



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JANUARY 10, 2005
Time: 7:00 p.m.

Present:

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

Absent:

**Councillors Entering
Meeting as Indicated:**

Staff Present:

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

A. ADOPTION OF MINUTES

**1. Regular Council - Land Use - December 13, 2004
Application 7903-0455-00**

Council is requested to approve an amendment to the minutes of the December 13, 2004 Regular Council - Land Use meeting under Item B.10.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Council approve an amendment to the
minutes of the December 13, 2004 Regular Council - Land Use meeting under
Item B.10, as follows:

11635 and 11645 - 99 Avenue, 9924 - 116 Avenue

Delete the word "Avenue" and insert the word "Street" after 9924 - 116.

First Paragraph, last sentence

Delete the word "Avenue" and insert the word "Street" after 9924 - 116.

RES.R05-34

Carried

The Mayor noted that A. Reece had expressed concerns regarding potential loss of view and increased traffic and not wishing to speak.

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

2. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13712, Amendment By-law, 2004, No. 15604

Rezoning Application: 7904-0396-00

CIVIC ADDRESS: 3033 - 152 Street (also shown as 3059/61/77/85/91/99 - 152 Street and 15019/39/61/83 - 32 Avenue)

APPLICANT: 585656 B.C. Ltd.
c/o Mr. Glenn Barrick
1040 West Georgia Street, 20th Floor,
Vancouver, B.C. V6E 4H1

PROPOSAL: To amend "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 1999, No. 13712" as follows:

(a) Section 2., Subsection B.1 is amended as follows:

The paragraph starting with "The following uses are permitted", and ending with "of *gross floor area*" is deleted and a new paragraph is inserted as follows:

"The following uses are permitted provided that the *gross floor area* of each individual business exceeds 370 square metres [4,000 sq. ft.], except that a maximum of 30% of the total *gross floor area* may be utilized by individual businesses which do not occupy any commercial unit exceeding 370 square metres [4,000 sq. ft.] of *gross floor area*."

This amendment will allow an increased number of small-scale commercial retail units within a large-format commercial retail complex (South Point Shopping Centre).

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

There was correspondence on table from David Balsor, Rosemary Developments, expressing opposition to the proposed application and from G. Barrick, Grosvenor Canada Limited, and G. Olma, Avondale expressing support for the project.

The Mayor noted that D. Balsor and W. Reid had expressed opposition and G. Barrick and R. Johnson had registered support for the proposed rezoning application.

David Balsor, Rosemary Developments, 13484 – 13A Avenue was in attendance and commented that he and a partner own Rosemary Centre. He requested Council decline Grosvenor's application and noted that the Rosemary NCP calls for 55,000 sq. ft. of commercial/retail space. He continued that subsequent to the adoption of the NCP, Grosvenor built a commercial centre restricted to units of not less than 4,000 sq. ft. He noted that Rosemary Centre was restricted to no more than 4,000 sq. ft. commercial units and asked that the retail space be maintained to minimize the impact on existing commercial space. He continued that Grosvenor now claims there is big box development potential in the area and would like more small commercial units. He noted that tenants are now struggling until the residential is built out in the Rosemary area, with a lot of unrented space as they have lost small retail potential to stores on the east side of 152 Street. He added that he would not want to see pool halls and pawn shops move in, and requested their centre have the chance to flourish by making Grosvenor stick to their original application.

Glenn Barrick, Development Manager, Grosvenor Canada Limited, 9766 – 208A Street, Langley, B.C., was in attendance and commented that South Point Exchange was originally designed to be a larger format centre and has evolved into a community oriented shopping centre servicing the market area. He added that Grosvenor Canada Limited is proposing that the existing limits on retail store size be amended so that up to 30 percent of the Gross Leasable Area of South Point Exchange can be occupied by tenants under 4,000 sq. ft. in size. He added that Grosvenor is also proposing that the additional cap on tenants under 2,000 sq. ft. be eliminated in that this change would represent a significant improvement that would allow South Point Exchange to better meet the needs of the market it is intended to serve. He added that they have a number of boutique fashion operators, smaller in size, that want to be located there. He continued that one fashion retailer, has given notice they would not be renewing their lease and will be moving elsewhere to bigger box retailers.

Gordon Harris, Harris Consulting Inc. was in attendance on behalf of the applicant and commented that neighbourhood convenience centres and community shopping centres with larger anchor tenants, such as South Point Exchange tend to be complementary. He noted that comparison shoppers go to regional shopping centres and that he looks forward to Council's approval.

