

City of Surrey PLANNING & DEVELOPMENT REPORT File: 7912-0032-00

Planning Report Date: April 23, 2012

### **PROPOSAL:**

## Temporary Commercial Use Permit

in order to permit the development of a temporary real estate sales centre for a proposed comprehensive development consisting of 510 apartment units, 40 townhouse units, and 743 square metres (8,000 sq.ft.) of indoor amenity space, in multiple buildings.

LOCATION: 3386 - 150 Street

**OWNER:** Polygon Harvard Gardens Ltd., Inc.

No. 877466

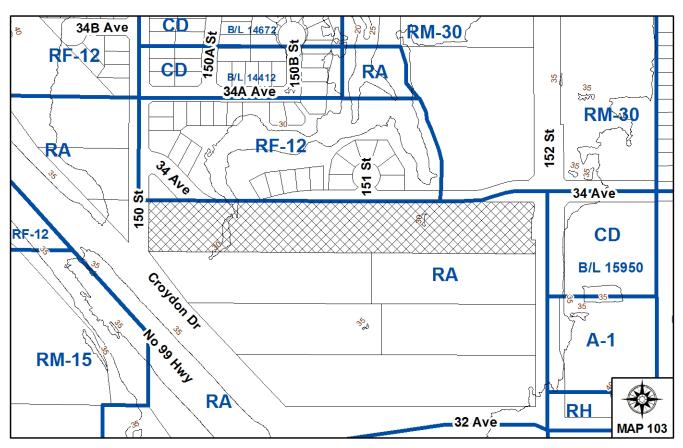
**ZONING:** RA

**OCP DESIGNATION:** Multiple Residential

NCP DESIGNATION: Apartments 8-12 storey, Garden

Apartments, Cluster Housing, Commercial and Preservation

Area/Open Space



### **RECOMMENDATION SUMMARY**

• Approval for 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 to accommodate a sales centre for Polygon's proposed comprehensive development project on the subject site, and neighbouring properties to the south. That project is currently at Third Reading (File No. 7911-0241-00 and File No. 7911-0242-00) and includes 550 multiple residential units (510 apartments units and 40 townhouses) in multiple buildings surrounding a centrally located amenity space with indoor and outdoor amenity opportunities.
- The proposed Temporary Commercial Use Permit would allow Polygon to construct and operate the sales office in advance of their comprehensive development application receiving Final Adoption from Council.
- The Temporary Commercial Use Permit will be in effect for three (3) years, which should be sufficient time for Polygon to finalize the sales of their development.
- 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.
- The sales centre building is designed to complement the architectural character of the future residential project, with a clearly identifiable "Boston Brownstone" theme. The building features a flat roof and cladding materials include Hardie siding and brick. The area around the sales centre will be landscaped with a combination of ornamental trees, shrubs, sod, and outdoor patio areas.

## **RECOMMENDATION**

The Planning & Development Department recommends that:

- 1. Council approve Temporary Commercial Use Permit No. 7912-0032-00 (Appendix IV) 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; and
  - (b) submission of securities to ensure that the site is restored following termination of the Temporary Commercial Use Permit.

### **REFERRALS**

Engineering: The Engineering Department has no objection to the proposed

temporary use subject to the completion of Engineering servicing

requirements as outlined in Appendix III.

Department of Fisheries

and Oceans (DFO):

No concerns.

Ministry of Transportation

No concerns.

& Infrastructure (MOTI):

BC Hydro: No concerns.

