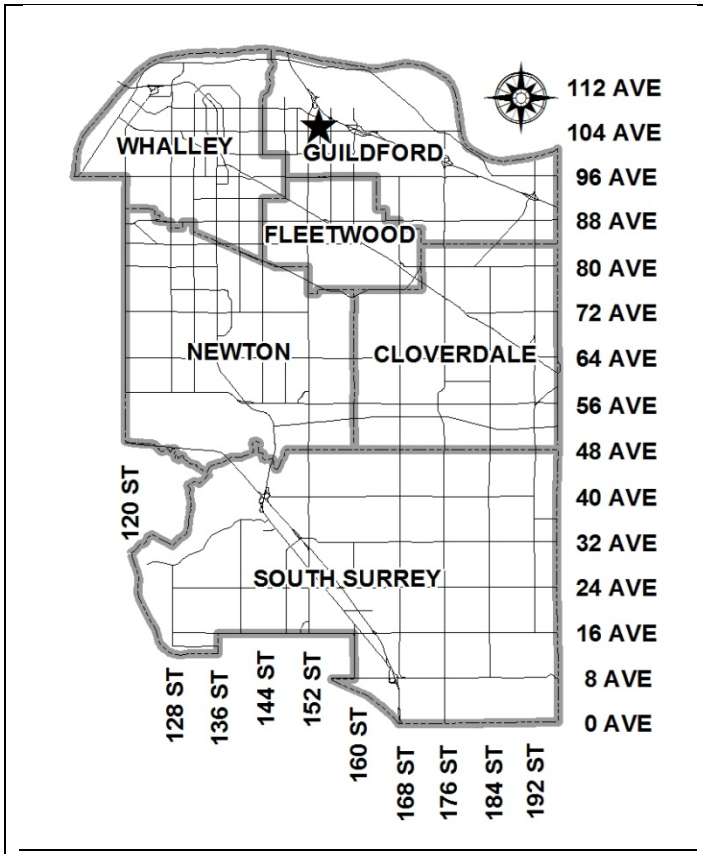


Planning Report Date: February 20, 2012

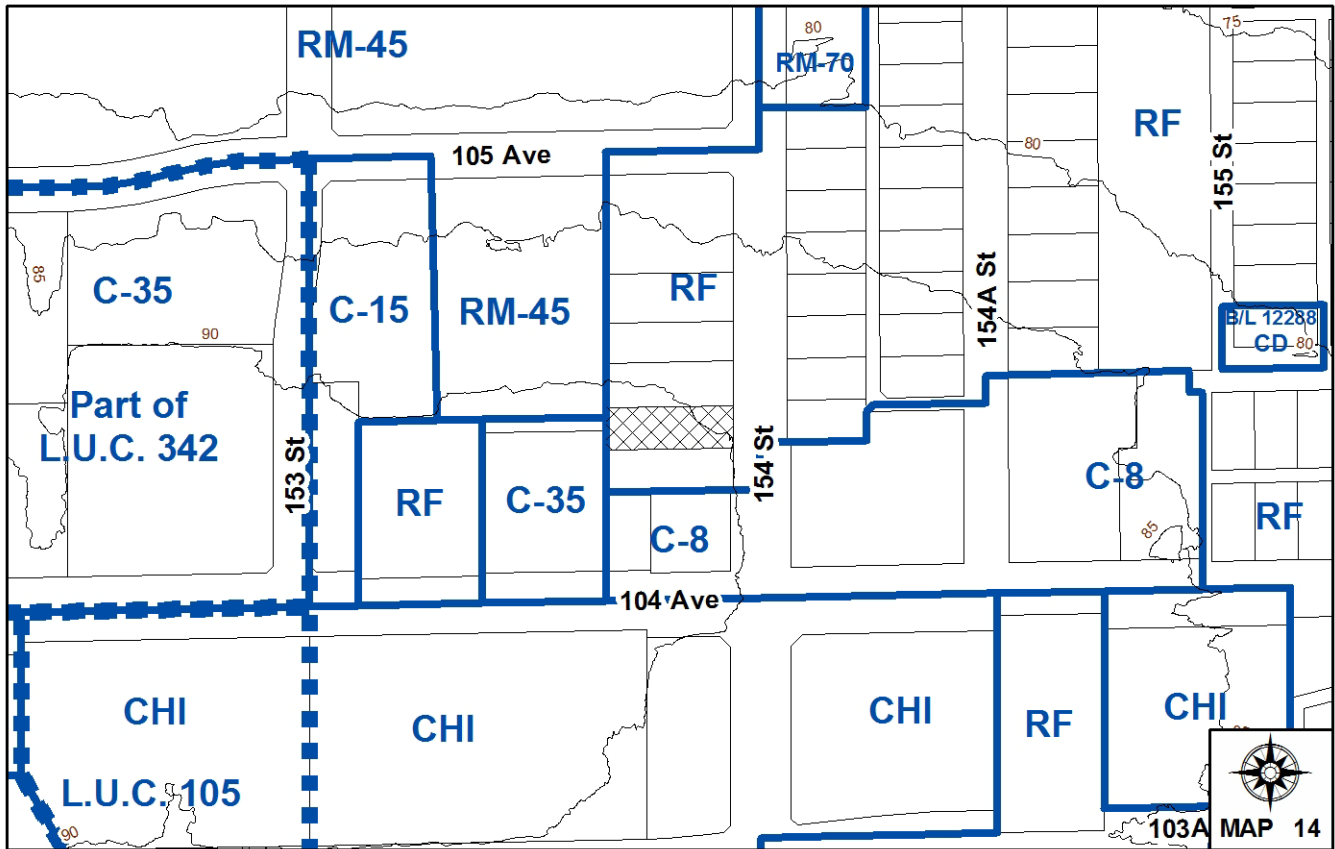


PROPOSAL:

- **Temporary Commercial Use Permit**

in order to permit the development of a temporary real estate sales centre for a proposed apartment project in Guildford Town Centre.

LOCATION: 10439 - 154 Street
OWNER: 0903646 BC Ltd., Inc. No. BC0903646
ZONING: RF
OCP DESIGNATION: Town Centre



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 proposed, 3-building, 155-unit, apartment project (Development Application No. 7911-0160-00, currently at Third Reading). The apartment project, called G3 Residences, is located to the north of the proposed sales centre site.
- The G3 project site (Development Application No. 7911-0160-00) is intended to be fully excavated to provide the underground parking. Due to the excavation, the associated sales centre is proposed to be located in a road allowance (proposed 104A Avenue) which is being dedicated and constructed as part of the development.
- The applicant has agreed to:
 - Register a statutory right-of-way over the future road right-of-way until such time that the future road is dedicated as 104A Avenue; and
 - Enter into a Highway License Agreement to regulate the use of the proposed sales centre on 104A Avenue, once it is dedicated.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Commercial Use Permit No. 7911-0322-00 (Appendix III) to proceed to Public Notification.
2. Council instruct staff to resolve the following issues prior to final approval:
 - (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 a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (c) submission of security to ensure that the sales centre is removed following termination of the Temporary Commercial Use Permit.