Clarence Arychuk, Hunter Laird Engineering Ltd., was in attendance and commented that commercial development has been scaled back in Rosemary Heights. He noted that there is no opposition to limiting the commercial square footage but felt that a cap should be established. He added the concern that South Point could develop to its potential of 130,000 sq. ft. worth of small units, as it is underdeveloped currently. He continued that if development were intensified, there is the potential to add small units. He added that under the existing by-law, there is a lot of competition for Rosemary Centre as is to expand. He noted that

tenants would learn to compete in the marketplace within the 10% as small retailers will be serviced by the neighbourhood, noting there is no neighbourhood around South Point where the need for small services is not as great as in a neighbourhood. He added that this proposal would be detrimental to any commercial space in other neighbourhood locations and he is opposed to changing the ratio. He noted that the applicant would have, within the existing CD by-law, the ability to accommodate small tenants.

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15613**

Rezoning Application: 7904-0057-00

CIVIC ADDRESS: 15550 – 37 Avenue

APPLICANT: Bryon and Darlene Spooner
c/o CitiWest Consulting Ltd.
#101 – 9030 King George Highway
Surrey, B.C. V3V 7Y3 and
c/o Todd Antifaev
#1 - 1920 - 152 Street
Surrey, B.C. V4A 5N6

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

The purpose of the rezoning is to permit subdivision into 2 single-family half acre 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 T. Sharpe and J. Dickinson expressing opposition to the proposed rezoning application and from S. Caine requesting his name be removed from petition opposing the application. There was also correspondence and a petition from L. Harbord expressing opposition to the proposed project and from R. Hefflick stating concerns regarding construction traffic, property values and environment.

The Mayor noted that J. Harbord and D. Drewlo had expressed opposition to the proposed rezoning application.

Larry Harbord, 15586 – 37 Avenue, was in attendance and commented that a number of residents are against the application. He noted the existing house is large, and stated that there are concerns regarding drainage, tree preservation, and height of proposed new building. He noted that 42 persons had indicated they do not wish the application to proceed when he canvassed the neighbourhood initially. He continued that, upon canvassing a larger area of the neighbourhood,

62 persons had indicated they were opposed to the application. He summarized that he is opposed to a panhandle lot and the construction of a house behind an existing one.

Wesley Drewlo, 15541 – 37 Avenue, was in attendance and commented that he had concerns regarding the proposal based on precedent of future development in the area and is opposed to the concept of the panhandle lot. He continued that various houses on these lots have a deep setback allowing for construction in front of existing houses. He added this could alter the appearance of 156 Street and noted that there is a need to retain and preserve the visual integrity of the community as it was designed.

Todd Antifaev, 14752 – 17 Avenue, was in attendance and commented that he wished to speak on behalf of the applicants. He discussed the concept of panhandle lots and noted that the applicants had approached staff regarding subdivision of the lot.

It was

Moved by Councillor Watts
Seconded by Councillor Hunt
That information from Bryon and

Darlene Spooner submitted by Todd Antifaev be received.

RES.R05-37

Carried

He continued that the existing house is 3,800 sq.ft. plus the basement. He noted that in 2003, the applicants enquired about subdividing the property and were advised that they fell within the guideline for panhandle lots because the lot is landlocked. He advised that no trees would be removed, the aesthetic issue would be addressed by increasing the setbacks and providing a landscaped buffer on the south, east and west side of the lot. He continued that the applicants request fair treatment and the ability to subdivide.

David Adfield, 15549 – 36B Avenue, was in attendance and commented that he had concerns regarding the proposed application. He added that he is opposed to the proposed panhandle lot and driveway. He advised that he is not opposed to subdividing larger lots, but is opposed to the way this application is being presented.

Joanne Woodhurst, 3505 – 156 Street, was in attendance and stated that she is concerned about piecemeal development. She added that a steering committee was started in 1993 and sat for several years in planning the neighbourhood and they were advised that the concept of panhandle lots were not part of Surrey policy. She stated that she was opposed to the panhandle lot concept.

Resident, 15585 - 37 Avenue, was in attendance and related concerns regarding traffic and safety of children in the area. He added that the proposed development would be inconsistent with current development in the area and would set a precedent.

