



City of Surrey

Regular Council - Public Hearing

Minutes

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

Present:

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

Absent:

Councillors Entering Meeting as Indicated:

Councillor Higginbotham

Staff Present:

City Manager
City Clerk
General Manager, Finance, Technology &
HR
General Manager, Engineering
General Manager, Parks, Recreation &
Culture
Manager, Long Range Planning & Policy
Development
Manager, Area Planning & Development
Division
Manager, North Surrey Section
Manager, South Surrey Section
Manager, Land Development Engineer

A. ADOPTION OF MINUTES

1. Council-in-Committee - January 24, 2005

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That the minutes of the
Council-in-Committee meeting held on January 24, 2005, be received.
RES.R05-298 Carried

2. Regular Council - Land Use - January 24, 2005

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the Regular Council –
Land Use meeting held on January 24, 2005, be adopted.
RES.R05-299 Carried

Councillor Higginbotham entered the meeting at 7:02 p.m.

3. Regular Council - Public Hearing - January 24, 2005

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That the minutes of the Regular Council -
 Public Hearing meeting held on January 24, 2005, be adopted.
 RES.R05-300 Carried

B. DELEGATIONS - PRESENTATIONS

1. Georgina Patko
Junior Achievement of British Columbia
 File: 0550-20-10; 0630-02

Georgina Patko, Junior Achievement of British Columbia was in attendance to make a presentation on the success of the Junior Achievement's programs within the City.

Note: See "JA Month" proclamation under Mayor's Report, Item E.1(a).

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That the information submitted by
 Georgina Patko be received.
 RES.R05-301 Carried

Georgina Patko provided the following comments:

- Junior Achievement of British Columbia (JA) is celebrating its 50th anniversary.
- JA works to ensure B.C.'s youth receive the skills and tools necessary for success in the workplace through the delivery of business education programs.
- The City of Surrey is a founding member of the Surrey Initiative Team which was established to focus junior achievement programs more thoroughly on one group of people.
- JA encourages youth to get involved with business.
- Last year, JA decided to focus its efforts in the Surrey area and the Surrey Initiative Team was developed comprised of members of the City of Surrey, Chambers of Commerce, Surrey School District #36, and the Leader newspaper.
- The JA's goal is to provide programs to every single student in Surrey.
- There are approximately 64,000 students in Surrey.
- The outcome of JA's focus on Surrey students would be measured in new business starts and students staying in school to further their careers.
- JA provides programs using interesting and fun materials.

- Approximately 200 business people stepped up to deliver programs for 2,500 Surrey students.

Mayor McCallum then read the following proclamation:

(a) JA MONTH - FEBRUARY, 2005

WHEREAS the responsibility of today's business and community leaders is to provide support, encouragement, and inspiration to the next generation of professionals; and

WHEREAS the fulfillment of this responsibility will help to ensure the transfer of wisdom, expertise, and skill which will lead to increased economic development, growth and prosperity; and

WHEREAS for 50 years, Junior Achievement of British Columbia (JABC) has worked to ensure BC's youth receive the skills and tools necessary for success in the workplace through the delivery of business education programs; and

WHEREAS JABC will commemorate JA Month for the month of February, 2005; and

WHEREAS I would like to acknowledge this as an important event that contributes to our citizens' awareness of their role in inspiring and motivating our youth and leaving a legacy of economic prosperity;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare the month of February, 2005, in the year of Junior Achievement of BC's 50th anniversary, as "JA MONTH" in the City of Surrey.

Doug W. McCallum
Mayor

The agenda was varied to hear Fire Chief Garis' presentation on the Fire Insurance Premium Tax and to deal with Corporate Report R018 on the same topic.

2. Fire Insurance Premium Tax
File: 0490-20; 0250-20; 0410-20

Fire Chief Len Garis was in attendance to provide a presentation relative to the Fire Services Premium Tax.

Chief Garis provided the following comments:

- In 1921, B.C. introduced the Fire Insurance Premium Tax to offset costs of the Office of the Fire Marshal.
- The tax evolved originally from the widespread practice in North America of funding fire services through insurance companies as they hired private fire brigades as a way of decreasing fire claims in the buildings they insured.
- The Insurance Premium Tax (IPT) collects 4.4% of the gross property and vehicle insurance premiums in B.C. of which the proceeds go into the provincial government's Consolidated Revenue Fund as general review.
- In 2003/04 the tax raised \$300 million and the only provincial contribution to community fire services was \$2.3 million for the Office of the Fire Commissioner. These funds were originally directed to support firefighting services.
- The government is collecting \$300 million per year through this tax and the funds were originally directed to support firefighting services.
- Municipalities face rising fire suppression costs due to increased duties, demand and downloading from the province with no additional funding.
- B.C. municipalities collect more than \$336 million per year in property taxes.
- B.C. cities received \$37 million in unconditional provincial grants in 2004, compared to \$86 million in 1998.
- The IPT now generates about 66% more than what was raised in 1999 due to post-9/11 insurance rate hikes, the provincial contribution to community fire services, via the OFC, has increased only by about 19%.
- All provinces across Canada collect some taxes, but some provinces allocate higher percentages to fire fighting, such as the province of Manitoba, which spends 1.25% of the tax on fire fighting services.
- In the Yukon Territories, 1% of fire related tax for properties is returned and he noted that the Yukon Government pays for the majority of equipment.
- He stated there is a discrepancy, which raises the question of fairness to the taxpayers.
- There is a question of ethics with respect to taxing B.C.'s 1.7 million property owners twice, ostensibly, for fire services, first through property taxes, and then through their insurance premiums via a tax originally created to fund fire services.
- Legal advice also indicates there is merit in a possible constitutional challenge using the argument that the tax discriminates against property owners.
- North America has many modern-day examples of appropriately applied fire insurance taxes.
- The B.C. Fire Chiefs Association has been lobbying the provincial government since 1998 and forwarding resolutions to the UBCM.

Item No. R018 Fire Insurance Premium Tax
File: 0490-20; 0250-20; 0410-20

The Fire Chief submitted a report concerning the fire insurance premium tax.

The Fire Chief was recommending that the report be received for information.

It was Moved by Councillor Watts
 Seconded by Councillor Steele
 That Corporate Report R018 be received for
 information.
 RES.R05-302 Carried

The original agenda order was then resumed.

B. DELEGATIONS - PUBLIC HEARING

1. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15626

Rezoning Application: 7904-0347-00

CIVIC ADDRESS: 5828 - 136 Street

APPLICANT: Parsana Khrod
 c/o Santokh (Sukhi) Tutt
 5828 - 136 Street
 Surrey, B.C. V3X 1J2

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

The purpose of the rezoning is to allow subdivision into two 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 H. Lobu expressing opposition to the proposed rezoning application 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, 2005, No. 15627

Rezoning Application: 7904-0305-00

CIVIC ADDRESS: 6106 - 148 Street (also shown as 6132 - 148 Street) and
 6146 - 148 Street

APPLICANT: 605952 B.C. Ltd. and Muriel Galicz
 c/o Aspen Developments Ltd. (Brock Dorward)

200 - 12219 Beecher Street
Surrey, B.C. V4A 3A2
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
300 - 65 Richmond Street
New Westminster, B.C. V3L 5P5

PROPOSAL:

BLOCK A

To rezone portions of 6106 & 6146 - 148 Street from "General Agriculture Zone (A-1)" and "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)";

BLOCK B

To rezone portions of 6106 and 6146 - 148 Street from "General Agriculture Zone (A-1)" and "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Zone (RF-9)";

BLOCK C

To rezone a portion of 6106 - 148 Street from "One-Acre Residential Zone (RA)" to "Multiple Residential 23 Zone (RM-23)".

The purpose of the rezoning is to allow subdivision into approximately 52 residential lots, 37 of which are small single family lots and 15 will be developed into row housing units, on fee simple 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.

There was correspondence on table from M. McMillan expressing support for the proposed rezoning application.

The Mayor noted that M. McMillan had expressed support for the proposed rezoning application and not wishing to speak.

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

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15628**

Rezoning Application: 7904-0136-00

CIVIC ADDRESS: 7025, 7041, 7061, 7095 - 150 Street

APPLICANT: 667226 B.C. Ltd., 685302 B.C. Ltd., Kuldip and
Kawaljit Chehil

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

PROPOSAL: To rezone the properties from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

The purpose of the rezoning is to permit subdivision into 64 single family small lots and park.

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. Balaz expressing support, D. Povarchook requesting preservation of cedar trees, and from C. MacNamara expressing concerns regarding disruption to neighbourhood, cutting of trees, and loss of wildlife habitat.

The Mayor noted that E. Winteruk, J. Povarchook, R. Povarchook, D. Wood, and R. Way had expressed opposition and J. Jhaj had expressed support for the proposed rezoning application.