 - (d) registration of a statutory right-of-way over the portion of 10439 – 154 Street until such time as the future 104A Avenue is dedicated; and
 - (e) that the applicant enter into a Highway License Agreement for the proposed temporary sales centre use in the 104A Avenue right-of-way once it is dedicated.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

SITE CHARACTERISTICS

Existing Land Use: Treed, vacant site.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Single family dwellings on large lots, currently under Development Application No. 7911-0322-00, at Third Reading.	Town Centre and Multiple Residential	RF
East (Across 154 Street):	Single family dwellings.	Multiple Residential	RF

Direction	Existing Use	OCP Designation	Existing Zone
South:	Single family dwelling and single tenant commercial building and multi-tenant commercial building.	Town Centre	RF and C-8
West:	Multi-tenant commercial building and 3-storey apartments (housing co-operative).	Town Centre and Multiple Residential	C-35 and RM-45

DEVELOPMENT CONSIDERATIONS

Background:

- The subject site at 10439 – 154 Street in Guildford Town Centre is designated Town Centre under the Official Community Plan (OCP) and is zoned Single Family Residential Zone (RF). It is part of a larger assembly of properties located at 10487/39/53/61/69 – 154 Street under Development Application No. 7911-0160-00 to permit development of 155 apartment units in three buildings. The rezoning to CD (By-law No. 17530) was granted Third Reading by Council on December 12, 2011.
- Much of the subject site is to be dedicated to the City as road for the future 104A Avenue.
- The applicant has applied for a Temporary Commercial Use Permit to permit the development of a temporary real estate sales centre with associated parking for this apartment project (called "G3 Residences") on the portion of the site to be dedicated for the future 104A Avenue.