### **SITE CHARACTERISTICS**

Existing Land Use: Vacant land and BC Hydro Transmission Lines

## Adjacent Area:

Direction	Existing Use	OCP/NCP Designation	Existing Zone
			_
North (Across 34 Avenue):	Single family dwellings	Urban & Multiple	RF-12 and RM-30
	and townhouses	Residential/ Single	
		family small lots &	
		Garden apartments	
East (Across 152 Street):	Seniors care facility and	Multiple	CD, A-1 and RH
	vacant land	Residential/Institutional	
		& Garden Apartments	
		(3-storeys)	

Direction	Existing Use	OCP/NCP Designation	<b>Existing Zone</b>	
South (Across 32 Avenue Diversion):	Restaurant and automotive services	Commercial	CD	
West (Across Highway 99):	Single family dwellings and townhouses	Urban	RF-12 and RM-15	

## **DEVELOPMENT CONSIDERATIONS**

- The applicant (Polygon Development 272 Ltd.)has applied for a Temporary Commercial Use Permit to permit the development of a temporary real estate sales centre on the site, with associated parking.
- The proposed temporary real estate sales centre will be used as a sales office for Polygon's proposed comprehensive development project on the subject site, and neighbouring properties to the south, which includes 550 multiple residential units (510 apartments units and 40 townhouses) in multiple buildings surrounding a centrally located amenity space with indoor and outdoor amenity opportunities ("Harvard Gardens"). That development application (File No. 7911-0241-00 and File No. 7911-0242-00) received Third Reading from Council on February 20, 2012.
- The proposed Temporary Commercial Use Permit would allow Polygon to construct and operate the sales office in advance of their comprehensive development application receiving Final Adoption from Council.
- The Temporary Commercial Use Permit will be in effect for three (3) years, which should be sufficient time for Polygon to finalize the sales of their development.
- 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.
- Council previously approved an Official Community Plan (OCP) text amendment under File No. 7911-0105-00 for temporary real estate sales centres. The OCP Amendment By-law (No. 17434) allows temporary real estate sales centre on any lands designated City Centre (CC), Town Centre (TC) and Multiple Residential (RM) in the OCP. As such, an OCP amendment is not required to facilitate this proposed temporary use permit

### PRE-NOTIFICATION

- Pre-notification letters were mailed on March 13, 2012 and a development proposal sign was erected on the site. Staff received one phone call and one letter in opposition to the proposed temporary use.
- One neighbouring resident was concerned about the current lack of parking in the area and the additional demand for parking that would be generated by the sales centre.

(Five (5) paved parallel parking stalls will be provided on the south side of 34 Avenue. Additional gravel surface parking for up to approximately 4 cars and a turnaround area will be provided on site.)

 One neighbouring resident requested that all of the proposed road works and improvements associated with Polygon's comprehensive development project be completed in advance of the sales centre opening.

(All of the on and off-site works will be completed in advance of any of the residential units being occupied. The on and off-site works will begin once the project receives final adoption from City Council. It is anticipated that the project will be ready for presentation to Council for final adoption within the next few months.

### DESIGN PROPOSAL AND REVIEW

- The proposed sales centre will be a single-storey building, with a total building area of 188 square metres (2,026 sq. ft.). The building will be sited on the north portion of the site fronting 34 Avenue. The building will contain a reception and sales area, offices, washroom facilities, and a display suite.
- The building is designed to complement the architectural character of the future residential project, with a clearly identifiable "Boston Brownstone" theme. The building features a flat roof and cladding materials include Hardie siding and brick.
- The area around the sales centre will be landscaped with a combination of ornamental trees, shrubs, sod, and outdoor patio areas.
- The applicant will construct a portion of the south side of 34 Avenue, which will include parallel parking with spaces for up to 5 vehicles. In addition, a portion of the future 151 Street be constructed south of 34 Avenue to a gravel road standard to provide overflow parking for up to approximately 4 cars and a "Hammer Head" style turnaround.
- Construction of the temporary sales centre will require removal of approximately 10 mature trees. The trees to be removed were identified for removal in the arborist report for Polygon's comprehensive residential development project.

## **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 for Temporary Real Estate Sales Centre

Appendix III. Engineering Summary

Appendix IV Temporary Commercial Use Permit No. 7912-0032-00

original signed by Nicholas Lai

Jean Lamontagne General Manager Planning and Development

### RG/kms

## <u>Information for City Clerk</u>

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

1. (a) Agent: Name: Kevin Shoemaker

Polygon Development 272 Ltd.