Casey MacNamara, 7016 – 150 Street, was in attendance and commented that the East Newton NCP has undergone many changes without public consultation. He continued that 150 Street has undergone much construction resulting in the ditches and roadsides being filled with garbage and waste. He requested construction companies make efforts to leave the area clean. He commented on the lack of preservation of trees in Surrey and expressed concern for ecosystems, birds, wildlife, and plant life. He requested developers leave a block of untouched forest if possible, more than the 8 trees the arborist's report recommended for preservation. He requested Council consider the preservation of western cedars that may have heritage value and that they be designated heritage trees. He asked that Council not approve the rezoning application.

Rosemary Zelinka, #12, 14065 Nico Wynd Place, was in attendance and commented that she was speaking on her behalf as a citizen and not on behalf of her employer, the District of Delta. She referred to page six of the Planning report referencing preservation of trees, which stated that 1,280 trees were to be removed. She continued that replacement trees would total about 200, which is a replacement ratio of minus 6:2, not the 2:1 set out in the Tree Preservation By-law. She requested effort be made to preserve the best parts of the forests and noted that trees could be preserved in stands and clusters. She added that if the application goes through, it does not bode well for the Tree Preservation By-law. She commented that Surrey is favouring business and development over quality of life of residents and overprotection of the environment.

She continued that while serving on the Environmental Advisory Committee, she did her best to address a small part of this balance by persuading the Committee to ask Council to review environmentally sensitive areas in the OCP. She stated

that these environmentally sensitive areas have not been updated in 15 years, except for streamside protection and noted that Council did not approve this recommendation.

She stated that she had discovered a consultant's review of environmental assessment study in 1997, which was kept confidential and never given to Council or included in the OCP. She added that she was told the report was kept confidential as it would help the Parks, Recreation & Culture Department to acquire land for parks. She continued that the report identified so many additional areas being of high environmental value, and under the tree protection by-law, all trees would be protected. She asked how many members of Council and staff know that this very forest is one area identified in 1997 under the Environmental Assessment study as being of high environmental value. She stated that Council is intending this forest to be completely destroyed.

She continued that the proposed neighbourhood park plan does not discuss trees. She asked why the information from the 1997 Environmental Sensitive Area review was not included in the NCP and added that this did not help the Parks Department to buy forested area but was ignored in the interest of development at all costs. She stated that she hoped Council would consider and require some further studies, revisit the NCP as a number of things have changed over the 8 years since last done. She added that there is no longer an essential node proposed around the park and the 150 Street alignment has been changed. She stated that a basic step in the review of an NCP, is an environmental assessment which needs to be carried out to identify the best parts of forests, wildlife and watercourses.

She commented that Surrey is starting out with environmental assessments in new areas, which constrain where development will go, but those done 8 to 10 years ago, never had an environmental assessment. She urged Council to do it now and once the assessment has been done, Council would be in a position to decide if it wants to buy the best parts of the forest if it is feasible. She asked that Council at least try to preserve some parts of the forest or change the boundaries of the park, making it passive rather than active.

She asked that Council try to retain parts of the forest by investigating a cluster form of development instead of the gridiron proposed. She noted that the developer could offer more density in order to protect treed areas and asked that before Council approves the rezoning, she concurred with the last speaker's comments that Council should be approving a tree preservation plan to be incorporated into by a restrictive covenant before rezoning. She concluded that Surrey claims to follow the principles of a sustainable city, and should act in accordance with those principles.

Bob Cattermole, 8850 Harvie Road, was in attendance and commented that he has concerns over the lack of tree preservation and proposed destruction of over 1,000 trees, loss of habitat of owls, and air quality should the project proceed. He stated that he would like to see the forest saved and then discussed availability of information.

Denise Roussel, 14937 – 71 Avenue, was in attendance and commented that she supports the rezoning application. She noted that the area has changed with transients moving into the area and that she would like to see more families move into the area. She stated, for the record, that she intends to apply for rezoning on her property.

Don Povarchook, Cloverdale, was in attendance and commented that he is opposed to the clear cutting of Surrey. He continued that small lot development has a place in Surrey but does not belong in the proposed project area. He stated concerns regarding preservation of forest and noted that some trees located at 7025 – 150 Street should be designated as heritage trees. He noted he had attended a tree preservation information meeting, which provided information on the preservation of native trees by modifying building size and location in advance of development. He added that the Western Red Cedar is highly sustainable, has a lifespan of several hundred years, and deserve to be preserved as opposed to other trees with shorter life spans. He commented on the raptor and heron nest survey, and preservation of owl habitat. He requested Council not approve the proposed rezoning application. He stated that if the previous owners had known trees could have been designated as heritage trees, they would have undertaken these measures.

Gurpreet Pahl, 12743 – 67A Avenue, was in attendance and commented that she understands the views of those who wish to preserve trees, however, Surrey is growing and the development is required. He noted there are other ways to preserve the environment through other measures. He added that minor revisions could be made to save 12 trees instead of the original 8 trees.

Jarnail Saran, 5756 – 125A Street, was in attendance and commented that there are no watercourses on the properties. He added that the contract for 7025 - 150 Street has just been completed. He continued that the Parks Department had been given the opportunity to purchase a portion of property for parkland but they did not wish to purchase any property.

James Pernu, McElhanney Consulting Ltd., was in attendance to speak on behalf of the applicant. He clarified that he had worked with staff regarding wildlife preservation through assessment and raptor surveys. He noted many trees are above by-law size; the majority are alders and cottonwoods situated on the west side of the property. He noted that the properties located at 7025 and 7041 - 150 Street are large cedar trees in good health, clustered in the center part which would line up with 75A Avenue. He noted these trees are similar in size and health to trees situated at the 70 Avenue road extension at the south side of the site. He added that the applicant had proposed to save that cluster of trees to this particular development. He continued that the subject site is currently designated for an elementary school with the Surrey School District electing to stay with the existing school site on 148 Street. He added this has allowed for alternative land use on this site and if the School District wished to maintain and construct a school on site, a great amount of tree cover would have to be removed. He noted that, in terms of developing an alternative school site, there would have

been significant impact on existing tree cover. He stated that in terms of alternative land use, the applicant had looked at other configurations in an effort to save the cluster of trees at the southeast corner. He pointed out that staff had advised that the City was not interested in pursuing additional parkland, so the applicant did try to respond to this particular issue.

**4. Surrey Official Community Plan By-law, 1996, No. 12900,
No. 109 Amendment By-law, 2005, No. 15629**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15630**

Rezoning Application: 7904-0099-00

CIVIC ADDRESS: 5987 - 125 Street

APPLICANT: Santokh & Balraj Virk
c/o J.K's Consulting (Jake Sarwal)
7325 - 123 Street
Surrey, B.C. V3W 9S2

PROPOSAL: **BY-LAW 15629**
To authorize the redesignation of the property from Suburban (SUB) to Urban (URB).

BY-LAW 15630
To rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

The purpose of the redesignation and rezoning is to allow subdivision into approximately three single family small 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.

Marie Cooper, 5937 - 124A Street, was in attendance and commented that the property being redesignated from suburban to urban is in an area which has been identified as a study area and is piecemeal development. She added that the NCP has been changed for this specific lot only, which is not right. She added that there is a whole area, which is zoned RA. She referenced Boundary Park and the change from suburban to urban. She added that the NCP has not been cast for this area and that the area is not vacant land to be developed. She commented on increased traffic, the additional three driveways accessing an already busy 60 Avenue and tree preservation.

5. **Surrey Official Community Plan By-law, 1996, No. 12900,
No. 110 Amendment By-law, 2005, No. 15631**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15632**

Rezoning Application: 7904-0028-00

CIVIC ADDRESS: 5825 - 135 Street and 13467 - No. 10 Highway
(58 Avenue)

APPLICANT: Harminder & Manpreet Grewal and Devinder & Harvinder
Grewal, c/o Coastland Engineering & Surveying Ltd.
(Michael Helle)
101 - 19292 - 60 Avenue
Surrey, B.C. V3S 3M2

PROPOSAL: **BY-LAW 15631**
To authorize the redesignation of portions of the properties
from Suburban (SUB) to Urban (URB).

BY-LAW 15632
To rezone the properties from "One-Acre Residential Zone
(RA)" to "Single Family Residential Zone (RF)".

The purpose of the redesignation and rezoning is to allow
subdivision into 16 single family residential lots.

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 of the principal
building on Lot 16, from 7.5 metres (25 ft.) to
3.01 metres (9.9 ft.); and
- (b) To reduce the front yard setback of the accessory
building on Lot 16, from 18 metres (60 ft.) to
13.43 metres (44.1 ft.).

Note: See Development Variance Permit 7904-0028-00, under Clerk's Report,
Item I.1(a)

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 P. Dittmar, N. and K. Hughes,
R. Petrovic, J. Mclean, C. and K. Murray, G. and N. Bruchetta, and R. and
B. Dallow expressing opposition to the proposed rezoning application.

