



# City of Surrey

## Regular Council - Public Hearing

### Minutes

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

#### Present:

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

#### Absent:

Councillor Hunt

#### Staff Present:

City Manager  
City Clerk  
General Manager, Planning & Development  
General Manager, Engineering  
General Manager, Finance, Technology & Human Resources  
Manager, Area Planning & Development Division  
Manager, North Surrey Section  
Manager, South Surrey Section  
City Solicitor  
Land Development Engineer

#### Councillors Entering Meeting as Indicated:

The Mayor indicated that the agenda order would be varied so that Corporate Report No. R135 could be heard as Item B.2 - Delegations - Presentations.

#### A. ADOPTION OF MINUTES

##### 1. Special (Regular) Council - May 17, 2004

It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That the minutes of the Special (Regular)  
Council meeting held on May 17, 2004, be adopted.

RES.R04-1441 Carried

##### 2. Council-in-Committee - May 17, 2004

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That the minutes of the  
Council-in-Committee meeting held on May 17, 2004, be received.

RES.R04-1442 Carried





- (f) amend Schedule C, Development Permit Area Guidelines in the Section entitled "Designated Development Permit Areas" by deleting the current wording for points 1, 2 and 3 and replacing it with the following:

"The following areas of the City are designated as Development Permit Areas:

1. All properties outside of the Agricultural designation that are abutting Agricultural designated land are a Development Permit Area for the purpose of protecting farming. All lands located within 300 metres (984 feet) of, but not directly abutting Agricultural designated lands, will be defined as farm-sensitive lands for planning and engineering purposes, but will not necessarily require a Development Permit.
2. All parcels of land within the City are designated as a Development Permit Area for the purpose of controlling the form and character of multiple residential, commercial and industrial development except for:
  - (a) the lands illustrated in Figure C-1 – "Areas not Designated as Development Permit Areas in Schedule C"; or
  - (b) in the case of industrial development, parcels of land located more than 100 metres (328 feet) from all Provincial Highways or Arterial Roads and not located in a business/industrial park or not abutting land in a Suburban, Urban, Multiple Residential, City Centre, Town Centre, Commercial, Rural, Agricultural, Conservation, Indian Reserve or other non-Industrial OCP designation.
3. Notwithstanding 2(b), the entire South Westminster Secondary Plan area is a Development Permit Area.
4. For the purposes of clarity, a Development Permit is not required under clause 2 or 3 where the development project does not contain multiple residential, commercial or industrial development".

RES.R04-1446

Carried

3. Deny OCP amendment Application No. 7903-0225-00 that seeks to amend the Land Use Designation Map from Suburban to Urban for six properties located in the east Fleetwood area, as documented in Section 3.1 of this report.

It was Moved by Mayor McCallum  
Seconded by Councillor Watts  
That Recommendation No. 3 which states  
that Council:

"Deny OCP amendment Application No. 7903-0225-00 that seeks to amend the Land Use Designation Map from Suburban to Urban for six properties located in the east Fleetwood area, as documented in Section 3.1 of this report";

be referred to staff to process the application to a Regular Council Land Use meeting.

RES.R04-1447

Carried

**B. DELEGATIONS - PRESENTATIONS**

- 1. 2004 Honey Hooser Scholarship Award**  
**Ms. Doreen Trudel, President**  
**Peace Arch Weavers & Spinners Guild**  
**Hooser Weaving Centre**  
**Mr. Doug R. Hooser**  
File: 0290-20HH; 0550-20-10

Ms. Pei-Hsuan (Amy) Wang was in attendance to receive the 2004 Honey Hooser Scholarship Award.

The Mayor noted it was a pleasure to award Ms. Pei-Hsuan (Amy) Wang the 2004 Honey Hooser Scholarship Award. He then asked that Mr. Doug Hooser be recognized for his family's generosity in providing scholarship funds for arts and crafts students and funds for the Peace Arch Weavers and Spinners Guild. He continued that each year, an award is given to the Peace Arch Weavers and Spinners Guild as well as to an individual meeting the requirements in their arts and crafts studies.

The Mayor then presented to Ms. Doreen Trudel, on behalf of Mr. Doug Hooser, and Council, an award of \$300.00 for the Peace Arch Weavers and Spinners Guild.

Ms. Amy Wang was then presented with a scholarship award of \$300.00 by Mayor McCallum, on behalf of Council, and Mr. Doug Hooser.

**2. Item No. R135 Notice Against Title of Property at 3527 - 149A Street:  
Construction Inspection Irregularities  
File: 3527-14950; 2210-01**

The General Manager, Planning & Development submitted a report to inform Council that a building was constructed on the Property contrary to the Building By-law and to present information supporting a recommendation that Council adopt a resolution directing the filing of a Notice against the title of the Property. The Notice will notify the owners, those holding an interest in the Property and prospective purchasers that the City of Surrey Building Division did not conduct the framing and insulation inspections on the building, as required in the Building By-law.

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

The owner was not in attendance to speak to this matter.

It was Moved by Councillor Watts  
Seconded by Councillor Steele  
That Council direct the City Clerk to file the notice set out in Appendix "A" (the "Notice"), pursuant to Section 57 of the *Community Charter*, S.B.C., 2003, c.26, as amended (the "*Community Charter*"), against the title of the property at 3527 – 149A Street and more particularly described in Appendix "B" (the "Property"), due to non-compliance with the Surrey Building By-law, 1987, No. 9011 (the "Building By-law").

RES.R04-1448

Carried

**B. DELEGATIONS - PUBLIC HEARING**

**1. Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004 No. 15373**

**Rezoning Application: 7904-0004-00**

ADDRESS: CIVIC/LEGAL  
12587 - 72 Avenue/PID: 004-328-728, Lot 21, Except:  
Firstly: N. 642.7 ft; Secondly: Part Shown as Road. on  
Explan. Plan 15029; Thirdly: Part (Bylaw Plan 82296);  
Sec. 19, Twp. 2, NWD, Plan 6216

APPLICANT: 681521 B.C. Ltd.  
c/o Maciej Dembek  
#202 - 12448 - 82 Avenue  
Surrey, B.C. V3W 3E9

PROPOSAL: To rezone the property 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 west side yard setback for Block 5 from 7.5 metres (25 ft.) to 6 metres (20 ft.), as shown on Schedule A; and
- (b) To reduce the minimum east side yard setback for Block 3 and Block 4 from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), as shown on Schedule A.

The purpose of the rezoning and development variance permit is to permit the development of a 55-unit townhouse complex.

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

There was correspondence on table from M. Prettejohn, B.C. Hydro Property Services regarding Right-of-Way Use Guidelines.

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

**2. Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15374**

**Rezoning Application: 7904-0003-00**

ADDRESS: **CIVIC/LEGAL**  
**6084 - 150 Street/PID: 011-057-572, Lot 18, Except; S. 140 ft.; Sec. 10, Twp. 2, NWD, Plan 3981**  
**6132 - 150 Street/PID: 004-476-701, Lot "B", Sec. 10, Twp. 2, NWD, Plan 13385**

APPLICANT: 673858 B.C. Ltd., 673860 B.C. Ltd.  
 c/o Hunter Laird Engineering Ltd.  
 300 - 65 Richmond Street  
 New Westminster, B.C. V3L 5P5

PROPOSAL: **Area A**  
 To rezone a portion of 6084 - 150 Street and a portion of 6132 - 150 Street from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Zone (RF-9)."

**Area B**

To rezone a portion of 6084 - 150 Street and a portion of 6132 - 150 Street from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12).

**DEVELOPMENT VARIANCE PERMIT**

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 17A, Section H.1, as follows:

- (a) To waive the requirement that requires driveway access to Lots 15 to 22 from the rear lane only (as shown on Schedule A).

The purpose of the rezoning and development variance permit is to allow subdivision into approximately 69 single family residential lots (14 RF-9 lots and 55 RF-12 lots).

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.

Chris Bardon, Mosaic Panorama Heights Holdings Ltd., 1625 West 5th Avenue, Vancouver, was in attendance and commented that his company owns the lot at 15075 - 60 Avenue, which is situated immediately to the south of the property in question. He added that he hoped that the property owner would adopt a tree preservation approach, particularly along the south perimeter of the property where it adjoins 15075 - 60 Avenue, noting that new subdivisions have been known to lack presence of mature trees although the public values trees; a good and valuable commodity. He added that he hoped Enver Creek Homes would pursue the approach of tree preservation with the advice of a tree arborist's report.

Chris Bardon commented on a discussion with Enver Creek Homes, wherein he stated that a tree arborist had advised him that the alders and cottonwoods predominating the southern portion of the property would not lead to retention. Mr. Bardon noted, however, that they had retained the same type of trees on their property.

**3. Surrey Official Community Plan By-law, 1996, No. 12900,  
No. 98 Amendment By-law, 2004, No. 15375**

**Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, 15376**

**Rezoning Application: 7903-0116-00**

ADDRESS: **CIVIC/LEGAL**  
**7779 - 148 Street/PID: 000-995-584, Lot 16, Sec. 22,**  
**Twp. 2, NWD, Plan 15539**



APPLICANT: Ekam Development Ltd.  
c/o CitiWest Consulting Ltd. (Roger Jawanda)  
#101 - 9030 King George Highway  
Surrey, B.C. V3V 7Y3; and  
c/o Ekam Development Ltd. (Jagdip Sivia and Mike Weir)  
12579 - 89 Avenue  
Surrey, B.C. V3V 1A4

PROPOSAL: **By-law 15375**  
To redesignate the property from Suburban (SUB) to Urban (URB).

**By-law 15376**  
To rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)".

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

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

There was correspondence on table from F. and D. Wall expressing opposition to the proposed rezoning application.

The Mayor noted that C. and L. Leslie, and J. Unger had indicated opposition to the proposed rezoning application in writing and not wishing to speak.