Address: 1333 West Broadway Suite 900

Vancouver BC V6H 4C2

Tel: 604-871-4283

2. Properties involved in the Application

(a) Civic Address: 3386 - 150 Street

(b) Civic Address: 3386 - 150 Street

Owner: Polygon Harvard Gardens Ltd., Inc. No. 877466

PID: 011-356-944

Lot 34 Except: Firstly, Parcel "H" (Bylaw Plan 62662); Secondly, Part n Plan BCP6711

Section 27 Township 1 New Westminster District Plan 8895

3. Summary of Actions for City Clerk's Office

(a) Proceed with Public Notification for Temporary Commercial Use Permit No. 7912-0032-00

# **DEVELOPMENT DATA SHEET**

**Existing Zoning: RA** 

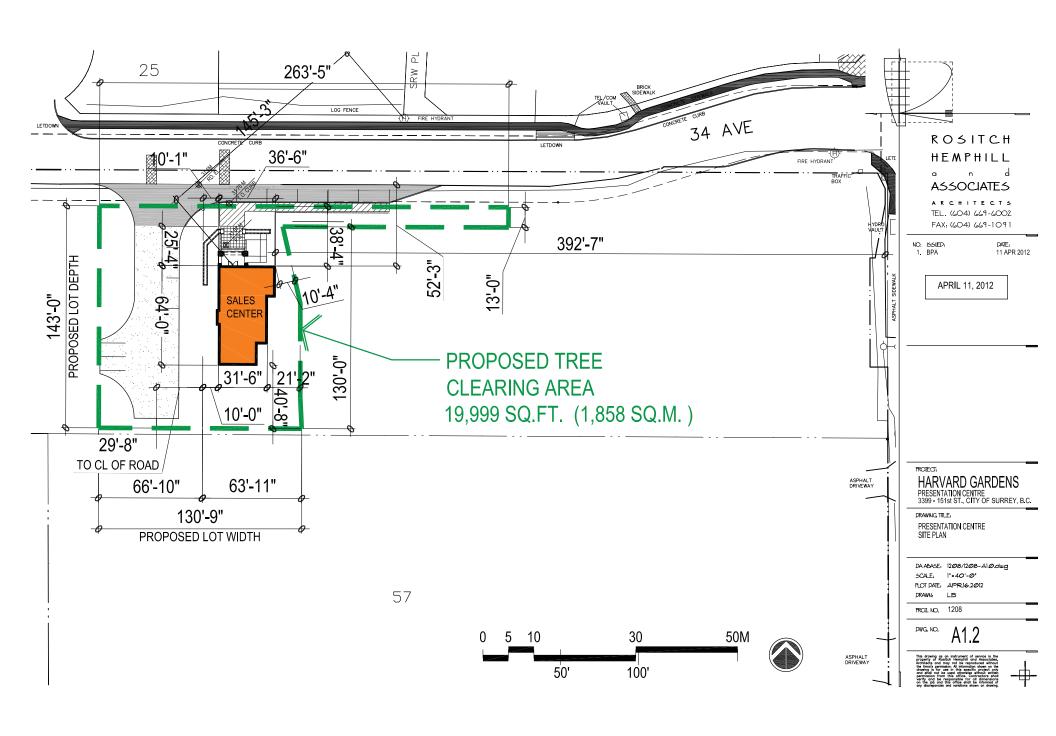
Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		20,006 m <sup>2</sup>
LOT COVERAGE (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage		
<u> </u>		
SETBACKS (in metres)		
Front		>7.5m
Rear		>7.5m
Side #1 (N)		>7.5m
Side #2 (S)		>7.5m
· ·		• •
BUILDING HEIGHT (in metres/storeys)		
Principal		5.5 m/ 1 storey
Accessory		
,		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		
Retail		
Office		
Total		188 m²
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		188 m²

