



City of Surrey

Regular Council - Public Hearing

Minutes

Council Chamber
City Hall
14245 - 56 Avenue
Surrey, B.C.
TUESDAY, SEPTEMBER 18, 2001
Time: 7:00 p.m.

Present:

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

Absent:

Councillor Eddington

Staff Present:

City Manager
Acting City Clerk
General Manager, Planning &
Development
Manager, North Surrey Section
Land Development Engineer

B. DELEGATIONS

1. **Surrey Official Community Plan By-law, 1996, No. 12900,
No. 52, Amendment By-law, 2001, No. 14509**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2001, No. 14510**

Rezoning Application: 7999-0102-00

ADDRESS:

CIVIC/LEGAL

Portion of 15303 – Highway # 10 (56 Avenue)/

PID: 002-179-172, Lot 1 Except: Firstly: The North
293.3 Feet; Secondly: Part Subdivided by Plan 18404;
Thirdly: Parcel A (Bylaw Plan 61770); Fourthly: Parcel B
(Bylaw Plan 61770); Fifthly: Part Subdivided by
Plan LMP38645; Sec. 11, Tp. 2, NWD, Plan 8346

**15355 – Highway # 10 (56 Avenue)/PID: 002-178-401,
Lot 2, Sec. 11, Tp. 2, NWD, Plan 8346**

**15369 – Highway # 10 (56 Avenue)/PID: 013-214-829,
Parcel “C” (Reference Plan 5332) South ½ of the SW ¼ of
the SW ¼, Sec. 11, Tp. 2, NWD, Except: Part Road on
Plan NWP87633**

**15395 – Highway # 10 (56 Avenue)/PID: 009-684-662,
Parcel “D” (Reference Plan 5333), S ½ of the SW ¼ of
the SW ¼, Sec. 11, Tp. 2, NWD, Except: Part Road on
Plan NWD87633**

**Portion of 5620 – 152 Street/PID: 024-203-971, Lot 1,
Sec. 11, Tp. 2, NWD, Plan LMP38645**

**5646 – 152 Street/PID: 007-582-480, Lot 3 Except:
Parcel “N” (Bylaw Plan 62480), Sec. 11, Tp. 1, NWD,
Plan 18404**

5676 – 152 Street/PID: 001-981-323, The North 293.3 Feet of Lot 1 Except: Firstly: Parcel M (Bylaw Plan 62480) Secondly; Part Dedicated Road on Plan LMP32940, NWD, Plan 8346

APPLICANT: 559006 B.C. Ltd., Gurbaksh Dhanda, Gurmit Dhanda, Harpaul Dhanda, Harbhajan Dhanda, Surinder Shergill, Sukhwinder Shergill, Chindi Khabra, Sukhwinder Sanghe, Gerald & Diane Hayes, Katherine Bye, Audrey Ellis, Randy & Timothy Williams and 606200 B.C. Ltd.
c/o Sukhi Sandhu
10765 Burbank Drive
Delta, B.C. V4X 4B8

PROPOSAL: **BY-LAW 14509**
To authorize the redesignation of 15395 Highway # 10 (56 Avenue), Portion of 5676 – 152 Street, Portion of 15369 Highway # 10 (56 Avenue), and Portion of 15303 Highway # 10 (56 Avenue) from Suburban (SUB) to Urban (URB) and;

To authorize the redesignation of Portion of 5676 - 152 Street, 5646 – 152 Street, Portion of 5620 - 152 Street, Portion of 15303 Highway # 10 (56 Avenue), 15355 Highway # 10 (56 Avenue) and Portion of 15369 Highway # 10 (56 Avenue) from Suburban (SUB) to Commercial (COM).

BY-LAW 14510

To rezone the above noted properties from "One-Acre Residential Zone (RA)" and "General Agriculture Zone (A-1)" to "Comprehensive Development Zone (CD)".

The purpose is to permit the development of a commercial-residential project consisting of 7,618 sq. m (82,000 sq. ft.) commercial centre and single family dwellings and duplexes developed in accordance with a comprehensive design.

**PROPOSED “COMPREHENSIVE DEVELOPMENT ZONE (CD)”
FOR BY-LAW 14510**

INTENT:

This Comprehensive Development Zone is intended to accommodate and regulate the development of a comprehensively planned commercial and ground-oriented, low density housing development.

The *Lands* are divided into blocks A, B and C as shown on Schedule B which is attached hereto and forms part of this By-law.

