect to access and noted concerns regarding increase traffic and parking problems. He then stated he supported the application.

Clarence Arychuk, Hunter Laird Engineering was in attendance and commented that in order to divert traffic off Semiahmoo Trail an access road must be developed to come off 28 Avenue. He added it would not be viable to provide parkland on larger sized lots and discussed the Neighbourhood Concept Plan. He added that there would be a 27.19 meter wide linear park connecting the school, Elgin neighbourhoods and Sunnyside Acres. He discussed that sanitary sewer upgrading would have to be served along 144 Street due to topographical constraints and noted that a 10 meter buffer along Semiahmoo Trail would be built to heritage standards. He added that the two lots abutting Semiahmoo Trail would face internally to the subdivision so there would be no driveways leading onto Semiahmoo Trail and covenants put in place to ensure this measure.

**8. Surrey Official Community Plan By-law, 1996, No. 12900,
Text No. 42 Amendment By-law, 2004, No. 15336**

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

PROPOSAL: "Surrey Official Community Plan By-law, 1996,
No. 12900" as amended, is further amended as follows:

- (a) Division A is amended by replacing Figure 27 - Map Showing Recently Approved Secondary Plans;

- (b) Division A is amended in Schedule C. Development Permit Area Guidelines under the Introduction by deleting Clause 2;
- (c) Division A, Schedule C. is amended under Designated Development Permit Areas by deleting Clause 3 and inserting the following new Clause 3 in its place:
 - "3. A Development Permit is not required where development is other than Multiple Residential, Commercial or Industrial use, or where industrial development is on a parcel of land located more than 100 metres (328 feet) from Provincial Highways or any road shown in Figure 12. Despite the foregoing, a Development Permit is required where the industrial development occurs on a parcel:
 - (a) which abuts lands within any non-Industrial OCP Land Use Designation (Suburban, Urban, Multiple Residential, City Centre, Town Centre, Commercial, Rural, Agricultural, Conservation, Indian Reserve); or
 - (b) which is to be used for a business/industrial park; or
 - (c) which is located within the boundary of the South Westminster Secondary Plan as illustrated on Figure 27, except for land in this Plan under the jurisdiction of the Fraser Port."
 - (d) Division C is amended by deleting the following text from the title page "Form and Character Guidelines for the Area Southeast of Scott Road from 104 Avenue to Scott Road Skytrain Station in South Westminster" and inserting the words "pages 294 through 310 inclusive are deleted"; and Pages 294 through 310 are deleted in their entirety.

These amendments are necessary to add the South Westminster NCP area to Figure 27; to delete from Schedule C, Division A, reference to Form and Character Guidelines for the area southeast of Scott Road from 104 Avenue to Scott Road/Skytrain Station in South Westminster (March 1992) and to delete Division C containing these guidelines; and establish the entire South Westminster NCP area, with the exception of the Fraser Port lands, as a Development Permit Area pursuant to the provisions of the Official Community Plan.

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

Ian Mott, 6049 - 154A Street, was in attendance and commented that he was here on behalf of the United Group of Companies. He noted that the Leader newspaper does not advertise widely the notification of the public hearing and added that he had submitted correspondence relating to the matter. He continued

that the Ministry of Transport and Highways has purchased ten acres on Tannery Road and South Fraser Perimeter Road.

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the information submitted by Ian Mott
be received.

RES.R04-1001

Carried

He stated he was opposed to the proposed application and that the down-zoning of the lands from industrial to commercial zoning would be a great loss to tax revenues to the provincial and federal governments and the city.

Dave Currey, 10354 - 120 Street, was in attendance and commented that he was not clear of the intent of the proposed by-law. He stated his property is located south of 104 Avenue and noted that the application includes land from 104 Avenue to the north of the SkyTrain Station at Scott Road.

C. COMMITTEE REPORTS

1. Environmental Advisory Committee - March 24, 2004

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the minutes of the Environmental
Advisory Committee meeting held on March 24, 2004, be received.

RES.R04-1002

Carried

Councillor Bose made the recommendation that a presentation on goods movement by the Gateway Council be provided in an open meeting to Council.

2. Social Planning Committee Minutes - April 8, 2004

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the minutes of the Social Planning
Committee meeting held on April 8, 2004, be received.

RES.R04-1003

Carried

Councillor Villeneuve acknowledged the work provided by the Social Planning Committee members and staff over the years.

D. BOARD/COMMISSION REPORTS

E. MAYOR'S REPORT

1. Proclamations

Mayor McCallum read the following proclamations:

- (a) **PITCH-IN CANADA WEEK**
April 19 - 25, 2004

WHEREAS hundreds of thousands of Canadians show their concern for the environment and their communities each year by participating in PITCH-IN CANADA projects to clean up and rejuvenate local neighbourhoods, greenspaces, ravines, waterways and illegal dump sites; restore habitats; and to establish composting and recycling projects; and

WHEREAS PITCH-IN CANADA, a national organization comprised of eco-action and community volunteers, believes that maintaining a quality environment is everyone's responsibility; and

WHEREAS PITCH-IN CANADA encourages voluntary action to keep communities clean and beautiful; restore and maintain a healthy environment; and instigate civic pride; and

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare the week of April 19 - 25, 2004 as "PITCH-IN CANADA WEEK" in the City of Surrey, and invite all citizens in our community to actively support the theme of the 2004 campaign - "Be ecoActove".

