



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
MONDAY, JUNE 26, 2006
Time: 7:00 p.m.

Present:

Chairperson - Mayor Watts
Councillor Villeneuve
Councillor Steele
Councillor Gill
Councillor Martin
Councillor Hepner
Councillor Bose
Councillor Higginbotham

Absent:

Councillor Hunt

**Councillors Entering
Meeting as Indicated:**

Staff Present:

Acting City Manager
City Clerk
Acting General Manager, Planning &
Development
General Manager, Engineering
General Manager, Finance, Technology
& HR
General Manager, Parks, Recreation and
Culture
Manager, Area Planning & Development,
North Division
Manager, Land Development,
Engineering

A. ADOPTION OF MINUTES

1. Regular Council - Land Use - June 12, 2006

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the minutes of the Regular Council –
Land Use meeting held on June 12, 2006, be adopted.

RES.R06-1448

Carried

2. Council-in-Committee - June 12, 2006

Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the minutes of the
Council-in-Committee meeting held on June 12, 2006, be received.

RES.R06-1449

Carried

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

Item No. C009 Closure of 156 Street South of 40 Avenue,
Rosemary Heights Central NCP
File: 7903-0444-00; 5400-80 (15600)

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council authorize the permanent
closure of 156 Street south of 40 Avenue in accordance with the Rosemary
Heights Central NCP but that such physical closure not be implemented
until house construction in the subdivision at 156 Street/39A Avenue is
substantially complete.

RES.R06-1450 Carried

Item No. C010 Serious Complaints Policy
File: 0340-00 (WB)

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Council approve the Serious
Complaints ("the policy") attached as Appendix "A" to Corporate Report
C010.

RES.R06-1451 Carried

Item No. C011 Manufactured Home Park Redevelopment and
Strata Conversion Policy - City Policy No. O-34A
File: 0340-05

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That Corporate Report C011 be referred to
staff for further consideration of the comments provided by Council.

RES.R06-1452 Carried

3. Regular Council - Public Hearing - June 12, 2006

It was Moved by Councillor Bose
Seconded by Councillor Villeneuve
That the minutes of the Regular Council -
Public Hearing meeting held on June 12, 2006, be adopted.

RES.R06-1453 Carried

B. DELEGATIONS - PRESENTATIONS

1. **2006 Honey Hooser Scholarship Award**
Maria Lunow, President
Peace Arch Weavers & Spinners Guild
Hooser Weaving Centre
File: 0290-20 HH; 0550-20-10

Yolande Carmen Bright was in attendance to receive the 2006 Honey Hooser Scholarship Award.

Mayor Watts provided a brief overview of the history of the Honey Hooser Scholarship Award.

Mayor Watts noted that Carmen Bright graduated from Sullivan Heights Senior Secondary School in June 2006. She plans to attend the Emily Carr Institute of Art and Design in the fall and has been involved in many projects such as the crystal meth awareness campaign, the Canadian Legion, and the Asia Pacific Foundation poster contest. Mayor Watts continued that Carmen is an honour roll student, and participates in extracurricular activities such as badminton and basketball and yearbook committee. She also noted that Carmen has participated in local community organizations such as Pathfinders, Girl Guides, and Bethany United Youth group. Mayor Watts commented that Carmen is a well-rounded student with a great talent for the visual arts. The Mayor then presented cheques to both Carmen Bright and Maria Lunow, President, Peace Arch Weavers & Spinners Guild.

B. DELEGATIONS - PUBLIC HEARING

1. **Surrey Zoning By-law, 1993, No. 12000,**
Amendment By-law, 2006, No. 16035

Rezoning Application: 7906-0011-00

CIVIC ADDRESS: 6735 - 194 Street

APPLICANT: Joseph and Pearl Foy
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
300 - 65 Richmond Street
New Westminster, B.C. V3L 5P5

PROPOSAL: To rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Coach House Zone (RF-9C)".

The purpose of rezoning is to allow subdivision into approximately 19 small single family lots with coach houses in East Clayton.

The Notice of the Public Hearing 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.

**2. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2006, No. 16036**

Rezoning Application: 7905-0346-00

CIVIC ADDRESS: 6715 - 194 Street

APPLICANT: Raymond Jurgensen
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
300 - 65 Richmond Street
New Westminster, B.C. V3L 5P5

PROPOSAL: To rezone the property from "One-Acre Residential Zone (RA)" to "Single Family Residential (9) Coach House Zone (RF-9C)".

The purpose of the rezoning is to allow subdivision into approximately 15 small single family lots with coach houses in East Clayton.

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

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

**3. Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2006, No. 16037**

Rezoning Application: 7905-0333-00

CIVIC ADDRESS: 2961 Semiahmoo Trail

APPLICANT: Nico River Developments Ltd.
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
300 - 65 Richmond Street
New Westminster, B.C. V3L 5P5

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

DEVELOPMENT VARIANCE PERMIT

To vary "Surrey Zoning By-law, 1993, No. 12000", as amended, Part 15, Section F, as follows:

- (a) To reduce the front yard setback from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 6; and
- (b) To increase the minimum side yard setback for the north and south side yards from 3.0 metres (10 ft.) to 10 metres (32.8 ft.) for proposed Lot 6.

The purpose of the rezoning and development variance permit is to permit the development of 6 suburban single family residential lots.

Note: See Development Variance Permit 7905-0333-00 under Clerk's Report, Item I.1(a).

There was a 9 signature-petition provided on table expressing opposition to the variance for proposed Lot 6.

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

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

Clayton Sprung, 3011 Semiahmoo Trail, was in attendance and commented that he had concerns regarding road access to proposed Lot 6.

**4. Liquor Primary License (Neighbourhood Pub)
Application 7906-0102-00**

CIVIC ADDRESS: 9014 - 152 Street (also shown as 9056, 9082 - 152 Street and 15248, 15266 - 91 Avenue)

APPLICANT: Roger Investment Inc. dba Kelly O'Briens
9082b - 152 Street
Surrey, B.C. V3R 4E7

PROPOSAL: To acquire a Liquor Primary License, to allow a Neighbourhood Pub with an indoor occupant load of 150 with the hours of operation from 11:00 a.m. to 11:00 p.m. on Sunday, 11:00 a.m. to 12:00 a.m. Monday through

Wednesday and 11:00 a.m. to 1:00 a.m. Thursday through Saturday and an outdoor occupant load of 30 in a proposed new patio addition on the west side of the building from 11:00 a.m. to 10:00 p.m. Sunday through Saturday.

The City Council wishes to determine whether or not residents are in favor of the Provincial Liquor Control and Licensing Branch granting the Liquor Primary License for the proposed Neighbourhood Pub.

AMENDED:
RCPH 26/07/06
RES.R06-2036

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

There was correspondence on table from R. Olma expressing support for the proposed project if there were no Liquor Store License approved.

The Mayor noted that N. and M. Tennant had expressed opposition to the proposed rezoning application and not wishing to speak.

Steve McCaw, 127 – 15268 – 105 Avenue, was in attendance and commented that he and his business partners were applying for a liquor license for the Kelly O'Brien pub. He noted that the facility was in need of change both visually and in its position in the marketplace. He added that the building requires new awnings and it makes sense to install a patio at the same time. He stated that it had been six years since the last interior renovation and the exterior of the building requires upgrading. He noted that Kelly O'Brien's has been in existence since 1990 and he and two partners took over in 2000, renovating the interior at the time to jumpstart the franchise. He added that a change in this location would be vital in this very tough industry. He commented that they have contributed to various charities and organizations, and donated funds in the form of gift certificates to local charities and fundraised \$5,000 in the name of the Sean Murphy Memorial fund. He added that they have donated to the Children's Miracle network, the Emergency Social Service plan, feeding three families affected by fire in their apartments in the vicinity of 150 Street and 102 Avenue. He noted that they would like to continue contributing to these organizations and charities.