**4. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15608**

Rezoning Application: 7903-0455-00

CIVIC ADDRESS: .11635, 11645 - 99 Avenue and 9924 - 116 Street

APPLICANT: Devinder Dhillon, Mohinder Dhillon, Pawanjit Dhillon,
Sehjinder Sahota and 679419 B.C. Ltd.
c/o H.Y. Engineering Ltd.
200 - 9128 - 152 Street
Surrey, B.C. V3R 4E7

PROPOSAL: To rezone portions of 11635 and 11645 - 99 Avenue from
"Single Family Residential Zone (RF)" to "Single Family
Residential (12) Zone (RF-12)" (shown as Block B on
attached Survey Plan).

DEVELOPMENT VARIANCE PERMIT:

To vary "Surrey Zoning By-law, 1993, No. 12000",
Part 16, Section F, on portions of the properties at
9924 - 116 Street and 11635/45 - 99 Avenue (as shown on
Schedule A), as follows:

- (a) To reduce the minimum rear yard setback from
7.5 metres (25 ft.) to 4 metres (13 ft.) on proposed
Lot 1;
- (b) To reduce the minimum rear yard setback from
7.5 metres (25 ft.) to 2.36 metres (7.7 ft.) on
proposed Lot 2;
- (c) To reduce the minimum front yard setback from
7.5 metres (25 ft.) to 4.7 metres (15 ft.) on proposed
Lot 2;
- (d) To reduce the minimum lot depth from 28 metres
(90 ft.) to 27.6 metres (89 ft.) on proposed Lot 2;
- (e) To reduce the minimum side yard setback from
1.8 metres (6 ft.) to 1.15 metres (3.8 ft.) on
proposed Lot 7;
- (f) To reduce the minimum front yard setback from
7.5 metres (25 ft.) to 6.94 metres (23 ft.) on
proposed Lot 7.

The purpose of the rezoning is to permit subdivision into 2
RF-12 (Block B) and 5 RF (Block A) Zoned lots. The
Development Variance Permit is to reduce the minimum lot
depth and setback requirements of the RF-Zone.

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.

Note: See Development Variance Permit 7903-0455-00 under Clerk's Report, Item I.1(a).

The Mayor noted that that S. Jasbir, H. Sandhu, L. Meyers, A. Barley had expressed opposition to the proposed project, and W. Reid had expressed support for the rezoning application, and not wishing to speak.

Leanne Clerihue, 9980 – 116 Street, was in attendance and stated that she co-owns the house at 9912 – 116 Street. She added that she had concerns regarding the proposed development with respect to house size, height, and obstruction of views for existing houses. She noted that 3 houses would be torn down to accommodate the development of 7 new homes. She added that with respect to 9912 – 116 Street, the plans indicate a driveway along the property lot line resulting in concrete on three sides of this property, which would devalue property values significantly. She stated that she had concerns regarding the safety of children, increased traffic, speeding, traffic calming measures, signage at the top of Miller Road to indicate access to River Road. She then noted that a neighbour had expressed concern regarding the potential for loss of view should the project be approved.

Martin Fleetwood, 9947 - 116A Street was in attendance and commented that he lives on lot 13 and expressed concern regarding the preservation of two large cedar trees on proposed lot 3. He asked if the house on lot 2 would be demolished and rebuilt on that lot. He expressed concern that there is one too many lots in the proposed application and should only allow six lots.

Avtar Sidhu, 11626 – 99 Avenue was in attendance and commented that he had concerns regarding height restrictions for 11635 and 11645 – 99 Avenue and view retention.

Bev Wagner, 11661 - 98 Avenue, was in attendance and commented that she had concerns regarding the development of smaller lots, changing the dynamics of the neighbourhood, and loss of views.

**5. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15612**

Rezoning Application: 7904-0203-00

CIVIC ADDRESS: 8008 – 168 Street and 16825 Fraser Highway

APPLICANT: Surrey Pentecostal Assembly
c/o Herb Marez
8271 - 151 Street
Surrey, B.C. V3S 8K1

PROPOSAL: To rezone the property at 8008 – 168 Street from "Single Family Residential Zone (RF)" and the property at 16825 Fraser Highway from "One-Acre Residential Zone (RA)" to "Assembly Hall 2 Zone (PA-2)".

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law, 1993, No. 12000" as amended, Part 5, Section C, Part 32, Section H, as follows:

- (a) To reduce the required number of on-site parking spaces from 176 to 167;
- (b) To permit off-street parking of 24 spaces within the front yard setback (Fraser Highway); and
- (c) To permit off-street parking of 5 spaces within the side yard flanking street setback (168 Street).