Doug W. McCallum
Mayor

- (b) **EARTH DAY**
April 22, 2004

WHEREAS despite environmental improvements since the first Earth Day in 1970, the environmental health of the planet is increasingly endangered, threatened by global climate change, ozone depletion, growing world population, tropical deforestation, ocean pollution, toxic wastes, desertification, and the loss of biodiversity. All sectors of society have the responsibility to act positively for the environment; and

- WHEREAS Earth Day 2004 is a national and international call to positive action for all citizens to join a global effort to protect the environment; and
- WHEREAS Earth Day 2004 activities and projects will empower citizens to act positively for the environment and adopt responsible lifestyles habits that conserve and protect local and global ecosystems; and
- WHEREAS Earth Day 2004 activities and projects will raise awareness of conserving natural resources by reducing, reusing and recycling, using efficient transportation, and buying and using products and services that are environmentally responsible;
- WHEREAS Earth Day 2004 activities and projects will raise awareness of the importance of voting for candidates who demonstrate concern for the environment and of supporting legislation designed to protect Canada's environment;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare April 22, 2004 as "EARTH DAY" in the City of Surrey, and this day be set aside for positive public activities promoting direct community action to preserve the global environment.

Doug W. McCallum
Mayor

(c) BC ARTS & CULTURE WEEK
April 25 - May 1, 2004

- WHEREAS the Arts are important to our lives and the future of our communities and they reinforce the idea that creativity and creative expressions lead to the innovative thinking that strengthens our communities; and
- WHEREAS the benefits of arts and cultural activity are demonstrated every day throughout our Province, and community arts councils and their members are at the center of this activity; and
- WHEREAS the Province has proclaimed April 25 to May 1, 2004 as Arts Week in British Columbia; and
- WHEREAS April 25 to May 1, 2004 has been declared BC Arts & Culture Week by the Assembly of BC Arts Councils;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare April 25 to May 1, 2004, as "BC ARTS AND CULTURE WEEK" in the City of Surrey.

Doug W. McCallum
Mayor

(d) Youth Week
May 1 - 8, 2004

WHEREAS youth in the City of Surrey are valued citizens in our community; and

WHEREAS through their energy, involvement and enthusiasm youth are a resource contributing to the well being of the community; and

WHEREAS the promotion of youth activities sponsored by all segments of the community will encourage a greater understanding and acceptance of youth; and

WHEREAS celebration of youth in the City of Surrey and other Lower Mainland municipalities during Youth Week will encourage youth participation in positive activities and strengthen the community;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare the week of May 1 - 8, 2004 as "YOUTH WEEK" 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 April 19, 2004, were considered and dealt with as follows:

Item No. R083 Land Acquisition for Addition to Sullivan Heights Park:
14588 - 64 Avenue
File: 8380-130/E; 0870-20

The General Manager, Engineering submitted a report concerning land acquisition for addition to Sullivan Heights Park.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council authorize acquisition of PID
No. 006-681-417 (14588 - 64 Avenue) for park/open space as set out in the South
Newton Land Use Plan, for the amount of \$390,000 and no GST.

RES.R04-1004

Carried

Item No. R084 Lane Closure at 88 Avenue & 126 Street
File: 7803-0153 (B); 0910-30

The General Manager, Engineering submitted a report concerning the closure of a lane at 88 Avenue and 126 Street.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Council approve the previously
approved sale of a $\pm 12,175$ ft.² portion of lane as outlined in the attached
Corporate Report (R056).

RES.R04-1005

Carried with Councillor Bose against.

Item No. R085 Road Closure at Roxburgh Road & Wellington Drive
File: 7897-0154; 0910-30

The General Manager, Engineering submitted a report concerning a road closure at Roxburgh Road and Wellington Drive.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council approve the previously
approved sale of a $\pm 2,067$ ft.² portion of road as outlined in the attached Corporate
Report (R059).

RES.R04-1006

Carried

Item No. R086 Road Closure at 88 Avenue & Kennedy Place
File: 7803-0153 (A); 0910-30

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 Higginbotham
Seconded by Councillor Steele
That Council approve the previously
approved sale of a $\pm 64,463$ ft.² portion of road as outlined in the attached
Corporate Report (R033).

RES.R04-1007

Carried with Councillor Bose against.

Item No. R087 Walkway Closure at 104 Avenue & 125B Street (Parmar)
File: 7803-0292; 0910-01

The General Manager, Engineering submitted a report concerning a walkway
closure at 104 Avenue and 125B Street.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Council approve the previously
approved sale of a $\pm 1,485$ ft.² portion of walkway as outlined in the attached
Corporate Report (R008).

