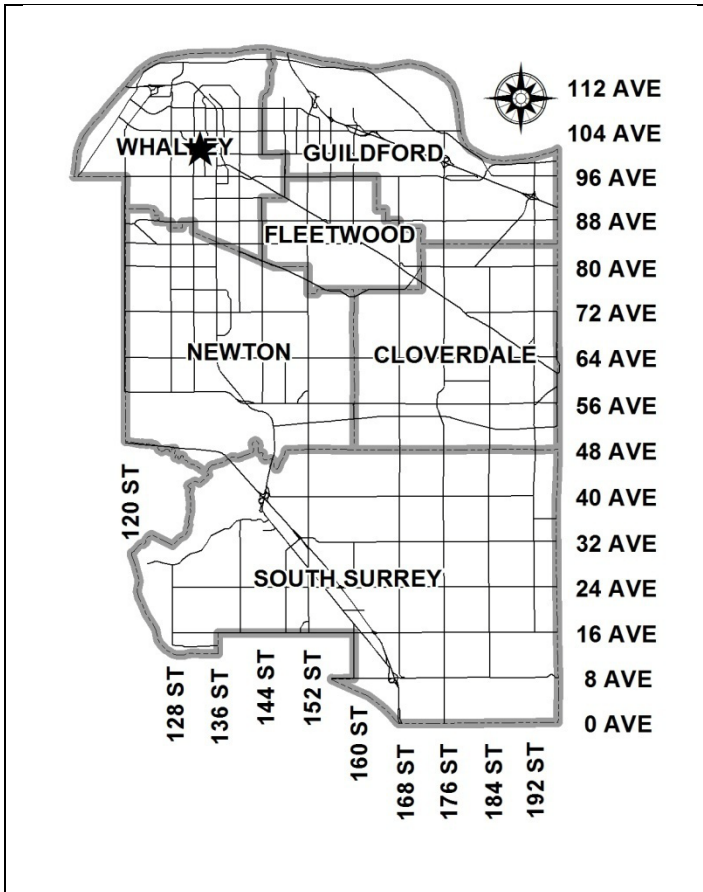


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7911-0105-00

Planning Report Date: June 27, 2011



PROPOSAL:

- **OCP Text Amendment**
- **Temporary Commercial Use Permit**

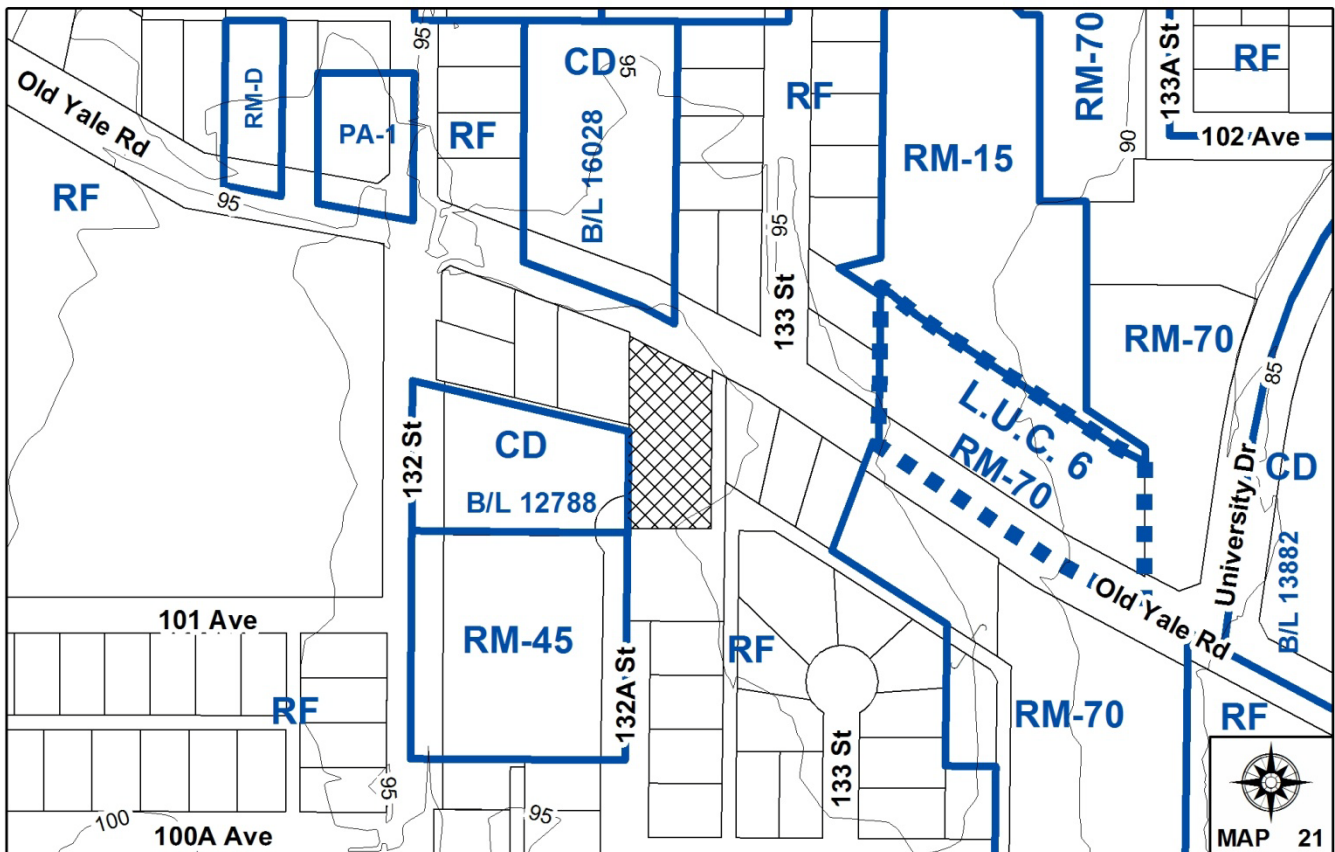
in order to permit the development of a temporary real estate sales centre for an adjacent proposed residential project in Surrey City Centre.