The purpose of the rezoning and development variance permit is to permit the development of a 625-seat regional-scale church.

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.

Note: See Development Variance Permit 7904-0203-00 under Clerk's Report, Item I.1(b).

There was correspondence on table from Surrey Pentecostal Assembly providing fifteen letters of support for the proposed rezoning application. There was also correspondence on table from L. Baldock stating concerns regarding traffic congestion and 168 Frontage Road access, and from J. Birch expressing opposition to the proposed project.

The Mayor noted that the following persons had expressed an opinion in writing with respect to the proposed rezoning application:

NAME	FOR	AGAINST	UNDECIDED
T. Maretz	X		
C. Maretz	X		
J. Fenton	X		
C. St. Pierre	X		
S. Boardman	X		
D. Hovis	X		
K. Russell	X		
F. Aichele	X		
R. Browne	X		
R. Clary	X		
G. Fenton	X		

Mrs. S. Russell	X
R. Gerbrandt	X
G. Hows	X
L.L. Clary	X
W. Andrews	X
P. Browne	X
G. Amos	X
A. Salem	X
W. Daase	X
B. Ward-Hall	X
L. Shewchuk	X
O. Shewchuk	X
W. Aichele	X
C. Arseneau	X
T. Stephens	X
M. Daase	X
J. Caswell	X
M. Andronik	X
I. Kirsch	X
G. Grover	X
D. Lee-Wolfe	X
J. Grover	X
R. Legault	X
M. Arseneau	X
K. Raymond	X
Currah	
S. Legault	X
R. Maines	X
M. Maines	X
H. Hildebrand	X
R. Salem	X
W. Molzahn	X
B. Kirkpatrick	X
N. Friesen	X
B. Jennings	X
L. Jennings	X
R. Friesen	X
W. Kunkel	X
B. Russell	X

Bill Reid, #35 – 16888 – 80 Avenue, was in attendance and commented that he had a concern regarding the intersection of 80 Avenue at 168 Avenue. He noted that residual land on the north side of Fraser Highway at 168 Street would shortly become redundant and made the suggestion that a land swap be made with the church for this property between the north and south end to move parking to that land.

**6. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15605**

Rezoning Application: 7904-0285-00

CIVIC ADDRESS: 6857 - 149 Street

APPLICANT: Robert & Margery Alcock
c/o McElhanney Consulting Services Ltd. (James Pernu)
13160 - 88 Avenue
Surrey, B.C. V3W 3K3

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

DEVELOPMENT VARIANCE PERMIT:

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

- (a) To reduce the rear yard setback from 7.5 metres (25 ft) to 5.5 metres (18 ft.).

The purpose of the rezoning and development variance permit is to allow subdivision into three single family residential lots and retain an existing house and attached garage.

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

Note: See Development Variance Permit 7904-0285-00 under Clerk's Report, Item I.1(c).

There was correspondence on table from R. and L. Smigel and L. Clerihue stating concerns regarding tree preservation, minimum setback on the west side of the lot, traffic, and building height.

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

7. **Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2004, No. 15606**

Rezoning Application: 7904-0133-00

CIVIC ADDRESS: 15177 - 76 Avenue

APPLICANT: Sukhchain and Parmjit Punia, Kulwant Grewal, and
Harjit Singh
c/o Aplin & Martin Consultants Ltd.
201 - 12448 - 82 Avenue
Surrey, B.C. V3W 3E9

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

This item was not considered at this time.

C. COMMITTEE REPORTS

1. Environmental Advisory Committee - December 15, 2004

(a) It was Moved by Councillor Bose
Seconded by Councillor Tymoschuk
That the minutes of the Environmental
Advisory Committee meeting held on December 15, 2004, be received.
RES.R05-38 Carried

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

Terms of Reference for Surrey Environmental Advisory Committee

It was Moved by Councillor Bose
Seconded by Councillor Watts
That the proposed amendments of
the current terms of reference be tabled until such time that newly
appointed members are able to participate.
RES.R05-39 Carried

It was Moved by Councillor Bose
Seconded by Councillor Watts
That Council provide its view as to how the
EAC may be more effective. (*See Attachments A and B*).
RES.R05-40 Carried

2. Agricultural Advisory Committee - January 6, 2005

RES.R05-41 (a) It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That the minutes of the Agricultural
 Advisory Committee meeting held on January 6, 2005, be received.
Carried

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

**Development Application No. 7904-0428-00
 Soil Screening Temporary Use Permit
 1122 & 1144 – 184 Street**

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That Council investigate the possibility of
 establishing a new by-law, empowering the City to impose punitive
 penalties on commercial/industrial uses of agricultural lands, which may
 include fees and taxes; and

That the City investigate the possibility of obtaining an injunction where
 commercial/industrial uses are found to be occurring on agricultural lands
 in order to cease the non-conforming use of land.