RES.R04-1008

Carried

Item No. R088 Local Improvement Water Extension (Agricultural Lands)
184 Street: Address 5030 to Address 5194
File: 1203-903; 5250-20-12

The General Manager, Engineering submitted a report to fulfill the petitioner's
request for a water main extension.

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

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

1. Council authorize a Local Improvement water main extension to service properties on 184 Street from Address 5030 to Address 5194, as formally petitioned, for an estimated cost of \$108,000, which is to be apportioned and levied on the benefiting property owners in accordance with Cost-Sharing By-law No. 3250, when final costs are determined.
2. The corresponding Construction By-law be introduced for adoption by Council.

RES.R04-1009

Carried

Item No. R089 Contract Award M.S. 1704-006-11: JJM Construction Ltd.
File: 1704-006/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-006-11. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. JJM Construction Ltd.	\$2,273,750.00
2. Imperial Paving Ltd.	\$2,308,075.08
3. B & B Contracting Ltd.	\$2,416,600.00
4. J. Cote & Son Excavating Ltd.	\$2,792,700.00
5. TAG Construction Ltd.	\$2,824,051.00
6. Targa Contracting Ltd.	\$3,020,191.63

The Engineer's pre-tender estimate was \$2.6 million including GST.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Contract M.S. 1704-006-11 be awarded
to the low bidder, JJM Construction Ltd., in the amount of \$2,273,750.00,
including GST.

RES.R04-1010

Carried

Item No. R090 Contract Award - M.S. 1704-004-31:
Aggressive Roadbuilders Ltd.
File: 1704-004/31; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-004-31. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. Aggressive Roadbuilders Ltd.	\$3,023,022.85
2. TAG Construction Ltd.	\$3,735,386.05
3. Targa Contracting Ltd.	\$3,896,064.74
4. B. Cusano Contracting Ltd.	\$3,979,387.78

The Engineer's pre-tender estimate was \$3,000,000.00 including GST.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Contract M.S. 1704-004-31 be awarded
to the low bidder, Aggressive Roadbuilders Ltd., in the amount of \$3,023,022.85,
including GST.

RES.R04-1011

Carried

Item No. R091 Award Contract to FDM Software Ltd. for a Computer Aided Fire Dispatch (CAD) and Integrated Fire Records Management System (RMS)
File: 1360-20

The Fire Chief submitted a report concerning the award contract to FDM Software Ltd.

The Fire Chief was recommending approval of the recommendations outlined in his report.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Council award a contract for the
acquisition and implementation of a Computer Aided Fire Dispatch (CAD) and
Integrated Fire Records Management System (RMS) from FDM Software Ltd. for
\$1,253,558.

RES.R04-1012

Carried

H. BY-LAWS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15346"

7903-0271-00 - Cherington Intercare Inc., c/o Richard Balfour

RMS-1 and RF (BL 12000) to RMS-2 (BL 12000) -
13427/53/75 - 111A Avenue and 13476 - 112 Avenue - to permit the
expansion of the existing care facility in Surrey City Centre.

Approved by Council: April 5, 2004

Note: See Development Variance Permit 7903-0271-00 under Clerk's Report
Item I.1(a) of this agenda.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15346" pass its third reading.
Carried

RES.R04-1013

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15341"

7903-0361-00 - 2681323 Enterprises Ltd., c/o McElhanney Consulting Ltd.
(James Pernu)

RA and RF (BL 12000) to RF-12 (BL 12000) - 13685, 13721, 13735,
13751 and 13779 - 64 Avenue - to allow subdivision into approximately
43 single family residential small lots ranging in size from 320 m²
(3,445 sq.ft) to 522 m² (5,619 sq. ft.).

Approved by Council: April 5, 2004

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15341" pass its third reading.
Carried with Councillors Villeneuve and
Bose against.

RES.R04-1014

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15344"

7904-0052-00 - Mainland Demo Contracting Ltd., c/o Joe Dhaliwal

CD (BL 14926) to CD (BL 12000) - 12905 - 80 Avenue - to allow the
development of a multiple phase business park with some commercial
uses over the entire site.

Approved by Council: April 5, 2004

It was Moved by Councillor Tymoschuk
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2004, No. 15344" pass its third reading.

RES.R04-1015

Carried with Councillor Bose against.

- 4. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 43
Amendment By-law, 2004, No. 15339"

7903-0471-00 - 627988 B.C. Ltd., c/o Ed Dubuc

To amend "Surrey Official Community Plan By-law, 1996, No. 12900" as amended, in Division A Schedule B Temporary Use Permit Areas, under the heading Temporary Commercial Use Permit Areas, by adding a new heading "Temporary Commercial Use Permit Area No. 11". This amendment will permit parking and storage of new and used vehicles on the property located at 6039 - 196 Street for a period not to exceed two years.

Approved by Council: April 5, 2004

Note: See Temporary Commercial Use Permit 7903-0471-00 under Clerk's Report Item I.4 of this agenda.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, Text No. 43 Amendment By-law, 2004, No. 15339"
pass its third reading.

RES.R04-1016

Carried with Mayor McCallum against.