LOCATION: 13260 Old Yale Road

OWNER: Louie Huberman

ZONING: RF

OCP DESIGNATION: Multiple Residential



RECOMMENDATION SUMMARY

- By-law Introduction and set date for Public Hearing for OCP Text Amendment.
- Approval for the Temporary Commercial Use Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None

RATIONALE OF RECOMMENDATION

- The proposed text amendment will declare all lands designated City Centre, Town Centre and Multiple Residential in the Official Community Plan (OCP) as Temporary Commercial Use Permit Areas for "Temporary Real Estate Sales Centres."
- The proposed text amendment to the OCP is in the interest of further streamlining the land development approvals process and facilitating construction in the City.
- The proposed temporary commercial use permit (TUP) is for a sales centre for the adjacent, proposed "Connect" residential development application (Surrey file no. 7911-0059-00 which received Third Reading on June 13, 2011).
- Due to excavation for underground parking for Development Application No. 7911-0059-00, the proposed sales centre must be located off-site. The subject site is immediately to the east of the proposed apartment site.
- The applicant will post a \$5,000.00 bond to ensure the removal of the temporary building and restoration of the site to its original condition.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to amend the Official Community Plan by modifying Temporary Commercial Use Permit Area No. 17, and a date for Public Hearing be set (Appendix IV).
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
3. Council approve Temporary Commercial Use Permit No. 7911-0105-00 (Appendix V) to proceed to Public Notification.
4. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, dedications, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering; and
 - (b) submission of security to ensure that the site is restored following termination of the Temporary Commercial Use Permit.

REFERRALS

Engineering: The Engineering Department has no requirements relative to the issuance of the Temporary Use Permit, as outlined in Appendix III.

Fire Department: The Fire Department has no concerns.

SITE CHARACTERISTICS

Existing Land Use: Vacant single family residential lot.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across Old Yale Road):	Townhouses, vacant lot and single family dwelling.	Multiple Residential	CD By-law No. 16028 and RF
East (Across private driveway):	Single family dwelling.	Multiple Residential	RF
South:	Single family dwelling.	Multiple Residential	RF
West:	Single family lot currently under Development Application No. 7911-0059-00 (Third Reading), and apartment building.	Multiple Residential	RF and CD By-law No. 12788

BACKGROUND AND JUSTIFICATION FOR PLAN AMENDMENT

- A temporary real estate sales centre is a temporary structure (such as a modular building or trailer) that is used as a sales office for new developments, primarily residential developments. Typically, these temporary structures contain a sales office, a display area for a model of the project and accompanying floor plans, as well as mock-ups of residential units that are for sale.
- Temporary real estate sales centres can be located either on the site of a development under construction or on a nearby site. However, the permit processes for siting the structure are different depending on the proposed location.
- For a sales centre that is proposed on the same site as the development under construction, the permit process is handled by staff, on the basis that a public process associated with the rezoning and Development Permit has taken place for the proposed development.
- For a sales centre that is proposed on a nearby property, such as the subject application, Council approval of a Temporary Commercial Use Permit (TUP) is required.
- At present, a separate Official Community Plan Text Amendment is required for each sales centre proposed on a nearby property, to declare the property a Temporary Commercial Use Permit Area. A Public Hearing for the amendment is required before the TUP can be issued.
- The Public Hearing aspect of the amendment can add several weeks to the issuance of the temporary use permit and impose additional costs, unnecessarily delaying the construction or placement of the temporary real estate sales centre. The subject application is one of three such sales centres currently being pursued in City Centre.
- Therefore it is recommended that Temporary Commercial Use Permit Area No. 17 of the OCP be amended, as documented in Appendix IV, to declare all lands designated City Centre (CC), Town Centre (TC) and Multiple Residential (RM) as Temporary Commercial Use Permit Areas for "Temporary Real Estate Sales Centres".
- Eliminating the requirement to apply for an OCP Text Amendment to declare a Temporary Use Permit Area for a temporary real estate sales centre will eliminate an unnecessary step in the land development approvals process while still providing for an appropriate review of the temporary real estate sales centre.
- In order for a temporary real estate sales centre TUP to be approved on a site other than that on which the residential development is located, it must be related to either a Council-approved application, or to an application that has received Third Reading.
- City residents and property owners will continue to receive information on any proposed TUP for temporary real estate sales centres through the Development Proposal Sign and the Public Notification process, following Council approval to proceed. Residents and property owners are therefore provided adequate opportunity to provide feedback.