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

NAME	FOR	AGAINST	UNDECIDED
C. Kumar	X		
H. Grewal	X		
G. Grewal	X		
H. Grewal	X		
S.Grewal	X		
S. Trounce	X		
G. Brar	X		
H. Grewal	X		
J. Dhanju	X		
M. Sandhu	X		
S. Dhaliwal	X		
K. Sandhu	X		
J. Khandal	X		
G. Virk	X		
S. Sandhu	X		
J. Saran	X		
K. Hastie		X	
N. Hanson		X	

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

6. Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15636

Rezoning Application: 7904-0418-00

CIVIC ADDRESS: 7566 - 120A Street

APPLICANT: Progressive Inter-Cultural Community Services Society
 c/o Commercial Real Estate Services Inc. (Harp Hoonjan)
 730 - 475 W. Georgia Street
 Vancouver, B.C. V6B 4M9

PROPOSAL: To rezone the property from "Multiple Residential Zone Three (RM-3)" (Surrey Zoning By-law, 1979, No. 5942, as amended) to "Comprehensive Development Zone (CD)"

The purpose of the rezoning is to permit the development of a 72-unit addition to an existing seniors' oriented multiple residential building.

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.

The Mayor advised that Items 7, 8 and 9 would be dealt with at one time and speakers could speak to all three applications.

**7. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15637**

Rezoning Application: 7904-0196-00

CIVIC ADDRESS: 5602 - 124 Street

APPLICANT: McIntosh Estates Ltd., Valsol Management Ltd., and
Cresta Management Ltd.
c/o BFW Development Ltd. (Andrew Sims)
100 - 20120 - 64 Avenue
Langley, B.C. V2Y 1M8

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

The purpose of the rezoning is to allow subdivision into 4 single family residential 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 B. Campbell, West Panorama Ridge Ratepayers Association, and from G. Dalatkewicz expressing opposition to the proposed rezoning application.

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

NAME	FOR	AGAINST	UNDECIDED
S. Williams		X	
T. Dent		X	
J. Ottewell		X	
S. Dunlop		X	
C. Szabo			X

John Turner 12628 – 26A Avenue, was in attendance and noted he is the Land Development Manager for B.F.W. Development Ltd. He stated that the proposal is for 18 single family lots. He added that the applicant is not asking for relaxation for frontages. He noted that the project is the gateway for Panorama

Ridge, and impact would be minimized by reducing access points to New McClellan Road, with the result that there would be only two access points. He added that a 5 meter landscaped buffer would be provided on New McClellan Road featuring a total of 887 cedars and shrubs to act as a buffer. He continued that houses would be set back from the buffer not the property line, and spoke to the tree preservation and replacement measures that would be undertaken. He noted that the executive of the West Panorama Ridge Ratepayers Association has refused to work with the applicant.

It was

Moved by Councillor Hunt

Seconded by Councillor Watts

That the survey information as provided by

John Turner be received.

RES.R05-303

Carried

Sukhi Sanghe, 5667 – 124A Street, was in attendance and commented that the proposal fits with the subdivision and that he was in support of the proposed project.

Bob Campbell, 12745 Southridge Drive, was in attendance and commented that he wished to speak on behalf of the West Panorama Ridge Ratepayers Association and stated that he opposed the rezoning of lots from one acre to half acres. He advised that the WPRRA wished to maintain the rural setting of the area. He spoke to the history of the area, tree retention and preservation, past court case, and maintaining the area at one acre lots. He added that this is the first time in ten years that the WRRPA had felt compelled to attend a public hearing, having worked successfully with staff to work through similar types of situations in the past to maintain one acre lots.

Bruce Fraser, 13410 – 56 Avenue, was in attendance and commented that he is a member of the Board of Directors of the West Panorama Ridge Ratepayers Association. He noted he had attended the open house held by the applicant, stating that it was a very one-sided presentation. He stated concerns regarding design guidelines registered on title, particularly on 56 Avenue and 136 Street, which have been violated. He noted the President of the WPRRA has advised the City of this violation but has not yet had a response. He spoke to the court case changing the zoning from one acre to half acre, noting that McIntosh Estates had made an agreement to leave lots as one acre in concession for smaller lots.

Jason Szabo, 12122 – 56 Avenue, was in attendance and commented that he had difficulty obtaining the arborist's report from the City. He then spoke to the tree cutting by-law and stated his concerns regarding tree preservation, maintaining the rural setting, and that the three lots should be considered independently. He added that he had concerns about trees along 56 Avenue (13, 14, 15, and 16) which are on city property are going to be removed. He added staff is looking into this matter. He advised that replacement trees should also be placed on the southerly portion of the property. He stated that a greenspace should be kept along 56 Avenue and that street lighting be kept to a minimum to avoid light pollution, especially on Old McLellan Road. He added that the City should

provide assurance that building design guidelines will be honoured for new development and trees be replaced.

Norm Hall, ArborTech Consultants, was in attendance and commented that this set of three projects was assessed individually and would be successful in tree retention. He added that the 19 trees designated for removal on one site are unhealthy and would be at risk of falling on the development, and a further 7 or 8 trees on the half acre subdivision would be removed but 27 retained. He stated these trees are not necessarily along the frontage but as part of this development and the development on New McClellan Road, plans to plant and replicate with Western Red Cedar and Douglas Fir to form a contiguous row to replicate native forest environment. He continued that there would be on lot replacement with native coniferous species. He then commented on the five lot subdivision, 6 of the 7 trees on site would be retained with one being removed due to damaged roots from construction of a nearby bus shelter. He added that five trees would be replaced per lot. He then spoke to the nine lot subdivision, adding that existing trees would be removed, but existing trees around perimeters on northerly lots would be retained. He added there are many successes of tree protection when employed through construction infrastructure and construction of new homes on half acre lots and would feature strong, native species.

Mike Tynan, Design Consultant, was in attendance and commented that the role of a Design Consultant is to act as an intermediary between the developer and the public. He spoke to a previous speaker's comments regarding a house at 56 and 136 and the enforceability of covenants and enforcement of building schemes. He noted that a compliance deposit was set aside to the developer through the lawyer. He added that what is required in the end is that the parties are all reasonably honest, well wishing citizens in order for the process to work. He added that people who did not complete landscaping did not get their deposit back.

He advised that there would be a natural landscaping component and housing component as well as a replanting plan for planting along the street to maintain a rural feeling. He noted that there are plans to have buffers along the street in a natural landscape and the houses would be set back. He continued that if the intention of the WPRRA is to maintain a rural setting, a landscaping buffering component would address that quite well. He advised that there is a wide variety of homes in the area and they are not all estate homes as over the 40 or 50 year range of development, there is everything from small ranchers to large estate type homes.

He noted the proposal is to build a limited range of style homes featuring the traditional English homes and some Cape Code style homes. He added that the homes would be attractive, estate-like homes and in terms of final outcomes, landscaping would look more or less the way it does now.

Andrew Sims, Project Manager, BFW Developments Ltd., was in attendance and commented on the survey of 378 homes and noted that it was mentioned that it was a rezone application from RA to RH. He stated that his company does not

have an option to purchase the property. He added that with respect to the public information meeting held last year, some concerns were raised. He noted that the meeting was advertised to be an information meeting with design consultants and arborists for dialogue on an individual basis. He stated that the main problem with the meeting was the history; indicative of a lot of enmity towards these lots. He continued that the WPRRA has entrenched minimum standards and noted that the developer is maximizing tree preservation retention. He stated that in terms of building design scheme, the developer is trying to preserve the country heritage style neighbourhood as required in the 1985 OCP. He stated that over the last two weeks, a public opinion poll of residents truly affected by these applications indicated that only 3.5% people are opposed to the proposed project.

**8. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15638**

Rezoning Application: 7904-0195-00

CIVIC ADDRESS: 5543 - 123 Street

APPLICANT: McIntosh Estates Ltd., Valsol Management Ltd.
and Cresta Management Ltd.
c/o BFW Development Ltd. (Andrew Sims)
100 - 20120 - 64 Avenue
Langley, B.C. V2Y 1M8

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

The purpose of the rezoning is to allow subdivision into 5 single family residential 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 B. Campbell, West Panorama Ridge Ratepayers Association, expressing opposition to the proposed rezoning application.

See comments under Item 8.

**9. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15639**

Rezoning Application: 7904-0197-00

CIVIC ADDRESS: Portion of 12169 - 56 Avenue

APPLICANT: McIntosh Estates Ltd., Valsol Management Ltd.,
and Cresta Management Ltd.
c/o BFW Development Ltd. (Andrew Sims)
100 - 20120 - 64 Avenue
Langley, B.C. V2Y 1M8

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

The purpose of the rezoning is to allow subdivision into 9
single family residential 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 B. Campbell, West Panorama Ridge
Ratepayers Association, and from G. Dalatkewicz expressing opposition to the
proposed rezoning application. There was also correspondence on table from J.
and C. Szabo expressing concerns regarding the proposed project.

See comments under Item 7 and 8.

**10. Surrey Land Use Contract No. 97 Authorization By-law, 1976,
No. 5013, Partial Discharge By-law, 2005, No. 15643**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15644**

Rezoning Application: 7904-0202-00

CIVIC ADDRESS: 7531 and 7561 - 144 Street

APPLICANT: 689131 B.C. Ltd.
c/o H.Y. Engineering Ltd.
200 - 9128 - 152 Street
Surrey, B.C. V3R 4E7; and
c/o United Realty RCK & Associates Ltd.
(Narotam Dhanoa) and/or 613765 B.C. Ltd.
5262 - 125A Street
Surrey, B.C. V3X 1W8

PROPOSAL: **BY-LAW 15643**
 To discharge Land Use Contract No. 97 from the property at 7561 - 144 Street to allow the underlying "Single Family Residential Gross Density Zone (RF-G)" to come into effect.