- 5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15340"

7903-0460-00 - Edwin Petursson and Hung-Sik and Kyong-Ok Shin,
c/o Rimark Consulting

RA (BL 12000) to IL (BL 12000) - 6413 - 176 Street and
17565 - 64 Avenue - to permit the development of a self-storage
warehouse facility.

Approved by Council: April 5, 2004

Note: See Development Variance Permit 7903-0460-00 under Clerk's Report Item I.1(b) of this agenda.

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15340" pass its third reading.
 RES.R04-1017 Carried with Mayor McCallum and
 Councillors Villeneuve and Priddy against.

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15345"

7903-0312-00 - Shiu Luk, Gerald Kinsey, c/o Palladium Productions Inc.
 (Tom Morton) and c/o McElhanney Consulting Services
 (James Pernu)

RA (BL 12000) to RF-9C and RM-30 (BL 12000) - Portions of
 19157 - 70 Avenue and 7095 - 192 Street - to permit the development of
 approximately 15 small single family lots with 9 m (30 ft.) frontages, one
 lot with 112 townhouse units and one large remainder lot.

Approved by Council: April 5, 2004

Note: See Development Variance Permit 7903-0312-00 under Clerk's Report
 Item I.1(c) of this agenda.

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15345" pass its third reading.
 RES.R04-1018 Carried with Councillor Bose against.

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15342"

7903-0268-00 - Patrick and Carol Coffey and Van-Rock Holdings Inc.,
 c/o Hunter Laird Engineering (Clarence Arychuk)

RA (BL 12000) to RH-G (BL 12000) - 14647 - 28 Avenue and
 2865 Semiahmoo Trail - to allow subdivision into 13 half-acre gross
 density lots and 15% open space.

Approved by Council: April 5, 2004

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2004, No. 15342" pass its third reading.
 RES.R04-1019 Carried with Councillor Villeneuve against.

8. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 42 Amendment By-law, 2004, No. 15336"

3900-20-15336/6520-20 (South Westminster) - Council Initiated Text Amendment

"Surrey Official Community Plan By-law, 1996, No. 12900" as amended, is hereby further amended as follows:

- (a) Division A is amended by replacing Figure 27 - Map Showing Recently Approved Secondary Plans;
- (b) Division A is amended in Schedule C. Development Permit Area Guidelines under the Introduction by deleting Clause 2;
- (c) Division A, Schedule C. is amended under Designated Development Permit Areas by replacing Clause 3;
- (d) Division C is amended by deleting the following text from the title page "Form and Character Guidelines for the Area Southeast of Scott Road from 104 Avenue to Scott Road SkyTrain Station in South Westminster" and inserting the words "pages 294 through 310 inclusive are deleted"; and Pages 294 through 310 are deleted in their entirety.

These amendments are necessary to add the South Westminster NCP area to Figure 27; to delete from Schedule C, Division A, reference to Form and Character Guidelines for the area southeast of Scott Road from 104 Avenue to Scott Road/SkyTrain Station in South Westminster and to delete Division C containing these guidelines; and establish the entire South Westminster NCP area, with the exception of the Fraser Port lands, as a Development Permit Area pursuant to the provisions of the Official Community Plan.

Approved by Council: March 22, 2004
Corporate Report Item No. R071

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, Text No. 42 Amendment By-law, 2004, No. 15336"
pass its third reading.

The above motion was withdrawn by the Mover and the Seconder.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That Council resolve to replace the words
"Fraser Port" in Clause 3(c) under Designated Development Permit Areas with
the words "Fraser River Port Authority".

RES.R04-1020

Carried

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, Text No. 42 Amendment By-law, 2004, No. 15336"
 pass its third reading, as amended.
 RES.R04-1021 Carried with Councillor Bose against.

FINAL ADOPTIONS

9. "Council Procedure Bylaw, 2004, No. 15300"

3900-20-15300/0550-00 - New Regulatory By-law

A by-law to establish the conduct of Council meetings and other matters of Council business.

Approved by Council: March 22, 2004
 Corporate Report Item No. C001

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That "Council Procedure Bylaw, 2004,
 No. 15300" be finally adopted, signed by the Mayor and Clerk, and sealed with
 the Corporate Seal.
 RES.R04-1022 Carried

10. "Surrey Close and Remove the Dedication of Highway of a Portion of 161 Street
 between 110 Avenue and 110A Avenue By-law, 2004, No. 15337"

3900-20-15337/7803-0267 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of 835 square metres of 161 Street between 110 Avenue and 110A Avenue. This by-law is intended to facilitate the development of an eight lot residential subdivision and future widening of 110A Avenue and the realignment of 161A Street. In accordance with the *Community Charter*, S.B.C. 2003 c.26, disposition of the road will be considered by City Council at a later date.

Approved by Council: April 5, 2004
 Corporate Report Item No. R073

There were no persons present to speak to the proposed By-law.