Bob Leslie, 7755 - 148 Street, was in attendance and commented that he opposed the proposed rezoning application and the division from One Acre Residential to three single family lots. He added that he was a member of the original committee in developing the OCP, East Newton LAP, and a member of the East Newton Residents Association, and represented the feelings and wishes of the neighbourhood. He discussed recent developments in the area and noted that the proposed rezoning would not make good use of the land. He then commented on a prior application and noted the East Newton Residents Association had requested and obtained a buffer area, which was not left natural as originally intended. He noted that the proposed development sign was originally put on the incorrect property, taken down, and then erected on the correct site. He added that the proposed site would be divided into five lots, not three lots and that the services have already been installed before the public hearing process had even taken place. He added that the drainage has been blocked off under the culvert that the new road had been dug up. He asked that the road be replaced, drainage corrected, and services taken out.

**4. Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15377**

**Rezoning Application: 7996-0091-00**

ADDRESS: CIVIC/LEGAL  
7009 - 152 Street/PID: 004-538-013, Lot 26, Except:  
Firstly: Pcl. F (Bylaw Plan 62484), Secondly: Part  
Dedicated Road on Plan LMP20844, Sec. 15, Twp. 2,  
NWD, Plan 1360

APPLICANT: 652857 B.C. Ltd.  
c/o Coastland Engineering & Surveying Ltd. (Mike Helle)  
101 - 19292 - 60 Avenue  
Surrey, B.C. V3S 3M2

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

The purpose of the rezoning is to permit subdivision into 23  
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.

The Mayor noted that R. Drew and S. Schmidt had indicated opposition in writing  
to the proposed rezoning application and not wishing to speak.

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. 15379**

**Rezoning Application: 7904-0066-00**

ADDRESS: CIVIC/LEGAL  
13033 - 76 Avenue/PID: 025-625-136, Lot B, Sec. 20,  
Twp. 2, NWD, Plan BCP4688

APPLICANT: 657529 B.C. Inc.  
c/o Ionic Architecture Inc.  
#3 - 15243 - 91 Avenue  
Surrey, B.C. V3R 8P8

PROPOSAL: To rezone the property from "Light Impact Industrial Zone  
(IL)" to "Comprehensive Development Zone (CD)".

The purpose of the rezoning is to permit the development of two multi-tenant industrial buildings with a total floor area of 4,895.83 m<sup>2</sup> (52,700 sq.ft.).

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 Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15380**

**Rezoning Application: 7904-0084-00**

ADDRESS: CIVIC/LEGAL  
18116 - 67 Avenue/PID: 002-404-401, Lot 47, Sec. 17,  
Twp. 8, NWD, Plan 64651

APPLICANT: Verner and Sylvia Sorensen  
c/o McElhanney Consulting Ltd. (James Pernu)  
13160 - 88 Avenue  
Surrey, B.C. V3W 3K2

PROPOSAL: **Block A**  
To rezone a portion of the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

**Block B**  
To rezone a portion of the property from "One-Acre Residential Zone (RA)" to "Single Family Residential Zone (RF)".

The purpose of the rezoning is to permit subdivision into approximately 4 standard single family lots and 4 small 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.

The Mayor noted that C. Pattinson and J. Clegg had indicated opposition in writing to the proposed rezoning application and not wishing to speak.

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

7. **Surrey Official Community Plan By-law, 1996, No. 12900,  
No. 99 Amendment By-law, 2004, No. 15381**

**Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15382**

**Rezoning Application: 7903-0467-00**

ADDRESS: **CIVIC/LEGAL**  
**6920 - 188 Street/PID: 025-486-756, Lot 105, Sec. 16,  
Twp. 8, NWD, Plan BCP351**  
**6970 - 188 Street/PID: 011-414-201, Pcl. "A" (Explan.  
Plan 16701), Lot 1, Sec. 16, Twp. 8, NWD, Plan 9616**  
**Portion of 6990 - 188 Street/PID: 025-486-781, Lot 108,  
Sec. 16, Twp. 8, NWD, Plan BCP 351**

APPLICANT: **Benchmark Management Ltd. and Progressive Construction  
Ltd.**  
**c/o Barnett Dembek Architects Inc. (Dave Walls)**  
**202 - 12448 - 82 Avenue**  
**Surrey, B.C. V3W 3E9**

PROPOSAL: **By-law 15381**

To redesignate 6920 and 6970 - 188 Street and a portion of  
6990-188 Street from Urban (URB) to Multiple Residential  
(RM).

**By-law 15382**

To rezone the properties at 6920 and 6970 - 188 Street  
from "One-Acre Residential Zone (RA)" to "Multiple  
Residential 30 Zone (RM-30)".

To rezone a portion of 6990 - 188 Street (Block 1 on  
Schedule A) from "Single Family Residential Coach House  
Zone (RF-12C)" to "Multiple Residential 30 Zone  
(RM-30)".

**DEVELOPMENT VARIANCE PERMIT**

To vary "Surrey Zoning By-law No. 12000", as amended,  
Part 22, Section F and Part 5, Table C.6, as follows:

- (a) To reduce the minimum front yard setback (north),  
rear yard setback (south) and side yard setback on a  
flanking street (west) from 7.5 metres (25 ft.) to  
4.8 metres (16 ft.), which may be encroached by  
second-storey decks located at the minimum  
setback of 3.0 metres (10 ft.);

- (b) To reduce the minimum side yard setback (east) from 7.5 metres (25 ft.) to 3 metres (10 ft.) for Unit 1 and to 1.9 metres (6.2 ft.) for Unit 53; and
- (c) To reduce the number of required off-street parking spaces from 11 to 5.

The purpose of the redesignation, rezoning and development variance permit is to permit the development of 57 townhouse units in East Clayton.

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 M. Gimson, D. and S. Idell, and E. Packer expressing concerns regarding adequate parking.

The Mayor noted that A. Eaton had commented on the proposed rezoning application in writing and was not wishing to speak.

Rex Eaton, 7014 - 188 Street, was in attendance and commented on reduced numbers of Planning staff, planning principles with respect to reduced setbacks, traffic patterns, car storage and services at the rear of the buildings. He then noted that a continuous row of town homes could present a barrier for access to both the school and the park in the area, in terms of future planning.

Maciej Dembek, Barnett Dembek Architects Inc., was in attendance and commented that the off street parking consists of two interior spaces for each unit, a total of 12 visitor spaces, with 6 located on the public right-of-way, 2 on 70 Avenue and 4 on 69 Avenue. He noted that the parking spaces would be consistent with the development to the south in that parking spaces would be parallel to the traffic lanes on the street.

**8. Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15384**

**Rezoning Application: 7904-0064-00**

ADDRESS: **CIVIC/LEGAL**  
**Portion of 13495 King George Highway/PID: 011-550-465, Lot 17, Except: Firstly: Part on Statutory ROW Plan 5719, Secondly: Part Subdivided by Plan 15624, Sec. 15, B5N, R2W, NWD, Plan 5347**  
**Portion of 13503 King George Highway (shown as 13501 to 13505 King George Highway) /PID: 011-154-594, Lot 18, Except: Firstly: Part on Statutory ROW Plan 5719, Secondly: Part Subdivided by Plan 15624, Sec. 15, B5N, R2W, NWD, Plan 5347**

APPLICANT: West Coast House of Aluminium Ltd. and  
538454 B.C. Ltd.  
c/o Nash Kooner  
12491 - 90A Avenue  
Surrey, B.C. V3V 1C3

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

**DEVELOPMENT VARIANCE PERMIT**

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

- (a) To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to zero for the existing commercial building at 13503 King George Highway ( See Schedule A).

The purpose of the rezoning and development variance permit is to permit the development of a 4-storey, 27-unit apartment building on Hilton Road 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.

Joan Carr, 311 - 13530 Hilton Road, was in attendance and commented on drainage problems experienced on her property, noise from workers, truck traffic and parking in the area. She added that she would support the proposal if the drainage issues were resolved.

**9. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997 No. 13136, Amendment By-law, 2004, No. 15388**

**Surrey Zoning By-law, 1993, No. 12000,  
Amendment By-law, 2004, No. 15389**

**Rezoning Application: 7903-0394-00**

ADDRESS: **CIVIC/LEGAL**  
**Portion of 16555 Fraser Highway/PID: 024-161-845,**  
Lot 1, Sec. 25, Twp. 2, NWD, Plan LMP38186

APPLICANT: City of Surrey  
c/o Joe Minten  
355 Pemberton Terrace  
Kamloops, B.C. V2C 1T2

## PROPOSAL:

**By-law 15388**

To amend "Surrey Zoning By-law, 1993, No. 12000 Amendment By-law, 1997, No. 13136", as follows:

- a) Replace the legal description of the lands in Section 1 to remove a portion of 16555 Fraser Highway (shown as Block A on Schedule A);
- b) Replace the table in Section 2.J.2. Subdivision and insert the following:

<i>Lot Size</i>	<i>Lot Width</i>	<i>Lot Depth</i>
10 hectares [25 acres]	145 metres [475 ft.]	30.0 metres [100 ft.]

- c) Insert new Schedules B and C, attached to and forming part of the by-law on file.

The purpose of the amendment is to clarify the dimensions of the property located at 16555 Fraser Highway after subdivision of the new lot, shown as Block A on Schedule A.

**By-law 15389**

To rezone a portion of 16555 Fraser Highway (shown as Block A on Schedule A) from "Surrey Zoning By-law, 1993, No. 12000 Amendment By-law, 1997, No. 13136" to "Comprehensive Development Zone (CD)" By-law 12000.

The purpose of this rezoning is to permit a phased commercial development including a drive-through restaurant, and a 4-storey, 82-room hotel adjacent to the Surrey Sports and Leisure Complex in Fleetwood.

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

There was correspondence on table from R. Hart, President, Fleetwood Community Association expressing concerns regarding adequate parking, and from T. Clarke-Blaise expressing concerns regarding parking and additional lighting.

The Mayor noted that R. Mitchell had indicated opposition in writing and not wishing to speak.

Debbie Ewaniuk, 16516 - 84A Avenue, was in attendance noted that the hotel would be in close proximity to a residential area. She commented on the proposed pub, its proximity to children and residential area, and noted an existing pub in the area. She commented on the back lane to the sports complex and indicated there would be increased traffic and suggested the installation of gates to reduce traffic.