- Furthermore, allowing temporary real estate sales centres on lands designated City Centre, Town Centre and Multiple Residential, development activity would not be unexpected.
- The proposed amendment to the Official Community Plan is supportive of the City of Surrey's Economic Investment Action Plan to streamline land development and building permit approval processes, and is in support of assisting development in the City.
- The following will be conditions of any Temporary Commercial Use Permit for temporary real estate sales centres:
 - The appearance and location of the temporary real estate sales centre, parking and access will be illustrated in a Schedule attached to the Permit;
 - Parking will be restricted to vehicles less than 5,000 kilograms (11,000 lbs.) GVW;
 - The parking area must be surfaced with a dust-free material such as crushed gravel; and
 - The applicant will also be required to post a \$5,000.00 bond to ensure the removal of the temporary building and restoration of the site to its original condition.

DEVELOPMENT CONSIDERATIONS

- The subject site located at 13260 Old Yale Road in Surrey City Centre is designated Multiple Residential under the Official Community Plan (OCP) and is zoned Single Family Residential Zone (RF).
- The applicant has applied for a Temporary Commercial Use Permit to permit the development of a temporary real estate sales centre on the site.
- The proposed temporary sales centre will be used as a sales office for the residential project ("Connect") proposed at the southeast corner of 104 Avenue and Old Yale Road under Development Application No. 7911-0059-00. The rezoning by-law for this associated application was granted Third Reading by Council on June 13, 2011.
- The approximately 141-square metre (1,518 sq. ft.) sales centre will contain a sales area with a project model, offices, a washroom, as well as a mock-up of a one-bedroom suite.
- A surface parking lot with spaces for seven (7) vehicles will be provided with access from an existing driveway on Old Yale Road. The parking lot will be surfaced with crushed gravel.
- No trees are proposed to be removed as part of this application.
- Temporary Commercial Use Permits may be permitted for a period of up to three years. This Temporary Commercial Use Permit, however, is proposed to be in effect for only two years as the applicant does not envision requiring the temporary real estate sales centre beyond that time.

PRE-NOTIFICATION

- The development proposal sign was erected on May 31, 2011.
- Pre-notification letters were mailed on June 14, 2011. Due to the current Canada Post labour stoppage, however, they remain undelivered.
- The pre-notification letter was subsequently posted to the "Land Development Notices" section of the Land Development & Building webpage of the City website on June 20, 2011 and to the "Notices" section of the City's website home page on June 22, 2011. Staff received no telephone calls or letters in response.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

No other agencies and organizations are considered to be affected by the proposed OCP Amendment that requires specific consultation.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Site Plan and Building Elevations
Appendix III.	Engineering Summary
Appendix IV.	Proposed OCP Text Amendment
Appendix V.	Temporary Commercial Use Permit No. 7911-0105-00

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

CA/kms

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. 6/23/11 9:20 AM

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Doug Wilson, Peak Construction Management Ltd.
 Address: #107, 2430 King George Boulevard
 Surrey, BC
 V4P 1H5

 Tel: 604-531-6998

2. Properties involved in the Application

- (a) Civic Address: 13260 Old Yale Road
- (b) Civic Address: 13260 Old Yale Road
 Owner: Louie Huberman
 PID: 011-924-951
 Parcel "A" (Explanatory Plan 10207) Lot 13 Except: Firstly: Parcel "One" (Explanatory Plan 11312) Secondly: Parcel "2" (Bylaw Plan 51235), Section 27 Block 5 North Range 2 West New Westminster District Plan 822

3. Summary of Actions for City Clerk's Office

- (a) Introduce a By-law to amend the text of the Official Community Plan.
- (b) Proceed with Public Notification for Temporary Commercial Use Permit No. 7911-0105-00