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That "Surrey Close and Remove the
Dedication of Highway of a Portion of 161 Street between 110 Avenue and
110A Avenue By-law, 2004, No. 15337" be finally adopted, signed by the Mayor
and Clerk, and sealed with the Corporate Seal.
RES.R04-1023 Carried

11. "Business License By-law, 1999, No. 13680, Amendment By-law, 2004,
No. 15343"

3900-20-15343/3900-20-13680 - Regulatory By-law Text Amendment

"Business License By-law, 1999, No. 13680" as amended, is further amended by
replacing the existing definition of "Casino" and in Schedule A the fee for Casino
is amended.

These amendments are necessary to allow the licensing of classes of casinos to
include slot machines and video lottery gaming machines, and will provide a
license fee for those casinos.

Approved by Council: April 5, 2004
Corporate Report Item No. R082

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Business License By-law, 1999,
No. 13680, Amendment By-law, 2004, No. 15343" be finally adopted, signed by
the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R04-1024 Carried

12. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 36
Amendment By-law, 2003, No. 15032"

7902-0379-00 - Sukhbir and Sukhraj Brar, Ranjit and Sukhjit Saraon, Manjit Gill,
c/o Ranjit Saraon

To amend "By-law 12900" as amended, in Division A. of Schedule B Temporary
Use Permit Areas, under the heading Temporary Industrial Use Permits by adding
new Temporary Industrial Use Permit Area No. 12 "Temporary Truck Parking
Facility" to allow the temporary parking and storage of vehicles including trucks
on the property located at 12486 - 108 Avenue for a period not to exceed two
years.

Approved by Council: May 26, 2003

Note: A Temporary Industrial Use Permit No. 7902-0379-00 on the site is to be considered for Final Approval under Item I.4(b).

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, Text No. 36 Amendment By-law, 2003, No. 15032" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1025

Carried with Councillor Bose against.

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. 7903-0271-00**

Cherington Intercare Inc.

c/o Richard Balfour

13427, 13453 & 13475 - 111A Avenue and 13476 -112 Avenue

To relax requirements as follows:

- (a) To reduce the minimum north yard setback from 7.5 metres (25 ft.) to 4.0 metres (13 ft.);
- (b) To reduce the minimum south yard setback from 7.5 metres (25 ft.) to 5.5 metres (18 ft.);
- (c) To reduce the minimum west yard setback from 7.5 metres (25 ft.) to 6.0 metres (20 ft.); and
- (d) To reduce the required on-site parking spaces from 100 to 65.

To permit the expansion of the existing care facility in Surrey City Centre.

Note: See By-law No. 15346, Item H.1 of this agenda.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0271-00 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.R04-1026

Carried

Councillor Villeneuve requested that the architect contact the speakers concerned with loss of view.

- (b) **Development Variance Permit No. 7903-0460-00**
Hung-Sik and Kyong-Ok Shin and Edwin Petursson
c/o Rimark Consulting
6413 - 176 Street (also shown as Highway #15) and 17565 - 64 Avenue

The number of fascia signs is increased from 2 to 3, to permit the development of a self-storage warehouse facility.

Note: See By-law No. 15340, Item H.5 of this agenda.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0460-00 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.R04-1027

Carried

- (c) **Development Variance Permit No. 7903-0312-00**
Gerald Kinsey and Shiu Luk
c/o Palladium Productions Inc. (Tom Morton)
c/o McElhanney Consulting Services (James Pernu)
Portion of 7095 – 192 Street and Portion of 19157 – 70 Avenue

To relax requirements as follows:

- (a) To reduce the minimum south side yard setback from 7.5 metres (25 ft.) to 1.6 metres (5.0 ft.);
- (b) To reduce the minimum north side yard setback from 7.5 metres (25 ft.) to 1.5 metres (5.0 ft.);
- (c) To reduce the minimum west front yard setback from 7.5 metres (25 ft.) to 3.0 metres (10 ft.); and
- (d) To reduce the minimum north east side yard setback from 7.5 metres (25 ft.) to 2.7 metres (8.8 ft.).

To permit the development of approximately 15 small single family lots with 9 m (30 ft.) frontages, one lot with 112 townhouse units and one large remainder lot.

Note: See By-law No. 15345, Item H.6 of this agenda.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7903-0312-00 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.R04-1028

Carried

- (d) **Development Variance Permit No. 7904-0029-00**
Harpal Sohi, Jagjit Sahi and Amrao Kaler
c/o Mainland Engineering Corporation
(Avinash Banwait/Olivia Ou)
10111 - 144A Street

To reduce the minimum front yard setback requirement from 7.5 metres
(25 ft.) to 2.3 metres (7.5 ft.) to allow subdivision into two (2) single
family lots and retain one existing house.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0029-00 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.R04-1029

Carried

- (e) **Development Variance Permit No. 7904-0071-00**
Comway Developments Ltd.
c/o Provincial Signs (Klaus Emig)
15420 - 104 Avenue

To increase the maximum number of fascia signs from two to five; and to
increase the maximum height of a free-standing sign from 4.5 metres
(15 ft.) to 5.0 metres (16.5 ft.) to allow a new free-standing sign and fascia
signs on a recently approved auto dealership site.