BY-LAW 15644
 To rezone the property at 7561 - 144 Street from "Single Family Residential Gross Density Zone (RF-G)" to "Single Family Residential (12) Zone (RF-12)".
 To rezone the property at 7531 - 144 Street from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

The purpose of the discharge of the land use contract and rezoning is to permit subdivision into approximately 22 single family small lots and open space.

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

There was correspondence on table from R. and J. Lewis expressing opposition to the proposed rezoning application.

Amrit Lak, 7591 - 144 Street, was in attendance and commented that he supports the proposed project as he would like to have his property tied into the sewer line.

**11. Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2005, No. 15645**

Rezoning Application: 7904-0140-00

CIVIC ADDRESS: 7509 - 144 Street and Portion of 7491 - 144 Street

APPLICANT: 686537 B.C. Ltd, 686538 B.C. Ltd, and Milena Gobbato
 c/o H.Y. Engineering Ltd.
 200 - 9128 - 152 Street
 Surrey, B.C. V3R 4E7 and;
 c/o Platinum Enterprises Ltd.
 201 - 12837 - 76 Avenue
 Surrey, B.C. V3W 2V3

PROPOSAL: To rezone 7509 - 144 Street and a Portion of 7491 - 144 Street from "One-Acre Residential Zone (RA)" to "Single Family Residential (12) Zone (RF-12)".

The purpose of the rezoning is to permit subdivision into approximately 29 single family small lots, open space and retention of an existing dwelling on a parcel that will remain RA Zoned.

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 R. and J. Lewis expressing opposition to the proposed rezoning application.

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

**12. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15635**

Rezoning Application: 7904-0247-00

CIVIC ADDRESS: 6645 – 192 Street

APPLICANT: 690258 B.C. Ltd.
c/o Homelife Benchmark Realty (Wayne Perreault)
6323 – 197 Street
Langley, B.C. V2Y 1K8

PROPOSAL: To rezone the property from “One-Acre Residential Zone (RA)” to “Comprehensive Development Zone (CD)”.

Each Block is intended to accommodate the following uses:

1. Block A
To accommodate and regulate the development of medium *density, ground-oriented multiple residential buildings* and related *amenity spaces* which are to be developed in accordance with a *comprehensive design*.
2. Block B
To accommodate and regulate the *comprehensive design* of industrial business parks consisting of *light impact industrial uses* and office uses. These uses shall be carried out such that no nuisance is apparent outside an enclosed *building*.

The purpose of the rezoning is to permit the development of 38 townhouse units for Block A and future business park uses for Block B.

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

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

**13. Surrey Land Use Contract No. 371 Authorization By-law 1978,
No. 5676, Partial Discharge By-law, 2005, No. 15641**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15642**

Rezoning Application: 7903-0343-00

CIVIC ADDRESS: 1881 - 152 Street (also shown as 15188 - 19 Avenue)

APPLICANT: 538699 B.C. Ltd.
c/o David Porte
670 - 1665 West Broadway
Vancouver, B.C. V6J 1X1

PROPOSAL: **BY-LAW 15641**
To discharge Land Use Contract No. 371 from the property to allow the underlying "Multiple Residential 45 Zone (RM-45)" to come into affect.

BY-LAW 15642
To rezone the property from "Multiple Residential 45 Zone (RM-45)" to "Comprehensive Development Zone (CD)".

The purpose of the Land Use Contract discharge and rezoning is to permit the development of a four-storey multiple residential building and a three-storey commercial building.

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 and a 45-signature petition on table from the Southmere Villa Strata Plan NW1769 expressing opposition to the proposed rezoning application.

The Mayor noted that W. Skretkowicz, F. Simmonds, and G. O'Donnell expressed opposition to the proposed rezoning application and not wishing to speak.

Wayne Lockhart, Strata Corporation NW1769, 208 - 1860 Southmere Crescent, was in attendance and commented that this land is owned by Strata Corporation NW1769 and contains tennis court and recreation land. He added that another

organization has applied for rezoning the land to be used for retention ponds. He continued that the members of Strata Plan NW1769 hold that they own this land and not the numbered company 538699 B.C. Ltd. He stated that information had been supplied to this effect and that 538699 B.C. Ltd. has no interest in this land and is not qualified to present an application to the City of Surrey for rezoning land that is owned by Strata Plan NW1769.

He advised that he had several more signatures of those members of NW1769 who oppose the proposed application. He referenced minutes, which pointed out that a special resolution would be resolved at a special meeting to transfer to the numbered company. He added that the transfer of the Retention Pond property, which was registered in the name of the strata corporation until July 2, 1997 was not done in compliance with the *Condominium Act*. He noted that any actions that may have been taken were not in compliance with the Act and renders any transfer or sale of this land to 538699 B.C. Ltd. null and void, therefore the legal interest in this land, by virtue of non-compliance with the Act, remains with Strata Plan NW1769. He requested Council reject the application.

Kevin O'Donnell, 213 - 1860 Southmere Crescent, was in attendance and commented that he represents the owners in his building and requests Council reject the proposed application. He referenced Form 6 stating a proper meeting was held and a resolution was voted upon and duly passed. He noted that the LTO operated on that document which notes that no resolution or minutes were attached to that document. He added that the process did proceed and he objects to the way this matter has taken place. He advised that supporting documentation is non-existent and it is on this basis that he appeals to Council to reject the proposal until the true applicant makes the application to have this property rezoned.

Elizabeth Thornton, 208 - 1860 Southmere Crescent, was in attendance to comment on the proposed rezoning. She stated that she objects to the proposed rezoning application. She stated she lives directly behind the property subject to the rezoning and noted drainage, parking, and traffic problems.

Derek Creighton, 1700 - 1185 West Georgia Street, Vancouver, B.C., was in attendance and stated that the City relies on Land Title Office (LTO) certification and noted that the law allows for appeal of LTO certification. He continued that the courts have made it clear that a Strata Corporation is different from other corporations in that it cannot hold its title within the corporation, and is simply an agent for individual agents. He added that, unlike a regular corporation where a simple majority would allow it to act, a strata corporation must have a resolution and individual voting must be done as they are liable to consequence for developments that occur on their assets. He stated that this could be a significant challenge if there has not been proper authorization by the owners. He noted that the City of Surrey has obtained easements along 19 Avenue and 152 Street as *quid pro quo*, and the City should look at the issue of title very seriously.

It was Moved by Councillor Watts
 Seconded by Councillor Steele
 That the information provided be received.
 RES.R05-304 Carried

He advised that the transfer form (form 6) showing the transfer from Strata Corporations to the numbered company does not attach a copy of the resolution, on its face, the normal transfer document is defective and that should give the City of Surrey real questions as to whether this application is defective on its face and would be improper to consider the rezoning application.

David Porte, on behalf of the applicant, was in attendance and commented that his firm has been involved in this site for 25 years. He advised that the decision to sell the strata lots in building no. 2 did not include the tennis courts on the retention pond, and purchasers would not be allowed to use the tennis courts. He added that the title was transferred in June; first strata lot occurred in August; the purchaser who did not read the disclosure statement may have read incorrectly what was included and what was not. He noted the title shows that 53699 is the owner of the property since 1997. He noted that the owners of lot 1 NW1769 do not have ownership of the property. He added that parking meets and exceeds the by-law. At the time of transfer, the owners of the strata lots were not owners at the time the transfer occurred, nor involved in the strata plan, and could sign on behalf of the strata plan.

**14. Surrey Zoning By-law, 1993, No. 12000,
 Amendment By-law, 2005, No. 15640**

Rezoning Application: 7904-0265-00

CIVIC ADDRESS: 10768 - 139 Street, 13908 and 13918 - 108 Avenue

APPLICANT: Ferguson Properties Ltd.
 c/o Creekside Architects (Don Andrew)
 150 - 1450 Creekside Drive
 Vancouver, B.C. V6J 5B3

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

The purpose of the rezoning is to permit the development of a four (4) storey, 79-unit apartment building at 108 Avenue and 139 Street in Surrey City Centre.

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

There was correspondence on table from B. and A. Todd and from S. Gordon expressing concerns regarding traffic, road maintenance, size, density, proximity

to elementary school, relative to the proposed rezoning application. There was also correspondence on table from J. Candy expressing opposition to the proposed rezoning application.

The Mayor noted that A. and B. Todd had expressed support for the proposed project and not wishing to speak.

Sharon Buzik, 103, 10721- 139 Street, was in attendance and commented that she had concerns regarding increased traffic, lack of traffic flow alternatives, proposed density, access and egress points. She added that she would like to see an easement and a connector road between 139 Street and 140 Street using vacant properties at 10678 and 10679, and a buffer zone between the south end of the school property and the new route.