RES.R05-42 Carried

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That the Chair of the AAC forward
 correspondence to the Agricultural Land Commission enclosing
 supporting information relative to Application No. 7094-0428-00, and
 expressing the concerns of the committee.

RES.R05-43 Carried

F. COUNCILLORS' REPORTS

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

G. CORPORATE REPORTS

1. The Corporate Reports, under date of January 10, 2005, were considered and dealt with as follows:

Item No. R001 Lane Closure at 13429 - 66A Avenue
File: 0910-30/49

The General Manager, Engineering submitted a report concerning a lane closure at 13429 - 66A Avenue

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 Council approve the previously approved sale of a 2,947 ft.² (273.8 m²) portion of unopened lane on the west side of the property located at 13429 - 66A Avenue as outlined in the attached Corporate Report (R240).

RES.R05-48 Carried

Item No. R002 Road Closure of 57 Avenue at 146 Street
File: 0910-30/43

The General Manager, Engineering submitted a report concerning a road closure at 57 Avenue and 146 Street.

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 Council approve the previously approved sale of a 5,564 ft.² (516.9 m²) unopened portion of 57 Avenue road allowance located immediately east of 146 Street as outlined in the attached Corporate Report (R152).

RES.R05-49 Carried

Item No. R003 Road Closure at 91 Avenue and King George Highway
File: 0910/30/55

The General Manager, Engineering submitted a report concerning a road closure at 91 Avenue and King George Highway.

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 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 $\pm 5,697 \text{ ft.}^2$ ($\pm 530 \text{ m}^2$) unopened portion of King George Highway at 91 Avenue.

RES.R05-50

Carried

Item No. R004 Road Closure at 180 Street and 69/70 Avenue
File: 0910-30/41; 7802-0358-00

The General Manager, Engineering submitted a report concerning a road closure at 180 Street and 69/70 Avenue.

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 Council approve the previously approved sale of the combined area of $3,732 \text{ ft.}^2$ (346.7 m^2) unopened portions of 180 Street at 69/70 Avenue as outlined in the attached Corporate Report (R204).

RES.R05-51

Carried

Councillor Hunt left the meeting at 8:55 p.m.

H. BY-LAWS

- "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15607"

7904-0355-00 – Satinder Kaur Parhar, c/o Varinder Parhar

C-4 (BL 12000) to RF (BL 12000) - 12483 - 27 Avenue - to permit development of a single family dwelling.

Approved by Council: December 13, 2004

RES.R05-56

It was	Moved by Councillor Hunt
	Seconded by Councillor Watts
	That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15612" pass its third reading.
	<u>Carried</u>

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15605"

7904-0285-00 - Robert and Margery Alcock, c/o McElhanney Consulting Services Ltd. (James Pernu)

RH (BL 12000) to RF (BL 12000) - 6857 - 149 Street - to allow subdivision into three single family residential lots and retain an existing house and attached garage.

Approved by Council: December 13, 2004

Note: See Development Variance Permit 7904-0285-00 under Clerk's Report, Item I.1(c) of this agenda.

RES.R05-57

It was	Moved by Councillor Hunt
	Seconded by Councillor Watts
	That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15605" pass its third reading.
	<u>Carried</u>

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2004, No. 15606"

7904-0133-00 - Sukhchain Singh and Parmjit Kaur Punia, Kulwant Singh Grewal and Harjit Singh, c/o Aplin & Martin Consultants Ltd.

RA (BL 12000) to RF (BL 12000) - 15177 - 76 Avenue - to allow subdivision with the adjacent RF-zoned lot to the north at 7651 - 152 Street, into approximately 7 single family residential lots.

This item was not in order for consideration at this time.