Road Dedication:

- The southern, approximately 14-metre wide (46 ft.), portion of the subject site will be dedicated as 104A Avenue and constructed as part of the G3 development project (Application No. 7911-0160-00).
- The sales centre is proposed to be located in the future 104A Avenue road right-of-way.
- Although the construction of the G3 development project is intended to proceed in two phases (Buildings 1 and 2 in Phase 1 and Building 3 in Phase 2), the underground parking garage for all three buildings will be built as part of Phase 1. Due to the excavation for the underground parking structure, the applicant is requesting a Temporary Commercial Use Permit to construct and operate the proposed sales centre on the subject site before the future 104A Avenue is dedicated and constructed. A right-of-way will be required to coincide with the future 104A Avenue.
- Once the future 104A Avenue is dedicated, a Highway Licensing Agreement will be required to continue the sales centre use at this location.
- Both the right-of-way and the Highway Licensing Agreement will be executed prior to consideration of approval of the Temporary Commercial Use Permit.

- The applicant intends to relocate the sales centre into a unit within Building 1 once construction of this building is completed.
- The Temporary Commercial Use Permit will be in effect for two years, which should be sufficient time for the applicant to finalize the Phase 1 construction and relocate the sales centre to Building 1.

Arborist Report and Tree Location/Retention Plan

- Mike Fadum and Associates Ltd. prepared the Arborist Report and Tree Preservation / Replacement Plans, which will need to be reviewed by City staff and revisions may be required prior to consideration of final approval.
- The chart below provides a summary of the proposed tree retention and removal by species for the subject site:

Tree Species	Total trees Onsite (offsite)	Retain (offsite)	Remove (offsite)	Total
Red Alder	0 (1)	0 (0)	0 (1)	1
Paper Birch	0 (1)	0 (0)	0 (1)	1
Western Red Cedar	9 (5)	3 (5)	6 (0)	14
Chestnut	1 (0)	1 (0)	0 (0)	1
Pacific Dogwood	3 (0)	2 (0)	1 (0)	3
Falsecypress	0 (1)	0 (0)	0 (1)	1
Western Hemlock	1 (1)	2 (0)	0 (0)	2
Bigleaf Maple	0 (2)	0 (1)	0 (1)	2
Poplar	1 (0)	0 (0)	1 (0)	1
TOTAL (offsite)	15 (11)	8 (6)	8 (4)	26
TOTAL combined	26	14	12	26

- There are 15 on-site and 11 off-site protected trees impacted by the proposed development, 12 of which are proposed to be removed as part of the subject development. Ultimately, all of the trees on or near the subject site are proposed to be removed as part of Development Application No. 7911-0160-00.

PRE-NOTIFICATION

Pre-notification letters were mailed on January 16, 2012 and the development proposal sign was installed on February 10, 2012. Staff received no telephone calls or letters in response.

DESIGN PROPOSAL AND REVIEW

- The proposed sales centre will be a single-storey building, with a total building area of 94 square metres (1,013 sq. ft.).

- The building materials will include cement fibre siding in Benjamin Moore colour "Ice Breaker" (cream/beige), and wood trim and metal flashing in Benjamin Moore colour "Willow" (dark brown), with wood braces at the entrance to the site, to match the proposed development site.
- A surface parking lot, with spaces for 9 vehicles, will be constructed just west of the sales centre with access from an existing driveway from 154 Street. The parking lot will be surfaced with crushed gravel.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Engineering Summary
Appendix III.	Temporary Commercial Use Permit No. 7911-0322-00 (includes Site Plan and Elevations)

original signed by Judith Robertson

Jean Lamontagne
General Manager
Planning and Development

SAL/kms

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

FROM: Development Services Manager, Engineering Department

DATE: February 15, 2012 **PROJECT FILE: 7811-0322-00**

**RE: Engineering Requirements (Commercial/Industrial)
Location: 10439 154 Street**

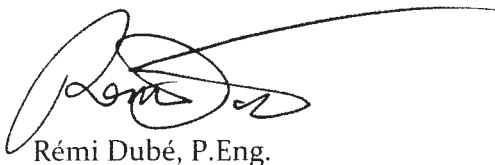
TEMPORARY USE PERMIT

Works and Services

- Provide security for construction and removal of all temporary services and driveway through a City Road and Right-of-way Permit (CRRP); and
- Provide a Statutory Right-of-Way over the future 104A Avenue area.

A Servicing Agreement is not required prior to issuance of the Temporary Use Permit.

Note: Through the Servicing Agreement for 7811-0160-00, a Highway License agreement must be executed for temporary occupancy of the newly dedicated road and 104A Avenue must be constructed. No occupancy or final inspection on the buildings will be allowed until the completion of the Servicing Agreement work other than for the unit defined as the Sales Centre in the newly constructed building.