Don Andrew, Creekside Architects, was in attendance and commented that certain density targets have been set for the City Centre area of 2.5 FAR, and this building has an FAR ratio of only 2.02. He added that the proposed development is situated at the edge of the City Centre and will be a smaller sized building than allowed. He also noted that the proposed project would be situated within walking distance of the SkyTrain, and its intent is to attract commuter traffic using the SkyTrain. He added that it is vacant, available land at the moment, and that the City is encouraging redevelopment of the City Centre.

**15. Surrey Official Community Plan By-law, 1996, No. 12900,
No. 111 Amendment By-law, 2005, No. 15633**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2005, No. 15634**

Rezoning Application: 7903-0241-00

CIVIC ADDRESS: 13845 - 96 Avenue

APPLICANT: Surrey Healthwise Development Group Ltd.
c/o Carewest Properties Ltd. (Robin Hill)
1628 Stephens Street
Vancouver, B.C. V6K 3V3

PROPOSAL: **BY-LAW 15633**
To authorize the redesignation of a portion of the property from Multiple Residential (RM) to Commercial (COM).

BY-LAW 15634
To rezone the property from " Family Residential Zone (R-F)" (Surrey Zoning By-law, 1979, No. 5942, as amended) to "Comprehensive Development Zone (CD)"

The purpose of the redesignation and rezoning is to permit the development of surface parking lots, a building site for future non-profit society offices, and open space.

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. Foster, R. Holman, J. Koropatimsky, and R. Hill had expressed support for the proposed project and not wishing to speak.

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

The Mayor called for a short recess at 10:59 p.m. and the Council meeting resumed at 11:06 p.m. with all members of Council present.

C. COMMITTEE REPORTS

1. Parks & Community Services Committee - January 26, 2005

RES.R05-305 (a) It was Moved by Councillor Tymoschuk
Seconded by Councillor Watts
That the minutes of the Parks & Community Services Committee meeting held on January 26, 2005, be received.
Carried

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

Rotary Field House, South Surrey Athletic Park

It was Moved by Councillor Tymoschuk
Seconded by Councillor Watts
That staff be directed bring a report back to the February meeting of the Parks & Community Services Committee based on the comments received from the Committee; and

That members of the South Surrey Rotary Fieldhouse Society be present at the meeting to answer any questions that may arise; and

That following the meeting staff prepare a report for Council on the outstanding debt of the South Surrey Rotary Fieldhouse Society, which will include recommendations and comments from the Parks & Community Services Committee.

RES.R05-306 Carried

2. Agricultural Advisory Committee - February 3, 2005

RES.R05-307 (a) It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the minutes of the Agricultural
Advisory Committee meeting held on February 3, 2005, be received.
Carried

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

Serpentine/Nicomekl Lowlands – Flood Control Project – January 2005

Councillor Hunt requested the following resolution be amended by inserting “the City of Langley and the Township of” after the words “information from”.

RES.R05-308 It was Moved by Councillor Hunt
Seconded by Councillor Watts
That in light of the January 2005 floods; the considerable amount of work done as part of the Nicomekl Lowland Floodplain Project; and that the City of Langley has just finished construction of a new commercial site, where a water storage facility could have been planned; the Agricultural Advisory Committee recommends that Council request information from the *City of Langley and the Township of Langley* on how they intend to deal with the increase runoff above the historic flows and volumes.
Carried

Application for fill permit – 17384 – 8 Avenue

Councillor Bose requested a friendly amendment be made to the following resolution by inserting “deposition” after “soil”.

RES.R05-309 It was Moved by Councillor Hunt
Seconded by Councillor Watts
That Council send a letter to the Agricultural Land Commission (ALC) requesting that the ALC defer any decisions on soil *deposition* application for non-farming and farming use until such time that comments are received from the City of Surrey.
Carried

D. BOARD/COMMISSION REPORTS

1. Board of Variance - December 14, 2004

RES.R05-310	It was meeting held on December 14, 2004, be received. <u>Carried</u>	Moved by Councillor Hunt Seconded by Councillor Watts That the minutes of the Board of Variance be received. <u>Carried</u>
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2. Surrey Heritage Advisory Commission - January 26, 2005

RES.R05-311	(a) It was Advisory Commission meeting held on January 26, 2005, be received. <u>Carried</u>	Moved by Councillor Higginbotham Seconded by Councillor Watts That the minutes of the Surrey Heritage Advisory Commission meeting held on January 26, 2005, be received. <u>Carried</u>
	(b) The recommendations of these minutes were considered and dealt with as follows: <p style="text-align: center;">Phase Three Heritage Register Review</p>	

RES.R05-312	It was be considered for inclusion on the Surrey Heritage Register. <u>Carried</u>	Moved by Councillor Higginbotham Seconded by Councillor Watts That the properties identified in <i>Appendix A</i> be considered for inclusion on the Surrey Heritage Register. <u>Carried</u>
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2005 Work Plan

RES.R05-313	It was Career Placements for a summer student to work on heritage projects identified by the Heritage Advisory Commission. <u>Carried</u>	Moved by Councillor Higginbotham Seconded by Councillor Watts That staff prepare an application to Summer Career Placements for a summer student to work on heritage projects identified by the Heritage Advisory Commission. <u>Carried</u>
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E. MAYOR'S REPORT

1. Proclamations

Mayor McCallum read the following proclamations:

(a) JA MONTH - FEBRUARY, 2005

Note: See Delegations - Presentations, Item B.1.

(b) ROTARY INTERNATIONAL WEEK
February 21 - 27, 2005

WHEREAS Rotary International, founded on February 23, 1905 in Chicago, Illinois, USA, is the world's first and one of the largest non-profit service organizations; and

WHEREAS there are over 1.2 million Rotary Club members comprised of professional and business leaders in over 31,000 clubs in more than 165 countries; and

WHEREAS the Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards and promote goodwill and peace in the world; and

WHEREAS Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food production, job training and education to millions in need, particularly in developing countries; and

WHEREAS Rotary in 1985 launched Polio Plus and spearheaded efforts with the World Health Organization, US Centers for Disease Control and Prevention and Unicef to immunize the children of the world against polio; and

WHEREAS polio cases have dropped by 99 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS Rotary is the world's largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs and humanitarian grants; and

WHEREAS more than 35,000 students from 110 countries have studied abroad since 1947 as Rotary Ambassadorial Scholars; and

WHEREAS Rotary's Group Study Exchange program has helped more than 46,000 young professionals explore their career fields in other countries; and

WHEREAS 8,000 secondary school students each year experience life in another country through Rotary's Youth Exchange Program; and

WHEREAS there are over 100 Rotary Club members and Rotary Youth members, known as "Roteractors" in 4 clubs in this city sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy and the environment in their local communities and abroad;

NOW, THEREFORE, BE IT RESOLVED that I, D. W. (Doug) McCallum, do hereby declare February 21 to 27, 2005 as "ROTARY INTERNATIONAL WEEK" in the City of Surrey, and encourage all citizens to join me in recognizing Rotary International for 100 years of service to improving the human condition in local communities around the world.

Doug W. McCallum
Mayor

F. COUNCILLORS' REPORTS

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

G. CORPORATE REPORTS

1. The Corporate Reports, under date of February 7, 2005, were considered and dealt with as follows:

Item No. R014 City-Initiated Road Closure at South Meridian Park:
12 Avenue and 161A Street
File: 0910-30/65

The General Manager, Engineering submitted a report concerning a City-initiated road closure at South Meridian Park.

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

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

1. rescind Council Resolution No. R99-2206; and
2. authorize the City Clerk to bring forward a By-law to close and remove the dedication as highway of a $\pm 40,256 \text{ ft.}^2$ ($\pm 2,740 \text{ m}^2$) unopened portion of road at 12 Avenue and 161A Street for consideration by Council.

RES.R05-314

Carried

Item No. R015 Sale of Residential Building Lots Located at 11907, 11915, 11923 & 11931 River Road
File: 0910-40/79-82

The General Manager, Engineering submitted a report concerning the sale of residential building lots located at 11907, 11915, 11923 & 11931 River Road.

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

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That Council approve the sale of the vacant City-owned serviced building lots known as PID No. 026-026-082 (11907 River Road), PID No. 026-026-091 (11915 River Road), PID No. 026-026-104 (11923 River Road) and PID No. 026-026-112 (11931 River Road).

RES.R05-315

Carried

Item No. R016 Contract Award ITT# 1220-30-18-04 Traffic Control (Flagging) Services
File: 2320-20; 1220-01

The General Manager, Engineering submitted a report to award the above noted contract which involves the supply of traffic control services required for crews working on road related maintenance activities and construction works, as mandated by WCB Regulations. The duration of the agreement shall be for three (3) years, with the option to renew thereafter for two additional one (1) year contracts, at the City's sole discretion.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That a three year contract for Traffic Control
 (Flagging) Services be awarded to DC Traffic Control (Division of Inprotect
 Systems Inc.) for the 2005 unit amount of \$17.75 per hour, excluding G.S.T., and
 subject to Vancouver CPI increases for subsequent contract years of 2006 and
 2007.