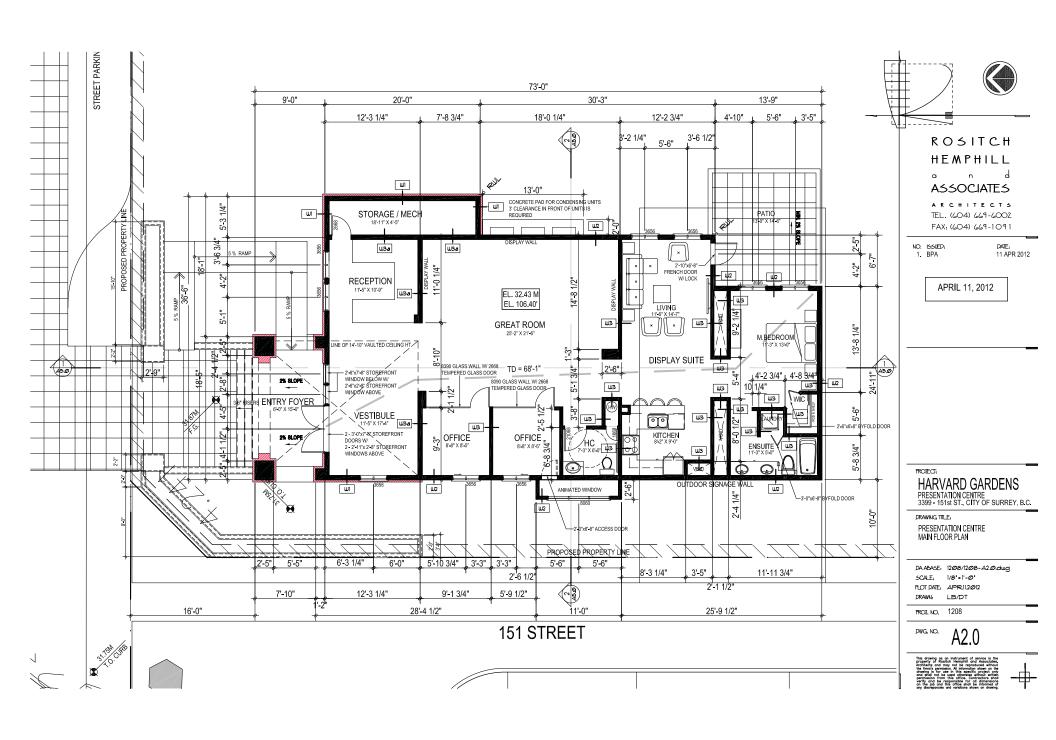
# Development Data Sheet cont'd

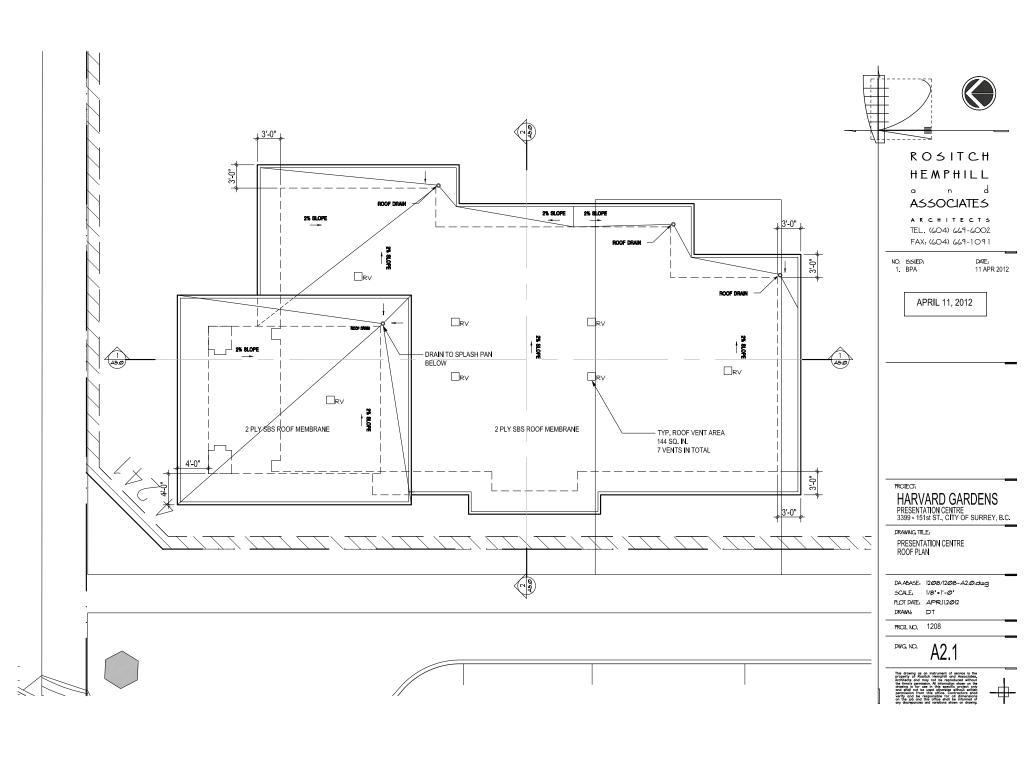
Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)		0.01
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces		5
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