Ralph Turnbull, 8449 - 152 Street, was in attendance and commented that he generally supports the development, however, he raised concerns regarding traffic should the proposed application proceed. He discussed a possible rink and swimming pool in the future at the sports complex and stated that his biggest concern is adequate parking space. He suggested that underground parking be constructed for the Surrey Sports & Leisure Centre.

Bill Ruffo, 16581 - 180 Avenue, was in attendance and commented that he did not oppose the proposed application but wished to have assurance the proposed project would be of a high quality meeting set standards. He then discussed concerns regarding adequate parking space, increased population, and the construction of an additional ice rink. He suggested that underground parking be constructed for this type of facility, the cost of which would be recoverable in parking fees. He noted there had been no public information meetings held and then provided comments regarding conditions of sale.

Rick Hart, President Fleetwood Community Association, 15996 - 84 Avenue, was in attendance and commented that the subject property was intended to be a commercial proposal. He noted that the proponent had recently changed the application to include a pub/restaurant and/or convention centre. He then discussed the reduction in the number of proposed parking spaces, a proposed second storey, and the use of a restrictive covenant declaring there would be on-site parking at the Sports & Leisure Complex. He continued that the Sports & Leisure Complex is of high standard and had won awards, and that a reduction in parking space would not do the Centre justice. He questioned why the proposed number of parking spaces fluctuates, and commented on vehicle vandalism in the area.

Marie Cooper, 5937 - 124A Street, was in attendance and commented on the lack of available parking space, proposed dive tank and ice rink. She added that the subject property could be kept as green space for the future.

Rob Terris, President, Tynehead Community Association, was in attendance and commented on community relations, heritage aspect and traffic impact of the proposed rezoning application. He added he would like to see some heritage aspect kept in the Tynehead area, ensure there is adequate parking for the proposed facility, and that a traffic impact study be undertaken addressing concerns. He added that the proposed facility would benefit the community.

Roseanne Mitchell, General Manager, IMS Management Solutions, was in attendance and commented that she leases 13,000 sq. ft. of space at Surrey Sports & Leisure Complex, has a staff of 30 dealing with approximately 80 injured



persons. She continued that there is vehicle vandalism and theft in the parking lot and that her clients complain about the lack of parking. She advised that icy surfaces in winter are a problem for her clients as well. She added that she opposed the proposed application.

Joe Minten, JM Architecture, was in attendance and commented that there were provisions under existing by-laws for a 25% reduction in parking space, totalling 125 parking spaces. He added that 110 stalls were to be installed on site and 40 stalls on the neighbouring site. He continued that, subsequent to the May 17, 2004 Council meeting, 20 parking stalls have been added for a total of 170 parking stalls, with 110 stalls on the development site and 60 stalls on the neighbouring northeast site.

He noted that the project design had been based on discussions with staff. He added that studies by HBC International, a hotel research group, indicated that Vancouver's annual average for hotel occupancy is 67% and that he would not expect the proposed hotel to be completely occupied at all times. He added that there are other viable methods of access to the hotel through such means as buses used by large groups, taxi, and car-pooling, meaning a reduced effect on parking. He also noted that check in and check out times indicate that most patrons usually arrive after 6:00 p.m. and leave by 9:00 a.m., further reducing the impact on parking. He continued that the restaurant and meeting room would be primarily operated by the hotel and noted that the facility would promote business in the community. He noted that there was an agreement-in-principle with a hotel chain for the proposed site.

**10. 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:** See Development Variance Permit 7903-0323-00 under Clerk's Report, Item I.1(e) of this agenda.

There was correspondence on table from C. Doble expressing opposition to the proposed Development Variance Permit application, from L. Walker, C. Kulibirda, E. and B. Bertholm, M. Greene, and G. Columbus, Foundex, expressing concerns. There was also correspondence on table from Bell Mobility expressing support for the proposed application.

The Mayor noted that the following persons had persons had registered an opinion regarding the proposed by-law:

NAME	FOR	AGAINST	UNDECIDED
A. & R. Dela Pena		X	
C. Regehr		X	
D. Griffiths		X	
S. Slavin		X	
N. Slavin		X	
C. Hogan		X	
S. Legault		X	
R. Legault		X	
S. Bailey		X	
C. Buettner		X	
A. Smith		X	
D. Jack		X	
T. Van Tunen		X	

Harvey Schmidke, Bell Mobility, 7821 - 114A Street, Delta, was in attendance and commented that there would be further information presented by Dr. Stuchly and Mr. Keith Bandy. He noted that Bell Mobility had worked hard to resolve the concerns regarding the proposed cell tower installation, noting that the outstanding issues centred around federal government safety standards. He provided a brief description of the background of the attending experts.

Dr. Stuchly, Victoria, B.C., was in attendance and commented that health protection against microwave installations in Canada is governed by Safety Code No. 6, which was developed by Health Canada, based on extensive research. She continued that the limits of exposure incorporate a large safety area and incorporate those safety margins against well documented effects of thermal and non-thermal usage. She added that the limits of the Safety Code are identical to the United States, Europe and most other international and national standards.

She noted that the proposed base station product is limited to microwaves a thousand times below the Safety Code limit, significantly below a typical ambience, most as a result of broadcast - AM radio and TV. She then added that there is an overwhelming amount of scientific research indicating that standards are sufficiently stringent for the solid protection against health effects provided for adults and children. She continued that there has been some debate and controversy regarding the limited number of scientific findings, however, there has never been a documented detrimental health effect at the levels of exposure as shown resulting from the proposed base station. She summarized that on the basis of scientific knowledge, she is fully confident that the proposed transmitter at the base station will be safe.

Mr. Keith Bandy, Vancouver, B.C., was in attendance and commented that he is independent from Bell Mobility, under no obligation or contract with the organization, and was requested to audit their calculations. He continued that he went through the calculations looking out to 500 meters, 1000 and 2000 meters and is satisfied that the post base station is fully in compliance with Safety Code 6 in all publicly accessible sites. He added that Sullivan Senior Secondary School has a distance of 300 meters indicating that the levels would 1/10 thousandths

below Safety Code 6. He advised that he is satisfied that the calculations are correct and that at this level, is well below the other contributors, and would not significantly contribute to the ambient contributions at the school.

He continued that it is important to note the impact of cellular phone usage and to differentiate the impact of a cellular base station and cellular phone use close in proximity to the user's body. He added that the proposed cellular base station is relatively distant from any publicly accessible barrier and that the closest you could get is 20 meters. He continued that cellular base stations are not high-powered transmitters and are designed to talk to local receivers and do not offer any advantage to cellular operators to use high power in comparison to other contributors such as TV and radio broadcasting. He noted that the cell base station is quite low in comparison. He added that comparing the children's exposure at school in order of magnitude to what we are exposed to in our households such as baby monitors, cordless phones, microwave ovens, and other contributors to ambient environment. He added that the cellular base station is not a point of concern in comparison to those other contributors.

Liz Walker, 13481 - 66A Avenue, was in attendance and commented that she had two children attending Sullivan and is a representative on the Parent Advisory Committee. She noted that the cell tower would expose school children to radiation 24 hours a day, 7 days a week and that they are already being irradiated from different sources. She stated concerns regarding raised radiation levels and that the Canada Safety Code 6 is outdated and that Health Canada's definition of harm deals with higher amounts of irradiation, and that she was concerned about disease processes triggered through radiation. She added that there are no monitoring of radiation levels and asked if Bell Mobility could increase the number of antennae without further consultation with the City.

She commented that a clear majority of parents believe there are potential health and safety risks around cellular telecommunication technology and referenced a 166-signature petition. She stated that the only acceptable solution is no antenna and that it would be prudent to limit the exposure of our youth since their bodies are undergoing significant developmental changes. She added that there needs to be more accountability and monitoring from the industry and requested Council to oppose the application.

Ernest Inkman, 14225 - 66 Avenue, was in attendance and commented that he has been an amateur ham radio operator for the last 33 years and as such, was entitled to experiment with all frequencies. He added that the radios he operated were at 750 watts, which is almost unheard of with cellulators and that he is healthy.

Larry Black, 2609 Alder Drive, Langley, was in attendance and commented that his background is electromagnetic engineering and association with people in attendance. He advised that he was concerned about Safety Code 6, stating that it is irrelevant and has nothing to do with personal safety and cellular telephone towers or hand held units. He continued that Safety Code 6 deals only with thermal microwave radiation and not with non-ionizing radiation and that in 1973, three scientists on the National Research Council of Canada, did a ten-year study

on the effects of electro-magnetic radiation on the human body, which determined that there could be harmful effects to the human body.

He noted that radioactive damage to biological bodies is cumulative and cannot be undone. He recommended Council consider keep in mind the precautionary principle that the World Health Organization uses which states that if the science is uncertain, that you go forward with prudence. He cited a California study from October 2002 indicated a clear connection between power transmission lines, cell phone tower, and AM/FM radio broadcasts and their effects on biological bodies.

Milt Bowling, 3570 Corsica Way, Vancouver, was in attendance and commented that he had read many international studies and grew more concerned with respect safety concerns relating to cellular towers. He noted that the Vancouver School Board had made a decision to ban cellular tower installations at their schools and that the BCCPAC passed a similar resolution. He continued that Safety Code 6 is strictly based on heating of dead tissue and is easily quantified by scientists; it does not reflect the aliveness of the recipient of the radiation. He discussed the monitoring of the effects of cellular towers and noted a similar application in the Deep Cove area. He advised that cellular companies may pick and choose where they place their installations within a geographical area. He continued that major insurance companies refuse to insure the industry and that the International Agency for Cancer classes electro-magnetic fields as a possible human carcinogen.

The Mayor indicated that a ten-minute recess would be held at 10:16 p.m. The meeting reconvened at 10:26 p.m. with all members of Council in attendance, except Councillor Hunt.

## C. COMMITTEE REPORTS

### 1. Public Art Advisory Committee - May 13, 2004

It was Moved by Councillor Villeneuve  
Seconded by Councillor Watts  
That the minutes of the Public Art Advisory  
Committee meeting held on May 13, 2004, be received.