He stated that there has been a significant increase in residences and business in the areas and many local people would like to see many more activities such as keno or darts. He added that this location would not affect traffic, the noise by-law, and other day-to-day activities. He continued that parking is abundant, the location is a freestanding building situated on the northwest side of Fleetwood Shopping Centre; and the main tenant is Save-On Foods.

Len Tennant, 12992 Glengarry Crescent, was in attendance and commented that he is the owner of Green Timbers Pub, and that they had been serving the community for many years. He continued that several applications at Evergreen Mall had been turned down for a variety of reasons and licensing for pubs was very rigorous that they not be situated in shopping centres. He continued that pubs were to be situated in residential areas; not on busy arterial roads; have small seating capacity of 65; and not within a mile of one another. He noted that their

and a letter of support from S. and A. Rubbish Removal. There was correspondence on table from A. Park, on behalf of Strata Plan NW 3011 and 48 owners at Wynd Ridge, D. Casellato, Chair, Parents Advisory Committee for Fleetwood Community School and R. Priebe expressing concerns regarding traffic and opposition to the proposal.



application met with the criteria; they undertook a resident survey and 80% of the area residents supported their pub. He continued that Kelly O'Briens is a fine restaurant, serving adults, children and families. He added that it is more of a restaurant and not a pub and would be a good place to keep as a restaurant. He noted that once the facility becomes a liquor primary, adults only could be served as no children would be allowed.

He stated that there is no need for Kelly O'Briens to be a liquor primary establishment; it could be a food primary venue with 40 seats donated to liquor service without eating. He commented that Kelly O'Brien's owners did not undertake a survey. He also noted several inappropriate comments listed on the web site for the Kelly O'Brien's pub in Kelowna. He stated it would be a shame to lose the restaurant if the venue converts to a pub. He requested Council consider not approving this application and keeping it as a restaurant.

Dennis Harper, 14511 – 91A Avenue, was in attendance and commented that he lived close to the Green Timbers Pub. He noted that he supported the application for the Kelly O'Brien's pub and would welcome it to be a pub. He added that it would provide an opportunity to walk to the venue and not drink and drive.

Mike Arnold, 15489 Kilkenny Drive, was in attendance and commented that he represented the owners' group. He noted that their venue would not be part of the franchise group in Kelowna and noted that the name of the restaurant there was actually Carlos O'Brien. He continued that it is tough to be in the restaurant business outside of restaurant row in the Guildford area. He added that they have a difficult time drawing good clientele to protect their investment and keep their staff working. He noted that they wanted the opportunity to compete fairly in a market that allows competition. He stated that they would not have pursued this application if it were outside the law.

**5. Liquor License Amendment
Application 7905-0324-00**

CIVICADDRESS: 2203 - 148 Street (also shown as 2197, 2199,
2201 - 148 Street and 14601 - 20 Avenue)

APPLICANT: City of Surrey
c/o Bert Hick, Rising Tide Consultants Ltd.
740 - 1070 Douglas Street
Victoria, B.C. V8W 2C4

PROPOSAL: The purpose is to expand the existing Liquor Primary
Liquor License(LPLL) area (stadium) at Softball City to
include the existing restaurant and outdoor patio areas,
which are currently under a Food Primary Liquor License
and to amend the person capacity as follows:
Restaurant: 150
Outdoor Patio: 328

Stadium: 989

and to amend hours of operation for the **restaurant and outdoor patio** areas only from the current hours of:

11:00 a.m. to 10:00 p.m. Monday to Sunday

to 11:00 a.m. to 12:00 midnight Monday to Sunday.

Amend the Terms and Conditions of LPLL to allow year round liquor sales and full liquor service in the restaurant and outdoor patio areas only. Liquor sales and liquor service in the stadium area are to remain seasonal (April 1 to October 31) and restricted to beer, wine, ciders, and coolers only.

To expand the minors endorsement on the Liquor Primary Liquor License to include the restaurant and outdoor patio areas.

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

There was correspondence on table from Mr. and Mrs. Stork expressing opposition to the proposed project relative to noise and traffic concerns.

The Mayor noted that B. Reid had expressed support for the proposal and not wishing to speak.

Tod Rapin, 2227 - 148A Street, was in attendance and commented that he had concerns regarding noise from loudspeakers and proposed hours of operation.

Lillian Hamilton, 2247 - 150 Street, was in attendance and commented that a pub should not be situated on parkland. She raised concerns regarding noise, lighting, hours of operation, youth and alcohol, and tree preservation.

Jim Dyson, #2 - 3225 Morgan Creek Way, was in attendance and commented that he was speaking on behalf of the White Rock / South Surrey Chamber of Commerce. He continued that Softball City is highly respected and serves the local community very well. He noted that Softball City attracts thousands of visitors and makes a huge economic impact on local businesses, particularly hotels, restaurants, and retailers. He added that the management at Softball City are very responsible.

Greg Timm, 3371 - 145A Street, was in attendance and commented that he represented the Renegade Minors Fastpitch Association. He continued that he favoured the application noting that his organization had played at the site for 15 years with no problems for children and their families. He noted it was a housekeeping issue to make it easier for the park management to administer dealing with two liquor licenses as dealing with one license would be easier to control. He added that the park management was very responsible and there had been no liquor related problems.

Murray Gage Cole, 31- 3387 King George Highway, was in attendance and commented that he is the General Manager of Softball City and that he is proud of its operation. He continued that it is owned and operated and home to the Amateur Softball Association. He pointed out that it is not a pub unlike other restaurants in a softball facility. He added that people come to the facility to play or watch their sport. He noted that the hours of operation have been reduced over the years, with games finishing mid-week at 10:30 p.m. He added that the liquor license allows liquor to be served to midnight. He stated that the venue is host for the International Canada Cup International Women's tournament starting this Saturday. He noted that he is proud of the facility, which serves youth and adults in the community and would appreciate Council's support of this positive step for them as it would be very meaningful for the future of the organization. He stated that they had nothing to do with the rotary fieldhouse, youth centre or recreation centre. He continued that their venue is situated at the north end of Surrey Athletic Park.

Bert Hick, Rising Tide Consultant, was in attendance and commented that the application is simply to merge two liquor licenses into one. He continued that serving liquor is not the focus of the softball amenity, similar to GM Place, Nat Bailey stadium, and other stadiums around B.C. He noted that people don't attend to drink, they attend to watch recreational activities.

Gaye Rapin, 2227 – 148A Street, was in attendance and commented that she had concerns regarding the proposed hours of operation and drinking / driving.

C. COMMITTEE REPORTS

1. Finance Committee - June 12, 2006

- (a) It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the minutes of the Finance Committee meeting held on June 12, 2006, be received.

RES.R06-1454

Carried

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

Item No. F020 Joint Family Court Committee
File: 1850-20

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

1. Approve \$6,500 from the Council Initiatives Fund, for the Joint Family Court Committee subject to the Committee working with

the City's Finance Staff to establish a process for the recording of financial activities that will be reported back to the Committee on a regular basis, including a final summary at year end;

- 2. Recommend that the Committee decide, once the process has been established and approved by the members, that either the City of Surrey continues to provide financial services to the Committee, or that the established process be continued as part of the administration of the Committee as administrative responsibilities transfer between member municipalities, and
- 3. Request a year-end status report from the Joint Family Court Committee before funding is approved for future years.

RES.R06-1455

Carried

Item No. F021

Ladies Mega Mela 2006 Event
File: 1850-20

It was

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Corporate Report F021 be received.

