

## THE CORPORATION OF DELTA

DRAFT Minutes of the REGULAR MEETING of Delta Municipal Council held Monday, July 14, 2008 at 7:00 p.m. in the Council Chamber of the Delta Municipal Hall, 4500 Clarence Taylor Crescent, Delta, British Columbia.

**PRESENT:** Mayor Lois Jackson, Chair  
Councillor Robert Campbell  
Councillor Krista Engelland  
Councillor Scott Hamilton  
Councillor George Hawksworth  
Councillor Vicki Huntington  
Councillor Jeannie Kanakos

<b>ALSO PRESENT:</b>	George Harvie <b>Kip Gaudry</b>	Chief Administrative Officer <b>Director of Community Planning and Development</b>
	<b>Ken Kuntz</b> <b>Sean McGill</b>	<b>Director of Parks, Recreation and Culture</b> <b>A/Director of Human Resources and Corporate Planning</b>
	<b>Karl Preuss</b> <b>Ian Radnidge</b>	<b>Director of Finance</b> <b>Director of Engineering</b>

<b>MUNICIPAL CLERKS OFFICE</b>	<b>Gil Mervyn</b> Claudia Jesson	<b>Municipal Clerk</b> <b>Deputy Municipal Clerk</b>
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### EVENING SESSION

Agenda Endorsement	MOVED By Cllr. Hawksworth, SECONDED By Cllr. Hamilton, THAT the Agenda for the Committee of the Whole be endorsed.
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CARRIED UNANIMOUSLY

Resolve into Committee of the Whole	MOVED By Cllr. Kanakos, SECONDED By Cllr. Hawksworth, THAT this meeting now resolve into Committee of the Whole.
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CARRIED UNANIMOUSLY

### B. DELEGATIONS / PRESENTATIONS

<b>Recycling Collection Update (B.01)</b>	Presentation regarding Recycling Collection Update.
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Presentation: Sean McGill, A/Director of Human Resources and Corporate Planning

Using a powerpoint presentation, Mr. McGill provided an overview of Delta's recycling program. Collection guidelines for yard trimmings were highlighted, especially the new option for trimmings to be placed in standard size yard cans and/or specifically produced kraft paper bags. Promotional material (posters/brochures) has been prepared to encourage further recycling. Detailed information is available on the Corporate Website ([www.corp.delta.bc.ca](http://www.corp.delta.bc.ca)), including information to reduce the use of plastic bags, as it is estimated that every week Canadians take home up to 55 million plastic bags.

In response to Council query, Mr. McGill stated the ability to purchase paper bags from the municipality is currently being examined. Rigid containers are most sustainable to use for yard trimmings, with the ideal size of container being 30 by 24 inches to a maximum weight of 44 lbs. For corporate events, the recycling program is already being implemented.

-- Presentation Received MOVED By Cllr. Hamilton, THAT the presentation be received for information.

CARRIED UNANIMOUSLY

Rise from Committee of the Whole MOVED By Cllr. Huntington, THAT the Committee of the Whole now rise and that the regular order of business be resumed.

CARRIED UNANIMOUSLY

-- Resolutions Endorsed MOVED By Cllr. Hawksworth, SECONDED By Cllr. Huntington, THAT the resolutions made by the Committee of the Whole on the 14<sup>th</sup> day of July, 2008 be adopted as resolutions of Council.

CARRIED UNANIMOUSLY

### **ITEMS ARISING FROM IN-CAMERA MEETING OF JUNE 23, 2008**

No items for this meeting.

Agenda Varied MOVED By Cllr. Engelland, SECONDED By Cllr. Kanakos, THAT the Agenda be varied to bring forward Item F.16 for consideration at this time.

CARRIED UNANIMOUSLY

**Delta Hospital Public  
Opinion Question  
(F.16)**

Report by the Chief Administrative Officer dated July 10, 2008 regarding Delta Hospital Public Opinion Question.

News Release from Fraser Health. (On Table)

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Hamilton, THAT a question be included on the November 15, 2008 Local Government Election Ballot to determine the level of public support for the contribution of \$500,000 from municipal surplus funds towards the purchase of a CT scanner for the Delta Hospital.

Stephen Millen, Chair, Board of Directors, Delta Hospital Foundation was in attendance to update Council relative to the recent announcement of a Provincial, Fraser Health and Delta Hospital Foundation partnership to bring a CT Scanner to Delta Hospital. The Foundation is committed to raise \$1.7 million for the scanner, with Fraser Health providing \$1.0 million for the temporary accommodation to have the unit in place within 6 months.

In addition, Mr. Millen spoke to the July 11, 2008 announcement by Honourable Minister of Health, George Abbott of the restoration of acute care at Delta Hospital with the addition of 12 acute care beds.

During discussion, it was stated that in 2007 approximately 1300 patients were transferred out of Delta. Once in place, the CT scanner would permit 4500 scans annually. In response to Council query, fundraising to date by the Foundation has established \$400,000 in donations, \$150,000 in pledges, and a commitment of \$250,000 from the Moonlight Gala.

- Recommendation  
Endorsed

Question was called on the Main Motion.

CARRIED  
(Cllrs. Hawksworth and  
Huntington opposed)

- Motion Endorsed

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Kanakos, THAT a letter be forwarded to the Honourable Minister of Health, George Abbott and Fraser Health President and CEO, Dr. Nigel Murray, expressing Delta's appreciation for the recently announced initiatives to improve and expand the services provided by Delta Hospital.

CARRIED UNANIMOUSLY

### C. RECEIPT AND APPROVAL OF MINUTES

#### Receipt and Approval of Minutes (C.01)

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Huntington, THAT the Minutes of the Regular Meeting of June 23, 2008 be received and adopted as circulated.

CARRIED UNANIMOUSLY

#### Receipt of Public Hearing Minutes (C.02)

MOVED By Cllr. Engelland,  
SECONDED By Cllr. Hamilton, THAT the Minutes of the Public Hearing of June 24, 2008 be received for information.

CARRIED UNANIMOUSLY

#### Receipt and Approval of the Meeting Minutes (following Public Hearing) (C.03)

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Engelland, THAT the Minutes of the Meeting following the Public Hearing of June 24, 2008 be received and adopted as circulated.

CARRIED UNANIMOUSLY

#### Receipt of Advisory Committee Minutes (C.04)

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Kanakos, THAT the following Minutes of the Advisory Committees be received for information:

- Advisory Design Panel – June 26, 2008
- Animal Care Advisory Committee – June 18, 2008
- Community Planning Advisory Committee – June 5, 2008
- Housing Task Force – June 11, 2008
- Dikes and Drainage Advisory Committee – June 12, 2008
- Heritage Advisory Commission – June 12, 2008
- South Fraser Family Court & Youth Committee – June 12, 2008
- Environment Advisory Committee – June 18, 2008
- Parks, Recreation & Culture Commission – June 19, 2008

CARRIED UNANIMOUSLY

### D. UNFINISHED BUSINESS / VERBAL UPDATES

#### Turf Field Vandalism Update (D.01)

Verbal update by the Director of Parks, Recreation and Culture regarding the vandalism of the artificial turf field at Mackie Park.

Ken Kuntz, Director of Parks, Recreation and Culture, provided an update relative to the recent acts of vandalism. Mr. Kuntz advised that the problem still continues, especially at Mackie Park and North

Delta Community Park. Fires have been set on the synthetic turf field, broken glass has been purposefully scattered on fields, light control panels have been broken and graffiti has been left.

The impacts of these actions were highlighted, most notably costs and overall safety to community. In a call for action, it was noted an additional reward for information was posted by Surdel Girls Soccer Club, for a total reward of \$2000. An appeal to the community was made to help curb the problem. In addition to further parks patrol reinforcing the security, Mr. Kuntz noted lights at various parks would be kept on until 3:00 am. In response to a Council query, staff confirmed residents surrounding affected parks have been notified with respect to the extended lighting, and request to report suspicious activity.

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Kanakos, THAT the Municipal Solicitor research the potential for the municipality to use civil action as a course of action against parents of minors carrying out acts of civil disobedience.

**Call for Notice of Motion**

NOTICE OF MOTION WAS CALLED.

*This motion will therefore be brought forward for consideration at the July 28, 2008 Regular Council Meeting.*

-- Verbal  
Report Received

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Engelland, THAT the verbal report be received for information.

CARRIED UNANIMOUSLY

**E. BYLAWS**

**BYLAWS FOR FIRST AND SECOND READINGS AND REFERRAL TO PUBLIC HEARING**

**OCP Amend, Rezone, DVP & Subdiv 9066 - 119A St. (E.01)**

Report by the Community Planning and Development Department dated June 16, 2008 regarding Official Community Plan Amendment, Rezoning, Development Variance Permit and Subdivision 9066 – 119A St. (Uppal). (File: LU005474 and B/L's 6700 / 6701)

On Table – Corrected Attachment B

-- Recommendations  
Endorsed

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Campbell,

- A. THAT first and second readings be given to Bylaw No. 6700, 2008. (This bylaw would amend "The Corporation of Delta Official Community Plan Bylaw No. 3950, 1985" for the

property at 9066 – 119A Street by changing the land use designation in the North Delta Future Land Use Plan in Schedule C.1 from Single Family Residential to Infill Single Family Residential.

- B. THAT the Official Community Plan, as amended, be confirmed as being consistent with the Current Financial Plan, and the Liquid and Solid Waste Management Plans, as required by the *Local Government Act*.
- C. THAT the consultation process for Bylaw No. 6700 described in this report be approved in accordance with Section 879 of the *Local Government Act*.
- D. THAT first and second readings be given to Bylaw No. 6701, 2008. (This bylaw would amend “Delta Zoning Bylaw No. 2750, 1977” to rezone the property at 9066 – 119A Street from RS4 to RS6 to permit subdivision into two single family residential lots.)
- E. THAT Development Variance Permit No. LU005474 be considered. (This Development Variance Permit would vary “Delta Zoning Bylaw No. 2750, 1977”, as follows:
  - 1. by varying the minimum lot width requirement in Section 636 (C) and specifying a minimum lot width of 9.9 m for Lot 2.
  - 2. by varying the rear setback requirement in Section 632 (C) and specifying a minimum 4.7 m rear setback for Principal Structures on proposed Lot 1.
  - 3. by waiving the requirements of Section 607(4)(a)(i), which state that the floor area of a second storey and roof plan for a principal residential building not exceed 80 percent of the floor area of the first storey and of an attached garage, if any for proposed Lot 1;
  - 4. by waiving the requirements of Section 607(4)(b)(i), which state that at least 30 percent, and not more than 70 percent of the first storey front building elevation footprint be recessed at least 1.8 m from the outermost building elevation, for proposed Lot 1; and
  - 5. by varying the requirement for rear windows setback in Section 607 (3) and specifying that the windows of all habitable rooms above the first storey and facing the rear of the lot shall have a setback of not less than 4.7 m (29.5 ft) from the rear lot boundary.
- F. THAT Development Variance Permit No. LU005474 also vary Section 5.2 (b) of Delta’s “Subdivision and Development Standards Bylaw No. 5100, 1994” to allow acceptance of cash-in-lieu for ornamental streetlighting on 119 A Street frontage for the subject property.
- G. THAT Bylaw Nos. 6700, 6701 and Development Variance Permit No. LU005474 be referred to a Public Hearing.

- H. THAT, in accordance with Section 944 (2) of the Local Government Act, the proposed Lot 1 and 2 be exempted from the statutory minimum 10% lot perimeter frontage requirement, provided that the frontage is not less than 8.8 m for Lot 1 and 7 m for Lot 2.
- I. THAT the owner(s) satisfy the following requirements as a condition of Final adoption:
1. Enter into a Section 219 Restrictive Covenant for building design to the satisfaction of the Director of Community Planning & Development;
  2. Enter into a Section 219 Restrictive Covenant to prohibit secondary suites;
  3. Enter into a Section 219 Restrictive Covenant for landscaping, tree protection and replacement requirements;
  4. Provide a water meter for each lot;
  5. Provide \$1,000 to cover the cost for the purchase, installation and establishment of two street trees (\$500/tree);
  6. Provide a site servicing plan to confirm existing and new service and driveway locations in relation to existing trees; and
  7. Enter into a Servicing Agreement.
- J. THAT all measures to protect trees on the subject site and on adjacent public property be reviewed and inspected by Delta staff and deemed acceptable prior to the issuance of a building permit/demolition permit.
- K. THAT the Mayor and Municipal Clerk be authorized to sign all documents pertaining to this development.

CARRIED UNANIMOUSLY

- Bylaw 6700 MOVED BY Cllr. Hawksworth,  
SECONDED By Cllr. Hamilton, THAT THE CORPORATION OF DELTA OFFICIAL COMMUNITY PLAN BYLAW NO. 3950, 1985 AMENDMENT (UPPAL – LU005474) BYLAW NO. 6700, 2008 be given First and Second Readings.

CARRIED UNANIMOUSLY

- Bylaw 6701 MOVED BY Cllr. Engelland,  
SECONDED By Cllr. Campbell, THAT DELTA ZONING BYLAW NO. 2750, 1977 AMENDMENT (UPPAL – LU005474) BYLAW NO. 6701, 2008 be given First and Second Readings as corrected.

CARRIED UNANIMOUSLY

**Zoning Bylaw  
Amendment -  
Renumbering (E.02)**

Report by the Community Planning and Development Department dated June 26, 2008 regarding Zoning Bylaw Amendment (Renumbering). (File: P06-12 & B/L 6703)

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Recommendations  
Endorsed

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Kanakos,

- A. THAT first and second readings be given to Bylaw No. 6703, 2008 (This bylaw would amend "Delta Zoning Bylaw No. 2750, 1977" to correct section numbering in the Multiple Family [RM] zones).
- B. THAT Bylaw No. 6703 be referred to a Public Hearing.
- C. THAT the Mayor and Municipal Clerk be authorized to sign all documents pertaining to this development.

CARRIED UNANIMOUSLY

-- Bylaw 6703

MOVED BY Cllr. Hamilton,  
SECONDED By Cllr. Hawksworth, THAT DELTA ZONING BYLAW NO. 2750, 1977, AMENDMENT (RENUMBERING – P06-12) BYLAW NO. 6703, 2008 be given First and Second Readings.

CARRIED UNANIMOUSLY

**BYLAWS FOR THIRD READING AND FINAL ADOPTION**

**3<sup>rd</sup> Reading & Final  
Adoption BL 6702 –  
9145 Norum Rd (E.03)**

Memorandum from the Director of Community Planning and Development dated July 4, 2008 regarding Third Reading and Final Consideration and Adoption of Bylaw No. 6702, 2008 and Approval of Development Variance Permit No. LU005354 & B/L 6702)

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Recommendations  
Endorsed

MOVED By Cllr. Kanakos,  
SECONDED By Cllr. Engelland,

- A. THAT third reading be given to Land Use Contract Discharge Bylaw No. 6702, 2008.
- B. THAT Bylaw No. 6702 be finally considered and adopted.
- C. THAT Development Variance Permit No. LU005354 be approved.

CARRIED UNANIMOUSLY

-- Bylaw 6702

MOVED BY Cllr. Hamilton,  
SECONDED By Cllr. Hawksworth, THAT DELTA (ROSS – LU005354) LAND USE CONTRACT DISCHARGE BYLAW NO. 6702, 2008 be given Third Reading.

CARRIED UNANIMOUSLY

- Bylaw 6702                      MOVED BY Cllr. Hawksworth,  
 SECONDED By Cllr. Kanakos, THAT DELTA (ROSS – LU005354)  
 LAND USE CONTRACT DISCHARGE BYLAW NO. 6702, 2008 be  
 finally considered and adopted.

CARRIED UNANIMOUSLY

**BYLAWS FOR THIRD READING**

- Tsaw. Golf & Country Club Redev. Amend Road Closure & Cancel B/L 6563 (E.04)**      Report by the Community Planning and Development Department dated July 14, 2008 regarding Tsawwassen Golf and Country Club Redevelopment – Amendment to Road Closure and Cancellation Bylaw No. 6563 (Shato Holdings Ltd.)  
 (ON TABLE)

- Recommendations Endorsed                      MOVED By Cllr. Hamilton,  
 SECONDED By Cllr. Kanakos,
- A. THAT third reading to Bylaw No. 6563, 2007 be rescinded. (This bylaw would close and cancel the dedication of a 0.664 ha portion of road dedicated on Plan 3163 [16 Avenue (Brandrith Road)] for inclusion into the development site.)
  - B. THAT Bylaw No. 6563, 2007 be amended by replacing Schedule "A" attached to the current version of the bylaw with a revised Schedule "A" as contained in the version of Bylaw No. 6563, 2007 attached to this report.
  - C. THAT Bylaw No. 6563, 2007, as amended, be given third reading.

CARRIED UNANIMOUSLY

- Bylaw 6563                      MOVED BY Cllr. Hawksworth,  
 SECONDED By Cllr. Kanakos, THAT DELTA ROAD CLOSURE  
 AND CANCELLATION (TSAWWASSEN GOLF AND COUNTRY  
 CLUB – LU005188) BYLAW NO. 6563, 2007 be given third reading  
 as amended.

**F. REPORTS****COMMITTEE REPORTS**

- SFPR – Environ.**                      Report by the Delta Environment Advisory Committee dated

**Assessment (F.00)**

June 30, 2008 regarding South Fraser Perimeter Road – Environmental Assessment.

Memorandum from the Chief Administrative Officer dated July 9, 2008.

MOVED BY Cllr. Engelland,  
SECONDED By Cllr. Hamilton,

- A. THAT Council request Delta's Municipal Solicitor to provide a legal opinion of whether there would be sufficient grounds for a judicial review of the provincial environmental assessment process regarding South Fraser Perimeter Road.
- B. THAT Council request the BC Environmental Assessment Office to provide the public an opportunity to comment on the proposed shift of South Fraser Perimeter Road west of Crescent Slough prior to the completion of the Environmental Assessment process.
- C. THAT Council request the BC Environmental Assessment Office to release to the public Environment Canada's review and comments of the new alignment shift prior to the issuance of an Environmental Assessment Certificate for South Fraser Perimeter Road.

-- Item Referred

MOVED BY Cllr. Engelland,  
SECONDED By Cllr. Hamilton, THAT the report be referred to a Council Workshop to discuss the merit of a provincial or federal judicial review of the Environmental Assessment Process.

CARRIED UNANIMOUSLY

**SFPR Heritage Assessment (F.00a)**

Report by the Heritage Advisory Commission dated July 14, 2008 regarding South Fraser Perimeter Road Heritage Assessment. (ON TABLE)

-- Motion Endorsed

MOVED BY Cllr. Huntington,  
SECONDED By Cllr. Hawksworth, THAT the South Fraser Perimeter Road Heritage Assessment report be forwarded to the Responsible Authorities (Ministers Penner and Chong) and that the Heritage Advisory Commission's concerns regarding the assessment's errors/omissions be documented by staff and appended to this report for consideration.

CARRIED UNANIMOUSLY

## ADMINISTRATIVE REPORTS

### BY CONSENT

-- Reports  
Received and  
Recommendations  
Endorsed by  
Consent

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Engelland, THAT the reports numbered F.02 through to F.09, excluding F.07a be received and the recommendations contained therein be endorsed as presented.

CARRIED UNANIMOUSLY

Therefore the following recommendations were endorsed by consent.

#### **Ladner Pioneers Lacrosse License of Occupation (F.02)**

Report by the Parks, Recreation and Culture Department dated June 9, 2008 regarding Ladner Pioneers Lacrosse Club – License of Occupation. (File: 9255-10)

- A. THAT the License of Occupation between the Corporation of Delta and the Ladner Pioneers Lacrosse Club be approved, generally in the form as presented in attachment A of the report.
- B. THAT the Mayor and Municipal Clerk be authorized to execute the License of Occupation with the Ladner Pioneers Lacrosse Club as per attachment A of the report.

#### **Final Adoption: B/L 6667 – Local Govt. Election Procedures (F.03)**

Memorandum from the Municipal Clerk dated June 25, 2008 regarding Final Consideration and Adoption of Bylaw 6667 – General Local Government Election Procedures Bylaw. (File: B/L 6667 & 45000-20-2008)

THAT Bylaw 6667, be finally considered and adopted.

#### **Final Adoption: B/Ls 6370, 6371, 6372 & 6497 – 11635 86 Ave. (F.04)**

Memorandum from the Director of Community Planning and Development dated June 20, 2008 regarding Final Consideration and Adoption of Bylaws 6370, 6371, 6372 and 6497 at 11635 – 86 Avenue (Grewal). (File: LU04152)

- A. THAT Bylaw No. 6370 be finally considered and adopted.
- B. THAT Bylaw No. 6371 be finally considered and adopted.
- C. THAT Bylaw No. 6372 be finally considered and adopted.
- D. THAT Bylaw No. 6497 be finally considered and adopted.
- E. THAT the Jones Residence be placed on the Delta

Heritage Register and that the Ministry of Tourism, Sports and the Arts as well as the owners of the property be advised of the addition of the property to the Municipal Heritage Register as required by the *Local Government Act*.

**Final Adoption: B/L  
6634 & DVP – 4661 53  
St (F.05)**

Memorandum from the Director of Community Planning and Development dated June 23, 2008 regarding Final Consideration and Adoption of Bylaw 6634 and Approval of Development Variance Permit No. LU005331 at 4661 – 53 Street (Andres). (File: LU005331 & B/L 6634)

- A. THAT Bylaw No. 6634 be finally considered and adopted.
- B. THAT Development Variance Permit No. LU005331 be approved.

**Final Adoption: B/L  
6623 – 4389 River Rd  
W. (F.06)**

Memorandum from the Director of Community Planning and Development dated July 3, 2008 regarding Final Consideration and Adoption Bylaw No. 6623 – 4389 River Road West (Wild/Dahl). (File: LU005266 & B/L 6623)

THAT Bylaw No. 6623 be finally considered and adopted.

**New Applications  
Received (F.07)**

Report by the Community Planning and Development Department dated July 9, 2008 regarding New Applications Received. (Veldelta / 0796718 BC / Sandhar)

THAT Council receive information on new applications received to amend the Official Community Plan and endorse the consultation process as described in the attachments for:

1. Veldelta Homes Ltd./Peter Vander Velde  
4963 Central Avenue, Ladner  
(Attachment A of the report – File No.: LU005561)
2. 0796718 B.C. Ltd./Jason Kapadia  
7489, 7503, 7515, 7529 - 120 Street, North Delta  
(Attachment B of the report – File No: LU005567)
3. Sandhar, Rajiner & Rajvir  
11730 85B Avenue, Delta  
(Attachment C of the report – File No: LU005587)

**DP3 Community  
Liaison Cttee Update  
(F.08)**

Report by the Chief Administrative Officer dated July 2, 2008 regarding Deltaport Third Berth Community Liaison Committee Update.

THAT this report be received for information.

**Holly Park Pump St Upgrade (F.09)**

Report by the Engineering Department dated July 3, 2008 regarding Holly Park Sanitary Pump Station Upgrade Contract (ENG 07-306)

- A. THAT staff be authorized to award Contract ENG 07-306, Holly Park Sanitary Pump Station Upgrade, to Trittech Group Ltd, in accordance with their tender in the amount of \$757,785.00 including the 5% GST.
- B. THAT staff be authorized to award the engineering construction services to ISL Engineering and Land Services in the amount of \$10,731.00, including the 5% GST.
- C. THAT the Mayor & Municipal Clerk be authorized to sign all associated documents to carry out this project.

**FOR DISCUSSION****N. Delta Field House Licenses of Occupation (F.01)**

Report by the Parks, Recreation and Culture Department dated June 20, 2008 regarding North Delta Community Park Field House - Licenses of Occupation. (File: 9255-10)

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Recommendations  
Endorsed

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Engelland,

- A. THAT the License Agreements between the Corporation of Delta and the North Delta Softball Association, the North Delta Youth Soccer Club and Sur-Del Girls Soccer Club be approved, generally in the forms as presented (Attachment A of the report); and
- B. THAT the Mayor and Municipal Clerk be authorized to execute the License Agreements.

CARRIED UNANIMOUSLY

**New Application Received (F.07a)**

Report by the Community Planning and Development Department dated July 8, 2008 regarding New Applications Received (Indochine Dev).

-- Amended  
Recommendation  
Endorsed

MOVED By Cllr. Huntington,  
SECONDED By Cllr. Hamilton, THAT Council receive information on a new application received to amend the Official Community Plan and endorse the consultation process as described in the attachment for:

Peter J. Dandyk/Indochine Developments Inc.  
5485 Ladner Trunk Road, Ladner  
(Attachment A of the report – File No.: LU005579)

AND THAT the notification area for the Public Information Meeting be extended to all properties, as illustrated on the Location Map; and,

THAT staff prepare a memorandum to Council providing further details of the application, including options to reduce the number of off-street parking spaces required for the development.

CARRIED UNANIMOUSLY

**SFPR Env.  
Assessment Update  
(F.10)**

-- Report  
Received

Report by the Office of Climate Action and Environment dated July 3, 2008 regarding South Fraser Perimeter Road Environmental Assessment Update.

MOVED By Cllr. Engelland,  
SECONDED By Cllr. Campbell, THAT this report be received for information.

CARRIED UNANIMOUSLY

**DVP: 2<sup>nd</sup> Farm Home  
Plate 6670 – 64 St  
(F.11)**

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Recommendations  
Endorsed

Report by the Community Planning and Development Department dated June 30, 2008 regarding Development Variance Permit: for Second Farm Home Plate 6670 – 64 Street (Thompson). (File: LU005528)

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Kanakos,

A. THAT Development Variance Permit (DVP) No. LU005528 be considered. (This Development Variance Permit would vary Section 506(2) - Farm Home Plate, in "Delta Zoning Bylaw No. 2750, 1977", to allow the "farm house" and "additional farm house" to be located on separate farm home plates.)

B. THAT the requirement to forward this application to a Public Hearing be waived.

C. THAT issuance of the DVP be subject to meeting the conditions outlined at the December 10, 2007 Regular Council Meeting. The conditions are as follows:

1. The manufactured home shall be removed.
2. The owner shall enter into a restrictive covenant which specifies that the home occupied by Mrs. Van Guilder and her husband may continue to be occupied by them as long as they continue to live in the dwelling and that it shall be removed within 90 days of their vacating the dwelling. The restrictive covenant shall also specify an amount for the cost

to remove the building which shall be provided to Delta as financial security to be used should the building not be removed.

- D. THAT the Mayor and Municipal Clerk be authorized to sign all documents pertaining to this development.

CARRIED UNANIMOUSLY

**DP & DVP 5297  
Upland Dr (F.12)**

Report by the Community Planning and Development Department dated July 4, 2008 regarding Development Permit and Development Variance Permit – 5297 Upland Drive (Delf). (File: LU005400)

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Recommendations  
Endorsed

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Campbell,

- A. THAT Development Permit No. LU005400 be considered. (This development permit for a hazardous area would permit the construction of a single-family home on a steeply sloping property on the Tsawwassen Escarpment at 5297 Upland Drive, generally consistent with the drawings attached.)
- B. THAT Development Variance Permit LU005400 be considered. (This Development Variance Permit would vary Section "Delta Zoning Bylaw No. 2750, 1977" as follows:
1. Section 306B to exempt the property at 5297 Upland Drive from the vertical building envelope requirements;
  2. Section 613 [1] to allow construction of a 3-storey house on the site; and
  3. Section 613 [2] to allow construction of a house with a maximum height of 11.5 m.)
- C. THAT the owner(s) satisfy the following requirements as a condition of permit issuance:
1. Enter into a Section 219 Restrictive Covenant for hazardous conditions;
  2. Enter into a Section 219 Restrictive Covenant for house design and tree retention;
  3. Enter into a Section 219 Restrictive Covenant to prohibit secondary suites;
  4. Submit \$50,000 as a geotechnical security deposit for the safe and orderly completion of the development prior to issuance of a building permit; and
  5. Provide \$1,500 to cover the cost for the purchase, installation, and establishment of three street trees.
- D. THAT Development Permit No. LU005400 and Development Variance Permit No. LU005400 be referred to a Public Hearing.
- E. THAT the Mayor and Municipal Clerk be authorized to

sign all documents pertaining to this development.

- F. THAT all measures to protect trees on the subject site and on adjacent public property be reviewed and inspected by Delta staff and deemed acceptable prior to the issuance of a building permit/demolition permit.

CARRIED UNANIMOUSLY

For Public Hearing, information to be provided of “fail-safe” provision in the event of possible pump failure.

**Relax of Noise B/L –  
Nordel Way West of  
84<sup>th</sup> Ave Intersection  
(F.13)**

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Recommendations  
Endorsed

Report by the Community Planning and Development Department dated July 7, 2008 regarding Request for Relaxation of the Noise Control Bylaw No. 1906, 1972, for Weekend and Night Work on Nordel Way West of 84<sup>th</sup> Avenue Intersection. (File: LU005187)

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Engelland,

- A. THAT Tyam Construction Ltd. be granted relief from enforcement of the Delta Noise Control Bylaw, No. 1906, 1972, for the purpose of carrying out work during night-time hours on Nordel Way west of 84<sup>th</sup> Avenue intersection. The period of this relief is for the works occurring Friday nights, 7:00 p.m. to Saturday 9:00 a.m., and Saturday daytime 5:00 p.m. to 8:00 p.m., from August 15, 2008 to August 29, 2008.
- B. THAT Tyam Construction Ltd. provides on-site project notification boards identifying specific timelines and contact information.

CARRIED UNANIMOUSLY

**Yard Trim Collect  
Program – Plastic Bag  
Elimination (F.14)**

--  
Recommendation  
Endorsed

Report by the Engineering Department dated June 16, 2008 regarding Yard Trimmings Collection Program – Elimination of Plastic Bags. (File: 5520-30)

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Campbell, THAT effective January 1, 2009, yard trimmings no longer be accepted from residents in plastic bags and that yard trimmings only be collected in reusable rigid containers, biodegradable kraft paper bags or tied bundles.

CARRIED UNANIMOUSLY

**Metro Van. Boiler &  
Heater Reg (F.15)**

Report by the Office of Climate Action and Environment dated July 8, 2008 regarding Proposed Metro Vancouver Boiler and Heater Regulation.

- Recommendations Endorsed
- MOVED By Cllr. Engelland,  
SECONDED By Cllr. Kanakos,
- A. THAT this report be received for information.
- B. THAT this report be provided to Delta's Environment Advisory Committee for information.
- CARRIED UNANIMOUSLY
- Steep Slope Guidelines (F.17)**
- Report by the Community Planning and Development Department dated July 7, 2008 regarding Interpretation Guide for Steep Slope Guidelines. (File: P95-27)
- Recommendation Endorsed
- MOVED By Cllr. Kanakos,  
SECONDED By Cllr. Hawskworth, THAT staff be directed to draft an interpretation guide, similar to the form and content contained in the Sample Draft Interpretation Guide, to provide clear and consistent information regarding geotechnical requirements in steep slope areas of Delta.
- CARRIED UNANIMOUSLY
- Motion Endorsed
- MOVED By Cllr. Hawskworth,  
SECONDED By Cllr. Engelland, THAT staff undertake an investigation and report back regarding safety issues relative to the work being undertaken by the British Columbia Transmission Corporation along the bluff at Fred Gingell Park.
- CARRIED UNANIMOUSLY
- DVP 3395 – 41B St. (F.18)**
- Report by the Community Planning and Development Department dated July 9, 2008 regarding Development Variance Permit at 3395 – 41B Street (York). (File: LU005175)
- Recommendations Endorsed
- MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Hawskworth,
- A. THAT the resolution of Council dated May 14, 2007 to deny Development Variance Permit No. LU005175 be rescinded.
- B. THAT Development Variance Permit No. LU005175 not be referred to a Public Hearing.
- C. THAT Development Variance Permit No. LU005175 be approved subject to public notification. (This Development Variance Permit would vary "Delta Zoning Bylaw No. 2750, 1977" as follows:
1. Section 506.3 by increasing the maximum Farm Home Plate depth, measured from a dedicated and constructed road, from 60 m to 65 m;

2. Section 506.5 by waiving the requirement that the farmhouse and additional farmhouse must be located on the same Farm Home Plate; and
  3. Section 506.6 by waiving the requirement that the sewerage septic tank be located on the Farm Home Plate.)
- D. THAT the Mayor and Municipal Clerk be authorized to sign all documents pertaining to this development.

CARRIED UNANIMOUSLY

**DP & DVP 256  
Centennial Prkwy  
(F.19)**

Report by the Community Planning and Development Department dated July 9, 2008 regarding Development Permit and Development Variance Permit - 256 Centennial Parkway (Ray). (File: LU005593)

--  
Recommendations  
Endorsed

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Hamilton,

- A. THAT Development Permit No. LU005593 be approved. (This development permit and its conditions of issuance provide for the protection of the natural environment and the protection of development from hazardous conditions.)
- B. THAT the Public Hearing requirement for Development Variance Permit No. LU005593 be waived.
- C. THAT Development Variance Permit No. LU005593 be approved subject to public notification. (This Development Variance Permit would vary the following provisions of the "Delta Zoning Bylaw No. 2750, 1977":
  1. Section 642 to reduce the Side Setback (Flanking Street) from 3.5 m to 1.9 m for the proposed single family residence with attached garage, and from 6 m to 1 m for accessory structures; and
  2. Section 305A(1)(a) to reduce the Side Setback (Flanking Street) for permitted projections from 2.8 m to 0.9 m for the principal structure and from 5.8 m to 0.6 m for accessory structures.)
- D. THAT the Director of Community Planning & Development be directed to work with the owners to pursue the preferred option for seawall construction.
- E. THAT the owners satisfy the following requirements as a condition of permit issuance:
  1. Enter into a Section 219 Restrictive Covenant to save The Corporation of Delta harmless from the natural hazards associated with this site, including

flooding;

2. Provision of a lot grading plan to the satisfaction of the Director of Community Planning & Development;
  3. Submission of design and engineering drawings for a seawall on the east side of the property and across the lane to the north to the satisfaction of the Director of Engineering; and
  4. Enter into a Servicing Agreement to provide the following items:
    - a. New water service connection;
    - b. New sanitary sewer service connection; and
    - c. Construction of an engineered seawall to the satisfaction of the Director of Engineering.
- F. THAT the Fraser River Estuary Management Program conditions for development of the site and seawall be included in the Development Permit along with a reminder that if construction is not completed by June 18, 2009, the owners will be required to re-apply to the Fraser River Estuary Management Program for permission to continue work.
- G. THAT the Mayor and Municipal Clerk be authorized to sign all documents pertaining to this development.

CARRIED UNANIMOUSLY

#### **G. MOTIONS ON NOTICE**

##### **Seniors' Housing Grant (G.01)**

The following Notice of Motion made by Councillor Hamilton at the Regular Council Meeting on June 23, 2008 was withdrawn at the Councillor's request:

- Motion Withdrawn THAT the following resolution be submitted for consideration at the 2008 UBCM Convention:
 

“THAT the Provincial Government be requested to implement a housing grant for all senior citizens (whether property owners or not) which is equivalent to the current Senior's Homeowners grant.”

#### **H. CORRESPONDENCE**

**RESPONSE ITEMS - PREVIOUS COUNCIL ACTIONS**

- Treaty Implementation Costs (H.01)** Correspondence from Lorne Brownsey, Deputy Minister, Ministry of Aboriginal Relations and Reconciliations dated June 18, 2008 regarding Treaty Implementation Costs.
- Letter by Mayor Jackson dated April 15, 2008.
- Correspondence Received MOVED By Cllr. Campbell,  
SECONDED By Cllr. Huntington, THAT the correspondence be received for information.
- CARRIED UNANIMOUSLY
- Boundary Bay Airport & BC Caucus (H.02)** Correspondence from John Cummins, MP, Delta-Richmond East dated June 23, 2008 regarding Boundary Bay Airport and the BC Caucus.
- Letter by Mayor Jackson dated June 18, 2008.
- Correspondence Received MOVED By Cllr. Huntington,  
SECONDED By Cllr. Hamilton, THAT the correspondence be received for information.
- CARRIED UNANIMOUSLY
- Equitable Police Funding (H.03)** Correspondence from The Honourable John van Dongen, - Minister of Public Safety and Solicitor General dated June 27, 2008 regarding Equitable Police Funding.
- The following correspondence :
- Sandra MacFarlane, A/Deputy Municipal Clerk dated January 14, 2008
  - Mayor George F. Ferguson, City of Abbotsford dated December 18, 2007
- Correspondence Received MOVED By Cllr. Huntington,  
SECONDED By Cllr. Kanakos, THAT the correspondence be received for information.
- CARRIED UNANIMOUSLY
- Vancouver Island Trans. Project (H.04)** Correspondence from The Honourable Gordon Campbell, Premier of BC dated July 2, 2008 regarding Vancouver Island Transmission Reinforcement Project.
- Letter by Mayor Jackson dated June 16, 2008.
- Correspondence Received MOVED By Cllr. Hawskworth,  
SECONDED By Cllr. Huntington, THAT the correspondence be received for information.
- CARRIED UNANIMOUSLY

**ACTION ITEMS****Canada Post Strategic Review (H.05)**

Correspondence from Denis Lemelin, National President, Canadian Union of Postal Workers dated June 2008 regarding Urgent Request for Submissions to Save Universal, Public Postal Service.

-- Motion  
Endorsed

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Huntington, THAT the correspondence be forwarded to John Cummins, MP, Delta-Richmond East and Sukh Dhaliwal, MP, Newton-North Delta.

CARRIED UNANIMOUSLY

**Senior Citizens' Org. of BC (H.06)**

Correspondence from Art Kube, President, The Council of Senior Citizens' Organizations of BC dated May 11, 2008 regarding Conference on Seniors Health, Housing and Income in a Global Age-Friendly Community.

-- Item Referred

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Engelland, THAT the correspondence be referred to the Housing Task Force for consideration.

CARRIED UNANIMOUSLY

**Funding for International Bog Day (H.07)**

Correspondence from Eliza Olson, President, Burns Bog Society dated July 4, 2008 regarding Support for Federal Funding for International Bog Day, July 26, 2009.

Memorandum from the Director of Parks, Recreation & Culture dated July 8, 2008.

-- Motion  
Endorsed

MOVED By Cllr. Campbell,  
SECONDED By Cllr. Huntington, THAT the Burns Bog Conservation Society be granted a 100% Facility Rental Grant to offset the cost of the show stage and that the public be informed of the International Bog Day events on the electronic sign boards, as well as placement of printed material in municipal facilities.

CARRIED UNANIMOUSLY

During discussion it was clarified a letter of support from the Corporation would be provided as requested.

**Terasen Gas EEC Application (H.07a)**

Correspondence from Amy Hennessy, Community Relations Manager, Terasen Gas dated July 10, 2008 regarding Terasen Gas EEC Application.

--  
Correspondence  
Received

MOVED By Cllr. Huntington,  
SECONDED By Cllr. Kanakos, THAT the correspondence be  
received for information.

CARRIED UNANIMOUSLY

During discussion staff was requested to prepare memorandum to  
Council providing a synopsis of the application process and  
relevance of the requested municipal endorsement.

**INFORMATION ITEMS****“Board in Brief” (H.08)**

Brief of actions taken by the Fraser Valley Regional Library Board of Directors at its meeting on June 18, 2008.

--  
Correspondence  
Received

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Kanakos, THAT the correspondence be received for information.

CARRIED UNANIMOUSLY

**Ban of PBDE’s (H.09)**

Correspondence from Peter Julian, MP, Burnaby-New Westminster dated June 9, 2008 regarding Delta’s Support of Banning PBDE’s.

Letter by the Municipal Clerk dated July 28, 2006.

--  
Correspondence  
Received

MOVED By Cllr. Kanakos,  
SECONDED By Cllr. Engelland, THAT the correspondence be received for information.

CARRIED UNANIMOUSLY

**Waste Management Dialogues (H.10)**

Correspondence from Lois E. Jackson, Chair, Metro Vancouver Board dated June 13, 2008 regarding Future of the Region Sustainability Dialogues Report: Waste Management.

--  
Correspondence  
Received

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Engelland, THAT the correspondence be received for information.

CARRIED UNANIMOUSLY

**Correspondence for Information (External) (H.11)**

38 items of external correspondence for information circulated to Council as of July 11, 2008.

--  
Correspondence  
Received

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Hamilton, THAT the correspondence be received for information.

CARRIED UNANIMOUSLY

*Council referred Item Nos. 357, 364, 370, 376-379, and 387 to New Business.*

**Vanc. Island Transmission Project (Internal) (H.12)**

Correspondence from the Chief Administrative Officer dated July 9, 2008 regarding Vancouver Island Transmission Reinforcement Project.

--  
Correspondence  
Received

MOVED By Cllr. Huntington,  
SECONDED By Cllr. Campbell, THAT the correspondence be received for information.

CARRIED UNANIMOUSLY

**Enviro Smart  
Organics Ltd. –  
Licence Applic. (H.13)**

Correspondence from Johnny Carline, Commissioner, Metro Vancouver to Daryl Goodwin dated July 7, 2008 regarding Composting Facility Licence Application for Enviro Smart Organics Ltd.

-- Motion  
Endorsed

MOVED By Cllr. Engelland,  
SECONDED By Cllr. Kanakos, THAT a letter be sent to the Commissioner, Metro Vancouver expressing Delta's request for official representation at the appeal by Enviro Smart Organics Ltd. for a composting facility licence application, and to reiterate Delta Council's opposition to the application.

CARRIED UNANIMOUSLY

### **I. NOTICE OF MOTIONS**

**Fence Bylaw Review  
(I.01)**

Councillor Kanakos provided the following Notice of Motion for consideration at the July 28, 2008 Regular Meeting:

WHEREAS recently there was a tragic drowning death of a toddler in North Delta in a swimming pool;

WHEREAS newspaper reports at the time of this tragedy noted that there is a significant number of deaths B.C-wide;

THEREFORE BE IT RESOLVED, that staff report for Council on options for amending the Delta Fence Bylaw relating to swimming pool fencing, which would prevent toddler access from a house to a swimming pool; and,

THAT the report include examples of other municipal bylaws regarding fencing and pools.

### **J. ENQUIRIES, OTHER MATTERS AND NEW BUSINESS**

**Ladner May Days  
(J.01)**

Correspondence from Janice Leroy dated June 18, 2008 regarding Ladner May Days (Item #357)

In response to Council query, staff advised a Council Workshop with May Days Committee has been set for July 28, 2008.

In response to the writer's concern regarding the type size used on Delta's Website, it was clarified this could be adjusted by the individual user.

**Council Report re**

Correspondence from Wilma Haig dated July 6, 2008 regarding staff

- Terminal 2 (J.02)** report on Terminal 2 (Item #364)
- In response to query, staff confirmed that the Council Report relative to Roberts Bank Terminal 2 will be on the July 28, 2008 Regular Meeting Agenda.
- 2008 UBCM Convention (J.03)** Correspondence from Gordon Campbell, Premier dated July 2, 2008 regarding meetings with Ministers during the 2008 UBCM Convention (Item #370)
- In response to Council query, staff advised requests for meetings with Ministers will be compiled and forwarded to the Province. Council will be apprised of meetings once arranged.
- Canada Day Celebration (J.04)** Correspondence from various residents regarding the Canada Day celebrations in North Delta (Items #376-379)
- Council spoke to the success of the Canada Day celebration held in North Delta, noting this was the first year North Delta had its own such event. Given the positive feedback from the community, questions arose relative to the event being held on an annual basis. Staff noted this event, along with other special events, would be an item of discussion at the future business planning workshop.
- Airplane Noise (J.05)** Correspondence from Yvonne Thomson dated July 4, 2008 regarding airplane noise (Item #387)
- In response to Council query, staff advised a meeting has been arranged with YVR to discuss the issue of continued concerns/complaints raised by residents of Delta relative to airplane noise.
- Meeting Extended MOVED By Cllr. Kanakos,  
SECONDED By Cllr. Hawksworth, THAT the meeting be extended to 10:05 pm.
- CARRIED UNANIMOUSLY
- Evacuation Plan (J.06)** Correspondence from Heather Colls Wahlberg dated July 14, 2008 regarding update to community evacuation plan due to BCTC powerline project (Submitted during July 14, 2008 Question and Answer Period)
- Item  
Referred MOVED By Cllr. Kanakos,  
SECONDED By Cllr. Hawksworth, THAT the submission provided by Heather Colls Wahlberg during the Question and Answer period be referred to Delta's Emergency Management Committee for consideration and appropriate action.
- CARRIED UNANIMOUSLY

**Bill 30 – UBCM  
Convention (J.07)**

Correspondence from Kim Carswell dated July 14, 2008 regarding Delta's support of Bill 30 (Submitted during July 14, 2008 Question and Answer Period)

-- Motion  
Endorsed

MOVED By Cllr. Hamilton,  
SECONDED By Cllr. Engelland, THAT staff report back to Council via memorandum relative to Bill 30 and whether the matter is being considered at the 2008 UBCM Convention.

CARRIED UNANIMOUSLY

**PR&CC Minutes –  
June 19, 2008 (J.08)**

Parks, Recreation and Culture Commission Minutes of June 19, 2008 (Item C.04)

In response to Council query relative to Delta Arts Council Scheduling of Display Cases (page 3), staff provided clarification that no policy has been approved regarding the use of the showcases at the North Delta Recreation Centre. Staff advised further background information would be provided to Council.

**RESOLUTION TO TERMINATE**

**Terminate**

MOVED By Cllr. Hawksworth,  
SECONDED By Cllr. Engelland, THAT this meeting now terminate.

CARRIED UNANIMOUSLY

The meeting terminated at 10:04 p.m.

---

Lois E. Jackson  
Mayor

**CERTIFIED CORRECT:**

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Gil Mervyn  
Municipal Clerk