RES.R04-1449

Carried

### 2. Joint Family Court Committee - May 18, 2004

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That the minutes of the Joint Family Court  
Committee meeting held on May 18, 2004, be received.

RES.R04-1450

Carried

**3. Environmental Advisory Committee - May 19, 2004**

(a) It was Moved by Councillor Bose  
Seconded by Councillor Tymoschuk  
That the minutes of the Environmental  
Advisory Committee meeting held on May 19, 2004, be received.  
RES.R04-1451 Carried

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

**CAMPBELL HEIGHTS**

It was Moved by Councillor Bose  
Seconded by Councillor Watts  
That the City Manager provide a copy of the  
1997 Environmentally Sensitive Areas Update and Park Acquisition and  
Enhancement Strategy Report and that it be forwarded in confidence to the  
EAC for review in a Closed Meeting under Section 90 (e) of the  
Community Charter.  
RES.R04-1452 Carried

**4. Parks & Community Services Committee - May 19, 2004**

It was Moved by Councillor Steele  
Seconded by Councillor Watts  
That the minutes of the Parks & Community  
Services Committee meeting held on May 19, 2004 be received.  
RES.R04-1453 Carried

**5. Police Committee - May 25, 2004**

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That the minutes of the Police Committee  
meeting held on May 25, 2004, be received.  
RES.R04-1454 Carried

**6. Agricultural Advisory Committee - June 3, 2004**

(a) It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That the minutes of the Agricultural  
Advisory Committee meeting held on June 3, 2004, be received.  
RES.R04-1455 Carried

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

**Avian Flu**

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That the AAC supports requests by the  
Canadian Food Inspection Agency, for permits to allow the burning of  
infected poultry facilities at 1509 – 176 Street, Surrey.  
RES.R04-1456 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That the Ministry of Agriculture, Fisheries  
and Food be requested to forward to the City of Surrey (AAC) the draft  
criteria listed in the bio-security protocols in the funded studies of the  
Avian Flu in order to afford the committee an opportunity to provide input  
into the protocols.  
RES.R04-1457 Carried

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That in light of the Avian Flu crisis, the City  
should work with Provincial Emergency Preparedness (PEP) and the  
Canadian Food Inspection Agency (CFIA) to create a disaster protocol for  
subsequent events.  
RES.R04-1458 Carried

**Housing Footprint on Agricultural Lands**

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That in order to maintain the viability of  
smaller farming operations, that the AAC supports the concept of limiting  
the size of houses and house plates within the Agricultural Land Reserve.  
RES.R04-1459 Carried

**D. BOARD/COMMISSION REPORTS****1. Board of Variance - April 20, 2004**

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That the minutes of the Board of Variance  
 meeting held on April 20, 2004, be received.  
 RES.R04-1460 Carried

**2. Heritage Advisory Commission - May 26, 2004**

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That the minutes of the Heritage Advisory  
 Commission meeting held on May 26, 2004, be received.  
 RES.R04-1461 Carried

**E. MAYOR'S REPORT****1. Proclamations**

Mayor McCallum read the following proclamations:

(a) **SPINA BIFIDA AND HYDROCEPHALUS MONTH**  
 June, 2004

WHEREAS Spina Bifida (a neural tube defect) is the incomplete development of the nervous system and spinal cord that occurs very early in pregnancy resulting in varying degrees of permanent paralysis, loss of sensation and bladder and bowel dysfunction; and

WHEREAS Spina Bifida is not a progressive disorder. It is, however, a lifelong disability that cannot be outgrown; and

WHEREAS Spina Bifida will affect one in approximately 750 children born each year in Canada; and

WHEREAS Hydrocephalus is the accumulation of cerebrospinal fluid (CSF) within and around the brain; and

WHEREAS over 80% of individuals with Spina Bifida have Hydrocephalus; and

WHEREAS with recent medical treatments, therapies and educational approaches individuals with Spina Bifida and/or Hydrocephalus can grow up to have healthy, fulfilling lives; and

WHEREAS recent scientific research has proven that a daily intake of 0.4 mg of the "B" vitamin, Folic Acid, can significantly reduce the occurrence of Spina Bifida by up to 75%; and

WHEREAS the Spina Bifida and Hydrocephalus Association of BC is committed to assist those with Spina Bifida and/or Hydrocephalus and their families, and to inform the public about Spina Bifida and Hydrocephalus;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare the month of June, 2004 as "SPINA BIFIDA AND HYDROCEPHALUS MONTH" in the City of Surrey.

Doug W. McCallum  
Mayor

(b) SENIORS' WEEK  
June 6 - 12, 2004

WHEREAS seniors are a diverse population within a society that supports its members throughout the life continuum and recognizes individual rights to dignity, respect, autonomy and choice; and

WHEREAS seniors in the City of Surrey, through their various contributions have helped to establish a city which reflects a unique social, economic, cultural and ethnic heritage; and

WHEREAS the City of Surrey is committed to ensuring that the voices of seniors are heard, and that seniors are valued as partners in shaping the future of this City; and

WHEREAS harmony among generations can be fostered by a deeper understanding of what it means to grow old; and

WHEREAS Seniors Week is a time to acknowledge the diversity of seniors and to increase public awareness of their vital role in the City's society;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare June 6 - 12, 2004 as "SENIORS' WEEK" in the City of Surrey.

Doug W. McCallum  
Mayor



(c) RELAY FOR LIFE DAY  
June 11, 2004

WHEREAS the Canadian Cancer Society is a national, community-based organization of volunteers whose mission is the eradication of cancer and the enhancement of the quality of life for people living with cancer; and

WHEREAS Relay for Life is a community event that joins Surrey with the province and country to celebrate survivors and remember our loved ones who have been touched by cancer. By raising money and participating in the Canadian Cancer Society Relay for Life, the City of Surrey plays an integral part in giving hope to cancer patients and their families; and

WHEREAS it is my sincere hope that the City of Surrey helps find a cure for cancer and support those living with the disease;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare June 11, 2004 as "RELAY FOR LIFE DAY" in the City of Surrey.

Doug W. McCallum  
Mayor

(d) NEWTON DAY  
June 12, 2004

WHEREAS the community of Newton is one of the largest and fastest growing communities in the City of Surrey; and

WHEREAS the residents of Newton, and its community groups, wish to improve their quality of life, and to celebrate the diversity of their community; and

WHEREAS June 12, 2004 will be the date of the **Newton Day - A Community Celebration** event; and

WHEREAS it is my sincere hope that **Newton Day - A Community Celebration** will reflect the special pride that all citizens of Surrey take in their communities;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare the 12th day of June, 2004 as "NEWTON DAY" in the City of Surrey.

Doug W. McCallum  
Mayor

(e) RICK HANSEN WHEELS IN MOTION DAY  
June 13, 2004

WHEREAS people with spinal cord injuries are a valued part of our community; and

WHEREAS our community recognizes the positive impact that people with spinal cord injury have on their communities; and

WHEREAS our community supports positive changes to encourage people living with spinal cord injury to lead full productive lives; and

WHEREAS it is the goal of the Rick Hansen Man in Motion Foundation to accelerate improvements to the quality of life for people living with spinal cord injury; and

WHEREAS our community will support Rick Hansen Wheels in Motion by asking citizens to wheel on bicycles, wheelchairs, in-line skates, skateboards, scooters or walk or run to raise awareness and funds for spinal cord injury;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare June 13, 2004 as "RICK HANSEN WHEELS IN MOTION DAY" 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 June 7, 2004, were considered and dealt with as follows:

**Item No. R126** Road and Lane Closure at 106A Avenue & 156 Street  
File: 7802-0211; 0910-30

The General Manager, Engineering submitted a report concerning the road and lane closure at 106A Avenue and 156 Street

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

It was Moved by Councillor Bose  
 Seconded by Councillor Watts  
 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  $\pm 3,326 \text{ ft.}^2$  ( $775 \text{ ft.}^2 + 2,551 \text{ ft.}^2$ ) opened portion of 106A Avenue and a  $\pm 2,896 \text{ ft.}^2$  unopened portion of lane between 156 Street and 157 Street.

RES.R04-1462

Carried

**Item No. R127** Road Closure at 81 Avenue & King George Highway  
 File: 7803-0359; 0910-30

The General Manager, Engineering submitted a report concerning the road closure at 81 Avenue and King George Highway.

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

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Watts  
 That Council approve the previously approved sale of a  $\pm 1,980 \text{ ft.}^2$  ( $\pm 184 \text{ m}^2$ ) unopened lane at 81 Avenue and King George Highway as outlined in the attached Corporate Report (R099).

RES.R04-1463

Carried

**Item No. R128** Proposed Riparian Area Regulations -  
 Ministry of Water, Land & Air Protection  
 File: 0410-20 (MWLAP)

The General Manager, Engineering submitted a report concerning the proposed Riparian Area Regulations - Ministry of Water Land & Air Protection.

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

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

1. Request that the draft resolution contained in the body of this report be forwarded to the UBCM for consideration during the 2004 UBCM convention; and
2. Authorize the City Clerk to forward a copy of this report to the Provincial and Federal governments and UBCM with a letter requesting that changes



**Item No. R131** Contract Award M.S. 1704-013-11: Imperial Paving Ltd.  
File: 1704-013/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-013-11. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>	<i>Corrected Value</i>
1. Imperial Paving Ltd.	\$2,777,591.60	
2. Winvan Paving Ltd.	\$3,077,175.02	\$3,077,263.29
3. TAG Construction Ltd.	\$3,183,945.50	
4. Gemco Construction Ltd.	\$3,265,377.85	

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 Watts  
Seconded by Councillor Steele  
That Contract M.S. 1704-013-11 be awarded  
to the low bidder, Imperial Paving Ltd., in the amount of \$2,777,591.60, including  
GST.