RES.R06-1456

Carried

D. BOARD/COMMISSION REPORTS

1. Board of Variance - May 25, 2006

It was

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the minutes of the Board of Variance

meeting held on May 25, 2006, be received.

RES.R06-1457

Carried

E. MAYOR'S REPORT

1. Proclamations

Mayor Watts read the following proclamations:

(a) **SURREY FOOD BANK - CHRISTMAS IN JULY
FOOD DRIVE MONTH - July, 2006**

WHEREAS the Surrey Food Bank has provided direct food assistance to those in need in Surrey and North Delta for the past twenty-three years; and

WHEREAS hunger knows no season and the Surrey Food Bank needs food donations year round; and

WHEREAS a special event to raise food and funds has been organized by supporters of the Surrey Food Bank; and

WHEREAS the Mayor and Council of the City of Surrey recognize and support the work of volunteers, directors, staff and supporters of the Surrey Food Bank in meeting the need for food;

NOW, THEREFORE, BE IT RESOLVED that I, Dianne L. Watts, do hereby declare the month of July, 2006, as "SURREY FOOD BANK 'CHRISTMAS IN JULY' FOOD DRIVE MONTH" in the City of Surrey, and invite all citizens to support the "Christmas in July" Food Drive by filling the empty shopping bags that will be delivered with The Leader newspaper herein proclaimed, and by delivering the bags filled with food donations to designated grocery stores and fire halls around the City of Surrey.

Dianne L. Watts
Mayor

(b) **SURREY PRIDE WEEKEND
July 7 - 9, 2006**

WHEREAS OIS and the OIS Rainbow Cultural Society has been committed to fundraising for local HIV/Aids related issues over the past 9 years; and

WHEREAS OIS and the OIS Rainbow Cultural Society has been enhancing those that celebrate alternate lifestyles; and

WHEREAS OIS and the OIS Rainbow Cultural Society and its volunteers have provided education, support and a safe environment for people of

alternative lifestyles, and encompass all lifestyles in a celebration of life; and

NOW, THEREFORE, BE IT RESOLVED that I, Dianne L. Watts, do hereby declare July 7 to 9, 2006 as "SURREY PRIDE WEEKEND" in the City of Surrey.

Dianne L. Watts
Mayor

F. COUNCILLORS' REPORTS

G. CORPORATE REPORTS

1. The Corporate Reports, under date of June 26, 2006, were considered and dealt with as follows:

Item No. R115 Sale of a Portion of City Owned Land Located at 9810 - 192 Street and all of 9711 - 186 Street: Golden Ears Bridge Project
File: 0910-40/111; 0940/112; 0910-30

The General Manager, Engineering submitted a report concerning the sale of a portion of City-owned land.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council approve the disposition to the
Greater Vancouver Transportation Authority ("GVTA") of:

1. a 2.357 acre a portion of 9810 - 192 Street legally described as Lot 1, District Lot 387A, Group 2, Plan BCP3186 (PID No. 025-560-123); and
2. all of 9711 - 186 Street legally described as Parcel A, (Reference Plan 6292, except 4.564 m² portion shown on By-law Plan 54470; Secondly, Parcel 6 SRW Plan 67878; Thirdly, Part on Plan LMP43451), District Lot 99, NWD (PID No. 002-520-681).

RES.R06-1458

Carried

Item No. R116 Proposed Sale of City Lots at 11693 to
11729 - 98 Avenue
File: 0910-40/32; 0910-30

The General Manager, Engineering submitted a report concerning the proposed sale of City lots at 11693 to 11729 - 98 Avenue.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council accept the highest offer
received for the purchase of six City-owned lots located at 11693, 11699, 11707,
11715, 11723, and 11729 - 98 Avenue, for the amount of \$1,326,000.

RES.R06-1459

Carried

Item No. R117 Lane Closure at Fraser Highway & 159 Street
File: 7805-0221; 5400-08

The General Manager, Engineering submitted a report concerning the lane closure at Fraser Highway and 159 Street.

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Villeneuve
That Council approve the sale of the
previously approved closure of a $\pm 3,154 \text{ ft.}^2$ ($\pm 293 \text{ m}^2$) portion of lane at Fraser
Highway and 159 Street as outlined in the attached Corporate Report R245, for
the amount of \$608,540.

RES.R06-1460

Carried

Item No. R118 Amendment - Sewerage Area Boundary for Properties
14215 and 14241 Crescent Road and 3651 Elgin Road
File: 5340-30

The General Manager, Engineering submitted a report to align the Fraser Sewerage Area (FSA) with the City's Official Community Plan (OCP).

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

It was Moved by Councillor Higginbotham
Seconded by Councillor Villeneuve
That Council approve and recommend to the
Greater Vancouver Sewerage and Drainage District (GVS&DD) Board the
inclusion into the GVS&DD Fraser Sewerage Area the following properties, as
shown in Exhibit One.

- (a) 14215 Crescent Road: District Lot 166, Section 28, Township 1, NWD Parcel B of TL 18, Plan Ref. 10364, PCL B of Timber Lot 18.
- (b) 14241 Crescent Road: Block TL 18, Section 28, Township 1, Plan 16759, NWD Parcel D, Part NE 1/4.
- (c) 3651 Elgin Road: District Lot 166, Section 28, Township 1, NWD Parcel F of TL 18, Plan Ref 16889, Part NE 1/4, PCL F of Timber Lot 18.

RES.R06-1461

Carried

Item No. R119 Subdivision and Development By-law, 1986, No. 8830
File: 3900-20(8830); 3900-20-16050

The General Manager, Engineering submitted a report to seek Council's approval to adopt the amendments to Surrey Subdivision & Development By-law, 1986, No. 8830. (Attached as Appendix A)

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

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

- 1. Approve amendments to Surrey Subdivision and Development By-law, 1986, No. 8830, as documented in Appendix "A"; and
- 2. Authorize the City Clerk to bring forward the necessary Amendment By-law for the required reading.

RES.R06-1462

Carried

Note: See By-law 16050 under Item H.18.

Item No. R120 Contract Award MS 4806-001-21:
Double M Excavating Ltd.
File: 4806-001-21; 4806-001-00; 5250-20-48

The General Manager, Engineering submitted a report concerning the award of Contract MS 4806-001-21. Tenders were received as follows:

<i>Contractor</i>	<i>Tendered Amount with GST</i>	<i>Corrected Amount</i>
1. Double M Excavating Ltd	\$3,231,098.40	\$3,231,149.33
2. Mission Contracting Ltd	\$3,650,490.44	No Change
3. Delta Aggregates Ltd	\$4,191,660.91	\$4,172,674.52

The Engineer's pre-tender estimate was \$3,400,000 including GST.

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

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

1. Award Contract M.S. 4806-001-21 to the low bidder, Double M Excavating Ltd., in the amount of \$3,231,149.33 including GST.
2. Set the expenditure authorization for Contract M.S. 4806-001-21 in the amount of \$3,393,000.00

RES.R06-1463

Carried

Item No. R121 Proposed Sale of City Land at 13960 - 108 Avenue
File: 0910-20/109; 0910-30

The General Manager, Engineering, and the General Manager, Parks, Recreation & Culture submitted a report concerning the proposed sale of City land at 13960 - 108 Avenue.

The General Manager, Engineering, and the General Manager, Parks, Recreation & Culture was recommending approval of the recommendations outlined in their report.

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Council accept the offer to purchase
the City parkland located at 13960 - 108 Avenue (PID No. 011-432-322) subject
to compliance with the notice provisions under Sections 26 and 94 of the
Community Charter, SBC, 2003, Chap. 26, for the amount of \$608,540.
RES.R06-1464 Carried with Councillor Villeneuve against.