Rémi Dubé, P.Eng.
Development Services Manager

SSA

CITY OF SURREY

(the "City")

TEMPORARY COMMERCIAL USE PERMIT

NO.: 7911-0322-00

Issued To: 0903646 B.C. LTD., INC. NO. BC0903646
("the Owner")

Address of Owner: 1465 Kootenay Street
Vancouver
V6E 3P3

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: 010-270-906
Lot 5 Except: Parcel "E" (By-law Plan 64954) Section 21 Block 5 North Range 1 West New
Westminster District Plan 17008

10439 - 154 Street

(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) A real estate sales 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 area shall be as shown on Appendix II 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 original condition or in accordance with Servicing Agreement No. 7911-0160-00.
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
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

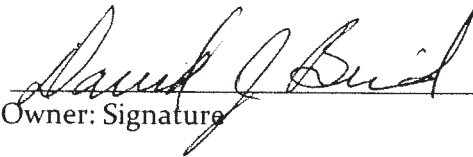
City Clerk – Jane Sullivan

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

OR

Name (Please Print)



Owner: Signature

DAVID J. BIRD
Name: (Please Print) 0903846 B.C. LTD.

TO THE CITY OF SURREY:

We, 0903646 B.C. LTD., INC. NO. BC0903646 (Name of Owner)

being the owner of Lot 5 Except: Parcel "E" (By-law Plan 64954) Section 21 Block 5 North Range 1 West New Westminster District Plan 17008
(Legal Description)

known as 10439 - 154 Street
(Civic Address)

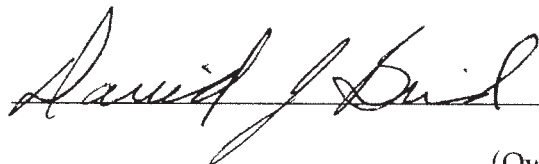
hereby undertake as a condition of issuance of my temporary use permit to:

- (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;

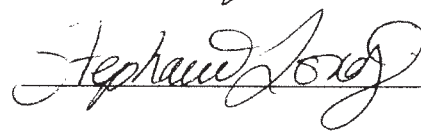
all of which shall be done not later than the termination date set out on the temporary use permit.

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.

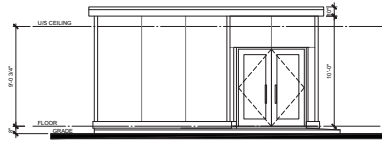


(Owner)

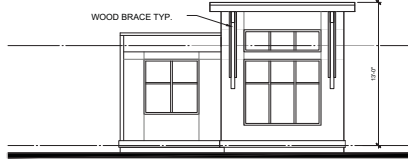


(Witness)

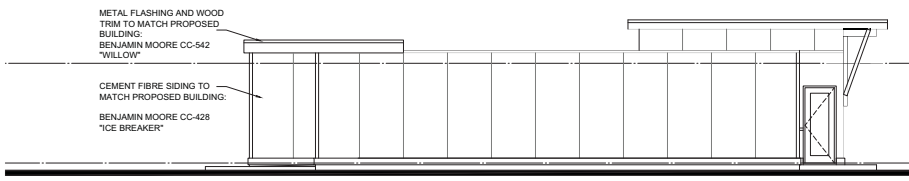
INFORMATION IS THE PROPERTY OF FOCUS ARCHITECTURE INCORPORATED AND SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF FOCUS ARCHITECTURE INCORPORATED.



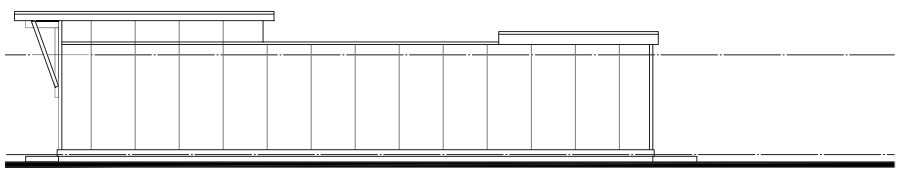
EAST ELEVATION
SCALE: 3/16" = 1'-0"



