

City of Surrey
PLANNING \& DEVELOPMENT REPORT
File: 7911-0135-00

Planning Report Date: July 11, 2011

## PROPOSAL:

- Temporary Commercial Use Permit
in order to permit the development of a temporary real estate sales centre for a proposed residential high-rise project in Surrey City Centre.

| LOCATION: | $10375-133$ Street |
| :--- | :--- |
| OWNER: | Chia Hwei Lin |
| ZONING: | RF |
| OCP DESIGNATION: | Multiple Residential |



## RECOMMENDATION SUMMARY

- Approval for the Temporary Commercial Use Permit to proceed to Public Notification.


## DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.


## RATIONALE OF RECOMMENDATION

- The proposed temporary commercial use permit (TUP) is for a real estate sales centre for the nearby proposed "Rize" apartment project (Development Application No. 7911-0075-oo to be presented to Council for consideration of by-law introduction on July 11, 2011).
- The proposed apartment development on the site across 133 street to the east (Development Application No. 7911-0075-00) is intended to be fully excavated to provide the underground parking. Due to the excavation, the associated sales centre must be located off-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. Council approve Temporary Commercial Use Permit No. 7911-0135-oo (Appendix IV) to proceed to Public Notification.
2. 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;
(b) submission of security to ensure that the site is restored following termination of the Temporary Commercial Use Permit;
(c) final approval of Surrey Official Community Plan By-law, 1996, No. 12900, Text No. 107 Amendment By-law 2011, No. 17434; and
(d) final approval of Development Application No. 7911-0075-oo.

## REFERRALS

Engineering

Fire Department: The Fire Department has no concerns.

## SITE CHARACTERISTICS

Existing Land Use: A single family dwelling on an oversized lot, currently under application (No. 7910-0025-00) to rezone to CD (RM-70) in order to develop a 112-unit apartment building (pre-Council).

## Adjacent Area:

| Direction | Existing Use | OCP Designation | Existing Zone |
| :--- | :--- | :--- | :--- |
| North (Across 104 <br> Avenue): | Three-storey apartment <br> building | Multiple Residential | RM-45 |
| East (Across 133 Street): | Single family lot currently <br> under Development | Multiple Residential | RF |
| Application No. 7911-o075- <br> oo for two 28-storey <br> apartment buildings (to be <br> considered by Council on <br> July 11, 2011) |  |  |  |


| Direction | Existing Use | OCP Designation | Existing Zone |
| :--- | :--- | :--- | :--- |
| South: | Single family lots | Multiple Residential | RF |
| West: | Four-storey apartment <br> building | Multiple Residential | RM-45 |

## DEVELOPMENT CONSIDERATIONS

- The subject site at 10375 - 133 Street 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 real estate sales centre will be used as a sales office for the proposed twin high-rise residential tower project (called "Rize") on the southeast corner of 104 Avenue and 133 Street (Application No. 7911-o075-oo to be considered by Council on July 11, 2011).
- The 298 -square metre ( $3,207 \mathrm{sq}$. ft.) sales centre will contain a sales area and offices, as well as mock-ups of a one-bedroom suite and a two-bedroom suite.
- A surface parking lot with spaces for 3 vehicles will be constructed just west of the sales centre with access from an existing driveway on 133 Street. The parking lot will be surfaced with crushed gravel.
- The Temporary Commercial Use Permit will be in effect for three years, which should be sufficient time for the applicant to finalize the sale of all of the 450 apartment and 21 townhouse units in the project proposed to the east.
- On June 27, 2011, the necessary OCP Text Amendment was introduced to amend Temporary Commercial Use Permit Area No. 17 to declare all lands designed City Centre, Town Centre and Multiple Residential as Temporary Commercial Use Permit Areas for "Temporary Real Estate Sales Centres". By-law No. 17434 is scheduled for Public Hearing at the Regular Council - Public Hearing meeting on July 11, 2011 (in conjunction with Development Application No. 7911-0105-oo for a temporary real estate sales centre at 13260 Old Yale Road).
- Consideration of final approval of the subject TUP will be subject to final adoption of OCP Text Amendment By-law No. 17434 and final adoption of the proposed Rize development (Development Application No. 7911-0075-oo).


## PRE-NOTIFICATION

- The development proposal sign was erected on July 6, 2011.
- Pre-notification letters were mailed on June 24, 2011. Due to the temporary Canada Post labour stoppage, the pre-notification letters were delivered the week of June 27, 2011.
- 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 23, 2011
- Staff received no telephone calls or letters in response.


## DESIGN PROPOSAL AND REVIEW

- The proposed sales centre will be a single-storey, wood-frame building on a concrete slab foundation. The total building area will be 298 square metres ( $3,210 \mathrm{sq} . \mathrm{ft}$.).
- The proposed building will be set back 14.66 metres ( 48 ft .) from 104 Avenue and 2.3 metres ( 7.5 ft .) from 133 Street. The proposed setback from 133 Street varies from the minimum 7.5 -metre ( 25 ft .) side yard setback on a flanking street in the RF Zone, however the intent is to minimize the impact on existing trees.
- An arborist report was prepared and approved for the subject site. There are a total of 31 trees on the site, including a 2.50 -metre ( 8 ft .) diameter ( dbh ) Giant Redwood which is to be protected. A total of four dead and hazardous trees are proposed to be removed from the subject site. The approved tree survey is attached to this report in Appendix III.
- The building materials will include vinyl, cedar, and corrugated metal siding.
- An undulating aluminum mesh screening (with $45 \%$ perforated openings) will be affixed to the north and east façades of the building. This treatment will reflect the design vocabulary of the two "Rize" towers proposed at 13286-104 Avenue (Development Application No. 7911-0075-oo).
- A surface parking lot, with spaces for 3 vehicles, will be constructed just west of the sales centre with access from an existing driveway on 133 Street.
- The parking lot will be surfaced with crushed gravel.
- There is an existing dwelling on the subject site. The applicant is proposing to retain the existing dwelling, and screen it with hoarding. The sales centre and the dwelling will share driveway access from 133 Street, each with its own parking area.