RES.R04-1467

Carried

**Item No. R132** Contract Award M.S. 1704-008-2: Progressive Contracting  
(Delta) Ltd.  
File: 1704-008/21; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1704-008-2. Tenders were received as follows:

<i>Contractor</i>	<i>Tendered Amount with GST</i>	<i>Corrected Amount</i>
1. Progressive Contracting (Delta) Ltd.	\$1,758,438.00	
2. TAG Construction Ltd.	1,889,660.00	
3. B&B Contracting Ltd.	1,943,600.00	
4. J. Cote & Sons Excavating Ltd.	2,195,700.00	\$2,196,181.49
5. Pedre Contractors Ltd.	2,214,000.00	
6. Sandpiper Contracting Ltd.	2,362,175.50	
7. B. Cusano Contracting Inc.	2,413,424.06	

The Engineer's pre-tender estimate was \$2,159,000 including GST.

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

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That Contract M.S. 1704-008-2 be awarded  
to the low bidder, Progressive Contracting (Delta) Ltd., in the amount of  
\$1,758,438.00, including GST.

RES.R04-1468 Carried

**Item No. R133** Business License By-law, 1999, No. 13680  
File: 3900-20-13680; 3900-20-15392

The City Solicitor submitted a report concerning the proposed amendments to the Business License By-law to allow the following:

1. Provide a license fee for Public Markets;
2. Provide a license fee for Flea Markets, and
3. Provide regulations for the operation of flea markets within the City of Surrey.

The City Solicitor was recommending approval of the recommendations outlined in his report.

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That Council adopt the proposed  
amendments to Business License By-law, 1999, No. 13680 (the "Business License By-law") attached as Appendix "A" to this report.

RES.R04-1469 Carried

**Item No. R134** Board of Variance Bylaw  
File: 0360-20 BOV; 3900-20-15317

The City Clerk submitted a report concerning the Board of Variance By-law.

The City Clerk was recommending approval of the recommendations outlined in her report.

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That Council instruct the City Clerk to bring  
forward "Board of Variance Establishment By-law, 2004, No. 15317" for three readings.

RES.R04-1470 Carried



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

1. Receive this report as information;
2. Authorize the Mayor to forward a letter to the Minister of Community, Aboriginal and Women's Services recommending that the Minister establish, under the current authority granted by legislation, an advisory board related to electrical safety services in the Province; and
3. Instruct the City Clerk to forward a copy of this report to Mr. Jim Sinclair, President, B.C. Federation of Labour.

RES.R04-1472

Carried

It was Moved by Councillor Villeneuve  
Seconded by Councillor Steele  
That Council forward a copy of the letter to the Ministry of Community, Aboriginal and Women's Services to the Union of British Columbia Municipalities, recommending that the Minister establish, under the current authority granted by legislation, an advisory board related to electrical safety services in the Province.

RES.R04-1473

Carried

**Item No. R138** Union of British Columbia 2004 Award for Best Practices  
File: 0290-01

The General Manager, Finance, Technology & Human Resources submitted a report concerning the Union of British Columbia 2004 Award for Best Practices.

The General Manager, Finance, Technology & Human Resources was recommending approval of the recommendations outlined in her report.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That Council approve the submission for the 2004 UBCM Community Excellence Award for Best Annual Reporting in the Best Practices Category.

RES.R04-1474

Carried

**Item No. R139** 2004 UBCM Community Excellence Awards - Submission of the Home Ownership Assistance Program  
File: 0290-01



The General Manager, Planning & Development submitted a report concerning the 2004 UBCM Community Excellence Awards - Submission of the Home Ownership Assistance Program.

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

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That Council approve the submission of the  
City's Home Ownership Assistance Program to the 2004 UBCM Community  
Excellence Awards in the Leadership and Innovation category.

RES.R04-1475

Carried

## H. BY-LAWS

- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15373"

7904-0004-00 - 681521 B.C. Ltd., c/o Maciej Dembek

RA (BL 12000) to RM-30 (BL 12000) - 12587 - 72 Avenue - to permit the development of a 55-unit townhouse complex.

Approved by Council: May 17, 2004

**Note:** See Development Variance Permit 7904-0004-00 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. 15373" pass its third reading.

RES.R04-1476

Carried

- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15374"

7904-0003-00 - 673858 B.C. Ltd., 673860 B.C. Ltd., c/o Hunter Laird  
Engineering Ltd.

RA (BL 12000) to RF-12 & RF-9 (BL 12000) - 6084 and  
6132 - 150 Street - to allow subdivision into approximately 69 single  
family residential lots (14 RF-9 lots and 55 RF-12 lots).



It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15376" pass its third reading.  
RES.R04-1479 Defeated on a tie vote with Councillors  
Villeneuve, Priddy, Bose and Watts against.

4. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15377"  
7996-0091-00 - 652857 B.C. Ltd., c/o Coastland Engineering & Surveying Ltd.  
(Mike Helle)

RA (BL 12000) to RF (BL 12000) - 7009 - 152 Street - to allow  
subdivision into 23 single family lots.

Approved by Council: May 17, 2004

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15377" pass its third reading.  
RES.R04-1480 Carried

5. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15379"  
7904-0066-00 - 657529 B.C. Ltd., c/o Ionic Architecture Inc.

IL (BL 12000) to CD (BL 12000) - 13033 - 76 Avenue - to permit the  
development of two multi-tenant industrial buildings with a total floor area  
of 4,895.83 m<sup>2</sup> (52,700 sq.ft.).

Approved by Council: May 17, 2004

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 2000, Amendment By-law, 2004, No. 15379" pass its third reading.  
RES.R04-1481 Carried

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15380"

7904-0084-00 - Verner and Sylvia Sorensen, c/o McElhanney Consulting Ltd.  
(James Pernu)

RA (BL 12000) to RF & RF-12 (BL 12000) - 18116 - 67 Avenue - to  
allow subdivision into approximately 4 standard single family and 4 small  
single family lots.

Approved by Council: May 17, 2004

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15380" pass its third reading.

RES.R04-1482

Carried

7. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 99 Amendment  
By-law, 2004, No. 15381"

7903-0467-00 - Progressive Construction Ltd., Benchmark Management Ltd.,  
c/o Barnett Dembek Architects Inc. (Dave Walls)

To authorize the redesignation of the site located at 6920, 6970 - 188 Street, and  
Portion of 6990 - 188 Street from Urban (URB) to Multiple Residential (RM).

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15382.

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, No. 99 Amendment By-law, 2004, No. 15381" pass its  
third reading.

RES.R04-1483

Carried

- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15382"

7903-0467-00 - Progressive Construction Ltd., Benchmark Management Ltd.,  
c/o Barnett Dembek Architects Inc. (Dave Walls)

RA & RF-12C (BL 12000) to RM-30 (BL 12000) - 6920,  
6970 - 188 Street, Portion of 6990 - 188 Street - to permit the development  
of 57 townhouse units in East Clayton.

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15381.

**Note:** See Development Variance Permit 7903-0467-00 under Clerk's Report, Item I.1(c) of this agenda.

It was  
RES.R04-1484

Moved by Councillor Villeneuve  
Seconded by Councillor Higginbotham  
That "Surrey Zoning By-law, 1993,  
No. 12000, Amendment By-law, 2004, No. 15382" pass its third reading.  
Carried

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15384"  
7904-0064-00 - West Coast House of Aluminum Ltd., 538454 B.C. Ltd.,  
c/o Nash Kooner

RF (BL 12000) to CD (BL 12000) - Portions of 13495 and 13503 King  
George Highway - to permit the development of a 4-storey, 27-unit  
apartment building on Hilton Road in Surrey City Centre.

Approved by Council: May 17, 2004

**Note:** See Development Variance Permit 7904-0064-00 under Clerk's Report, Item I.1(d) of this agenda.

- \* Planning & Development advise that (see memorandum dated June 1, 2004 in inside binder flap) one of the conditions of approval of this application requires that the applicant effect changes to the design of the building in response to comments and suggestions made by the Advisory Design Panel. Subsequent to introduction of the by-law, the applicant submitted revised architectural and site plans which adequately addresses the issues raised by the Advisory Design Panel but which affects the setback requirements in By-law 15384. The applicant has extended the balcony supports to the ground and created a large covered entry to reinforce the location of the main doors to the building and to create greater articulation of the facade; and the outdoor amenity space adjacent to the indoor amenity room at the front of the building, was reconfigured to create greater privacy and separation from public spaces. These proposed changes do not affect use or density. It is therefore recommended that Council amend By-law 15384 in Section F. Yards and Setbacks and Section J. Special Regulations, and approve third reading as amended.

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That Council amend By-law No. 15384 as  
 shown in Appendix II, attached to the memorandum dated June 1, 2004 in the  
 Inside Binder flap.

RES.R04-1485 Carried

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15384" pass its third reading, as  
 amended.

RES.R04-1486 Carried

9. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13136,  
 Amendment By-law, 2004, No. 15388"

7903-0394-00 - City of Surrey, c/o Joe Minten

To amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1997,  
 No. 13136", by replacing the description of lands in Section 1; replacing the table  
 in Section 2.J.2. Subdivision; and inserting Schedules B and C. These  
 amendments will facilitate a phased commercial development on a portion of  
 property located at 16555 Fraser Highway, including a drive-through restaurant,  
 and a 4-storey, 84-room hotel adjacent the Surrey Sports and Leisure Complex in  
 Fleetwood for By-laws 15388 and 15389.

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15389.

- \* Planning & Development advise that (see memorandum dated June 3, 2004 in  
 inside binder flap) as a result of discussions with the City Solicitor, By-law 15388  
 requires revision to clearly define the legal description of the site. It is  
 recommended that Council, following the Public Hearing, approve third reading  
 of the revised by-law. The proposed changes do not affect use or density, and  
 therefore do not affect the Public Hearing.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That Council amend "Surrey Zoning  
 By-law, 1993, No. 12000, Amendment By-law, 1997, No. 13136, Amendment  
 By-law, 2004, No. 15388" in Section 1(a) as shown in the revised by-law in the  
 Inside Binder flap.

RES.R04-1487 Carried

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 1997, No. 13136, Amendment By-law, 2004,  
 No. 15388" pass its third reading, as amended.  
 RES.R04-1488 Carried with Councillor Bose against.