PERMITTED USES:

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. Block A

- (a) *Retail stores* excluding the following:
 - i. *adult entertainment stores*; and
 - ii. *secondhand stores* and *pawnshops*.
- (b) *Personal service uses* excluding *body rub parlours*;
- (c) *General service uses* excluding funeral parlours;
- (d) *Beverage container return centres* provided that:
 - i. the use is confined to an enclosed *building*; and
 - ii. the *building* is a maximum of 279 square metres [3,003 sq.ft.];
- (e) *Eating establishments*;
- (f) Office uses excluding:
 - i. social escort services
 - ii. *methadone clinics*;
- (g) *Parking Facilities*;
- (h) *Community services*; and
- (i) *Child care centres*.

2. Block B

- (a) *Single family dwellings* and *duplexes* provided that they form part of a *comprehensive design*; and
- (b) *Child care centres*, provided that such centres:
 - i. Do not constitute a singular use on the *lot*; and
 - ii. Do not exceed a total area of 3.0 square metres [32 sq.ft.] per *dwelling unit*.

3. Block C

- (a) One *single family dwelling*; and
- (b) *Accessory uses* including the following:
 - i. *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions of Surrey Zoning By-law 1993, No. 12000, as amended; and
 - ii. The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

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

The following correspondence received from June 1999 to August 21, 2001 was on table:

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Concerns</u>
June Long		X	
Teana & Daniel Wong		X	
Tarsam Johal		X	
Brenda & David Poersch		X	
Hank & Sandra Bouwman		X	
Mr. & Mrs. James Ramsay		X	
A.F. Shearer & E.D. Volden		X	
Mike & Jill Adkins		X	
Ron Walker		X	
Hank & Sandra Bouman		X	
Robin Berichon		X	
Barry Collins		X	
Lynda Walker		X	
Joe Strain		X	
Robert & Katherine Davis		X	
Darlene Lasko		X	
Connie Johl		X	
Denny Chow		X	
Petition with 68 signatures		X	
Hank & Sandra Bouwman		X	
80 signature petition & 18 form letter		X	
5 form letters & 6 signature petition		X	
Mike Henry & Sara Delaney		X	
Lloyd Street		X	
Stan & Eleanor Kuzak		X	
Mike, Jill & Stephen Adkins		X	
Dr. & Mrs. P. Broderick		X	
Phil Overin		X	
Doug & Louise Lee		X	
Kimberly Dennis		X	
John & Y Alida Bevan		X	
Jim & Bonnie Ramsay		X	
Darlene Parsons		X	
Dave Mitchell		X	
Hank Bouwman		X	
John & Sandra Ruscheinski		X	
447 signature petition & 64 letters		X	
Doug & Louise Lee		X	
3 letter and 13 signature petition		X	
Hayes Perrin		X	
A. MacKenzie & G. Pakosh		X	
Hank & Sandra Bouwman		X	

<u>Name</u>	<u>For</u>	<u>Against</u>	<u>Concerns</u>
Donna & Arsi Hatakka			X
Larry Wagner		X	
Sandra Bouman		X	
13 letters		X	
Stephen & Sheila Morris		X	
Elizabeth Peacock		X	
Robert S. Skleryk		X	
Ron Day		X	
6 form letters & 18 signed petition		X	
Ron Moore		X	
Michael Schewe & Darlene Lasko		X	
Dee Klassen		X	
Vic Klassen		X	
Casey Houweling		X	
Howard & Vera Fader		X	
Connie Johl		X	
Rob Davis			X
June Long			X
Randy Evans		X	
Jay Rumley		X	
John Saleski		X	
Garry Olma			X
Don Koeing			X
Ron Day			X
Yuen Yee			X
Mark Tucker			X
R.B. Russell		X	
Barry Collins		X	
Jay Rumley		X	

Mayor McCallum noted the following persons had indicated in writing their support/opposition to the proposed rezoning:

<u>Name</u>	<u>For</u>	<u>Against</u>
Sukhi Sanghe	X	
Maghar Sanghe	X	
Parminder Sanghe	X	
Bob Cheema	X	
Naveen Jawanda	X	
Harry Jawanda	X	
Jarnail Purewall	X	
Randy Williams	X	
Avnash Banwait	X	
Devinder Dharni	X	
Sukhvinder Jassar	X	
Labh Kular	X	
Daljit Sandhu	X	

Sukhi Rai, 5180 – 152nd Street, was present to comment on the proposed rezoning, and advised that he is with Surrey Farms. Mr. Rai stated that there is a need for more commercial development in the area, and he supports the development.