RES.R05-316

Carried

Item No. R017 Supply and Delivery of Six (6) Tandem Axle Dump Trucks
 File: 1280-01; 1220-01

The General Manager, Engineering submitted a report concerning the supply and
 delivery of six (6) tandem axle dump trucks.

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

It was Moved by Councillor Hunt
 Seconded by Councillor Watts
 That the City exercise the option in Tender
 1220-20-03-04 for the supply of an additional six (6) tandem axle dump trucks to
 the low bidder, Volvo Trucks, in the amount of \$774,547.00 including GST and
 PST.

RES.R05-317

Carried

Item No. R018 Fire Insurance Premium Tax
 File: 0490-20; 0250-20; 0410-20

This item was dealt with earlier in the meeting under Item B. Delegations –
 Presentations.

Item No. R019 Provincial Act and Regulations Regarding Farm and Non-
 Farm Uses - Recommended Changes to the Zoning By-law
 File: 3900-30-12000; 6880-20-75; 0125-20

The General Manager, Planning & Development submitted a report to obtain
 Council approval for amendments to Surrey Zoning By-law, 1993, No. 12000 (the
 "Zoning By-law"), regarding farm-related uses and other land uses within the
 Agricultural Land Reserve (the "ALR") in Surrey. These amendments are
 necessary as a result of changes to provincial legislation. The ALR legislation
 now specifies farm uses within the ALR, which local government may regulate,
 but not prohibit and other land uses within the ALR which local government may
 prohibit. The amendments to the Zoning By-law provide for consistency between
 the Zoning By-law and this new provincial legislation, and also updates the
 Zoning By-law to reflect current City policy directions.

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

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

1. Receive this report as information;
2. Approve text amendments to Surrey Zoning By-law, 1993, No. 12000, as documented in Appendix I attached to this report, to reflect the provisions of the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, B.C. Reg. 171/2002; and
3. Authorize the City Clerk to bring forward the necessary amendment by-law for the required readings and to set a date for the related public hearing.

RES.R05-318

Carried

Item No. R020 Mountain Bike Facilities in Surrey
File: 6140-20/M

The General Manager, Planning & Development submitted a report to follow-up the presentation from Dr. Jim Richardson of the Surrey Off Road Cycling Enthusiasts Society ("SORCE") on Monday, January 17, 2005, and provide information to Council about what has been done, to date, by the City in regard to providing opportunities for off road cycling and what is planned for the future, related to mountain biking facilities in Surrey parks.

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

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

1. Receive this report as information; and
2. Authorize the City Clerk to forward a copy of this report to Dr. Jim Richardson of the Surrey Off Road Cycling Enthusiasts Society.

RES.R05-319

Carried

Item No. R021 South Surrey Athletic Park - Proposed Track and Field Facility
File: 6140-20/S

The General Manager, Planning & Development submitted a report to provide information for Council in relation to a presentation at the Council-in-Committee meeting on Monday, January 17, 2005, from Sabina Malli, on behalf of the residents of the Glens, regarding the location of the proposed track and field facility in South Surrey Athletic Park.

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

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

1. Receive this report as information; and
2. Authorize the City Clerk to forward a copy of this report to Ms. Sabina Malli on, behalf of the residents of the Glens in South Surrey.

RES.R05-320

Carried

Item No. R022 Contract Award - M.S. 1705-007-11; Imperial Paving Ltd.
File: 1705-007/11; 5250-20-17

The General Manager, Engineering submitted a report concerning the award of Contract M.S. 1705-007-11. Tenders were received as follows:

<i>Contractor</i>	<i>Tender Amount with GST</i>
1. Imperial Paving Ltd.	\$5,697,124.05
2. Jack Cewe Ltd	\$5,758,312.00
3. Columbia Bitulithic Ltd.	\$5,776,023.71

The Engineer's pre-tender estimate was \$5,750,000.00 including GST.

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

It was Moved by Councillor Hunt
Seconded by Councillor Watts
That Contract M.S. 1705-007-11 be awarded to the low bidder, Imperial Paving Ltd., in the amount of \$5,697,124.05, including GST.

RES.R05-321

Carried

Item No. R023 Heritage Revitalization Agreement for 2598 O'Hara Lane
in Crescent Beach
File: 7904-0426-00

The General Manager, Planning & Development submitted a report to obtain a Council resolution to place the property located at 2598 O'Hara Lane (the "Rothwell House") in Crescent Beach on the Surrey Heritage Register and Council approval to bring forward a heritage revitalization agreement by-law to protect the house situated on this property so as to preserve its heritage value and character.

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

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

1. Receive this report as information;
2. Resolve, under Section 954 of the *Local Government Act*, R.S.B.C. 1996, c. 323, as amended (the "Act"), to include the property at 2598 O'Hara Lane on the Surrey Heritage Register;
3. Authorize the City Clerk to bring forward the Heritage Revitalization Agreement By-law (the "By-law"), attached as Appendix I to this report, for the required readings and to set a date for the related public hearing; and
4. Authorize the City Clerk to provide the necessary notification related to the By-law and related to the inclusion of the property on the Surrey Heritage Register, as required under the *Act*.

RES.R05-322

Carried

H. BY-LAWS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15626"

7904-0347-00 - Parsana Khrod, c/o Santokh (Sukhi) Tutt

RH (BL 12000) to RF (BL 12000) - 5828 - 136 Street - to allow
subdivision into two single family lots.

Approved by Council: January 24, 2005

RES.R05-323 It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15626" pass its third reading.
Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15627"
 7904-0305-00 - Muriel Galicz, 605952 B.C. Ltd., c/o Aspen Developments Ltd.
 (Brock Dorward) and c/o Hunter Laird Engineering Ltd.
 (Clarence Arychuk)

A-1 and RA (BL 12000) to RF-9, RF-12 and RM-23 (BL 12000) - 6106
 and 6146 - 148 Street - to allow subdivision into 52 residential lots, 37 of
 which are small single family lots and 15 will be developed into row
 housing units, on fee simple lots.

Approved by Council: January 24, 2005

RES.R05-324 It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15627" pass its third reading.
Carried with Councillor Bose against.

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15628"
 7904-0136-00 - 685302 B.C. Ltd., 667226 B.C. Ltd.,
 Kuldip and Kawaljit Chehil, c/o McElhanney Consulting
 Services Ltd. (James Pernu)

RA (BL 12000) to RF-12 (BL 12000) - 7025, 7041, 7061 and
 7095 - 150 Street - to permit subdivision into 64 single family small lots
 and park.

Approved by Council: January 24, 2005

RES.R05-325 It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15628" pass its third reading.
Carried with Councillors Villeneuve, Bose,
 Watts, and Priddy against.

It was Moved by Councillor Steele
 Seconded by Councillor Hunt
 That Application No. 7904-0136-00 be referred to staff to work with the applicant to save more trees with the current compact lots and provide a full report back to Council prior to final adoption.
 RES.R05-326 Carried

4. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005, No. 15629"

7904-0099-00 - Santokh and Balraj Virk, c/o J.K.'s Consulting (Jake Sarwal)

To authorize the redesignation of the property located at 5987 - 125 Street from Suburban (SUB) to Urban (URB).

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15630.

It was Moved by Councillor Villeneuve
 Seconded by Councillor Councillor Bose
 That third reading of "Surrey Official Community Plan By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005, No. 15629" be denied.
 RES.R05-327 Defeated with Mayor McCallum, Councillors Steele, Tymoschuk, Hunt, Priddy, and Higginbotham against.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Official Community Plan By-law, 1996, No. 12900, No. 109 Amendment By-law, 2005, No. 15629" pass its third reading.
 RES.R05-328 Carried with Councillors Villeneuve, Priddy, Bose against.

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15630"

7904-0099-00 - Santokh and Balraj Virk, c/o J.K.'s Consulting (Jake Sarwal)

RA (BL 12000) to RF-12 (BL 12000) - 5987 - 125 Street - to allow subdivision into approximately three single family small lots.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15629.

It was Moved by Councillor Hunt
 Seconded by Councillor Higginbotham
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2005, No. 15630" pass its third reading.
 RES.R05-329 Carried with Councillor Bose against.

5. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 110 Amendment By-law, 2005, No. 15631"

7904-0028-00 - Harvinder and Devinder Grewal, Harminder Grewal,
 Manpreet Grewal, c/o Coastland Engineering & Surveying Ltd.
 (Michael Helle)

To authorize the redesignation of portions of the properties located at
 13467 No. 10 Highway (58 Avenue) and 5825 - 135 Street from Suburban (SUB)
 to Urban (URB).

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15632.

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 110 Amendment By-law, 2005, No. 15631" pass
 its third reading.
 RES.R05-330 Carried

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15632"

7904-0028-00 - Harvinder and Devinder Grewal, Harminder Grewal,
 Manpreet Grewal, c/o Coastland Engineering & Surveying Ltd.
 (Michael Helle)

RA (BL 12000) to RF (BL 12000) - 13467 No. 10 Highway (58 Avenue)
 and 5825 - 135 Street to allow subdivision into 16 single family
 residential lots.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15631.