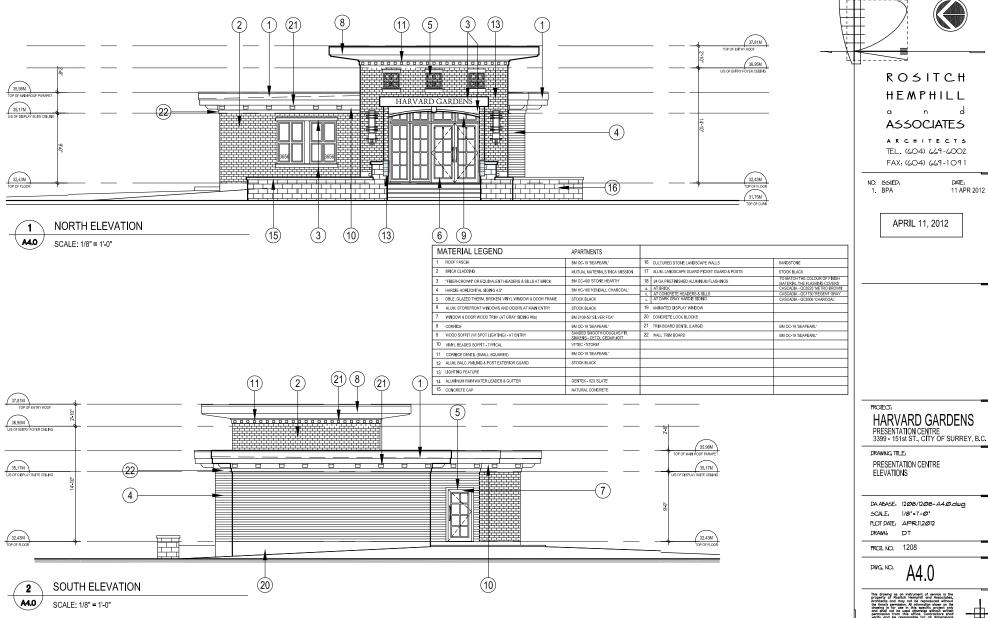
Heritage Site	NO	Tree Survey/Assessment Provided	YES
---------------	----	---------------------------------	-----