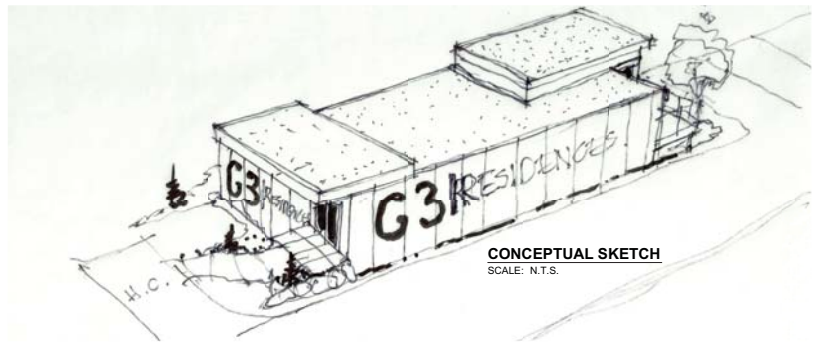
WEST ELEVATION
SCALE: 3/16" = 1'-0"



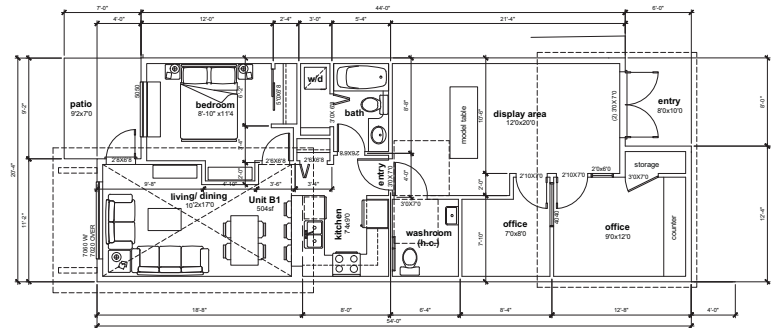
NORTH ELEVATION
SCALE: 3/16" = 1'-0"



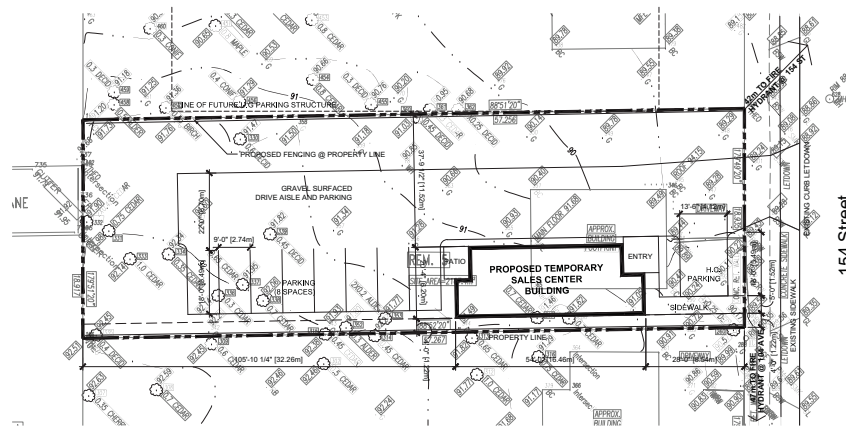
SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



CONCEPTUAL SKETCH
SCALE: N.T.S.



FLOOR PLAN
SCALE: 3/16" = 1'-0"
1013 SQ.FT.



SITE PLAN
SCALE: 1:200 metric

Civic: 10439 154 Street
Legal: Lot 5 Except; Parcel "E" (Bylaw Plan 64954), Section 21 Block 5
North Range 1 WestNew Westminster District Plan 17008



KEY PLAN
SCALE: NTS

City of Surrey File No:
7911-0160-00

Nov 23, 2011
P Planning Revisions
Nov 22, 2011
P Planning Revisions
Nov 7, 2011
Post ADSP Revisions
Oct 5, 2011
ADSP & Planning Revisions

Feb 10, 2012
Planning notes added
Jan 27, 2012
Issued for Building Permit

REVISIONS
CONSULTANTS

PROJECT
PROPOSED MULTI-FAMILY DEVELOPMENT
G3 Developments Ltd.

LOCATION
154th Street & 105th Avenue
Surrey, BC

DRAWING TITLE
**PROPOSED SALES CENTER
Temp. Use Permit**

DRAWN PH	CHECKED
SCALE AS NOTED	DATE 2011 12 01
SHEET NO. A-1	FILE NO. 1109



109 - 1528 McCallum Road
Abbotsford, BC V2S8A3
Tel: 604.853.5222 Fax: 604.853.5442

Colin A. Hogan MAIBC, M.A.A.
Janine J. Kappala MAIBC, MRMC