DEVELOPMENT DATA SHEET

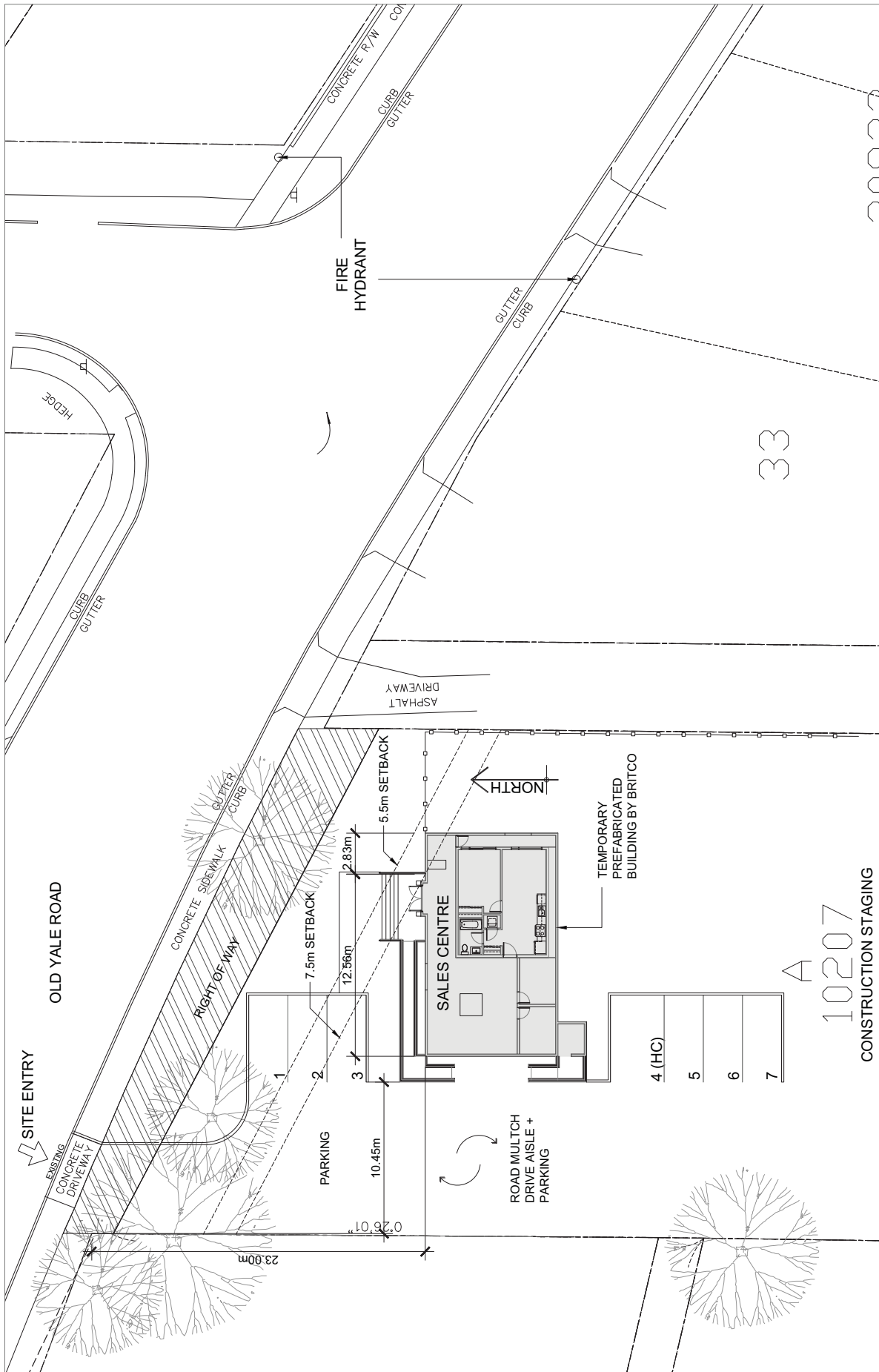
Existing Zoning: RF

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total	2,538 sq.m.	
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		0.05%
Paved & Hard Surfaced Areas		0.03%
Total Site Coverage		0.08%
SETBACKS (in metres)		
Front	7.5 m	7.5 m
Rear	7.5 m	49.0 m
Side #1 (W)	1.8 m	10.45 m
Side #2 (E)	1.8 m	7.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal		4.52 m / 1 storey
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		123.5 sq.m.
Office		17.5 sq.m.
Total		141 sq.m.
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		141 sq.m.

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		7
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		7
Number of disabled stalls		1
Number of small cars		

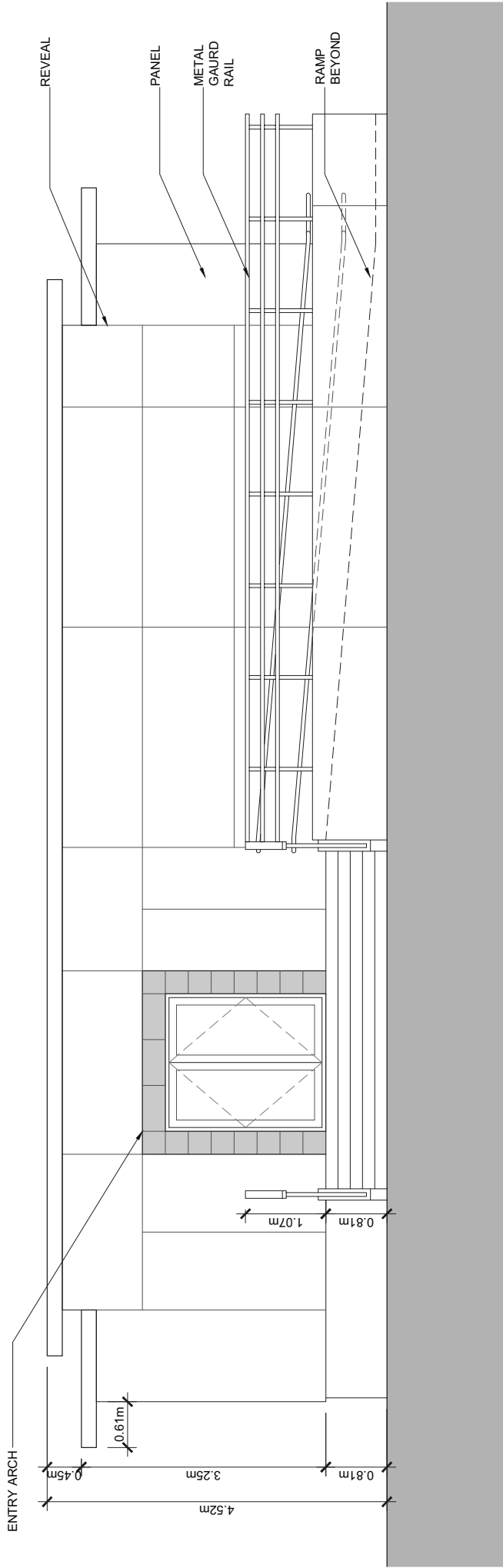
Heritage Site	NO	Tree Survey/Assessment Provided	NO
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UNIT 235, 11300 NO. 5 ROAD RICHMOND, BC V7A 5J7 TEL: (604) 272-1477 FAX: (604) 272-1471 CEL: (604) 377-9454 E-MAIL: info@cotterarchitects.com WEB: www.cotterarchitects.com	PROJECT: CONNECT - SALES CENTRE - SITE PLAN DESCRIPTION: 13260 & 13268 OLD YALE ROAD	DRAWN: CHECKED: SCALE: 1:250m JOB No: L/YR
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Patrick Cotter
Architect Inc.