Item No. R122 Report of 2005 Council Remuneration and
Expense Payments
File: 0560-01

The General Manager, Finance, Technology & Human Resources submitted a
report concerning a report of 2005 Council remuneration and expense payments.

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

It was Moved by Councillor Bose
Seconded by Councillor Steele
That Council receive the attached
information (Appendices A to N) listing remuneration and expenses for Council
members throughout the year 2005.
RES.R06-1465 Carried

Item No. R123 Statement of Financial Information - 2005
File: 0530-01; 1830-02; 0022-412

The General Manager, Finance, Technology & Human Resources submitted a
report concerning a statement of financial information for 2005.

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

It was Moved by Councillor Bose
Seconded by Councillor Villeneuve
That Council approve the 2005 Statement of
Financial Information, attached as Appendix "A".
RES.R06-1466 Carried

Item No. R124 Parks, Recreation and Culture Strategic Plan 2007 - 2017
File: 0115-20/P

The General Manager, Parks, Recreation and Culture submitted a report to
provide information to Council regarding the preparation of the Parks, Recreation
and Culture Strategic Plan (the Strategic Plan) for 2007 - 2017.

The General Manager, Parks, Recreation and Culture was recommending that the report be received for information.

It was Moved by Councillor Higginbotham
Seconded by Councillor Villeneuve
That Corporate Report R124 be received for
information.

RES.R06-1467

Carried

Item No. R125 Canada Cup Futures Tournament and Showcase Under 16
Tournament
File: 6140-20/C

The General Manager, Parks, Recreation and Culture submitted a report concerning the Canada Cup Futures Tournament and Showcase Under 16 Tournament.

The General Manager, Parks, Recreation and Culture was recommending approval of the recommendations outlined in her report.

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

1. Receive this report as information; and
2. Approve \$3,835 from the Council Initiatives Budget to cover sport field user fees and to assist in off-setting the cost of portable outfield and perimeter fencing for the Canada Cup Futures Tournament and the Showcase Under 16 Tournament being held July 3-8, 2006 at Cloverdale Athletic Park and Sullivan Park.

RES.R06-1468

Carried

Item No. R126 Rehabilitation of the Historic 1912 Municipal Hall
File: 0800-20/H

The General Manager, Parks, Recreation and Culture, and the Acting General Manager, Planning & Development submitted a report concerning rehabilitation of the Historic 1912 Municipal Hall.

The General Manager, Parks, Recreation and Culture, and the Acting General Manager, Planning & Development were recommending that the report be received for information.

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That Corporate Report R126 be received for
information.
RES.R06-1469 Carried

Item No. R127 Truck Parking Issues
File: 5480-01

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

1. Document information that has been gathered with respect to trucks and truck parking in the City; and
2. Propose a process for investigating and developing an appropriate strategy to address the current shortfall in legal truck parking spaces in the City.

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

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

1. Receive this report as information;
2. Direct staff to proceed with retaining an appropriately qualified consultant to undertake a detailed study of the current circumstances with respect to truck parking in the City and to investigate alternatives to address the shortfall in parking spaces, including appropriate consultation with stakeholders and to make recommendations with respect to an equitable and sustainable truck parking strategy for the City and with respect to, among other things, the merits of the City establishing a Truck Parking Authority and the potential commercial opportunities associated and community impacts with truck parking; and
3. Direct staff to prepare a further report to Council on the matter when the above-referenced study is complete.

RES.R06-1470 Carried

Item No. R128 Indoor and Outdoor Amenity Space Requirements and
Voluntary Cash-in-Lieu Provision for Proposed Multiple
Residential Projects
File: 6440-01; 3900-20-12000

The Acting General Manager, Planning & Development submitted a report to review the effectiveness of the alternative approach to satisfying the Surrey

Zoning By-law, 1993, No. 12000 (the "Zoning By-law") requirement for indoor amenity space in multiple residential projects and to provide recommendations for Council's consideration on amendments to or enhancements of the current policy, regarding provision of indoor amenity space and by-law requirements regarding the provision of outdoor amenity space in proposed multiple residential developments.

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

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

1. Receive this report as information;
2. Approve the revised City Policy No. O-48 - Relaxation of the Provision of Indoor Amenity Space in Multiple Residential Developments, attached as Appendix I, to increase the voluntary cash-in-lieu contribution under this policy from \$750 to \$1,050 per dwelling unit, to reflect increases in construction costs;
3. Approve a grace period of three months for in-stream applications commencing on the date of Council approval of the revisions to City Policy No. O-48;
4. Approve the proposed amendments, as documented in Appendix II, to Surrey Official Community Plan By-law, 1996, No, 12900 (the "OCP By-law"), to allow for relaxation of the outdoor amenity space requirement for multiple residential developments;
5. Authorize the City Clerk to bring forward the necessary OCP amendment by-law for the required readings and to set a date for the related Public Hearing; and
6. Authorize the City Clerk to bring forward, for the required readings, an amendment to the City of Surrey Indoor Amenity Space Capital Works Reserve Fund By-law, 2001, No. 14343, for the deposit and expenditure of the money collected from cash-in-lieu of indoor and outdoor amenities, by deleting the word "indoor" throughout the entire By-law.

RES.R06-1471

Carried

Note: See By-laws 16051 & 16052 under Items H.21 & H.22.

Item No. R129 Request by the South Westminster Ratepayers Association for the Rezoning (Downzoning) of the St. Helen's Park Neighbourhood
File: 6520-20 (SWM-St. Helen's Park)

The Acting General Manager, Planning & Development submitted a report to advise Council of the results of discussions staff has had with the executive of the South Westminster Ratepayers Association (the "SWRA"), as directed by Council, following their delegation to Council on May 30, 2005, during which they requested Council to place a moratorium on new construction in, and to find a solution that would protect the residential character of, the St. Helen's Park neighbourhood and to provide options and recommendations for Council's consideration.

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

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

1. Receive this report as information; and
2. Authorize staff to bring forward, for Council's consideration a Council-initiated CD By-law, as requested by the South Westminster Ratepayers Association, and as documented in Appendix I of this report, which would act to rezone the area shown on the map attached as Appendix I.

Before the question was called:

It was Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the matter be tabled to staff to contact those property owners who have not been contacted and to reaffirm those property owners that had been contacted, and report back to Council.

RES.R06-1472

Carried

***Note:** The following Corporate Reports were deferred from the June 26, 2006 Council-in-Committee meeting.

the matter will then be referred to a third party facilitator experienced in mediating and facilitating human rights matters, who would review the situation and make appropriate recommendations.

RES.R06-1475

Carried

H. BY-LAWS

1. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16035"

7906-0011-00 - Joseph and Pearl Foy, c/o Hunter Laird Engineering Ltd.
(Clarence Arychuk)

RA to RF-9C (BL 12000) - 6735 - 194 Street - to allow subdivision into approximately 19 small single family lots with coach houses in East Clayton.

Approved by Council: June 12, 2006

It was

Moved by Councillor Hepner
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16035" pass its third reading.

RES.R06-1476

Carried

2. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16036"

7905-0346-00 - Raymond Jurgensen, c/o Hunter Laird Engineering Ltd.
(Clarence Arychuk)

RA to RF-9C (BL 12000) - 6715 - 194 Street - to allow subdivision into approximately 15 small single family lots with coach houses in East Clayton.

Approved by Council: June 12, 2006

It was

Moved by Councillor Hepner
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16036" pass its third reading.

RES.R06-1477

Carried

3. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 16037"

7905-0333-00 - Nico River Developments Ltd.,
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)

RA to RH-G (BL 12000) - 2961 Semiahmoo Trail - to permit the
development of 6 suburban single family residential lots.

Approved by Council: June 12, 2006

Note: See Development Variance Permit 7905-0333-00 under Clerk's Report,
Item I.1(a).

It was

Moved by Councillor Hepner
Seconded by Councillor Steele
That "Surrey Zoning By-law, 1993,
No. 12000, Amendment By-law, 2006, No. 16037" pass its third reading.

RES.R06-1478

Carried

FINAL ADOPTIONS

4. "Surrey Development Cost Charge By-law, 2006, No. 15973"

3900-20-15973 - New Regulatory Bylaw

A By-law of the City to impose development cost charges.

Approved by Council: March 6, 2006
Corporate Report Item No. R041

- * Council is advised that the Provincial Inspector of Municipalities has approved
By-law 15973 as of June 16, 2006 (see memo from Engineering Department in
by-law back-up), therefore Final Adoption is in order for consideration.

It was

Moved by Councillor Bose
Seconded by Councillor Villeneuve
That "Surrey Development Cost Charge
By-law, 2006, No. 15973" be finally adopted, signed by the Mayor and Clerk, and
sealed with the Corporate Seal.

RES.R06-1479

Carried

- 5. "Surrey Close and Remove the Dedication of Highway of a Portion of 140 Street at 68 Avenue By-law, 2006, No. 16029"

3900-20-16029 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of 423.5 square metres of 140 Street. This closure is intended to facilitate a six lot, single family residential subdivision. 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: June 12, 2006
Corporate Report Item No. R109

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

It was Moved by Councillor Bose
 Seconded by Councillor Steele
 That "Surrey Close and Remove the
 Dedication of Highway of a Portion of 140 Street at 68 Avenue By-law, 2006,
 No. 16029" be finally adopted, signed by the Mayor and Clerk, and sealed with
 the Corporate Seal.

RES.R06-1480

Carried

- 6. "Surrey Close and Remove the Dedication of Highway of Portions of 59 Avenue, 60 Avenue and 164 Street By-law, 2006, No. 16030"

3900-20-16030 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of 62.4 square metres and 49.8 square metres of 59 Avenue and 111.7 square metres and 116.3 square metres of 60 Avenue and 5.3 square metres of 164 Street. This closure is intended to facilitate the development of a 55 lot, single family residential subdivision. 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: June 12, 2006
Corporate Report Item No. R108

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

It was Moved by Councillor Bose
Seconded by Councillor Steele
That "Surrey Close and Remove the
Dedication of Highway of Portions of 59 Avenue, 60 Avenue and 164 Street
By-law, 2006, No. 16030" be finally adopted, signed by the Mayor and Clerk, and
sealed with the Corporate Seal.

RES.R06-1481

Carried

7. "Surrey Close and Remove the Dedication of Highway of Portions of
King George Highway By-law, 2006, No. 16031"

3900-20-16031 - Council Initiative

A by-law to authorize the closure and removal of dedication of highway of
296.5 square metres and 165.6 square metres of King George Highway. This
closure is intended to facilitate a 29 lot single family residential 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: May 29, 2006
Corporate Report Item No. R095

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

It was Moved by Councillor Bose
Seconded by Councillor Higginbotham
That "Surrey Close and Remove the
Dedication of Highway of Portions of King George Highway By-law, 2006,
No. 16031" be finally adopted, signed by the Mayor and Clerk, and sealed with
the Corporate Seal.

RES.R06-1482

Carried

8. "Portion of 6734 - 196th Street, Langley, B.C., Expropriation By-law, 2006,
No. 16032"

3900-20-16032/1704-330/E05-0408 - Folden/Nelson

An Expropriation by-law for the purpose of acquiring a temporary Statutory
Right-of-Way.

Approved by Council: December 12, 2005
Corporate Report Item No. CC011

It was Moved by Councillor Gill
Seconded by Councillor Higginbotham
That "Portion of 6734 - 196th Street,
Langley, B.C., Expropriation By-law, 2006, No. 16032" be finally adopted,
signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R06-1483 Carried

9. "Portion of 6734 - 196th Street, Langley, B.C., Expropriation By-law, 2006,
No. 16033"

3900-20-16033 - 1704-330/E05-0407 - Folden/Nelson

An Expropriation by-law for the purpose of acquiring a temporary Statutory
Right-of-Way.

Approved by Council: December 12, 2005
Corporate Report Item No. CC011

It was Moved by Councillor Gill
Seconded by Councillor Higginbotham
That "Portion of 6734 - 196th Street,
Langley, B.C., Expropriation By-law, 2006, No. 16033" be finally adopted,
signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R06-1484 Carried

10. "Portion of 6734 - 196th Street, Langley, B.C., Expropriation By-law, 2006,
No. 16034"

3900-20-16034 - 1700-330/E05-138 - Folden/Nelson

An Expropriation by-law for acquiring lands for highway purposes.

Approved by Council: December 12, 2005
Corporate Report Item No. CC011

It was Moved by Councillor Gill
Seconded by Councillor Steele
That "Portion of 6734 - 196th Street,
Langley, B.C., Expropriation By-law, 2006, No. 16034" be finally adopted,
signed by the Mayor and Clerk, and sealed with the Corporate Seal.
RES.R06-1485 Carried

INTRODUCTIONS

11. "Portion of 2846 Helc Place, Surrey B.C. Expropriation By-law, 2006, No. 16038"

3900-20-16038/4703-504/E-06-0167 - Hoepfner and Balaniuk

An Expropriation by-law for the purpose of acquiring a temporary Statutory Right-of-Way.

Approved by Council: May 15, 2006
Corporate Report Item No. CC009

It was Moved by Councillor Bose
Seconded by Councillor Steele
That "Portion of 2846 Helc Place, Surrey
B.C. Expropriation By-law, 2006, No. 16038" pass its first reading.

RES.R06-1486 Carried

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

It was Moved by Councillor Bose
Seconded by Councillor Gill
That "Portion of 2846 Helc Place, Surrey
B.C. Expropriation By-law, 2006, No. 16038" pass its second reading.

RES.R06-1487 Carried

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

It was Moved by Councillor Bose
Seconded by Councillor Gill
That "Portion of 2846 Helc Place, Surrey
B.C. Expropriation By-law, 2006, No. 16038" pass its third reading.

RES.R06-1488 Carried

12. "Portion of 3010 Croydon Drive, Surrey B.C. Expropriation By-law, 2006, No. 16039"

3900-20-16039/4703-504/E-05-266 - Renee and Todd Armstrong

An Expropriation by-law for the purpose of acquiring a Statutory Right-of-Way.

Approved by Council: May 15, 2006
Corporate Report Item No. CC009

18. "Surrey Subdivision and Development By-law, 1986, No. 8830, Amendment By-law, 2006, No. 16050"

3900-20-16050 - Regulatory Bylaw Text Amendment

"Surrey Subdivision and Development By-law, 1986, No. 8830" as amended, is further amended in Schedule "A", Table 1, and Notes to Abbreviations in Table 1 to reflect provincial legislation and regional policy. These amendments are intended to improve the health of our natural environment through proper construction of facilities and safe disposal of liquid wastes.

Approved by Council: To be approved.
Corporate Report Item No. R119

Note: This By-law will be in order for consideration of Three Readings, should Council approve the recommendations of Corporate Report Item No. R119.

It was Moved by Councillor Gill
Seconded by Councillor Villeneuve
That "Surrey Subdivision and Development
By-law, 1986, No. 8830, Amendment By law, 2006, No. 16050" pass its first
reading.

RES.R06-1507

Carried

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

It was Moved by Councillor Gill
Seconded by Councillor Villeneuve
That "Surrey Subdivision and Development
By-law, 1986, No. 8830, Amendment By law, 2006, No. 16050" pass its second
reading.

RES.R06-1508

Carried

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

It was Moved by Councillor Gill
Seconded by Councillor Villeneuve
That "Surrey Subdivision and Development
By-law, 1986, No. 8830, Amendment By law, 2006, No. 16050" pass its third
reading.

RES.R06-1509

Carried

- 19. "Surrey Zoning By-law, 1993, No. 12000, Text Amendment By-law, 2006, No. 15956"

3900-20-15956/3900-30 - Council Initiative

Surrey Zoning By-law, 1993, No. 12000" as amended, is further amended by replacing Schedule E - List of Properties Affected by In Stream Applications with an updated schedule. Schedule E has been revised to remove applications that have now been completed or which will be converted as part of the By-law 15957.

Approved by Council: To be approved.

This By-law is proceeding in conjunction with By-law 15957.

RES.R06-1510	<p>It was</p> <p>No. 12000, Text Amendment By-law, 2006, No. 15956" pass its first reading.</p> <p><u>Carried</u></p>	<p>Moved by Councillor Bose</p> <p>Seconded by Councillor Hepner</p> <p>That "Surrey Zoning By-law, 1993,</p>
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The said By-law was then read for the second time.

RES.R06-1511	<p>No. 12000, Text Amendment By-law, 2006, No. 15956" pass its second reading.</p> <p><u>Carried</u></p>	<p>Moved by Councillor Bose</p> <p>Seconded by Councillor Hepner</p> <p>That "Surrey Zoning By-law, 1993,</p>
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RES.R06-1512	<p>By-law, 1993, No. 12000, Text Amendment By-law, 2006, No. 15956" be held at the City Hall on July 10, 2006, at 7:00 p.m.</p> <p><u>Carried</u></p>	<p>It was then</p> <p>Moved by Councillor Bose</p> <p>Seconded by Councillor Hepner</p> <p>That the Public Hearing on "Surrey Zoning</p>
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- 20. "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15957"

3900-20-15957/3900-30 - Council Initiative (Zoning Conversion)

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

- (a) To convert those properties that have achieved final adoption under the old Zoning By-law No. 5942, and now require conversion to an appropriate Zoning By-law No. 12000 zone;

- (b) Those properties that did not achieve completion and were closed, require conversion to a Zoning By-law No. 12000 zone which is equivalent to the original zone under Zoning By-law No. 5942;
- (c) Those properties that were inadvertently converted to an inappropriate Zoning By-law No. 12000 zone when Zoning By-law No. 12000 was adopted in 1993. These properties now require conversion to a more appropriate Zoning By-law No. 12000 zone;
- (d) Those properties that were zoned RFR-SS under Zoning By-law No. 5942 to allow for a secondary suite which were inadvertently not included in the secondary batch conversion by-law adopted by Council in 2002.

Approved by Council: To be approved

This By-law is proceeding in conjunction with By-law 15956.

It was Moved by Councillor Bose
 Seconded by Councillor Hepner
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 15957" pass its first reading.
 RES.R06-1513 Carried

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

It was Moved by Councillor Bose
 Seconded by Councillor Hepner
 That "Surrey Zoning By-law, 1993,
 No. 12000, Amendment By-law, 2006, No. 15957" pass its second reading.
 RES.R06-1514 Carried

It was then Moved by Councillor Bose
 Seconded by Councillor Hepner
 That the Public Hearing on "Surrey Zoning
 By-law, 1993, No. 12000, Amendment By-law, 2006, No. 15957" be held at the
 City Hall on July 10, 2006, at 7:00 p.m.
 RES.R06-1515 Carried

21. "Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 64
 Amendment By-law, 2006, No. 16051"

3900-20-16051/6440-01 - Council Initiative

"Surrey Official Community Plan By-law, 1996, No. 12900" as amended, is further amended in Schedule C, Development Permit Area Guidelines by replacing Section C.5.1 under Variation of Zoning By-law Requirements. This amendment will allow for relaxation of the outdoor amenity space requirement for multiple residential developments.

Approved by Council: To be approved.
Corporate Report Item No. R128

Note: This By-law will be in order for consideration should Council approve the recommendations of Corporate Report Item No. R128.

It was
By-law, 1996, No. 12900, Text No. 64 Amendment By-law, 2006, No. 16051" pass its first reading.

Moved by Councillor Hepner
Seconded by Councillor Villeneuve
That "Surrey Official Community Plan

RES.R06-1516

Carried

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

It was
By-law, 1996, No. 12900, Text No. 64 Amendment By-law, 2006, No. 16051" pass its second reading.

Moved by Councillor Hepner
Seconded by Councillor Villeneuve
That "Surrey Official Community Plan

RES.R06-1517

Carried

It was then
Community Plan By-law, 1996, No. 12900, Text No. 64 Amendment By-law, 2006, No. 16051" be held at the City Hall on July 10, 2006, at 7:00 p.m.

Moved by Councillor Hepner
Seconded by Councillor Villeneuve
That the Public Hearing on "Surrey Official

RES.R06-1518

Carried

- 22. "City of Surrey Indoor Amenity Space Capital Works Reserve Fund By-law, 2001, No. 14343, Amendment By-law, 2006, No. 16052"

3900-20-14343/6440-01 - Council Initiative

To amend "City of Surrey Indoor Amenity Space Capital Works Reserve Fund By-law, 2001, No. 14343" to delete the word "indoor" throughout the entire By-law to reflect the deposit and expenditure of the money collected from cash-in-lieu of indoor and outdoor amenities.

Note: This By-law will be in order for consideration should Council approve the recommendations of Corporate Report Item No. R128.

It was Moved by Councillor Higginbotham
 Seconded by Councillor Hepner
 That "City of Surrey Indoor Amenity Space
 Capital Works Reserve Fund By-law, 2001, No. 14343, Amendment By-law,
 2006, No. 16052" pass its first reading.
 RES.R06-1519 Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Hepner
 That "City of Surrey Indoor Amenity Space
 Capital Works Reserve Fund By-law, 2001, No. 14343, Amendment By-law,
 2006, No. 16052" pass its second reading.
 RES.R06-1520 Carried

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

It was Moved by Councillor Higginbotham
 Seconded by Councillor Villeneuve
 That "City of Surrey Indoor Amenity Space
 Capital Works Reserve Fund By-law, 2001, No. 14343, Amendment By-law,
 2006, No. 16052" pass its third reading.
 RES.R06-1521 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. 7905-0333-00**
Nico River Developments Ltd.
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
 2961 Semiahmoo Trail

To reduce the front yard setback requirement from 7.5 metres (25 ft.) to 1.8 metres (6 ft.) for proposed Lot 6; and to increase the minimum side yard setback requirement for the north and south side yards from 3.0 metres (10 ft.) to 10 metres (32.8 ft.) for proposed Lot 6, to permit the development of 6 suburban single family residential lots.

Note: See By-law 16037 under Item H.3.

It was Moved by Councillor Villeneuve
Seconded by Councillor Higginbotham
That Development Variance Permit
No.7905-0333-00 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.R06-1522

Carried

- (b) **Development Variance Permit No. 7906-0033-00**
Alan and Zoe Strand
c/o Coastland Engineering & Surveying Ltd. (Greg Sewell) and
c/o Wilfred Tibbe
13589 Marine Drive

To reduce the minimum lot depth requirement from 28 metres (90 ft.) to
26.9 metres (88 ft.) for Lot 1, and from 28 metres (90 ft.) to 26.0 metres
(85 ft.) for Lot 2, to allow subdivision into two single family residential
lots.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Higginbotham
That Development Variance Permit
No.7906-0033-00 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.R06-1523

Carried

- (c) **Development Variance Permit No. 7906-0179-00**
Qualico Developments (Vancouver) Inc.
c/o Mark Nowotny
14825 - 59 Avenue

To relax the off-street parking provision that requires access to the subject
property from the lane to the west, to permit the development of a
driveway access from a street at the front of the lot.

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

It was Moved by Councillor Villeneuve
 Seconded by Councillor Gill
 That Development Variance Permit
 No. 7906-0179-00 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.R06-1524

Carried

(d) **Development Variance Permit No. 7906-0170-00**
Qualico Developments (Vancouver) Inc.
c/o Mark Nowotny
 19073 and 19077 - 69 Avenue; 19069 - 69A Avenue

To relax requirements as follows:

- (a) To reduce the minimum side yard setback for an accessory building from 2.8 metres (9 ft.) to 1.9 metres (6.2 ft.) for Lots 41 and 42;
- (b) To reduce the minimum side yard setback for an accessory building from 2.8 metres (9 ft.) to 1.2 metres (4 ft.) for Lot 36, and
- (c) To eliminate the requirement to provide one additional parking space where a secondary suite or coach house is constructed for Lots 36, 41 and 42.

To permit the construction of double garages on three recently approved small lots in East Clayton.

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

It was Moved by Councillor Villeneuve
 Seconded by Councillor Gill
 That Development Variance Permit
 No. 7906-0170-00 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.R06-1525

Carried

- (e) **Development Variance Permit No. 7906-0226-00**
Lisa C. Durban and Nicholas M. Malysh
12246 Gardiner Street

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

- (a) Section A (4) to be deleted.
- (b) Section C(1)(b) to be amended to require a floodproofing elevation as determined as that elevation 0.3 metres (1.0 ft.) above centerline of the road at the mid-point fronting the Land.

To permit the construction of a new single family dwelling in the Crescent Beach area.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Gill
That Development Variance Permit
No. 7906-0226-00 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.R06-1526

Carried

- (f) **Development Variance Permit No. 7906-0131-00**
John R. Wright
12255 Sullivan Street

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

- (a) Section A (4) to be deleted.
- (b) Section C(1)(b) to be amended to require a floodproofing elevation as determined as that elevation 0.3 metres (1.0 ft.) above centerline of the road at the mid-point fronting the Land.

To permit the construction of a new single family dwelling in the Crescent Beach area.

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

It was Moved by Councillor Villeneuve
Seconded by Councillor Gill
That Development Variance Permit
No. 7906-0131-00 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.R06-1527

Carried

- (g) **Development Variance Permit No. 7904-0432-01**
Paul and Gay Hough
c/o Hunter Laird Engineering Ltd. (Clarence Arychuk)
12626 - 15 Avenue

To reduce the minimum front yard setback requirement from 10 metres (32.8 ft.) to 4.8 metres (15.7 ft.); to reduce the minimum rear yard setback requirement from 10 metres (32.8 ft.) to 4.8 metres (15.7 ft.), and to relax the minimum lot depth requirement from 45 metres (147.6 ft.) to 30 metres (98.4 ft.), to permit the development of a single family dwelling.

Note: See separate correspondence in the binder flap regarding this Development Variance Permit.

The Mayor noted that this item was not in order for consideration at this time.

2. Formal Approval of Liquor Permits

- (a) **Liquor Primary License (Neighbourhood Pub)**
Application 7906-0102-00
Roger Investment Inc. dba Kelly O'Briens
9014 - 152 Street (also shown as 9056, 9082 - 152 Street and
15248, 15266 - 91 Avenue)

To acquire a Liquor Primary License to allow a Neighbourhood Pub with an indoor occupant load of 150, with the hours of operation from 11:00 a.m. to 11:00 p.m. on Sunday; 11:00 a.m. to 12:00 a.m., Monday through Wednesday; and 11:00 a.m. to 1:00 a.m., Thursday through Saturday, and an outdoor occupant load of 30 in a proposed new patio addition on the west side of the building from 11:00 a.m. to 10:00 p.m., Sunday through Saturday.

Note: See Development Permit 7906-0102-00 under Clerk's Report, Item I.4(a).

It was Moved by Councillor Gill
Seconded by Councillor Villeneuve
That:

After taking into account the following criteria outlined in the Planning Report dated June 12, 2006:

- (a) the location of the establishment;
- (b) the proximity of the establishment to other social or recreational facilities and public buildings;
- (c) the person capacity and hours of liquor service of the establishment;
- (d) the number and market focus or clientele of liquor-primary license establishments within a reasonable distance of the proposed location;
- (e) traffic, noise, parking and zoning;
- (f) population, population density and population trends
- (g) relevant socio-economic information; and
- (h) the impact on the community if the application is approved; and

after holding a Public Hearing on June 26, 2006, in accordance with City policy, to gather the views of area residents and businesses with respect to the proposed liquor primary application; and

after hearing any individuals who made a presentation to Council at the Public Hearing and after reviewing any correspondence submitted in response to the Public Hearing notice,

Surrey City Council recommends the issuance of the license subject to the following conditions:

1. a maximum capacity of 150 persons indoor and 30 persons outdoor;
2. hours of operation to be 11:00 a.m. to 11:00 p.m. Sunday; 11:00 a.m. to 12:00 a.m., Monday through Wednesday, and 11:00 a.m. to 1:00 a.m., Thursday through Saturday; and
3. The hours of operation of the patio are restricted from 11:00 a.m. to 10:00 p.m., seven days per week.

RES.R06-1528

Carried with Councillor Bose against.

(b) **Liquor License Amendment****Application 7905-0324-00****City of Surrey****c/o Bert Hick, Rising Tide Consultants Ltd.**

2203 - 148 Street (also shown as 2197, 2199, 2201 - 148 Street and 14601 - 20 Avenue)

To expand the existing Liquor Primary Liquor License (LPLL) area (stadium) at Softball City to include the existing restaurant and outdoor patio areas, which are currently under a Food Primary Liquor License; amend the person capacity as follows: Restaurant: 150, Outdoor Patio: 328, Stadium: 989, and to amend hours of operation for the restaurant and outdoor patio areas only from the current hours of 11:00 a.m. to 10:00 p.m., Monday to Sunday, to 11:00 a.m. to 12:00 midnight, Monday to Sunday.

It was Moved by Councillor Gill
 Seconded by Councillor Villeneuve
 That after taking into account the following
 criteria outlined in the Planning Report dated June 12, 2006:

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

after holding a Public Hearing on June 26, 2006, in accordance with City policy, to gather the views of area residents and businesses with respect to the proposed liquor license amendment application;

after hearing any individuals who made a presentation to Council at the Public Hearing and after reviewing any correspondence submitted in response to the Public Hearing notice.

Surrey City Council recommends that the following proposed amendments to the Liquor Primary and Food Primary Liquor Licenses be approved:

1. Expansion of the existing Liquor Primary Liquor Licensed area (stadium) to include the existing restaurant and outdoor patio areas, which are currently under a Food Primary Liquor License.
2. Cancellation of the existing Food Primary Liquor License.
3. Change to the Liquor Primary Liquor Licensed person capacity to be as follows:
 - Restaurant: 150
 - Outdoor Patio: 328
 - Stadium: 989
 - Total 1,467

4. Amendment to the Liquor Primary Liquor License hours of operation from 11:00 a.m. to 10:00 p.m., Monday to Sunday, to 11:00 a.m. to 12:00 midnight, Monday to Sunday, for the restaurant and outdoor patio areas only. The operating hours in the stadium area are to remain unchanged (11:00 a.m. to 10:00 p.m., Monday to Sunday).
5. Change to the Terms and Conditions of Liquor Primary Liquor License to allow year round liquor sales in the restaurant and outdoor patio areas only. Liquor sales in the stadium area are to remain seasonal only (April 1 to October 31).
6. Change the Terms and Conditions of the Liquor Primary License to allow full liquor service in the restaurant and outdoor patio areas only. Liquor service in the stadium area is to remain restricted to beer, wine, ciders, and coolers only.

Surrey City Council also recommends that the proposed expansion of the minors endorsement on the Liquor Primary Liquor License (stadium), to include the restaurant and outdoor patio areas, be approved subject to the following condition:

1. Minors may only be present inside the licensed clubhouse/ restaurant and outdoor patio areas when they are accompanied by an adult, and only until 10:00 p.m. daily.

RES.R06-1529

Carried

3. Formal Approval of Temporary Commercial Use Permits

- (a) **Temporary Commercial Use Permit No. 7906-0017-00**
Cho Kwang and Hae Sook Kim
c/o Hi-Knoll Driving Range (John Kim)
4947 - 192 Street

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

"That Temporary Commercial Use Permit No. 7906-0017-00 be issued to Cho Kwang and Hae Sook Kim to allow the continued use of a portion of the property at 4947 - 192 Street, more particularly described as Lot 1, Section 4, Township 8, New Westminster District, Plan LMP25004, for a golf driving range for a period not to exceed two years, from the original date of expiry, while the owners seek a rezone to permit a driving range, including a mini-golf and accessory use as permanent use."

It was
 Moved by Councillor Gill
 Seconded by Councillor Steele
 That Temporary Commercial Use Permit
 No. 7906-0017-00 be issued to Cho Kwang and Hae Sook Kim to allow
 the continued use of a portion of the property at 4947 - 192 Street, more
 particularly described as Lot 1, Section 4, Township 8, New Westminster
 District, Plan LMP25004, for a golf driving range for a period not to
 exceed two years, from the original date of expiry, while the owners seek
 a rezone to permit a driving range, including a mini-golf and accessory use
 as permanent use.

RES.R06-1530

Carried

4. Formal Approval of Development Permits

(a) **Development Permit No. 7906-0102-00
 Fleetwood Centre Investments Inc.**

9014 - 152 Street (also shown as 9056, 9082 - 152 Street and
 15248, 15266 - 91 Avenue)

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

"That Development Permit No. 7906-0102-00 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 Liquor Primary License (Neighbourhood Pub) Application
 7906 0102-00 under Clerk's Report, Item I.2(a).

It was
 Moved by Councillor Gill
 Seconded by Councillor Villeneuve
 That Development Permit
 No. 7906-0102-00 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.R06-1531

Carried with Councillor Bose against.

J. CORRESPONDENCE

INFORMATION ITEMS

1. Letter from the **Mayor Chris Clement, Corporation of the Township of Esquimalt**, advising that on June 5, 2006, the Esquimalt Council endorsed the following resolution:

"WHEREAS the Government of British Columbia is being requested to consider placing limitations on municipal governments' authority to establish taxes on Class 4 Heavy Industrial, properties; and

WHEREAS the Government of British Columbia in Part 1 of its *Community Charter* legislation recognized municipalities "as an order of government" which is "autonomous, responsible and accountable"; and that municipalities require "adequate powers and discretion to address existing and future community needs" including "authority to determine the levels of municipal expenditures and taxation that are appropriate for their purposes"; and

WHEREAS the Government of British Columbia enshrined in its legislation core principles including that "the Provincial Government respects municipal authority" and "the Provincial Government respects the varying needs and conditions of different municipalities in different areas of British Columbia"; and

WHEREAS the Government of British Columbia has their own means to reduce taxation on major industry, if the government wishes;

NOW THEREFORE Council of the Township of Esquimalt petitions the Government of British Columbia to abide by its legislative commitments and principles and reject any and all consideration of a restriction on municipal taxation of Class 4, Heavy Industrial lands."

File: 0640-01

It was

Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the letter from Mayor Chris Clement,

Corporation of the Township of Esquimalt be received.

RES.R06-1532

Carried

2. Correspondence dated June 8, 2006 from **Councillor Marvin Hunt, President, Union of British Columbia Municipalities (UBCM)**, providing an update regarding the establishment of the Local Government Leadership Academy (LGLA).

File: 0250-07

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the letter from Councillor Marvin
Hunt, President, Union of British Columbia Municipalities (UBCM) be received.
RES.R06-1533 Carried

3. Correspondence dated June 14, 2006 from **Sandra E. Dowey, City Clerk, The Corporation of the City of North Vancouver**, advising that on June 12, 2006, The Corporation of the City of North Vancouver Council endorsed the following resolution:

"WHEREAS a new trend of industrial lands being converted to residential and other uses is developing in British Columbia; and

WHEREAS communities in British Columbia rely on industrial enterprises for job creation, economic production, trade, and other vital uses; and

WHEREAS the Provincial Government has the legislative authority to create an industrial land reserve to preserve industrial lands for industrial purposes;

NOW THEREFORE BE IT RESOLVED THAT:

1. The City of North Vancouver call on the Province of British Columbia to invite affected communities, industry groups and other stakeholders to form an Industrial Lands Committee; and
2. The Industrial Lands Committee be tasked with conducting an advisability and feasibility study in consultation with affected communities, industry groups and other stakeholders; and
3. A copy of this resolution be sent to:
 - (a) Members of the Provincial Cabinet;
 - (b) Local MLAs;
 - (c) All British Columbia municipalities; and
 - (d) The Union of British Columbia Municipalities."

File: 0250-07

It was Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the letter from Sandra E. Dowey, City
Clerk, the Corporation of the City of North Vancouver, be received.
RES.R06-1534 Carried

4. Letter dated June 13, 2006 from **Mayor Ken McRae, City of Port Alberni**, advising that on June 12, 2006, the City of Port Alberni Council passed the following resolution:

"WHEREAS the Government of British Columbia is being requested to consider placing limitations on municipal governments' authority to establish taxes on Class 4 Major Industrial properties; and

WHEREAS the Government of British Columbia in Part 1 of its Community Charter legislation recognized municipalities "as an order of government" which is "autonomous, responsible and accountable"; and that municipalities require "adequate powers and discretion to address existing and future community needs" including "authority to determine the levels of municipal expenditures and taxation that are appropriate for their purposes"; and

WHEREAS the Government of British Columbia enshrined in its legislation core principles including that "the Provincial Government respects municipal authority" and "the Provincial Government respects the varying needs and conditions of different municipalities in different areas of British Columbia", and

WHEREAS the Government of British Columbia has their own means to reduce taxation on major industry, if the government wishes;

NOW THEREFORE Council of the City of Port Alberni petitions the Government of British Columbia to abide by its legislative commitments and principles and reject any and all consideration of a restriction on municipal taxation of Class 4, Major Industrial lands."

File: 0480-20

It was

Moved by Councillor Villeneuve
Seconded by Councillor Steele
That the letter from Ken McRae, City of

Port Alberni, be received.

RES.R06-1535

Carried

K. NOTICE OF MOTION

L. ANY OTHER BUSINESS

1. Surrey Memorial Hospital

Councillor Higginbotham commented that she had concerns regarding the siting of the proposed ambulatory care unit for Surrey Memorial Hospital in the Green Timbers forest area rather than property in the Panorama Ridge area.

Action: The matter was referred to the Healthcare Task Force for attention.

2. Bolivar Park Petition

It was

Moved by Councillor Higginbotham
Seconded by Councillor Steele
That the petition as submitted relative to

lighting at Bolivar Park be received.

RES.R06-1536

Carried

M. ADJOURNMENT

It was

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

meeting do now adjourn.

RES.R06-1537

Carried

The Regular Council - Public Hearing adjourned at 9:26 p.m.

Certified correct:



City Clerk



Mayor