Note: See Development Variance Permit 7904-0028-00 under Clerk's Report,
 Item I.1(a).

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15632" pass its third reading.
RES.R05-331 Carried with Councillor Bose against.

6. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15636"

7904-0418-00 - Progressive Inter-Cultural Community Services Society
c/o Commercial Real Estate Services Inc. (Harp Hoonjan)

RM-3 (BL 5942) to CD (BL 12000) - 7566 - 120A Street - to permit the
development of a 72-unit addition to an existing seniors' oriented multiple
residential building.

Approved by Council: January 24, 2005

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15636" pass its third reading.
RES.R05-332 Carried

7. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15637"

7904-0196-00 - McIntosh Estates Ltd., Valsol Management Ltd.,
Cresta Management Ltd., c/o BFW Development Ltd.
(Andrew Sims)

RA (BL 12000) to RH (BL 12000) - 5602 - 124 Street - to allow
subdivision into four single family residential lots.

Approved by Council: January 24, 2005

It was Moved by Councillor Tymoschuk
Seconded by Councillor Hunt
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15637" pass its third reading.
RES.R05-333 Carried with Councillors Villeneuve, Watts,
Priddy and Higginbotham against.

8. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15638"

7904-0195-00 - McIntosh Estates Ltd., Valsol Management Ltd.,
Cresta Management Ltd., c/o BFW Developments Ltd.
(Andrew Sims)

RA (BL 12000) to RH (BL 12000) - 5543 - 123 Street - to allow
subdivision into 5 single family residential lots.

Approved by Council: January 24, 2005

RES.R05-334

It was	Moved by Councillor Tymoschuk Seconded by Councillor Hunt That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15638" pass its third reading. <u>Defeated</u> with Mayor McCallum, Councillors Villeneuve, Bose, Watts, Priddy and Higginbotham against.
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9. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15639"

7904-0197-00 - McIntosh Estates Ltd., Valsol Management Ltd.,
Cresta Management Ltd., c/o BFW Development Ltd.
(Andrew Sims)

RA (BL 12000) to RH (BL 12000) - Portion of 12169 - 56 Avenue - to
allow subdivision into 9 single family residential lots.

Approved by Council: January 24, 2005

RES.R05-335

It was	Moved by Councillor Tymoschuk Seconded by Councillor Hunt That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15639" pass its third reading. <u>Defeated</u> with Mayor McCallum, Councillors Villeneuve, Higginbotham, Priddy, and Watts against.
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10. "Surrey Land Use Contract No. 97 Authorization By-law, 1976, No. 5013,
Partial Discharge By-law, 2005, No. 15643"

7904-0202-00 - 689131 B.C. Ltd., c/o H.Y. Engineering Ltd. and
c/o United Realty RCK & Associates Ltd. (Narotam Dhanoa)
and/or 613765 B.C. Ltd.

To discharge Land Use Contract No. 97 from the property located at 7561 - 144 Street to allow the underlying "Single Family Residential Gross Density Zone (RF-G)" to come into effect.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15644.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Land Use Contract No. 97
Authorization By-law, 1976, No. 5013, Partial Discharge By-law, 2005,
No. 15643" pass its third reading.

RES.R05-336

Carried

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15644"

7904-0202-00 - 689131 B.C. Ltd., c/o H.Y. Engineering Ltd. and
c/o United Realty RCK & Associates Ltd. (Narotam Dhanoa)
and/or 613765 B.C. Ltd.

RA and RF-G (BL 12000) to RF-12 (BL 12000) - 7531 and
7561 - 144 Street - to permit subdivision into approximately 22 single
family small lots and open space.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15643.

It was Moved by Councillor Hunt
Seconded by Councillor Higginbotham
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15644" pass its third reading.

RES.R05-337

Carried

11. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15645"

7904-0140-00 - Milena Gobbato, 686537 B.C. Ltd., 686538 B.C. Ltd.
c/o H.Y. Engineering Ltd. and c/o Platinum Enterprises Ltd.

RA (BL 12000) to RF-12 (BL 12000) - 7509 - 144 Street, Portion of
7491 - 144 Street to permit subdivision into approximately 29 single
family small lots, open space and retention of an existing dwelling on a
parcel that will remain RA Zoned.

Approved by Council: January 24, 2005

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15642"

7903-0343-00 - 538699 B.C. Ltd., c/o David Porte

RM-45 (BL 12000) to CD (BL 12000) - 1881 - 152 Street - to permit the development of a four-storey multiple residential building and a three-storey commercial building.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15641.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15642" pass its third reading.
Carried

RES.R05-341

14. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15640"

7904-0265-00 - Ferguson Properties Ltd., c/o Creekside Architects
(Don Andrew)

RF (BL 12000) to CD (BL 12000) 13908 and 13918 - 108 Avenue,
10768 - 139 Street - to permit the development of a four-storey, 79-unit
apartment building in Surrey City Centre.

Approved by Council: January 24, 2005

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15640" pass its third reading.
Carried

RES.R05-342

15. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 111 Amendment
By-law, 2005, No. 15633"

7903-0241-00 - Surrey Healthwise Development Group Ltd.,
c/o Carewest Properties Ltd. (Robin Hill)

To authorize the redesignation of a portion of the property located
13845 - 96 Avenue from Multiple Residential (RM) to Commercial (COM)".

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15634.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Official Community Plan
By-law, 1996, No. 12900, No. 111 Amendment By-law, 2005, No. 15633" pass
its third reading.
RES.R05-343 Carried

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2005, No. 15634"

7903-0241-00 - Surrey Healthwise Development Group Ltd.
c/o Carewest Properties Ltd. (Robin Hill)

R-F (BL 5942) to CD (BL 12000) - 13845 - 96 Avenue - to permit the
development of a surface parking lot, a building site for future non-profit
society offices, and open space.

Approved by Council: January 24, 2005

This by-law is proceeding in conjunction with By-law 15633.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2005, No. 15634" pass its third reading.
RES.R05-344 Carried

FINAL ADOPTIONS

16. "Surrey Close and Remove the Dedication of Highway of Portions of
27B Avenue at King George Highway By-law, 2005, No. 15625"

3900-20-15625/7804-0300/0910-30 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of
505.6 square metres and 558.4 square metres of 27B Avenue at King George
Highway. This closure is intended to facilitate a 13 unit townhouse development.
In accordance with the *Community Charter*, SBC 2003, c.26, disposition of the
road will be considered by City Council at a later date.

Approved by Council: December 13, 2004
Corporate Report Item No. R301

There was correspondence on table from C. Haskins expressing concerns regarding ownership of one section of roadway to the west of the subject property and provisions for heavy vehicles during construction process.

There was correspondence on table from C. Hoskins advising of two questions he has concerning By-law No. 15625.

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 Portions of 27B Avenue at King George Highway
By-law, 2005, No. 15625" be finally adopted, signed by the Mayor and Clerk, and
sealed with the Corporate Seal.

RES.R05-345

Carried

INTRODUCTIONS

17. "Surrey Close and Remove the Dedication of Highway of Portions of 65A Avenue and 186 Street By-law, 2005, No. 15646"

3900-20-15646/0910-30/165 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of 904.5 square metres and 739.6 square metres of 186 Street and 0.180 hectares of 65A Avenue. This closure is intended to facilitate the final site assembly for Hillcrest Park. In accordance with the *Community Charter*, SBC 2003, c.26, disposition of the road will be considered by City Council at a later date.

Approved by Council: October 4, 2004
Corporate Report Item No. R256

Note: Council is advised that the area of road to be closed, as approved under Corporate Report Item No. R256, was based on a preliminary survey. The final survey indicates an increase in the area of 186 Street to be closed from 1,644 m² to 1,644.10 m² and a decrease in the total area of 65A Avenue to be closed from 1,799 m² to 1,780 m².

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of Portions of 65A Avenue and 186 Street By-law, 2005,
No. 15646" pass its first reading.

RES.R05-346

Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of Portions of 65A Avenue and 186 Street By-law, 2005,
No. 15646" pass its second reading.

RES.R05-347 Carried

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

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That "Surrey Close and Remove the
Dedication of Highway of Portions of 65A Avenue and 186 Street By-law, 2005,
No. 15646" pass its third reading.

RES.R05-348 Carried

I. CLERK'S REPORT

1. Formal Approval of Development Variance Permits

It is in order for Council to now pass resolutions authorizing the Mayor and Clerk to sign the following permits:

- (a) **Development Variance Permit No. 7904-0028-00**
Harminder & Manpreet Grewal and Devinder & Harvinder Grewal
c/o Coastland Engineering & Surveying Ltd. (Michael Helle)
5825 - 135 Street and 13467 - No. 10 Highway (58 Avenue)

To reduce the rear yard setback requirement of the principal building on Lot 16, from 7.5 metres (25 ft.) to 3.01 metres (9.9 ft.); and to reduce the front yard setback requirement of the accessory building on Lot 16, from 18 metres (60 ft.) to 13.43 metres (44.1 ft.), to allow subdivision into 16 single family residential lots.