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15389"

7903-0394-00 - City of Surrey, c/o Joe Minten

CD (BL 13136) to CD (BL 12000) - Portion of 16555 Fraser Highway - to permit a phased commercial development including a drive-through restaurant, and a 4-storey, 84-room hotel adjacent the Surrey Sports and Leisure Complex in Fleetwood for By-laws 15388 and 15389.

Approved by Council: May 17, 2004

This by-law is proceeding in conjunction with By-law 15388.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2004, No. 15389" pass its third reading.  
 RES.R04-1489 Carried with Councillor Bose against.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That staff bring forward a technical report  
 regarding traffic flow and additional parking options in a presentation to Council-  
 in-Committee, prior to final adoption.  
 RES.R04-1490 Carried

#### FINAL ADOPTIONS

10. "681514 B.C. Ltd. Housing Agreement Authorization By-law, 2004, No. 15272, Amendment By-law, 2004, No. 15383"

3900-20-15383/7904-0173-00 - 681514 B.C. Ltd., c/o Kane, Shannon & Weiler,  
 Solicitors (Heather Blatchford)

To amend "681514 B.C. Ltd. Housing Agreement Authorization By-law, 2004, No. 15272" in Schedule A for the purpose of eliminating language and for definition clarification, so that the Agreement may be operative to enable the developer to secure financing and construct the proposed seniors' housing on property located at 2062 - 152 Street.

Approved by Council: May 17, 2004

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "681514 B.C. Ltd. Housing Agreement  
 Authorization By-law, 2004, No. 15272, Amendment By-law, 2004, No. 15383"  
 be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate  
 Seal.

RES.R04-1491

Carried

11. "Highway Purchase and Exchange By-law, 1947, No. 872, Amendment By-law, 2004, No. 15385"

3900-20-15385/7803-0334-00 - Council Initiative

"Highway Purchase and Exchange By-law, 1947, No. 872" is amended by deleting Section 3.

Approved by Council: May 17, 2004  
 Corporate Report Item No. R117

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Highway Purchase and Exchange  
 By-law, 1947, No. 872, Amendment By-law, 2004, No. 15385" be finally  
 adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1492

Carried

12. "Close and Remove the Dedication of Highway of Portions of 164 Street and 59 Avenue By-law, 2004, No. 15386"

3900-20-15386/7803-0334-00 - Council Initiative

A by-law to authorize the closure and removal of highway of 52.8 square metres and 0.364 hectares of 59 Avenue and 0.325 hectares, 31.8 square metres and 691.6 square metres of 164 Street. This by-law is intended to facilitate the development of a 51-lot residential subdivision. In accordance with the *Community Charter*, S.B.C. 2003, c.26, disposition of the road will be considered by Council at a later date.

Approved by Council: May 17, 2004  
 Corporate Report Item No. R117

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



It was Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That "Close and Remove the Dedication of  
Highway of Portions of 164 Street and 59 Avenue By-law, 2004, No. 15386" be  
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate  
Seal.

RES.R04-1493

Carried

13. "Close and Remove the Dedication of Highway of a Portion of 65A Avenue at  
186 Street By-law, 2004, No. 15387"

3900-20-15387/7803-0044-00 - Council Initiative

A by-law to authorize the closure and removal of highway of 0.162 hectares of  
65A Avenue at 186 Street. This by-law is intended to facilitate the development  
of a 17 lot residential subdivision. In accordance with the *Community Charter*,  
S.B.C. 2003, c.26, disposition of the road will be considered by Council at a later  
date.

Approved by Council: May 17, 2004  
Corporate Report Item No. R118

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

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That "Close and Remove the Dedication of  
Highway of a Portion of 65A Avenue at 186 Street By-law, 2004, No. 15387" be  
finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate  
Seal.

RES.R04-1494

Carried

14. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 40  
Amendment By-law, 2003, No. 15211"

3900-20-15211/3900-30 - Council Initiated Text Amendment

"Surrey Official Community Plan By-law, 1996, No. 12900" as amended is  
further amended in Part 3 Land Use Strategy - Section 3.7 Land Use Designations  
and Permitted Zones and in Figure 7 List of Zones to insert the "Single Family  
Residential Oceanfront Zone (RF-O)"

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

**Note:** This By-law will be in order for consideration of Final Adoption, should Council approve Final Adoption of By-laws 15212 and 15225, Items H.15 and H.21 of this Agenda.

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That "Surrey Official Community Plan  
By-law, 1996, No. 12900, Text No. 40 Amendment By-law, 2003, No. 15211" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1495

Carried

15. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2003, No. 15212"

3900-20-15212/3900-30 - Council Initiated Text Amendment

"Surrey Zoning By-law, 1993, No. 12000" as amended, is further amended in the Index, Part 3 Zones, and Part 52 and by inserting new Part 15B to incorporate the new Single Family Residential Oceanfront Zone (RF-O).

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

**Note:** This By-law will be in order for consideration of Final Adoption, should Council approve Final Adoption of By-laws 15211 and 15225, Items H.14 and H.21 of this Agenda.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Zoning By-law, 1993,  
No. 12000, Text Amendment By-law, 2003, No. 15212" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1496

Carried

16. "Surrey Land Use and Development Applications Fees Imposition By-law, 1993, No. 11631, Amendment By-law, 2003, No. 15213"

3900-20-15213/3900-30 - Regulatory By-law Text Amendment

"Surrey Land Use and Development Applications Fees Imposition By-law, 1993, No. 11631" as amended, is further amended in Schedule One, Section I.(a), and Notes to Schedule I to incorporate the "Single Family Residential Oceanfront Zone (RF-0)"

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

This By-law is proceeding with By-laws 15211, 15212, 15214, 15215, 15216, 15217, and 15225.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Steele  
That "Surrey Land Use and Development Applications Fees Imposition By-law, 1993, No. 11631, Amendment By-law, 2003, No. 15213" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1497 Carried

- 17. "Highway and Traffic By-law, 1997, No. 13007, Amendment By-law, 2003, No. 15214"

3900-20-15214/3900-30 - Regulatory By-law Text Amendment

"Highway and Traffic By-law, 1997, No. 13007" as amended, is further amended in Part VI General Regulations, sub-section 81(1) Driveways to incorporate the "Single Family Residential Oceanfront Zone (RF-0)"

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

This By-law is proceeding with By-laws 15211, 15212, 15213, 15215, 15216, 15217, and 15225.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Highway and Traffic By-law, 1997, No. 13007, Amendment By-law, 2003, No. 15214" be finally adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1498 Carried

- 18. "Surrey Development Cost Charge By-law, 2002, No. 14650, Amendment By-law, 2003, No. 15215"

3900-20-15215/3900-30 - Regulatory By-law Text Amendment

"Surrey Development Cost Charge By-law, 2002, No. 14650", as amended is further amended in Schedule B - Rows 4 and 9, and in Schedule C to incorporate the "Single Family Residential Oceanfront Zone (RF-0)".

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

This By-law is proceeding with By-laws 15211, 15212, 15213, 15214, 15216, 15217, and 15225.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Tymoschuk  
That "Surrey Development Cost Charge  
By-law, 2002, No. 14650, Amendment By-law, 2003, No. 15215" be finally  
adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R04-1499

Carried

19. "Surrey Sign By-law, 1999, No. 13656, Amendment By-law, 2003, No. 15216"

3900-20-15216/3900-30 - Regulatory By-law Text Amendment

"Surrey Sign By-law, 1999, No. 13656" as amended, is further amended in Part 4 under Signs in Residential Zones, sub-section 21(1) and under Permit Required, sub-section 23(1) to incorporate the "Single Family Residential Oceanfront Zone (RF-0)".

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

This By-law is proceeding with By-laws 15211, 15212, 15213, 15214, 15215, 15217, and 15225.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That "Surrey Sign By-law, 1999, No. 13656,  
Amendment By-law, 2003, No. 15216" be finally adopted, signed by the Mayor  
and Clerk, and sealed with the Corporate Seal.

RES.R04-1500

Carried

20. "Surrey Subdivision and Development By-law, 1986, No. 8830, Amendment  
By-law, 2003, No. 15217"

3900-20-15217/3900-30 - Regulatory By-law Text Amendment

"Surrey Subdivision and Development By-law, 1986, No. 8830" as amended, is further amended in Table 1, Table 2, and Table 3 to incorporate the "Single Family Residential Oceanfront Zone (RF-0)".

Approved by Council: November 17, 2003  
Corporate Report Item No. R238

This By-law is proceeding with By-laws 15211, 15212, 15213, 15214, 15215, 15216, and 15225.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That "Surrey Subdivision and Development  
 By-law, 1986, No. 8830, Amendment By-law, 2003, No. 15217" be finally  
 adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R04-1501 Carried

21. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2003, No. 15225"

7903-0326-00 - David Dyer, Elizabeth Peter, c/o Stephen Barker

RF (BL 12000) to RF-O (BL 12000) - 1901 Ocean Park Road - to allow  
 subdivision into 2 lots and development of larger single family homes.

**Note:** This By-law will be in order for consideration of Final Adoption, should  
 Council approve Final Adoption of By-laws 15211 and 15212, Items H.14  
 and H.15 of this Agenda.

\* Planning & Development advise that (see memorandum dated June 2, 2004 in  
 by-law back-up) the building scheme which has been filed with the City Clerk has  
 been developed by a Design Consultant based on a character study of the  
 surrounding neighbourhood. The building scheme will be registered concurrently  
 with the subdivision plan pursuant to Section 220 of the Land Title Act. A 219  
 Restrictive Covenant will also be registered to tie the building scheme to the land.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That "Surrey Zoning By-law, 1993,  
 No. 12000, Amendment By-law, 2003, No. 15225" be finally adopted, signed by  
 the Mayor and Clerk, and sealed with the Corporate Seal.  
 RES.R04-1502 Carried

## INTRODUCTIONS

22. "Surrey Board of Variance By-law, 2004, No. 15317"

3900-20-15317 – New Regulatory By-law

A by-law to provide for the establishment of a Board of Variance.