PROJECT: CONNECT - SALES CENTRE DESCRIPTION: 13260 & 13268 OLD YALE ROAD	DRAWN: _____ CHECKED: _____ SCALE: _____ JOB No: _____	DATE: _____ DRAWING NO.: _____
	UNIT 235, 11300 NO. 5 ROAD RICHMOND, BC V7A 5J7 TEL: (604) 272-1477 FAX: (604) 272-1471 CEL: (604) 377-9454 E-MAIL: info@cotterarchitects.com WEB: www.cotterarchitects.com	



Patrick Cotter
Architect Inc.

INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- North Surrey Division
Planning and Development Department**

FROM: **Acting Development Services Manager, Engineering Department**

DATE: **June 21, 2011 (revised)** PROJECT FILE: **7811-0105-00**

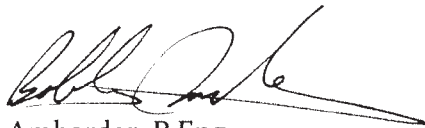
RE: **Engineering Requirements (Commercial/Industrial)
Location: 13260 Old Yale Rd.**

TEMPORARY USE PERMIT

There are no engineering requirements relative to issuance of the Temporary Use Permit.

The following issues are to be addressed as a condition of issuance of the subsequent Building Permit application:

- The on-site fire protection requirements must be reviewed and may require additional improvements to the building to meet the B.C. Building Code;
- The proposed temporary building must be connected to sanitary sewer.



Bob Ambardar, P.Eng.
Development Project Engineer

BA

**Proposed Amendments to
Surrey Official Community Plan By-law, 1996, No. 12900, as amended**

The following amendment is proposed to Surrey Official Community Plan By-law, 1996, No. 12900, as amended:

- In Schedule B, delete Temporary Commercial Use Permit Area No. 17 in its entirety and replace with the following:

"Temporary Commercial Use Permit Area No. 17

Temporary Real Estate Sales Centre

Purpose: To permit a temporary real estate sales centre.

Location: On any lands designated City Centre (CC), Town Centre (TC) and Multiple Residential (RM) in the Official Community Plan."

CITY OF SURREY

(the "City")

TEMPORARY COMMERCIAL USE PERMIT

NO.: 7911-0105-00

Issued To: LOUIE HUBERMAN
("the Owner")

Address of Owner: 1550 Haversley Avenue
Coquitlam BC
V3J 1V6

1. This temporary use permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this temporary use permit.
2. This temporary use permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 011-924-951

Parcel "A" (Explanatory Plan 10207) Lot 13 Except: Firstly: Parcel "One" (Explanatory Plan 11312) Secondly: Parcel "2" (Bylaw Plan 51235), Section 27 Block 5 North Range 2 West New Westminster District Plan 822

13260 Old Yale Road

(the "Land")

3. The Land has been designated as a Temporary Commercial Use Permit Area in Surrey Official Community Plan, 1996, No. 12900, as amended.
4. The temporary use permitted on the Land shall be:
 - A real estate sale centre and associated surface parking lot.
5. The temporary use shall be carried out according to the following conditions:
 - (a) The appearance and location of the sales centre, access and parking shall be as shown on Schedule A which is attached hereto and forms part of this permit;
 - (b) Parking is restricted to vehicles less than 5,000 kilograms [11,000 lbs.] GVW;
 - (c) The parking surface shall be of a dust-free material such as crushed gravel;

- (d) Upon the termination of this Temporary Use Permit, the real estate sales centre shall be removed and the land restored to its condition prior to this Temporary Use Permit.
6. Alternatives to standard servicing requirements as documented in the "Surrey Subdivision and Development By-law" may be approved as part of this Temporary Commercial Use Permit.
7. As a condition of the issuance of this temporary use permit, Council is holding security set out below (the "Security") to ensure that the temporary use is carried out in accordance with the terms and conditions of this temporary use permit. Should the Owner fail to comply with the terms and conditions of this temporary use permit within the time provided, the amount of the Security shall be forfeited to the City. The City has the option of using the Security to enter upon the Land and perform such works as is necessary to eliminate the temporary use and bring the use and occupancy of the Land into compliance with Surrey Zoning By-law, 1993, No. 12000, as amended (the "Works"). The Owner hereby authorizes the City or its agents to enter upon the Land to complete the Works. There is submitted accordingly:
- Cash in the amount of \$5,000.00.
8. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this temporary use permit. This temporary use permit is not a building permit.
9. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.
10. This temporary use permit is not transferable.
11. This temporary use permit shall lapse on or before two years from date of issuance.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE _____ DAY OF _____, 20 ____ .
ISSUED THIS _____ DAY OF _____, 20 ____ .