Bruce Russell, President Gulf Pacific was present to comment on the proposed rezoning, and stated that Gulf Pacific are the Managers of the Panorama Village Shopping Centre, and that they are speaking against the commercial portion of the proposal. They believe that additional retail in the area is not ethically or economically justified. Mr. Russell stated they have met with the applicants and advised them of their opposition to the development, and the reasons for that opposition. He reviewed the dates of correspondence in which they had expressed their opposition to the project, and reviewed comments from a Report to Council on the proposed development.

Mr. Russell stated that the turnover and vacancy of Panorama Village since its 1998 opening has been 14,200 square feet or 19% of the leasable space, which is well above industry norm. Mr. Russell reviewed costs to the owners of this turnover.

Mr. Russell stated that the neighbourhoods cannot support existing commercial, and would not be able to support additional commercial development in the area. He reviewed lands in the area that are presently zoned commercial, and on which sales have collapsed. He stated that this is most likely due to lack of sufficient opportunities for commercial development in the area.

Mr. Russell commented on an access/egress road that they have placed on the phase 2 lands of Panorama Village, property taxes, and concluded that proceeding with the proposed development would make it very difficult for Panorama Village to succeed.

Maciej Dembek, Project Architect for the project was present to comment on the proposed rezoning, and stated that at one point they were looking at a higher density commercial and residential project, which was radically downscaled. He noted that at the north of the development there will be 13 half-acre gross density properties, with no connection from the Sullivan area to the proposed development. Mr. Dembek advised that a lot of the project has been developed with discussions with members of the neighbourhood, and that they have made extensive efforts to ensure that the development is palatable to the neighbourhood and developer.

Gerald Hayes, of the Rodeo Drive-In, was present to comment on the proposed rezoning, and reviewed additional properties that he owns in the area. Mr. Hayes commented on the timeframe and cost of subdivision of his property. He noted that the Rodeo Drive-In has been there for 50 years.

Mr. Hayes commented on petitions that had previously been placed in his business and that only 40% of the people signing the petitions were from Surrey,

which indicates that most of his business does not come from the Surrey area. He stated that he was not concerned with additional development in the area.

Peggy Hunt, 15439 Kilmore Close was present to comment on the proposed rezoning, and stated that she supports the commercial component of the proposal and that choice will help spur growth in the area and region.

Ms. Hunt noted that the project had been ongoing for 2 years and that the developer has worked with the community to an incredible degree to accommodate the wishes of the community. She said that a petition has been signed by most of the residents in the area who would be impacted by the residential development, and they support the proposal.

Adam Dennis, 5732 Kettle Crescent East, was present to comment on the proposed rezoning, and stated that this development is not even close to what was presented previously. Mr. Dennis advised that he objected to what he felt was Council forcing the hand of the neighbours to discuss this with the developer. He stated that he would prefer to see half-acre properties throughout, but the way in which they have developed the transition zone is something that he can live with. Mr. Dennis noted that he felt Council should make the developer stick to this proposal.

Sukhi Sandhu, one of the partners of the development, was present to comment on the proposed rezoning, and stated that this has been a difficult and challenging rezoning, but that it is now a better proposal from when they started. Mr. Sandhu reviewed a package prepared for Council, the history of the development, and the concepts that had been considered for the properties. He stated that the Sullivan community has been extensively consulted, noted several meetings with community groups, public information meetings and meetings with tenants at Panorama Village.

Mr. Sandhu stated that significant changes have been made since the first concept plan, and these happened in larger numbers after the public information meeting in June of this year and the Council Land Use meeting in July. He read an agreement that they have with the residents of the community who are located around the proposed development. He advised that the agreement indicates that no walkway will be constructed from the existing Sullivan community to the proposed development and agrees to design, materials, landscaping, a no-build zone, fencing, and drainage issues that have been resolved to the satisfaction of the community.

Mr. Sandhu noted that they have received support from businesses across Highway 10 and from tenants at Panorama Village. He stated that they have met with the tenants, that they understand their concerns and do not wish to develop something that will put their businesses at risk. Mr. Sandhu stated that they are willing to agree to restrictions of use on their property to recognize the investment of the tenants at Panorama Village. He commented that they do not want to duplicate services, but would look to be compatible.

Mr. Sandhu advised that two studies were attached to the package for Council, which support the proposed development.