## ROSITCH HEMPHILL a n d

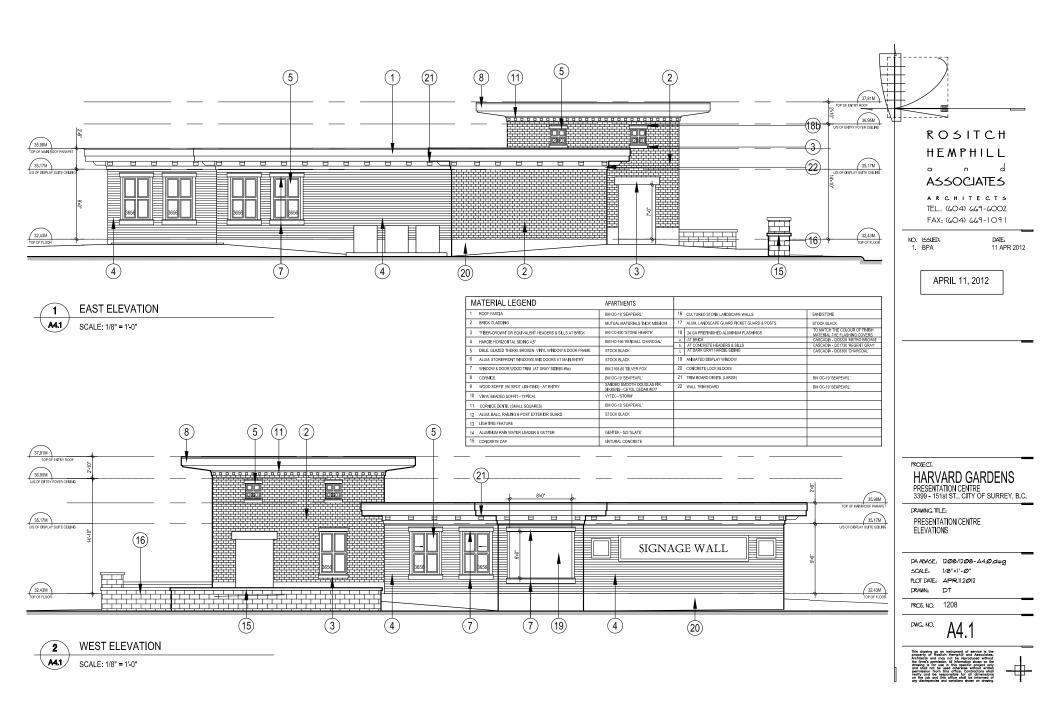
ARCHITECTS TEL. (604) 669-6002 FAX: (604) 669-1091