Mayor - Dianne L. Watts

City Clerk - Jane Sullivan

IN CONSIDERATION OF COUNCIL'S APPROVAL OF THIS TEMPORARY USE PERMIT AND OTHER GOOD AND VALUABLE CONSIDERATION, I/WE THE UNDERSIGNED AGREED TO THE TERMS AND CONDITIONS OF THIS TEMPORARY USE PERMIT AND ACKNOWLEDGE THAT WE HAVE READ AND UNDERSTOOD IT.


Authorized Agent: Signature

DOUG WILSON
Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, Doug Wilson (Name of Owner)

being the owner of Parcel "A" (Explanatory Plan 10207) Lot 13 Except: Firstly: Parcel "One" (Explanatory Plan 11312) Secondly: Parcel "2" (Bylaw Plan 51235), Section 27 Block 5 North Range 2 West New Westminster District Plan 822

(Legal Description)

known as 13260 Old Yale Road
(Civic Address)

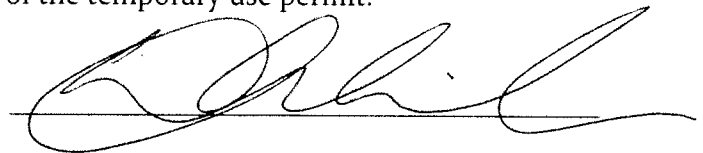
hereby undertake as a condition of issuance of my temporary use permit to:

- (a) demolish or remove all buildings and/or structures that are permitted to be constructed pursuant to the temporary use permit issued to me; and
- (b) restore the land described on the temporary use permit to a condition specified in that permit;

all of which shall be done not later than the termination date set out on the temporary use permit.

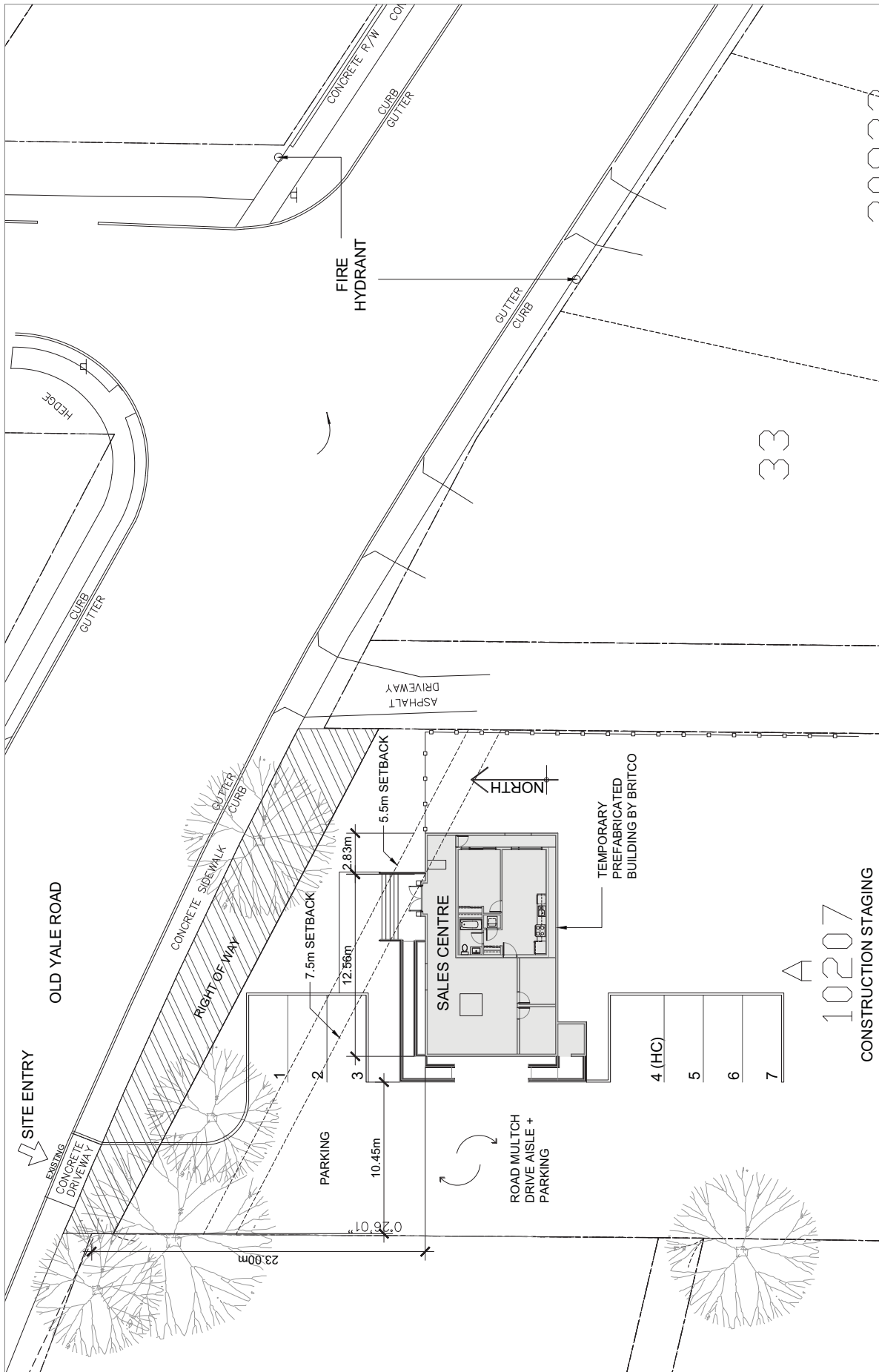
I further understand that should I not fulfill the undertaking described herein, the City or its agents may enter upon the land described on the temporary use permit and perform such work as is necessary to eliminate the temporary use and bring the use and occupancy of the land in compliance with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities submitted by me to the City pursuant to the temporary use permit shall be forfeited and applied to the cost of restoration of my land as herein set out.