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

Note: See Development Permit 7904-0071-00 under Clerk's Report
Item I.2(a) of this agenda.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That Development Variance Permit
 No. 7904-0071-00 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.R04-1030

Carried

- (f) **Development Variance Permit No. 7903-0210-00**
Ewald and Donna Jensen
c/o Pacific Pointe Homes (Raymond Ayers)
 Portion of 3347 King George Highway

To waive the requirement to provide water supply and sanitary sewer to
 allow subdivision into 2 parcels to facilitate development of a townhouse
 project on one of the parcels.

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That Development Variance Permit
 No. 7903-0210-00 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.R04-1031

Carried

- (g) **Development Variance Permit No. 7904-0048-00**
Ludwig and Erna Schuster
c/o Kasian Kennedy Architecture (Danny Estephan)
 1956 - 152 Street (Also shown as 1980 - 152 Street)

To reduce the minimum front yard setback requirement from 7.5 metres
 (25 ft.) to 1.7 metres (5.5 ft.), and to increase the number of fascia signs
 for each lot frontage from 1 to 4 on the north and west elevation of the
 Boston Pizza building, to allow exterior alterations and construction of a
 30 sq. m (322 sq. ft.) addition to an existing restaurant (Boston Pizza)
 building.

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

The Mayor noted that J. Friis and N. Alliston had expressed concerns in writing regarding increased traffic and noise with respect to the proposed Development Variance Permit application.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0048-00 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.R04-1032

Carried

2. Formal Approval of Development Permits

- (a) **Development Permit No. 7904-0071-00**
Comway Developments
c/o Provincial Signs (Klaus Emig)
15420 - 104 Avenue

Memo received from the Manager, Area Planning & Development Division, Planning & Development, requesting Council to pass the following resolution:

"That Development Permit No. 7904-0071-00 be approved; that the Mayor and Clerk be authorized to sign the Development 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."

Note: See Development Variance Permit 7904-0071-00 under Clerk's Report Item I.1(e) of this agenda.

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That Development Permit No.
7904-0071-00 be approved; that the Mayor and Clerk be authorized to sign the Development 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.R04-1033

Carried

3. Formal Approval of Liquor License Applications

- (a) **Liquor License Amendment Application 7903-0385-00**
Riokim Holdings (Strawberry Hill) Inc.
c/o Gary and Cindy Todoruk
12025 - 72 Avenue

To amend the hours of operation as follows: 11:00 a.m. to 1:00 a.m. Sunday to Thursday; and 11:00 a.m. to 2:00 a.m. Friday and Saturday.

If, after the Public Notification, Council is in support of the proposed Liquor Application, it is in order for Council to pass the following resolution:

"After taking into account the following criteria outlined in the attached Planning Report dated March 22, 2004:

- (a) the potential for noise if the application is approved;
(b) the impact on the community if the application is approved; and

after undertaking a Public Notification on March 23, 2004 to gather the views of area residents and businesses with respect to the proposed liquor license amendment application, and

after reviewing any correspondence submitted in response to the Public Notification, Surrey, City Council recommends the extension of hours of a liquor-primary license subject to the following conditions:

The hours of operation be amended as follows:

11:00 a.m. to 1:00 a.m. Sunday to Thursday, and
11:00 a.m. to 2:00 a.m. Friday and Saturday."

Note: See separate correspondence in the binder flap regarding this liquor-primary license.

There was correspondence on table from R. Harrison, B. Veach, P. Galambos, T. Hendricks, J. Holm, M. Al-Ghosain, M. El Borno, G. Baker, G. and P. McCabe and D. Gray expressing opposition, and from S. Dooling and A. and J. Nunn expressing support for the proposed liquor license amendment application.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That after taking into account the following
criteria outlined in the attached Planning Report dated March 22, 2004:

- (a) the potential for noise if the application is approved;

(b) the impact on the community if the application is approved; and

after undertaking a Public Notification on March 23, 2004 to gather the views of area residents and businesses with respect to the proposed liquor license amendment application, and

after reviewing any correspondence submitted in response to the Public Notification, Surrey, City Council recommends the extension of hours of a liquor-primary license subject to the following conditions:

The hours of operation be amended as follows:

11:00 a.m. to 1:00 a.m. Sunday to Thursday, and
 11:00 a.m. to 2:00 a.m. Friday and Saturday.

RES.R04-1034

Carried with Councillors Villeneuve and Priddy against.

4. Formal Approval of Temporary Use Permits

- (a) **Temporary Commercial Use Permit 7903-0471-00
 627988 B.C. Ltd.
 c/o Ed Dubuc
 6039 - 196 Street**

To allow the parking and storage of new and used vehicles, weighing less than 5,000 kilograms (11,023 lbs.) GVW, for a period not to exceed two years.

- * Council is requested to refer Temporary Commercial Use Permit No. 7903-0471-00 back to Planning & Development to ensure all outstanding issues have been dealt with.

Note: See By-law No. 15339, Item H.4 of this agenda.