Approved by Council: To be approved  
 Corporate Report Item No. R134

**Note:** This By-law will be in order for consideration of Three Readings, should  
 Council approve the recommendations of Corporate Report Item No. R134  
 of this Agenda.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Board of Variance By-law,  
 2004, No. 15317" pass its first reading.  
 RES.R04-1503 Carried

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

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Board of Variance By-law,  
 2004, No. 15317" pass its second reading.  
 RES.R04-1504 Carried

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

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That "Surrey Board of Variance By-law,  
 2004, No. 15317" pass its third reading.  
 RES.R04-1505 Carried

23. "Surrey Close and Remove the Dedication of Highway of Portions of 107 Avenue and 107A Avenue at 160 Street By-law, 2004, No. 15390"

3900-20-15390/0910-30/42/7803-0257-00 - Council Initiative

A by-law to authorize the closure and removal of highway of 554 square metres of 107 Avenue and 610 square metres of 107A Avenue at 160 Street. This by-law is intended to facilitate the development of a 23 lot residential subdivision. In accordance with the *Community Charter*, SBC 2003 c.26, disposition of the road will be considered by Council at a later date.

Approved by Council: May 3, 2004  
 Corporate Report Item No. R101

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That "Surrey Close and Remove the  
 Dedication of Highway of Portions of 107 Avenue and 107A Avenue at  
 160 Street By-law, 2004, No. 15390" pass its first reading.  
 RES.R04-1506 Carried



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

It was	Moved by Councillor Steele
	Seconded by Councillor Watts
	That "Surrey Parks, Recreation and Culture
Fee-Setting By-law, 2004, No. 15391" pass its third reading.	
RES.R04-1511	<u>Carried</u>

25. "Business License By-law, 1999, No. 13680, Amendment By-law, 2004, No. 15392"

3900-20-15392/3900-20-13680 - Regulatory By-law Text Amendment

"Business License By-law, 1999, No. 13680" as amended, is further amended in Section 2 – Interpretation by adding new definitions "Farmers Market" and "Flea Market"; Section 48.3 "Flea Markets" is inserted; Schedule A is amended to include new categories and fees for Farmers Market, Vendor (Flea Market) – weekly, and Vendor (Flea Market) – yearly. These amendments will provide a license fee for Public Markets and Flea Markets and will provide regulations for the operation of flea markets within the City of Surrey.

Approved by Council: To be approved  
Corporate Report Item No. R133

**Note:** This By-law will be in order for consideration of Three Readings, should Council approve the recommendations of Corporate Report Item No. R133 of this Agenda.

It was	Moved by Councillor Higginbotham
	Seconded by Councillor Watts
	That "Business License By-law, 1999,
No. 13680, Amendment By-law, 2004, No. 15392" pass its first reading.	
RES.R04-1512	<u>Carried</u>

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

It was	Moved by Councillor Higginbotham
	Seconded by Councillor Watts
	That "Business License By-law, 1999,
No. 13680, Amendment By-law, 2004, No. 15392" pass its second reading.	
RES.R04-1513	<u>Carried</u>



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

It was	Moved by Councillor Higginbotham Seconded by Councillor Watts That "Business License By-law, 1999, No. 13680, Amendment By-law, 2004, No. 15392" pass its third reading.
RES.R04-1514	<u>Carried</u>

## 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. 7904-0004-00**  
**681521 B.C. Ltd.**  
**c/o Maciej Dembek**  
12587 - 72 Avenue

To reduce the minimum west side yard setback requirement for Block 5 from 7.5 metres (25 ft.) to 6 metres (20 ft.), and reduce the minimum east side yard setback requirement for Block 3 and Block 4 from 7.5 metres (25 ft.) to 6.0 metres (20 ft.), to permit the development of a 55-unit townhouse complex.

**Note:** See By-law No. 15373, Item H.1 of this agenda.

It was	Moved by Councillor Higginbotham Seconded by Councillor Watts That Development Variance Permit No. 7904-0004-00 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.R04-1515	<u>Carried</u>

- (b) **Development Variance Permit No. 7904-0003-00**  
**673858 B.C. Ltd., 673860 B.C. Ltd.**  
**c/o Hunter Laird Engineering Ltd.**  
6084 & 6132 - 150 Street

To waive the requirement that requires driveway access to Lots 15 to 22 from the rear lane only to allow subdivision into approximately 69 single family residential lots (14 RF-9 lots and 55 RF-12 lots).

**Note:** See By-law No. 15374, Item H.2 of this agenda.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That Development Variance Permit  
No. 7904-0003-00 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.R04-1516

Carried

- (c) **Development Variance Permit No. 7903-0467-00**  
**Benchmark Management Ltd. and Progressive Construction Ltd.**  
**c/o Barnett Dembek Architects Inc. (Dave Walls)**  
6920 & 6970 - 188 Street, and Portion of 6990 - 188 Street

To relax requirements as follows:

- (a) To reduce the minimum front yard setback (north), rear yard setback (south) and side yard setback on a flanking street (west) from 7.5 metres (25 ft.) to 4.8 metres (16 ft.), which may be encroached by second-storey decks located at the minimum setback of 3.0 metres (10 ft.);
- (b) To reduce the minimum side yard setback (east) from 7.5 metres (25 ft.) to 3 metres (10 ft.) for Unit 1 and to 1.9 metres (6.2 ft.) for Unit 53; and
- (c) To reduce the number of required off-street parking spaces from 11 to 5.

To permit the development of 57 townhouse units in East Clayton.

**Note:** See By-law No. 15381 & 15382, Item H.7 of this agenda.

It was Moved by Councillor Higginbotham  
Seconded by Councillor Watts  
That Development Variance Permit  
No. 7903-0467-00 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.R04-1517

Carried

- (d) **Development Variance Permit No. 7904-0064-00**  
**West Coast House of Aluminum Ltd. and 538454 B.C. Ltd.**  
**c/o Nash Kooner**  
 Portion of 13495 King George Highway & Portion of 13503 King George Highway (shown as 13501 to 13505 King George Highway)

To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to zero for the existing commercial building at 13503 King George Highway to permit the development of a 4-storey, 27-unit apartment building on Hilton Road in Surrey City Centre.

**Note:** See By-law No. 15384, Item H.8 of this agenda.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Watts  
 That Development Variance Permit  
 No. 7904-0064-00 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.R04-1518

Carried

- (e) **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.

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That Development Variance Permit  
 No. 7903-0323-00 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.R04-1519

Defeated on a tie vote with Mayor  
 McCallum, and Councillors Villeneuve,  
 Priddy, and Watts against.

- (f) **Development Variance Permit No. 7904-0137-00**  
**Nordel Crossing Shopping Centre Ltd.**  
**c/o Wensley Architecture Ltd. (Mary McDonald)**  
12020 Nordel Way

To relax requirements as follows:

- (a) To permit 1 (one) additional business identification fascia sign on the West elevation of the proposed drug store premise portion of Building A;
- (b) To permit 2 (two) additional business identification fascia signs on the North elevation of each of the proposed drug store and video store premise portion of Building A; and
- (c) To permit 3 additional fascia business identification signs on the North, West and South elevations of restaurant Building D.

To permit additional business identification fascia signs at various locations throughout the proposed shopping centre.

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. 7904-0137-00 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.R04-1520

Carried with Councillor Bose against.

- (g) **Development Variance Permit No. 7902-0171-02**  
**Dr. Parmjit S. Kang Inc.**  
**c/o CitiWest Consulting Ltd.**  
7865 and 7873 - 148 Street

To reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 1.3 metres (4.2 ft.) for proposed Lot 14; and to reduce the minimum rear yard setback from 7.5 metres (25 ft.) to 3.23 metres (10.6 ft.) for proposed Lot 16, to permit retention of the existing dwellings in the proposed subdivision.

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. 7902-0171-02 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.R04-1521 Carried with Councillor Bose against.

- (h) **Development Variance Permit No. 7904-0092-00**  
**531546 B.C. Ltd.**  
**c/o Knight Signs (Jordan Desrochers)**  
 13570 - 77 Avenue (Shown as 13560 - 13582 - 77 Avenue)

To increase the total number of fascia signs from 3 to 5 (3 for the east elevation and 2 for the north elevation); and to increase the area of the double faced, free standing sign from 8 sq. m. (85.5 sq. ft.) to a maximum of 15 sq. m. (160 sq. ft.), to accommodate new signage on an existing warehouse building and to allow the replacement of an existing free-standing sign.

**Note:** See correspondence in the binder flap regarding this development variance permit.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Tymoschuk  
 That Development Variance Permit  
 No. 7904-0092-00 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.R04-1522 Carried

## 2. Formal Approval of Liquor License Application

- (a) **Food Primary Liquor License Amendment**  
**Application No. 7904-0060-00**  
**Truscan Property Corporation**  
**c/o Navin Sami**  
 13630 - 72 Avenue (subject business address known as  
 7124 King George Highway)

To amend the Food Primary Liquor License to extend hours of operation at Wings Tap and Grill from 10:00 a.m. to midnight, seven days a week to the following:

11:00 a.m. to 1:00 a.m. Monday to Thursday;

11:00 a.m. to 2:00 a.m. Friday and Saturday;  
11:00 a.m. to midnight Sunday

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

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That after taking into account the following  
criteria outlined in the Planning Report dated May 3, 2004:

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

after undertaking Public Notification on May 17, 2004, in accordance with City policy, 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 liquor service past midnight for a food primary license subject to the following conditions:

- (a) the hours of operation be amended as follows:
  - Monday to Thursday, 11:00 a.m. to 1:00 a.m.
  - Friday and Saturday, 11:00 a.m. to 2:00 a.m.; and
  - Sunday, 11:00 a.m. to midnight."

RES.R04-1523

Carried with Councillor Priddy against.

### 3. Delegation Requests

- (a) **Carmen Germain**  
**Executive Assistant to the President & CEO**  
**Fraser River Port Authority**  
File: 5650-20; 0550-20-10

Requesting to appear before Council to make a presentation regarding "Water Route for Cargo".