Phil Boname of Urbanics Consultants was present to comment on the proposed rezoning, and stated that the land use plan that has been agreed to seems to support the wishes of the community and provides a compromise. He advised that a survey has been done, which shows gaps in the merchandising spectrum, and that there is indeed significant interest in this site by different forms of retailers that need not duplicate what is in Panorama Village.

Mr. Boname stated that the site is located on a regional highway, which has a high traffic volume and would support the retail/commercial component of the development. He noted that there could be problems with the existing Panorama Village which are not related to development issues, and which have prevented development of Phase 2.

Mr. Boname noted the developer has agreed of his own volition, to registered caveats, which would give teeth to the issue of complementing Panorama Village. He concluded that the proposed development has excellent access off Highway 10 and 152nd Street, which has been approved by the Ministry of Highways and the Surrey Engineering Department.

**2. Surrey Official Community Plan By-law, 1996, No. 12900,
No. 53, Amendment By-law, 2001, No. 14511**

**Surrey Zoning By-law, 1993, No. 12000,
Amendment By-law, 2000, No. 14512**

Rezoning Application: 7900-0297-00

ADDRESS: **CIVIC/LEGAL**
5706 – 152 Street/PID: 013-215-183, Parcel “B”
(Ex. Plan 12670)) of Parcel “A” (Ref. Plan 4095) SW1/4,
Sec. 11, Tp. 2, Except: Firstly; Parcel 6 (Bylaw
Plan 62480), Secondly: Part Dedicated Road on Plan LMP
32939, NWD
5722 – 152 Street/PID: 011-000-716, N1/2 Lot 1 Except:
Firstly: Parcel G (Bylaw Plan 62480) and Secondly: Part
Dedicated Road on Plan LMP33097, Sec.11, Tp. 2, NWD,
Plan 3680

APPLICANT: **Diamatzu Enterprises Inc., and Sharon McCallan &
Kenneth Linklater**
c/o Clarence Arychuk, Hunter Laird Engineering Ltd.
300 – 65 Richmond Street
New Westminster, B.C. V3L 5P5

PROPOSAL: **BY-LAW 14511**
To authorize the redesignation of the properties from Suburban (SUB) to Urban (URB).

BY-LAW 14512
To rezone the properties from "One-Acre Residential Zone (RA)" to "Comprehensive Development Zone (CD)"

The purpose of the development is to permit the development of 13, ½ acre gross density lots.

**PROPOSED "COMPREHENSIVE DEVELOPMENT ZONE (CD)"
FOR BY-LAW 14512**

INTENT:

This Comprehensive Development Zone is intended for *single family dwellings* on *suburban lots*.

PERMITTED USES:

The *Lands* and *structures* shall be used for the following uses only, or for a combination of such uses:

1. *One single family dwelling.*
2. *Accessory uses* including the following:
 - (a) *Bed and breakfast* use in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended; and
 - (b) The keeping of *boarders* or *lodgers* in accordance with Section B.2, Part 4 General Provisions, of Surrey Zoning By-law, 1993, No. 12000, as amended.

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

The Mayor indicated that S. Sanghe had indicated in writing his support for the proposed Official Community Plan Amendment and rezoning.

Sukhi Sandhu, one of the partners of the proposed development, was present to comment on the proposed Official Community Plan amendment, and stated that the amendment brings some closure to the undeveloped lands in the area.

H. BY-LAWS

1. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 52 Amendment By-law, 2001, No. 14509"

7999-0102-00 B - Gurbaksh, Gurmit, Harpaul, and Harbhajan Dhanda;
 Surinder Shergill; Sukhwinder Shergill; Chindi Kabra;
 Sukhwinder Sanghe; 606200 B.C. Ltd.; 559006 B.C. Ltd.;
 Katherine Bye; Audrey Ellis; Randy and Timothy Williams;
 Gerald and Diane Hayes, c/o Sukhi Sandhu

To authorize the redesignation of the properties as follows:

From Suburban (SUB) to Urban (URB):

Portion of 5676 - 152 Street, Portion of 15369 Highway #10=56 Avenue,
 15395 - Highway #10=56 Avenue, and a Portion of 15303 Highway
 #10=56 Avenue.

From Suburban (SUB) to Commercial (COM):

Portion of 5676 - 152 Street, 5646 - 152 Street, Portion of 5620 - 152 Street,
 Portion of 15303 - Highway #10=56 Avenue, 15355 Highway #10=56 Avenue
 and a Portion of 15369 Highway #10=56 Avenue.

Approved by Council: September 4, 2001

This by-law in proceeding in conjunction with By-law 14510.