It was Moved by Councillor Tymoschuk
 Seconded by Councillor Steele
 That Council refer Temporary Commercial
 Use Permit No. 7903-0471-00 back to Planning & Development to ensure
 all outstanding issues have been dealt with.

RES.R04-1035

Carried

- (b) **Temporary Industrial Use Permit No. 7902-0379-00
 Ranjit and Sukhjot Saraon, Sukhbir and Sukhraj Brar, and
 Manjit Gill, c/o Ranjit Saraon
 12403 Old Yale Road and 12486 - 108 Avenue**

"That Temporary Industrial Use Permit No. 7902-0379-00 be issued to Ranjit and Sukhjit Saraon, Sukhbir and Sukhraj Brar and Manjit Gill to allow the temporary parking and storage of vehicles including trucks, on both lots on the site, more particularly described as North 346.37 Feet, Lot B, EXCEPT: Part Subdivided by Plan 28323, Section 20, Block 5 North, Range 2 West, New Westminster District, Plan 3231, and Parcel 1, Section 20, Block 5 North, Range 2 West, New Westminster District, Plan 76897, for a period not to exceed two years, and that the Mayor and Clerk be authorized to sign the necessary documents."

Note: See By-law 15032, Item H.12 of this agenda.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That Temporary Industrial Use Permit
No. 7902-0379-00 be issued to Ranjit and Sukhjit Saraon, Sukhbir and Sukhraj Brar and Manjit Gill to allow the temporary parking and storage of vehicles including trucks, on both lots on the site, more particularly described as North 346.37 Feet, Lot B, EXCEPT: Part Subdivided by Plan 28323, Section 20, Block 5 North, Range 2 West, New Westminster District, Plan 3231, and Parcel 1, Section 20, Block 5 North, Range 2 West, New Westminster District, Plan 76897, for a period not to exceed two years, and that the Mayor and Clerk be authorized to sign the necessary documents.

RES.R04-1036

Carried with Councillor Bose against.

5. Delegation Requests

- (a) **Liz Walker, DPAC/Safety Parent
Parent Advisory Council
Sullivan Heights Secondary**
File: 5450-01; 0550-20-10

Requesting to appear before Council to inform Council of the information supplied to them by Dr. Bill Curry regarding radio frequency radiation levels at Sullivan Heights Secondary with the installation of the Bell Mobility communication pole.

It was Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That the General Manager, Planning and
Development respond to the delegation request from Liz Walker,
DPAC/Safety Parent, Parent Advisory Council, Sullivan Heights
Secondary, and provide information to the delegation.

RES.R04-1037

Carried

- (b) **JudyLynn Chorney, Senior President & Founder
NU Foundation for Community Partnerships**
File: 0250-20; 0550-20-10

Requesting to appear before Council to discuss the Nu-Nations Unity™ fund raising events and extending hours of operations at select hotel pubs and cabarets in the City of Surrey.

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Judy Lynn Chorney, Senior President
& Founder, NU Foundation for Community Partnerships, be referred to
the Province.

RES.R04-1038

Carried

- 6. Development Variance Permit No. 7903-0323-00
Crichton Holdings Ltd.,
c/o Gerrard Thomas (Bell Mobility)**
14620 - 64 Avenue (also shown as 14640, 14664 - 64 Avenue)

To increase the maximum height of a tower on top of a building from 3.0 metres (10 ft.) to 11.38 metres (37 ft.) to permit the construction of a telecommunication antenna structure, consisting of a new mast, with two cellular antennas.

Note: As the notification for this application was incomplete, a renotification will be undertaken.

- * Council is requested to rescind Resolution No. RES.R04-931 of the April 5, 2004 Regular Council - Public Hearing, which gave final approval to Development Variance Permit No. 7903-0323-00.

It was Moved by Councillor Tymoschuk
Seconded by Councillor Steele
That Council rescind Resolution
No. RES.R04-931 of the April 5, 2004 Regular Council - Public Hearing, which
gave final approval to Development Variance Permit No. 7903-0323-00.

RES.R04-1039

Carried

J. CORRESPONDENCE

INFORMATION ITEMS

It was
 Moved by Councillor Higginbotham
 Seconded by Councillor Tymoschuk
 That the following correspondence Items 1
 and 2 be received, and the appropriate person or agency be informed.
 RES.R04-1040
Carried

1. Letter dated April 6, 2004 from **Sid Cleave, Administrative Officer I, Social Issues Committee, City of Burnaby**, advising that at their April 5, 2004 Open Council meeting, the City of Burnaby Council adopted the following resolution regarding the impact of privatization at Burnaby care facilities:

1. "THAT the Mayor, on behalf of Council, write to Bob Smith, President and Chief Executive Officer of the Fraser Health Authority (FHA), requesting that:
 - (a) an independent assessment be commissioned regarding the overall quality, cost-effectiveness, and health system impacts of the services contracted by the Authority;
 - (b) the requested assessment be delayed until at least 2004 September, by which time the contracted services should have had sufficient opportunity to establish a measurable "track record";
 - (c) the results of the assessment be shared with the City of Burnaby and other municipalities in the FHA's service delivery area; and
 - (d) a moratorium be placed on further contracting out of services in the FHA until the assessment has been completed and carefully evaluated;
2. THAT a copy of this report be sent to the Hospital Employees' Union, the Minister of Health Services, Burnaby's four MLAs, and other municipalities in the FHA's service delivery area.