**Note:** As there was not an opportunity to discuss the "Water Route for Cargo" during the tour, Fraser Port is requesting to appear before Council on this matter.

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Watts  
 That Carmen Germain, Executive Assistant  
 to the President & CEO, Fraser River Port Authority be heard as a  
 delegation at Council-in-Committee.  
 RES.R04-1524 Carried

- (b) **Janet Dahr, Director**  
**Friends of Kennedy Park Community Association**  
 File: 6800-05; 0550-20-10

Requesting to appear before Council regarding the Rock Tree.

It was Moved by Councillor Tymoschuk  
 Seconded by Councillor Steele  
 That Janet Dahr, Director, Friends of  
 Kennedy Park Community Association be referred to the Mayor's office.  
 RES.R04-1525 Carried

- (c) **Mike McLennan, President**  
**Clayton Heights Parent Advisory Committee (PAC)**  
 File: 5400-43; 0550-20-10

Requesting to appear before **Regular Council** regarding student safety on  
 sidewalks leading to Clayton Heights Secondary, and to request Council to  
 pass a resolution to have the sidewalks relocated away from the roadway  
 and that this work be completed prior to the start of the 2004/2005 school  
 year.

**Note:** At the May 17, 2004 Regular Council - Public Hearing, Council  
 requested Mike McLennan, President, Clayton Heights Parent  
 Advisory Committee (PAC) be contacted to see if he had received  
 the information from Engineering and he still wishes to address  
 Council regarding sidewalks.

It was Moved by Councillor Higginbotham  
 Seconded by Councillor Steele  
 That Mike McLennan, President, Clayton  
 Heights Parent Advisory Committee (PAC) be referred to staff and a  
 memo be provided to Council prior to hearing this delegation.  
 RES.R04-1526 Carried with Councillors Watts and  
 Tymoschuk against.

- (d) **Wendy Campbell**  
**Concerned Resident**  
File: 4815-05; 0550-20-10

Requesting to appear before Council regarding the problem in the Cloverdale area with respect to illegal suites.

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That Wendy Campbell, Concerned Resident  
be heard as a delegation at Council-in-Committee.

RES.R04-1527

Carried

- (e) **Allen Aubert, Secretary**  
**Fraser Valley Heritage Railway Society (FVHRS)**  
File: 0250-20

Requesting to appear before Council to review the Fraser Valley Heritage Railway Society (FVHRS) proposed 2004/05 programme to restore the Fraser Valley Interurban Railway.

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That Allen Aubert, Secretary, Fraser Valley  
Heritage Railway Society (FVHRS) be heard as a delegation at  
Council-in-Committee.

RES.R04-1528

Carried

- (f) **Debra Probert, Executive Director**  
**Vancouver Humane Society (VHS)**  
File: 0220-08; 8200-20; 0550-20-10

Requesting to appear before Council to discuss the latest fatality this year during the Cloverdale Rodeo's steer wrestling event.

It was Moved by Councillor Steele  
Seconded by Councillor Tymoschuk  
That Debra Probert, Executive Director,  
Vancouver Humane Society (VHS) be referred to staff for report back to  
Council.

RES.R04-1529

Carried with Councillor Watts against.



- (g) **Deb Jack, Co-chair**  
**Surrey Environmental Partners**  
File: 6140-20; 0550-20-10

Requesting to appear before Council regarding the proposed re-development of Holland Park.

It was  
Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That Deb Jack, Co-Chair, Surrey  
Environmental Partners be referred to staff to respond.

RES.R04-1530

Carried

- 4. **Expropriation No. BW220967**  
File: 2200-4002

Realty Services, Engineering has served Expropriation Notice BW220967.

Council is requested to approve Expropriation Notice BW220967.

It was  
Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That Council approve Expropriation Notice

BW220967.

RES.R04-1531

Carried

- 5. **Council Meeting Schedule - June 28, 2004**  
File: 0550-20-01

Memorandum from the City Clerk recommending that Council revise the 2004 Council meeting schedule to delete all meetings scheduled for June 28, 2004.

It was  
Moved by Councillor Tymoschuk  
Seconded by Councillor Watts  
That Council revise the 2004 Council  
meeting schedule to delete all meetings scheduled for June 28, 2004.

RES.R04-1532

Carried

**J. CORRESPONDENCE**

## INFORMATION ITEMS

1. Letter dated May 3, 2004 from **Melissa Linteris, Committee Clerk, City of Coquitlam**, advising that at the May 3, 2004 Regular meeting, the City of Coquitlam Council adopted the following resolution regarding welfare legislation:

"WHEREAS in April 2002 the provincial government announced new welfare legislation in the *Employment and Assistance Act* and outlined a program of welfare restructuring that includes cuts to benefits and tightening of eligibility rules; and

WHEREAS the changes to welfare effectively download provincial responsibility for people in need onto municipal government;

THEREFORE BE IT RESOLVED that this Council call on the provincial government to change the *Employment and Assistance Act* to ensure that welfare benefits meet the basic needs of individuals and families:

THEREFORE BE IT FURTHER RESOLVED that this Council urge the provincial government to end the centralization of employment and assistant field services, so as to prevent barriers to assistance access by keeping physical services within the local community; and

THEREFORE BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Union of BC Municipalities, other municipal councils in BC and to all MLAs representing residents of this municipality."

File: 0480-20

It was

Moved by Councillor Watts

Seconded by Councillor Tymoschuk

That the letter dated May 3, 2004 from

Melissa Linteris, Committee Clerk, City of Coquitlam regarding welfare legislation be received, and the appropriate person or agency be informed.

RES.R04-1533

Carried

2. Letter dated May 3, 2004 from **Melissa Linteris, Committee Clerk, City of Coquitlam**, advising that at the May 3, 2004 Regular meeting, the City of Coquitlam Council adopted the following resolution regarding a legal challenge to Bill 75:

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

WHEREAS Bill 75 allows the Province to override Local Government jurisdiction not only for Provincial projects, but also for private or mixed

public/private projects if the Province considers these to be in the broader Provincial interest; and

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

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

NOW THEREFORE BE IT RESOLVED THAT the City of Coquitlam advise all Local Governments in the Province of British Columbia that the City of Coquitlam is prepared to contribute to the legal costs that any British Columbia Local Government incurs initiating a legal challenge to Bill 75, if the Province of British Columbia uses Bill 75 in that Local Government's jurisdiction."

File: 0480-20

It was Moved by Councillor Tymoschuk  
Seconded by Councillor Steele  
That the letter dated May 3, 2004 from  
Melissa Linteris, Committee Clerk, City of Coquitlam regarding Bill 75 be  
received, and the appropriate person or agency be informed.

RES.R04-1534

Carried

#### ACTION ITEMS

3. Letter dated May 18, 2004 from **Councillor Nick Volkow, Acting Mayor, City of Burnaby**, advising that at the Open Council meeting held May 17, 2004, Burnaby City Council adopted the following recommendations with respect to the Provincial Government's process to amend the Streamside Protection Regulation, and seeking UBCM members support of their request, to the Provincial Government to participate in this important process:

"THAT this report be forwarded to the Provincial and Federal governments and UBCM with a letter requesting that changes to the Streamside Protection Regulation be delayed to allow for meaningful open consultation with local government;

THAT a copy of this report be forwarded to Burnaby's MLAs and MPs, and to the City's Environment Committee; and

THAT a copy of this report be forwarded to all UBCM member municipalities."  
File: 0250-07 UBCM

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That the letter dated May 18, 2004 from  
Councillor Nick Volkow, Acting Mayor, City of Burnaby be received.  
RES.R04-1535 Carried

4. Letter dated May 26, 2004 from **Joe Foy, Wilderness Committee Campaign Director, Western Canada Wilderness Committee**, enclosing a copy of their latest educational mini-report entitled "Mining Our Parks", and asking Council write Premier Campbell advising where the City stands on preserving the boundaries of the South Chilcotin Mountains Park and the rest of BC's magnificent park system.  
File: 0250-20-08

It was Moved by Councillor Watts  
Seconded by Councillor Tymoschuk  
That the letter dated May 26, 2004 from  
Joe Foy, Wilderness Committee Campaign Director, Western Canada Wilderness  
Committee be received.  
RES.R04-1536 Carried

## K. NOTICE OF MOTION

1. **Morgan Creek and Rosemary Heights Select Committee**  
File: 8630-01 (Transportation Planning-General)

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."

**Note:** At the Monday, April 19, 2004 Regular Council - Public Hearing, Councillor Bose requested that the above Notice of Motion be deferred until after the May 12, 2004 Public Information meeting.

**Note:** At the May 17, 2004 Regular Council - Public Hearing, Council deferred this Notice of Motion to the June 7, 2004 Council meeting.

Councillor Bose requested that the above Notice of Motion be deferred.

**2. School Board Reports**

File: 0510-20

At the May 17, 2004 Regular Council - Public Hearing, Councillor Priddy submitted the following Notice of Motion:

"THAT Surrey Council recognizes its role in advocating for the infrastructure necessary to support our citizens.

THEREFORE, I move that Land Use Application reports from the School Board include the total number of students that have been approved for the previous twelve months; and

THAT information be included regarding the approval of new school funding and the projected opening date of the school."

It was

Moved by Councillor Priddy  
Seconded by Councillor Watts

That Land Use Application reports from the School Board include the total number of students that have been approved for the previous twelve months and that information be included regarding the approval of new school funding and the projected opening date of the school.

RES.R04-1537

Carried

**L. ANY OTHER BUSINESS**

**1. Bear Creek Plaza**

Councillor Higginbotham requested that staff deal with sign permit issues with respect to Bear Creek Plaza.

**M. ADJOURNMENT**

It was

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


meeting do now adjourn.

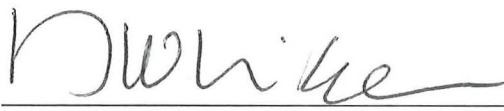
RES.R04-1538

Carried

The Regular Council- Public Hearing adjourned at 11:35 p.m.

Certified correct:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor