



Corporate NO: R053

Report COUNCIL DATE: March 12, 2001

REGULAR COUNCIL			
TO:	Mayor & Council	DATE:	March 6, 2001
FROM:	General Manager, Planning & Development	FILE:	0003-135
SUBJECT:	Referral from the Corporation of Delta Regarding Proposed OCP Amendment at Scott Road & 88 Avenue (Kennedy Heights Shopping Centre)		

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this Report as information; and
2. Instruct the City Clerk to forward a letter to the Corporation of Delta that advises that the City of Surrey has no concerns with the proposed Official Community Plan amendment as proposed under Delta By-law No. 5872, and that includes as attachments a copy of Council's resolution related to this report and a copy of this report.

INTENT

The Corporation of Delta has requested comments from the City of Surrey respecting a proposed Official Community Plan amendment covering properties located at 88 Avenue and 120 Street (Scott Road) in Delta (Kennedy Heights Shopping Centre). The referral is provided pursuant to Section 879 of the *Local Government Act*, which requires that as part of an Official Community Plan amendment, a Local Government provide opportunities for consultation to the Council of an adjacent Municipality.

BACKGROUND

As part of the development of Nordel Way through 120 Street (Scott Road), the Corporation of Delta recently

negotiated a settlement agreement with the owners of the Kennedy Heights Shopping Centre. The agreement involved taking lands across the south portion of the shopping centre in exchange for transferring a portion of 88 Avenue proposed to be closed, and completing amendments to the Land Use Contract (78-27) (Appendix I). An OCP amendment is required to ensure the OCP is consistent with the proposed Land Use Contract (LUC) amendment.

DISCUSSION

The proposed OCP amendment is necessary to complete an amendment to Delta Land Use Contract 78-27 resulting from the completion of Nordel Way to 120 Street (Scott Road) in Delta. The LUC amendment is required to amend the geographical boundaries of the Kennedy Heights Shopping Centre following the land exchange, clarify permitted uses, add design criteria to replace outdated building design drawings which are part of the LUC, add new signage requirements, and complete other technical amendments. The proposed LUC amendment will essentially permit the shopping centre to continue operating in a similar manner to its previous operation, compensate for disruption and loss of parking capacity, and provide some flexibility for future revitalization of the mall.

The existing Land Use Contract is inconsistent with the existing Delta OCP designation (MU(ND) 1), which requires mixed use development and necessitates the provision of social housing, indoor social facilities, and public outdoor space accessible to the public. The proposed OCP designation (MU(ND) 4) will reconcile the existing uses, permit commercial and residential uses either in combination or on their own, and will permit institutional uses in combination with either commercial or residential uses. The new OCP designation will also encourage but not require the provision of social housing, social facilities, and public outdoor space. The proposed amendments to the Land Use Contract and OCP are not considered significant, as density and overall building constraints remain generally unchanged.

Lands across 120 Street (Scott Road) in Surrey are designated Commercial and Industrial in the Surrey Official Community Plan, and are developed with a combination of light industrial and commercial uses. Some of these properties are encumbered by the BC Hydro Right-of-Way and were recently expropriated as part of the development of Nordel Way on the Surrey side of the Surrey-Delta border. It is anticipated that properties at this location fronting 120 Street (Scott Road) could be redeveloped with commercial uses, with a gradual transition eastward to industrial uses consistent with existing industrial development to the east.

The proposed amendments to Land Use Contract 78-27 and the Official Community Plan were considered by Delta Council on February 26, 2001 at a Public Hearing. Approval of Third and Final Reading of the required by-laws is pending. Surrey staff contacted Delta Community Planning & Development Department staff prior to the Public Hearing to advise on process and required timing for receipt of information from Surrey regarding the referral. Delta staff advises that information from Surrey could be provided following the Public Hearing.

CONCLUSION

The referral from Delta has been provided to satisfy the statutory requirements for consultation of adjacent Municipalities respecting OCP amendments. The proposed Official Community Plan amendment by Delta is necessary to reconcile the completion of Nordel Way and resulting changes to the Kennedy Heights Shopping Centre boundaries as negotiated under the settlement agreement between the shopping centre and Delta. The proposed amendment should not have any impact on Surrey and, therefore, it is recommended that Council instruct the City Clerk to advise the Corporation of Delta, in writing, that the City of Surrey has no concerns with the proposed OCP amendments as proposed in Delta By-law No. 5872 and forward as attachments to such a letter a copy of Council's resolution related to this report and a copy of this report.

Murray D. Dinwoodie
General Manager
Planning & Development Department

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Appendix I- Corporation of Delta Referral Package

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