This undertaking is attached hereto and forms part of the temporary use permit.

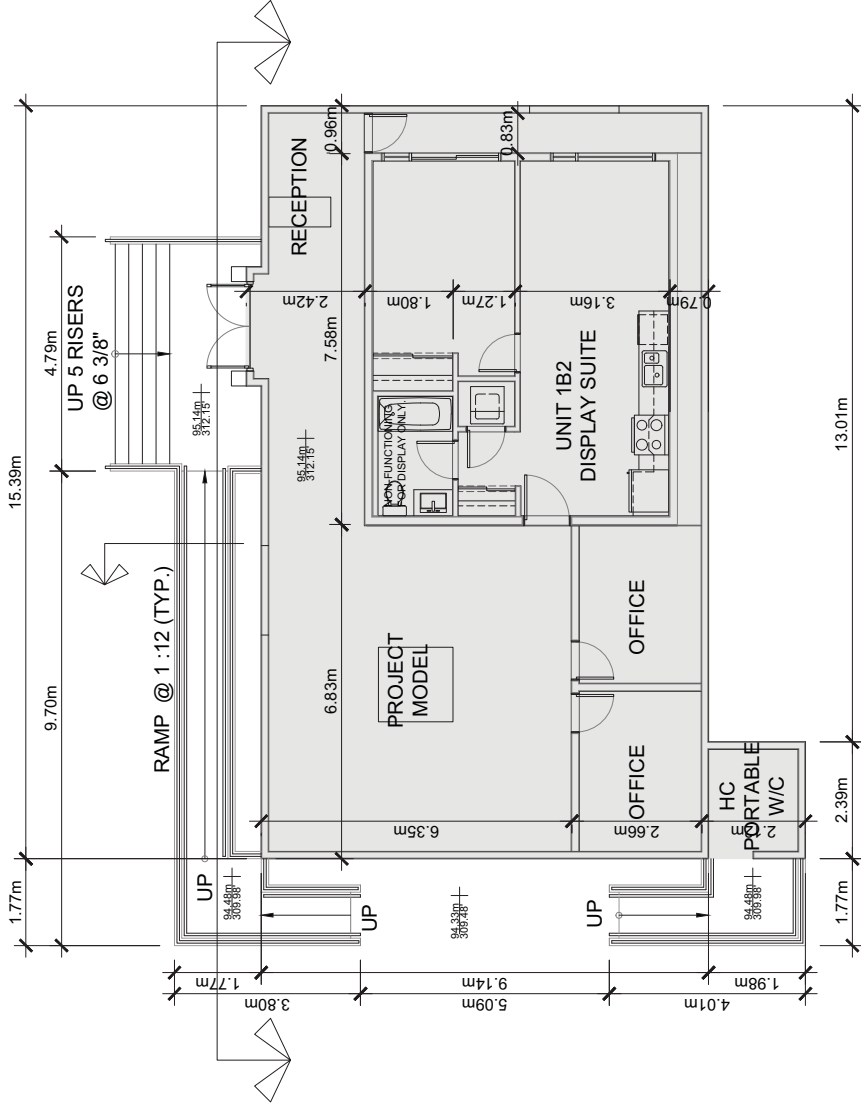


(Lessee)

(Witness)