## 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. Engineering Summary
Appendix III. Tree Survey
Appendix IV. Temporary Commercial Use Permit No. 7911-0075-00
original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

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## Information for City Clerk

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

1. (a) Agent: Name:

Address:
Andy Tam Rize Alliance Properties Ltd.
Suite 32041055 Dunsm
Vancouver BC V7X 1 L 4
Tel: $\quad 6046301649$ - Primary
6046301649 - Fax
2. Properties involved in the Application
(a) Civic Address: $10375-133$ Street
(b) Civic Address: 10375-133 Street Owner: Chia Hwei Lin PID: 004-438-370
Lot 4 Except: Firstly; South 60 Feet, Secondly; Part Dedicated Road on Plan LMP18314, Section 27 Block 5 North Range 2 West New Westminster District Plan 12491
3. Summary of Actions for City Clerk's Office
(a) Proceed with Public Notification for Temporary Commercial Use Permit No. 7911-0135-oo
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## DEVELOPMENT DATA SHEET

Existing Zoning: RF

| Required Development Data | Existing Dwelling | Proposed Sales Centre |
| :---: | :---: | :---: |
| LOT AREA (in square metres) |  |  |
| Gross Total | 3,035 sq.m. |  |
| Road Widening area |  |  |
| Undevelopable area |  |  |
| Net Total |  |  |
|  |  |  |
| LOT COVERAGE (in \% of net lot area) |  |  |
| Buildings \& Structures | 12.2\% |  |
| Paved \& Hard Surfaced Areas | 0.07\% |  |
| Total Site Coverage | 12.27\% |  |
|  |  |  |
| SETBACKS ( in metres) |  |  |
| Front |  | 14.6 m |
| Rear |  | 30.0 m |
| Side \#1 (E) |  | 2.3 m |
| Side \#2 (W) |  | 9.7 m |
|  |  |  |
| BUILDING HEIGHT (in metres/storeys) |  |  |
| Principal |  | 5.86 |
| Accessory |  |  |
|  |  |  |
| NUMBER OF RESIDENTIAL UNITS |  |  |
| Bachelor |  |  |
| One Bed |  |  |
| Two Bedroom |  |  |
| Three Bedroom + |  |  |
| Total |  |  |
|  |  |  |
| FLOOR AREA: Residential |  |  |
|  |  |  |
| FLOOR AREA: Commercial |  |  |
| Retail |  |  |
| Office |  | 298 sq.m. |
| Total |  | 298 sq.m. |
|  |  |  |
| FLOOR AREA: Industrial |  |  |
|  |  |  |
| FLOOR AREA: Institutional |  |  |
|  |  |  |
| TOTAL BUILDING FLOOR AREA |  | 298 sq.m. |

## Development Data Sheet cont'd

| Required Development Data | Existing | 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 |  |  |
| Industrial |  |  |
| Residential Bachelor + 1 Bedroom |  |  |
| 2-Bed |  |  |
| Residential Visitors |  |  |
| Institutional |  |  |
| Total Number of Parking Spaces |  |  |
| Number of disabled stalls |  |  |
| Number of small cars |  |  |
| Tandem Parking Spaces: Number / \% of <br> Total Number of Units |  |  |
| Size of Tandem Parking Spaces <br> width/length |  |  |
|  |  |  |


| Heritage Site | NO | Tree Survey/Assessment Provided | YES |
| :--- | :--- | :--- | :--- |


| TO: | Manager, Area Planning \& Development <br> - North Surrey Division <br> Planning and Development Department |
| :--- | :--- |
| FROM: | Acting Development Services Manager, Engineering Department |
| DATE: | July 5, 2011 |
| RE: | Engineering Requirements (Commercial/Industrial) <br> Location: 10375133 Street |

## OCP AMENDMENT

There are no engineering requirements relative to the OCP Amendment.

## 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;
- Driveway access and egress to 133 Street to be confirmed;
- On-site stormwater management to be addressed;
- Depending on value of proposed structure, service connection renewal may be required; and


Rémi Dubé, P.Eng.
Acting Development Services Manager
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# TEMPORARY COMMERCIAL USE PERMIT 

NO.: 7911-0135-00

| Issued To: | CHIA HWEI LIN |
| :--- | :--- |
| ("the Owner") |  |
| Address of Owner: | 220-11938 Bridgeport Rd <br> Richmond BC <br> V6X IT2 |

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: 004-438-370
Lot 4 Except: Firstly; South 6o Feet, Secondly; Part Dedicated Road on Plan LMP18314, Section 27 Block 5 North Range 2 West District Plan 12491

$$
\begin{gathered}
\text { 10375-133 Street } \\
\text { (the "Land") }
\end{gathered}
$$

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) 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 [u,00o 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 \$5000.00
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 three 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.

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TO THE CITY OF SURREY:

I, $\qquad$ (Name of Owner)
being the owner of Lot 4 Except: Firstly; South 6o Feet, Secondly; Part Dedicated Road on Plan LMP18314. Section 27 Block 5 North Range 2 West District Plan 12491

## (Legal Description)

known as $\qquad$ 10375-133 Street
(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.


|  |  |  | \% |  |  |  |  |  |
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RIZE SALES CENTRE


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EXTERIOR FINISHES LEGEND

| EXTERIOR FINISHES LEGEND |  |  |  |
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(2) WEST ELEVATION

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(2) NORTH ELEVATION


[^0]:    Authorized Agent: Signature