Note: See By-law 15632, Item H.5.

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0028-00 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.R05-349 Carried with Councillor Bose against.

(b) **Development Variance Permit No. 7904-0303-00**
Zinetti Food Products Ltd., c/o Maurizio Zinetti
17760 - 66 Avenue

To reduce the minimum rear (south) yard setback requirement from 7.5 metres (25 ft.) to 3.7 metres (12 ft.), to permit an expansion of 1,107 square metres (11,918 sq. ft.) to an existing industrial building.

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

Note: See Development Permit 7904-0303-00 under Clerk's Report, Item I.2(b).

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0303-00 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.R05-350

Carried

(c) **Development Variance Permit No. 7904-0087-00**
P.C.H. Holdings Ltd., c/o R Four Contracting Ltd.
18623 - 96 Avenue

To reduce the minimum rear yard setback requirement from 7.5 metres (25 ft.) to 0.0 metre (0 ft.) to permit the development of a multi-tenant industrial building in Port Kells.

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

Note: See Development Permit 7904-0087-00 under Clerk's Report, Item I.2(c).

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0087-00 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.R05-351

Carried

- (d) **Development Variance Permit No. 7904-0398-00**
Dynamic Kitchen and Bathroom Centre Ltd.
c/o PJ Lovick Architect Ltd.
12199 Industrial Road

To reduce the minimum rear yard setback requirement from 7.5 metres (25 ft.) to 0.90 metre (3 ft.); and to reduce the minimum southwest side yard setback requirement from 7.5 metres (25 ft.) to 3.0 metres (10 ft.), to allow an addition to an existing industrial building.

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

Note: See Development Permit 7904-0398-00 under Clerk's Report, Item I.2(a).

It was Moved by Councillor Hunt
Seconded by Councillor Tymoschuk
That Development Variance Permit
No. 7904-0398-00 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.R05-352

Carried

- (e) **Development Variance Permit No. 7904-0210-00**
Toor & Pattar Enterprises Ltd. and Wadala Enterprises Limited
c/o Mark Ankenman and Darrin Collie
10663 King George Highway

To relax requirements as follows:

- (a) To increase the maximum encroachment of canopies into the front yard setback from 0.6 metre (2 ft.) to 1.5 metres (5 ft.);
- (b) To reduce the front yard setback from 7.5 metres (25 ft.) to 4.0 metres (14 ft.); and
- (c) To reduce the northern side yard setback from 7.5 metres (25 ft.) to 0.0 metre.

To permit the development of a two-storey commercial building in Surrey City Centre.

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. 7904-0210-00 be approved; that the Mayor and Clerk be authorized to
 sign the Development Variance Permit; and that Council authorize the
 transfer of the Permit to the heirs, administrators, executors, successors,
 and assigns of the title of the land within the terms of the Permit.

RES.R05-353

Carried

2. Formal Approval of Development Permits

- (a) **Development Permit No. 7904-0398-00**
Dynamic Kitchen and Bathroom Centre Ltd.
c/o PJ Lovick Architect Ltd.
 12199 Industrial Road

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

"That Development Permit No. 7904-0398-00 be approved; that the
 Mayor and Clerk be authorized to sign the Development Permit; and that
 Council authorize the transfer of the Permit to the heirs, administrators,
 executors, successors, and assigns of the title of the land within the terms
 of the Permit."

Note: See Development Variance Permit 7904-0398-00 under Clerk's
 Report, Item I.1(d).

It was Moved by Councillor Hunt
 Seconded by Councillor Tymoschuk
 That Development Permit
 No. 7904-0398-00 be approved; that the Mayor and Clerk be authorized to
 sign the Development Permit; and that Council authorize the transfer of
 the Permit to the heirs, administrators, executors, successors, and assigns
 of the title of the land within the terms of the Permit.

RES.R05-354

Carried

- (b) **Development Permit No. 7904-0303-00**
Zinetti Food Products Ltd., c/o Maurizio Zinetti
 17760 - 66 Avenue

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

"That Development Permit No. 7904-0303-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

Note: See Development Variance Permit 7904-0303-00 under Clerk's Report, Item I.1(b).

It was Moved by Councillor Higginbotham
Seconded by Councillor Tymoschuk
That Development Permit

No. 7904-0303-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R05-355

Carried

- (a) **Development Permit No. 7904-0087-00**
R Four Contracting Ltd./P.C.H. Holdings Ltd.
Incorporation No. 169940
18623 - 96 Avenue

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

"That Development Permit No. 7904-0087-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit."

Note: See Development Variance Permit 7904-0087-00 under Clerk's Report, Item I.1(c).

It was Moved by Councillor Higginbotham
Seconded by Councillor Hunt
That Development Permit

No. 7904-0087-00 be approved; that the Mayor and Clerk be authorized to sign the Development Permit; and that Council authorize the transfer of the Permit to the heirs, administrators, executors, successors, and assigns of the title of the land within the terms of the Permit.

RES.R05-356

Carried

J. CORRESPONDENCE

INFORMATION ITEMS

It was

Moved by Councillor Hunt

Seconded by Councillor Steele

That the following correspondence Items 1,

2 and 3 be received, and the appropriate person or agency be informed.

RES.R05-357

Carried

1. Letter dated January 19, 2005 from **Sandra Dowey, City Clerk, City of North Vancouver**, advising that on January 17, 2005 the City of North Vancouver endorsed the following resolution regarding the possible loss of the film industry to British Columbia:

"WHEREAS there is the possible loss of the film industry to British Columbia;

WHEREAS the Province of Ontario and Quebec have recently announced that they will increase the labour tax credit for foreign and domestic film companies;

WHEREAS there has been no indication that similar measures will be enacted in British Columbia;

WHEREAS the local film industry provides approximately 6,000 jobs for local residents, as well as contributing an excess of a hundred billion dollars a year to the local economy; and

WHEREAS BC Finance Minister, Colin Hansen has indicated that the industry's concerns will be addressed no later than February 15, 2005;

NOW THEREFORE BE IT RESOLVED THAT the City of North Vancouver urge the Provincial Government of British Columbia to call an emergency meeting of the Legislature to deal with this vitally important issue; and

RESOLVED THAT this motion be circulated to the municipalities throughout British Columbia and MLA's Katherine Whittred, Daniel Jarvis, Ralph Sultan, Premier Gordon Campbell, Finance Minister Colin Hansen and Opposition Leader Carole James; and

RESOLVED THAT should the Legislature not be recalled that staff be requested to invite the Finance Minister, Colin Hansen, to appear before Council as soon as possible at a special meeting, if necessary, so that we can explain the situation to him directly."

File: 0480-20

2. Letter dated January 19, 2005 from **Mayor Derek R. Corrigan, City of Burnaby**, advising that on January 17, 2005, City of Burnaby Council adopted the following motion regarding TransLink property levy increases:

"THAT Burnaby City Council demand that TransLink roll back the 2005 TransLink Property Tax Levy to eliminate the reported \$13.5 million budget windfall caused by higher than anticipated Greater Vancouver property assessment and THAT copies of this resolution be forwarded to the TransLink Chair and Board of Directors, Greater Vancouver Regional District Chair and Board of Directors and Mayor and Councillor of all municipalities within the Greater Vancouver Transportation Authority."

File: 0480-20

A motion by Councillor Bose to endorse the resolution received so seconder.

3. Letter dated January 14, 2005, from **Sven Buemann, Coordinator, Honours and Awards Secretariat**, seeking assistance in informing the City of Surrey of the "call for nominations" for the Order of British Columbia, the highest award for excellence and outstanding achievement. Deadline for receipt of completed nominations by the Secretariat is March 10, 2005.

File: 0290-20

K. NOTICE OF MOTION

1. **Grandview Heights NCP**

Councillor Higginbotham submitted the following Notice of Motion:

"That staff bring forward Terms of Reference for an NCP process for area 2 in Grandview Heights."

L. ANY OTHER BUSINESS

1. **Firefighter Presentation to CIC**

Councillor Villeneuve questioned the status of the request of the Firefighters at a recent Council-in-Committee meeting, and the City Manager advised that a report would be brought forward to the next meeting.

2. SCAFA - Surrey Cultural & Arts Festivals Association

It was Moved by Councillor Villeneuve
Seconded by Councillor Higginbotham
That the Mayor and Council recognize the
efforts members of SCAFA have added to the community in organizing the
multicultural festivals in the city.

RES.R05-358

Carried

3. Rezoning Application No. 7903-0343-00 – 1881 – 152 Street

Councillor Watts requested staff provide advice with respect to the application
and the matter of ownership.

M. ADJOURNMENT

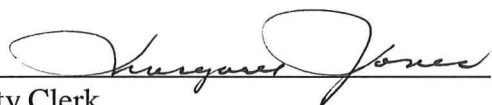
It was Moved by Councillor Hunt
Seconded by Councillor Watts
That the Regular Council - Public Hearing
meeting do now adjourn.

RES.R05-359

Carried

The Regular Council- Public Hearing adjourned at 12:15 a.m.

Certified correct:


City Clerk


Mayor