FINAL ADOPTION

8. "Surrey Close and Remove the Dedication of Highway of a Portion of 164 Street at Bell Road By-law, 2004, No. 15588"

3900-20-15588/7804-0075 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of 0.307 hectares of unopened 164 Street at Bell Road. This closure is intended to

facilitate a 22 lot residential subdivision. In accordance with the *Community Charter*, SBC 2003, c. 26 the disposition of the road will be considered by City Council at a later date.

Approved by Council: December 6, 2004
Corporate Report Item No. R293

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of a Portion of 164 Street at Bell Road By-law, 2004,
No. 15588" be finally adopted, signed by the Mayor and Clerk, and sealed with
the Corporate Seal.

RES.R05-58

Carried

9. "Surrey Development Cost Charge By-law, 2002, No. 14650, Amendment
By-law, 2004, No. 15603"

3900-20-15603/3150-01 - Regulatory By-law Text Amendment

"Surrey Development Cost Charge By-law, 2002, No. 14650" as amended, is
further amended by replacing Schedules B and C. This amendment is necessary
to bring the by-law up-to-date for all new zones recently created.

Approved by Council: December 13, 2004
Corporate Report Item No. R303

- * Council is advised that the Deputy Inspector of Municipalities of the Province of
British Columbia has approved By-law 15603 (see by-law back-up), therefore
Final Adoption is in order for consideration.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Development Cost Charge
By-law, 2002, No. 14650, Amendment By-law, 2004, No. 15603" be finally
adopted, signed by the Mayor and Clerk, and sealed with the Corporate Seal.

RES.R05-59

Carried

INTRODUCTIONS

10. "Surrey Close and Remove the Dedication of Highway of a Portion of
King George Highway By-law, 2005, No. 15614"

3900-20-15614/0910-30/36F - Council Initiative

(b) **Development Variance Permit No. 7904-0203-00**
Surrey Pentecostal Assembly
c/o Herb Maretz
8008 – 168 Street and 16825 Fraser Highway

- (a) To reduce the required number of on-site parking spaces from 176 to 167;
- (b) To permit off-street parking of 24 spaces within the front yard setback (Fraser Highway); and
- (c) To permit off-street parking of 5 spaces within the side yard flanking street setback (168 Street).

To permit the development of a 625-seat regional-scale church.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Development Variance Permit
No. 7904-0203-00 be approved; that the Mayor and Clerk be authorized to sign the Development Variance Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R05-68

Carried

Note: See By-law 15612 under Item H.5.

(c) **Development Variance Permit No. 7904-0285-00**
Robert & Margery Alcock
c/o McElhanney Consulting Services Ltd. (James Pernu)
6857 - 149 Street

To reduce the rear yard setback from 7.5 metres (25 ft) to 5.5 metres (18 ft.) to allow subdivision into three single family residential lots and retain an existing house and attached garage.

It was Moved by Councillor Hunt
Seconded by Councillor Steele
That Development Variance Permit
No. 7904-0285-00 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.R05-69

Carried

Note: See By-law 15605 under H.6.

- (d) **Development Variance Permit No. 7904-0133-00**
Sukhchain and Parmjit Punia, Kulwant Grewal, and Harjit Singh
c/o Aplin & Martin Consultants Ltd.
 15177 - 76 Avenue

This item was not in order for consideration at this time.

Note: See By-law 15606 under Item H.7.

- (e) **Development Variance Permit No. 7904-0086-00**
677018 B.C. Ltd.
Mr. Clarence Arychuk, Hunter Laird Engineering
 Portions of 6684 and 6724 - 194 Street

To vary the definition of "frontage" to include a lane for proposed Lots 40 - 52, and to vary the definition of "front lot line" to include a lane for proposed Lots 40 - 52, to permit 13 lots which will front onto the park and have vehicular access from the lane within the development of 52 single family lots with coach houses in East Clayton.

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
 No. 7904-0086-00 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.R05-70

Carried

- (f) **Development Variance Permit No. 7904-0405-00**
Rempel Liberty Development Ltd.
c/o Focus Architecture Incorporated (Carson Nofle)
 19388 - 65 Avenue (also shown as 19366 and 19378 - 65 Avenue)

To reduce the minimum front yard setback (east) from 7.5 metres (25 ft.) to 4.0 metres (13 ft.), to permit the development of a four-storey apartment building in East Clayton.

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

RES.R05-71

It was
No. 7904-0405-00 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.