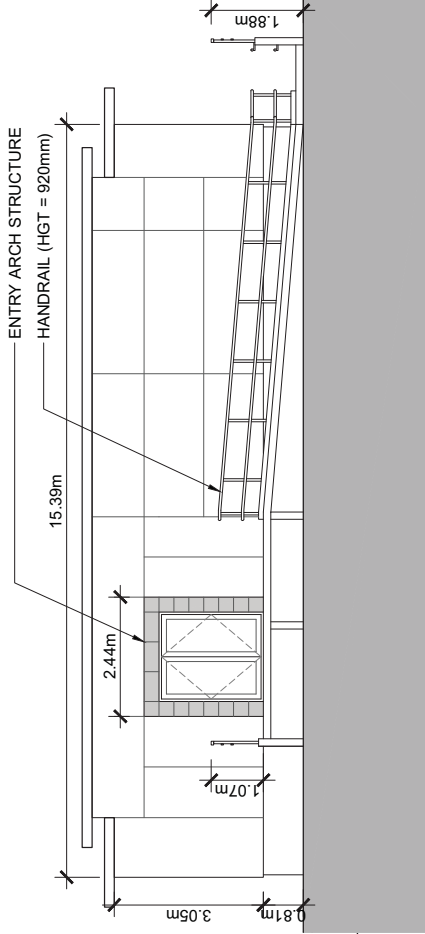


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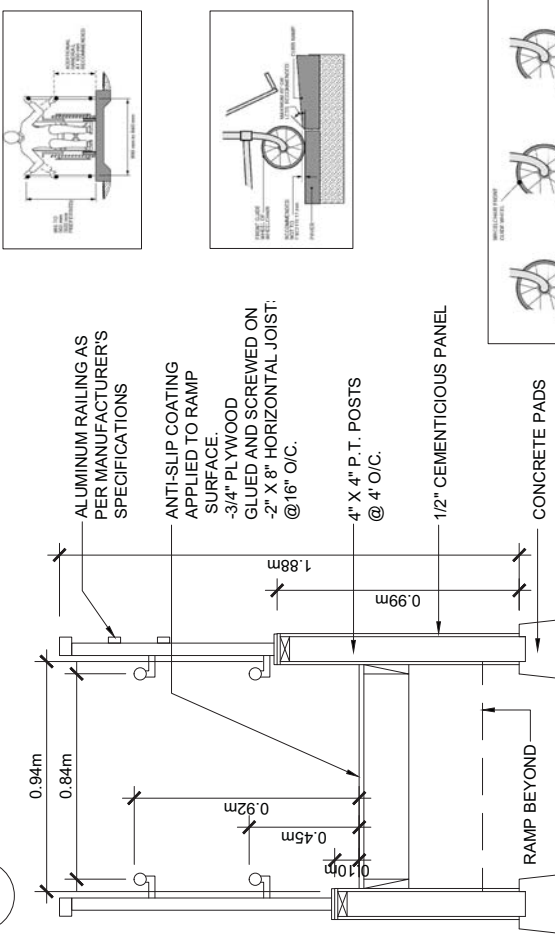


1 SALES CENTRE PLAN
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NOTE: RAMP TO CONFORM TO 3.8.3.3 OF THE 2006 BCBC

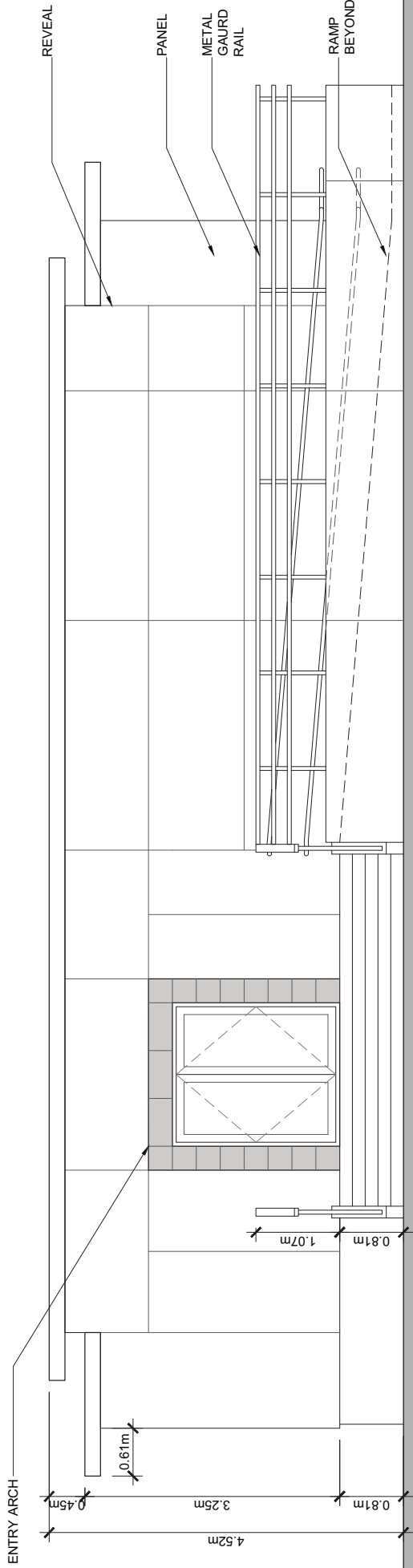


2 RAMP SECTION
Scale : 1:100



3 RAMP DETAIL
Scale : 1:20

PROJECT: CONNECT - SALES CENTRE DESCRIPTION: 13260 & 13268 OLD YALE ROAD	DRAWN: _____ CHECKED: _____ SCALE: _____ JOB NO: _____	DATE: _____ DRAWING NO.: _____
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