It was Moved by Councillor Hunt
 Seconded by Councillor Steele
 That "Surrey Official Community Plan
 By-law, 1996, No. 12900, No. 52 Amendment By-law, 2001, No. 14509" pass its
 third reading.

RES.R01-2193

Carried with Councillor Bose Against

"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14510"

7999-0102-00 B - Gurbaksh, Gurmit, Harpaul, and Harbhajan Dhanda;
 Surinder Shergill; Sukhwinder Shergill; Chindi Kabra;
 Sukhwinder Sanghe; 606200 B.C. Ltd.; 559006 B.C. Ltd.;
 Katherine Bye; Audrey Ellis; Randy and Timothy Williams;
 Gerald and Diane Hayes, c/o Sukhi Sandhu

RA (BL 12000) to CD (BL 12000) - 15355 Highway #10=56 Avenue,
 5646 - 152 Street, 15369 Highway #10=56 Avenue, 15395 Highway
 #10=56 Avenue, Portion of 15303 Highway #10=56 Avenue, and Portion
 of 5620 - 152 Street.

A-1 (BL 12000) to CD (BL 12000) - 5676 - 152 Street

To permit the development of a commercial-residential project consisting of a 7,618 sq.m. (82,000 sq.ft.) commercial centre and single family dwellings and duplexes developed in accordance with a comprehensive design.

Approved by Council: September 4, 2001

This by-law in proceeding in conjunction with By-law 14509.

RES.R01-2194	<p>It was</p> <p>No. 12000, Amendment By-law, 2001, No. 14510" pass its third reading.</p>	<p>Moved by Councillor Hunt Seconded by Councillor Steele That "Surrey Zoning By-law, 1993, Carried with Councillor Bose Against</p>
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RES.R01-2195	<p>It was</p> <p>Zoning By-law, 1993, No. 12000 Amendment By-law 2001 No. 14509" and "Surrey Zoning By-law, 1993 No. 12000 Amendment By-law No. 14510", a restrictive covenant be placed on the property which limits commercial uses to those which are not the same as existing uses in Panorama Village, for as long as those uses remain in Panorama Village.</p>	<p>Moved by Councillor Higginbotham Seconded by Councillor Villeneuve That prior to final adoption of "Surrey Carried</p>
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2. "Surrey Official Community Plan By-law, 1996, No. 12900, No. 53 Amendment By-law, 2001, No. 14511"

7900-0297-00 B - Diamatzu Enterprises Inc.; Sharon McCallan and Kenneth Linklater, c/o Clarence Arychuk, Hunter Laird Engineering Ltd.

To authorize the redesignation of the properties located at 5706 - 152 Street and 5722 - 152 Street from Suburban (SUB) to Urban (URB).

Approved by Council: September 4, 2001

This by-law in proceeding in conjunction with By-law 14512.

RES.R01-2196	<p>It was</p> <p>By-law, 1996, No. 12900, No. 53 Amendment By-law, 2001, No. 14511" pass its third reading.</p>	<p>Moved by Councillor Hunt Seconded by Councillor Higginbotham That "Surrey Official Community Plan Carried with Councillor Bose Against</p>
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"Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14512"

7900-0297-00 B - Diamatzu Enterprises Inc.; Sharon McCallan and
Kenneth Linklater, c/o Clarence Arychuk, Hunter Laird
Engineering Ltd.

RA (BL 12000) to CD (BL 12000) - 5706 - 152 Street and
5722 - 152 Street - to permit the development of 13, 1/2 acre gross
density lots.

Approved by Council: September 4, 2001

This by-law in proceeding in conjunction with By-law 14511.

<p>It was</p> <p>RES.R01-2197</p>	<p>Moved by Councillor Higginbotham Seconded by Councillor Tymoschuk That "Surrey Zoning By-law, 1993, No. 12000, Amendment By-law, 2001, No. 14512" pass its third reading. <u>Carried</u> with Councillor Bose Against</p>
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M. ADJOURNMENT

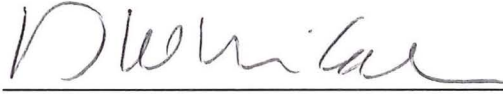
<p>It was</p> <p>meeting do now adjourn.</p> <p>RES.R01-2198</p>	<p>Moved by Councillor Hunt Seconded by Councillor Watts That the Regular Council - Public Hearing <u>Carried</u></p>
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The Regular Council - Public Hearing adjourned at 9:04 p.m.

Certified correct:



Acting City Clerk



Mayor