File: 0480-20

2. Letter dated April 8, 2004 from **Bruce A. Hawkshaw, City Clerk, City of North Vancouver**, advising that at their March 15 and April 5, 2004 regular meeting, the City of North Vancouver Council endorsed the following resolution regarding the Agreement with respect to the Sale of BC Rail to CN Rail:

"WHEREAS significant concerns now exist as to whether the conditional sale agreement of BC Rail to CN Rail was concluded on the basis of a fair and open process free from the taint of criminal involvement; and

WHEREAS the sale of BC Rail to CN Rail will result in serious economic and social consequences for the City of North Vancouver and its residents;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver call upon the Provincial Government to abandon its agreement with CN Rail for the sale of BC Rail; and

RESOLVED THAT this resolution be circulated to all Union of British Columbia Municipalities member municipalities; and

RESOLVED THAT staff be requested to seek standing for the City of North Vancouver at the Competition Bureau so that we may raise our concerns directly with the appropriate regulatory body."

File: 0480-20

ACTION ITEMS

3. Letter dated March 23, 2004 from the **BC Medical Association (BCMA)** seeking nominations of an individual, company or community organization whose work has made a positive impact on the long-term health and safety of British Columbians, to be honoured at the 5th Annual Excellence in Health Promotion Awards by the BC Medical Association.

File: 0290-20

It was

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the letter dated March 23, 2004 from

the BC Medical Association (BCMA) be received.

RES.R04-1041

Carried

4. Letter dated April 8, 2004 from **Bruce A. Hawkshaw, City Clerk, City of North Vancouver**, advising that at their April 5, 2004 regular meeting, the City of North Vancouver Council endorsed the following resolution regarding Privatization of Medical Services Plan Records Administration:

"WHEREAS the Province of British Columbia is seeking to privatize the Medical Services Plan records administration; and

WHEREAS American companies are seeking to bid on the privatization process; and

WHEREAS American companies can be compelled by the US 'Patriot Act' Legislation to turn over confidential information controlled by the Corporation to the FBI without notifying Canadian officials or the individuals involved; and

WHEREAS this will result in the confidential information of British Columbia residents being turned over to American government authorities;

NOW THEREFORE BE IT RESOLVED THAT Council request the Provincial Government to not privatize our personal medical records to any American company or any affiliate of an American company; and

RESOLVED THAT this resolution be sent to all North Shore MLA's and the union of British Columbia Municipalities for their action on our behalf."
File: 0480-20

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the letter dated April 8, 2004 from
Bruce A. Hawkshaw, City Clerk, City of North Vancouver be received.

RES.R04-1042

Carried

5. Letter dated April 12, 2004 from **Herbert Horn, The Westport/Westhaven Citizens Coalition**, on behalf of a group of West Vancouver residents concerned about the Sea to Sky Highway Improvement Project, West Vancouver Section, seeking consideration of the overland route - Option B being the preferable route exiting West Vancouver, and indicating the City's preference to The Honourable Kevin Falcon, Minister of Transportation.
File: 0500-01

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the letter dated April 12, 2004 from
Herbert Horn, The Westport/Westhaven Citizens Coalition be received.

RES.R04-1043

Carried

K. NOTICE OF MOTION

1. Morgan Creek and Rosemary Heights Select Committee

At the Monday, April 5, 2004 Regular Council - Public Hearing, Councillor Bose submitted the following Notice of Motion:

"THAT a Select Committee consisting of three members of Council and two citizens be appointed to consider transportation issues under review in the areas of Morgan Creek and Rosemary Heights for the purpose of recommending to Council measures to mitigate against existing and emerging transportation neighbourhood conflict."

File: 8630-01 (Transportation Planning-General)

Councillor Bose requested that the above Notice of Motion be deferred until after the May 12, 2004 Public Information meeting.

2. Semiahmoo Town Centre Plan

Councillor Bose provided the following Notice of Motion:

WHEREAS the Semiahmoo Town Centre was developed in the late 1970's, and the current Town Centre plan remained essentially unchanged since its adoption in 1992; and

WHEREAS Peninsula Village, Southpoint and now the Grandview Corridor commercial developments dictates a new but yet to be defined role for the Semiahmoo Town Centre within the broader context of development in the Semiahmoo Peninsula;

THEREFORE be it resolved that the City of Surrey undertake a comprehensive review of land uses and urban design elements within the Semiahmoo Town Centre and that staff report on Terms of Reference and resources required to undertake the review.

L. ANY OTHER COMPETENT BUSINESS

M. ADJOURNMENT

It was

meeting do now adjourn.
RES.R04-1044

Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That the Regular Council - Public Hearing


Carried

The Regular Council- Public Hearing adjourned at 9:06 p.m.

Certified correct:



City Clerk



Mayor