



Corporate Report

NO: R250

COUNCIL DATE: November 7,

2005

REGULAR COUNCIL

TO: Mayor & Council DATE: October 31,
2005

FROM: General Manager, Planning FILE: 3900-20-
and Development 15244

SUBJECT: New Surrey Building By-law No. 15244 and
Related Policies and Procedures

RECOMMENDATION

It is recommended that Council:

1. Authorize the City Clerk to bring forward, for the required readings, an amendment to the new Surrey Building By-law No. 15244 that will defer the date that the by-law becomes effective from January 1, 2006 to June 1, 2006; and
2. Confirm, by resolution, that the current Surrey Building By-law, 1987, No. 9011, as amended, will remain in force and be applicable to all in-stream building permit applications received before June 1, 2006, provided that such applications are complete.

BACKGROUND

At its Regular Meeting on December 12, 2003, Council considered Corporate Report No. R258 that recommended that Council adopt a new building by-law. Council adopted the recommendations of that report and at that same meeting gave first, second and third readings to a new building by-law known as Surrey Building By law, 2003, No. 15244. At its Regular Meeting on December 15, 2003, Council adopted Surrey Building By-law, 2003, No. 15244 (the "new By-law").

The adoption of the new By-law was timed to precede the enactment of the *Community Charter*, S.B.C. 2003, c.26, which occurred on January 1, 2004, the effects of which were not certain at the time. There was concern that the *Community Charter* would limit the City's autonomy insofar as the adoption of a new building by-law. As a result of these concerns, the new By law was drafted quickly at the end of 2003 and it was recognized, as documented in Corporate Report No. R258, that the new By-law, as adopted, would need to be further refined before it became effective. As such, even though it was adopted by Council in December 2003, the new By-law included a provision that it would not come into effect until August 3, 2004. The new By-law also included a provision that all complete building permit applications received prior to August 3, 2004, would be processed under the provisions of the current Surrey Building By-law, 1987, No. 9011.

The process of refining the new By-law has proven to be quite complicated; much more so than had been anticipated. On this basis, Council has already adopted amendments to the date that the new By-law takes effect to allow staff additional time to complete refinements to the new By-law and to develop the associated policies and procedures. Currently, the new By-law is to come into effect on January 1, 2006.

DISCUSSION

Staff has not fully completed the process of identifying all necessary refinements to the new By-law that are

necessary, and have not fully completed the development of the necessary supporting Policies and Procedures to ensure that the new By-law works effectively. It will take several more weeks to complete this work. At that time, a further Corporate Report will be forwarded to Council that recommends amendments to the new By-law to incorporate the refinements and to obtain approval from Council for new Policies and Procedures in support of the new By-law. It is expected that such a report, complete with recommendations, will be forwarded to Council early in the New Year. Since the new By-law will, in some respects, change the manner in which the development/building industry conducts business with the City, it is considered appropriate to provide some time between the adoption of the finalized new By-law and the date it takes effect, during which the development industry will have an opportunity to become familiar with the requirements of the new By-law and make the necessary adjustments. It is estimated that three months should be adequate for this purpose. As such, if the finalized new By-law is adopted by the end of February 2006 the new By-law should take effect on June 1, 2006.

CONCLUSION

Based on the above, it is recommended that Council authorize the City Clerk to bring forward for the required readings an amendment to the new Surrey Building By-law No. 15244 that will defer the date that the by-law becomes effective from January 1, 2006 to June 1, 2006 and confirm by resolution that the current Surrey Building By-law, 1987, No. 9011, as amended, will remain in force and be applicable to all in-stream building permit applications received before June 1, 2006, provided that such applications are complete.

Murray Dinwoodie
General Manager,
Planning and Development

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