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

2. Delegation Requests

- (a) **Clyde K. Inouye, Executive Director
BC Premier Baseball League**
File: 0850-01; 0550-20-10

Requesting to appear before Council to present a proposal to reclaim the Stetson Bowl in Cloverdale for year-round use for baseball and as a training centre for youth baseball for players throughout British Columbia and Surrey.

RES.R05-72

It was
BC Premier Baseball League be heard as a delegation at the Parks and Community Services Committee.

Moved by Councillor Hunt
Seconded by Councillor Watts
That Clyde K. Inouye, Executive Director,
Carried

- (b) **James Previer
Boundary Bay Conservation Committee**
File: 0250-20; 0550-20-10

Requesting to appear before Council to outline their objectives for the Bay and to ask for Council's endorsement of their goals, namely the enhancement and protection of Boundary Bay.

RES.R05-73

It was
Conservation Committee be heard as a delegation at the Environmental Advisory Committee.

Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That James Previer, Boundary Bay
Carried

- (c) **Al Leier, President**
British Columbia Professional Fire Fighters' Association
File: 7200-01; 0550-20-10

Requesting to appear before Council to make a presentation on the most important issue of fire fighters in British Columbia with respect to fire fighter cancers.

It was
Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Al Leier, President, British Columbia
Professional Fire Fighters' Association be heard as a delegation at
Council-in-Committee.

RES.R05-74

Carried

3. Tag Days

- (a) **Canadian Cancer Society**
Fraser Valley Region
File: 0320-20

Requesting permission to hold its annual Door-to-Door fund raising drive during the month of April to assist the Canadian Cancer Society in providing funds for cancer research, services to people living with cancer, education, information and advocacy for healthy lifestyles.

It was
Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the Canadian Cancer Society, Fraser
Valley Region be granted permission to hold its annual Door-to-Door fund raising drive during the month of April to assist the Canadian Cancer Society in providing funds for cancer research, services to people living with cancer, education, information and advocacy for healthy lifestyles.

RES.R05-75

Carried

J. CORRESPONDENCE

INFORMATION ITEMS

1. Letter dated December 10, 2004 from **Jim Abram, Chair of the Board, Comox-Strathcona Regional District**, advising that on December 9, 2004, the Regional Board adopted the following resolution regarding funding for the Salmon Enhancement Program:

"WHEREAS the salmon resource is of the highest social, cultural and economic value to the people and local governments within the boundaries of the Regional District of Comox-Strathcona; and

WHEREAS the recent funding and production cuts to fisheries and Oceans Canada Salmon Enhancement Program threaten the future of the salmon resources, and the social, cultural and economic value derived from it; and

WHEREAS these cuts to funding and production were implemented by the Fisheries and Oceans Canada Minister and his Pacific Region staff without public consultation or proper public disclosure prior to these cuts to funding and production of salmon fry for release; and

THEREFORE BE IT RESOLVED THAT the Regional District of Comox-Strathcona on behalf of the people and local governments it represents, request that the Prime Minister of Canada direct the Minister of Fisheries and Oceans Canada to maintain the current 25 million dollar funding level with a commitment to increasing future funding and to stop any funding or production cuts to the Salmon Enhancement Program; and

FURTHER THAT the Regional District of Comox-Strathcona also requests that the Prime Minister of Canada direct the Minister of Fisheries and Oceans Canada to initiate no substantive changes to the Salmon Enhancement Program funding or production without a thorough and rigorous consultation process with local government, interest groups and all fisheries stakeholders."

File: 0480-20

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the letter dated December 10, 2004
from Jim Abram, Chair of the Board, Comox-Strathcona Regional District be received.

RES.R05-76

Carried

2. Letter dated December 21, 2004 from **Laura Kazakoff, Meeting Coordinator, City of Vancouver**, advising that on December 16, 2004, Vancouver City Council approved the Ethical and Sustainable Purchasing Policy. Letter attached for Council's information.

File: 0480-20

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the letter dated December 21, 2004
from Laura Kazakoff, Meeting Coordinator, City of Vancouver, be received.

RES.R05-77

Carried

ACTION ITEMS

3. Letter dated December 21, 2004 from **Josh Duncan, President, Native Brotherhood of BC and Garth Mirau, Vice President, United Fishermen and Allied Workers' Union (UFAWU) -CAW**, asking Council to pass the following resolution and write to the Federal Minister of Fisheries, Geoff Regan, and the Provincial Minister of Agriculture Food and Fisheries, John van Dongen, regarding the City's concerns with the move to privatize the salmon and other fisheries in British Columbia:

"WHEREAS fisheries in Canada are a common property resource that are owned by all the people of Canada; and

WHEREAS the McRae-Pearse Report makes recommendations to privatize salmon and other fisheries in British Columbia through Individual Transferable Quotas (ITQ's); and

WHEREAS the federal Fisheries Minister and provincial Minister are supporting the gifting of this valuable and sustainable fishery to individuals without a public debate;

THEREFORE we demand an opportunity for us and all British Columbians to have input before the removal of fisheries from public ownership. and

WE FURTHER demand that Minister Regan and Minister van Dongen introduce the report in their respective legislatures for a full debate by the lawmakers of this country."

File: 2710-01

It was

Moved by Councillor Hunt

Seconded by Councillor Tymoschuk

That the letter dated December 21, 2004

from Josh Duncan, President, Native Brotherhood of BC and Garth Mirau, Vice President, United Fishermen and Allied Workers' Union (UFAWU) -CAW be received.

RES.R05-78

Carried

4. Letter received January 4, 2005 from **Paul Sprout, A/Regional Director General, Pacific Region, Fisheries and Oceans Canada**, requesting feedback and input on the newly released draft Wild Salmon Policy and advising that the deadline for submissions is February 18, 2005.
File: 0430-20

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the letter received January 4, 2005
 from Paul Sprout, A/Regional Director General, Pacific Region, Fisheries and
 Oceans Canada be referred to the Environmental Advisory Committee.
 RES.R05-79 Carried

5. Grandview Corners

It was Moved by Councillor Bose
 Seconded by Councillor Villeneuve
 That the letter dated January 9, 2005 from
 R. Zelinka be received.
 RES.R05-80 Carried

K. NOTICE OF MOTION

1. Homelessness

File: 1855-04; 5080-01

At the November 29, 2004 Regular Council – Public Hearing,
 Councillor Villeneuve submitted the following resolution:

"WHEREAS there is strong interest in the faith, business and health community
 to coordinate efforts to address homelessness and housing issues in the City;

BE IT RESOLVED that Mayor McCallum request adequate funding through the
 Premier's Task Force on Homelessness to coordinate this effort over the next six
 months."

Note: At the December 6, 2003 Regular Council – Public Hearing Council
 deferred this item to the next Council meeting.

Note: At the December 13, 2003 Regular Council – Public Hearing
 Councillor Villeneuve requested the above Notice of Motion relative to
 Homelessness be deferred to January 2005.

It was Moved by Councillor Villeneuve
 Seconded by Councillor Priddy
 That Mayor McCallum request adequate
 interim funding through the Premier's Task Force on Homelessness to address
 homelessness and housing issues in the City and to coordinate this effort over the
 next six months.

RES.R05-81

Defeated with Mayor McCallum,
Councillors Hunt, Tymoschuk, Steele and
Higginbotham against.

**2. 10663 King George Highway
Mark Ankenman and Darrin Collie/
Toor & Pattar Enterprises, Wadala Enterprises**

Development Permit/Development Variance Permit to permit the construction of
a two-storey commercial building
File: 7904-0210-00

At the December 13, 2003 Regular Council – Public Hearing
Councillor Villeneuve submitted the following Notice of Motion:

"In order to bring this application back before Council, I will be bringing forward
a motion at the next Regular Council meeting to rescind Resolution R04-2794 of
the November 1, 2004 Regular Council Land Use meeting defeating approval of
the Development Permit/Development Variance Permit application.

I hereby give notice that if Resolution R04-2794 is rescinded, I will be moving a
motion to approve the recommendation of the Planning & Development
Department."

It was

Moved by Councillor Villeneuve
Seconded by Councillor Tymoschuk
That Resolution R04-2794 be rescinded.

RES.R05-82

Carried with Mayor McCallum, Councillors
Steele and Priddy against.

L. ANY OTHER BUSINESS

1. Jock Smith, former School Board Trustee

Councillor Priddy noted that Jock Smith, former School Board Trustee recently
passed away.

2. Neighbourhood Character

Councillor Priddy discussed the matter of preserving neighbourhood character.

M. ADJOURNMENT

It was

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

meeting do now adjourn.

RES.R05-84

Carried

The Regular Council- Public Hearing adjourned at 9:59 p.m.

Certified correct:



City Clerk



Mayor