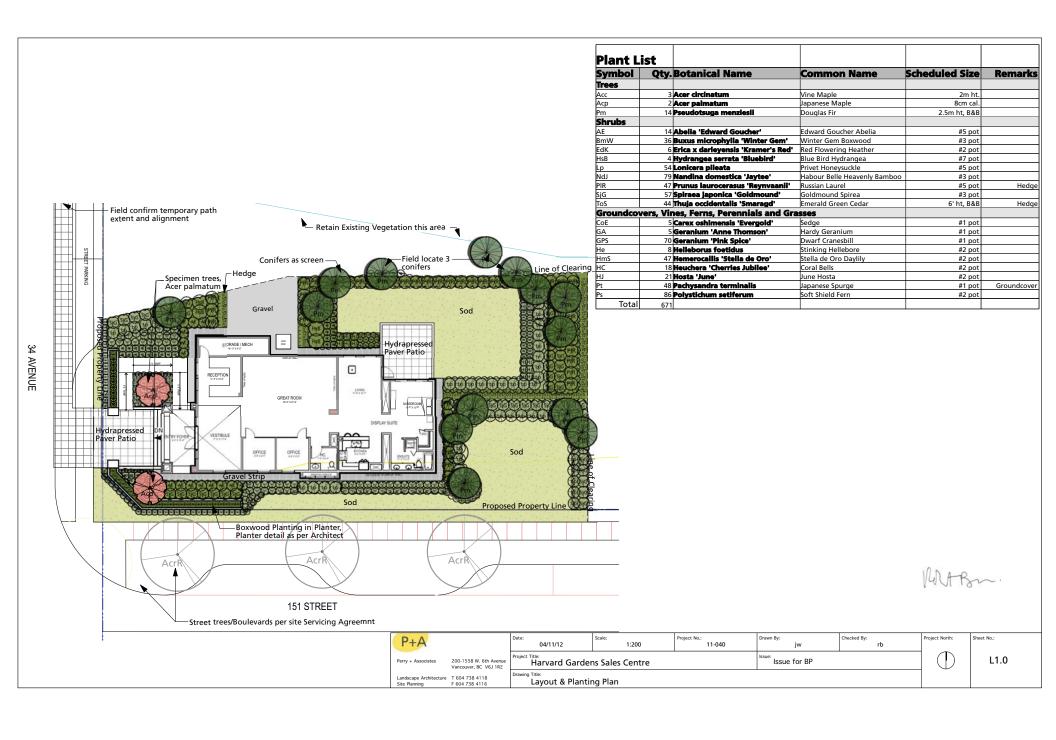
> DATE: 11 APR 2012

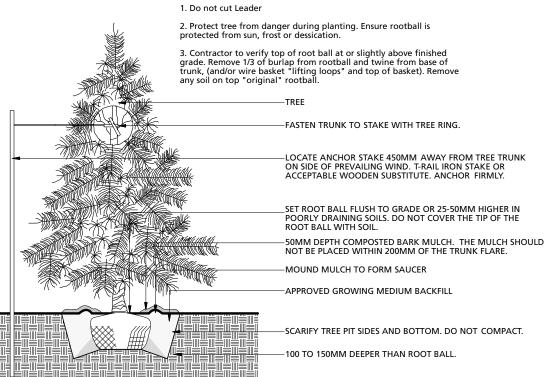
# HARVARD GARDENS



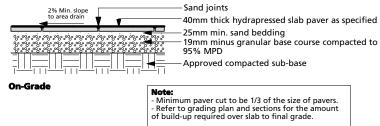








**GENERAL NOTES:** 







MARSON.

P+A		Date: 04/11/12	Scale: as noted	Project No.: 11-040	Drawn By: jw	Checked By:	Project North:	Sheet No.:
	200-1558 W. 6th Avenue Vancouver, BC V6J 1R2	Project Title: Harvard Gardens Sales Centre Issue: Issue for BP					L2.0	
Landscape Architecture Site Planning	T 604 738 4118 F 604 738 4116	Drawing Title: Details	awing Title:					



RE:

## INTER-OFFICE MEMO

## APPENDIX III

TO: Manager, Area Planning & Development

- South Surrey Division

**Planning and Development Department** 

FROM: Development Services Manager, Engineering Department

DATE: April 18, 2012 PROJECT FILE: 7812-0032-00

Engineering Requirements (Commercial/Industrial)

Location: 3386 150 St

### **TEMPORARY USE PERMIT**

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

Based on preliminary layouts and servicing concepts received to date the following issues are to be addressed as a condition of issuance of the subsequent Building Permit for the proposed temporary Sales Centre Application:

- Install new water (including meter) and sanitary connections from fronting mains. Sanitary main may be extended on-site in conformance with servicing plans proposed for projects 7911-0241-00 and 7911-0242-00;
- Address on-site stormwater management ensuring sufficient capacity and/or base flows to
  existing downstream systems and provide appropriate sediment control facilities
  including an ESC permit if disturbed area exceeds 2000 m<sup>2</sup>;
- On-site fire protection requirements must be reviewed and may require additional improvements to the building to meet the B.C.Building Code;
- Parallel parking along the south side of 34 Avenue will be permitted for 5 vehicles.
   Additional pavement width (minimum 2.5 m) fronting the sales centre with removal of No Parking signage will be required; and
- Extension of future 151 Street will be permitted for overflow parking and turn-around. A sufficiently long paved apron adjacent to 34 Avenue will be required.

A Servicing Agreement is not required for the proposed Temporary Use Permit or Building Permit. Any works on site or across City Road Right of way will be subject to all applicable City Permits prior to issuance of the Building Permit. These may include City Road and Right-of-way Permits, Erosion and Sediment Control Permits and Traffic Obstruction Permits. City crews will complete installation of the water service tie-in once payment has been made and a work order has been issued.

Rémi Dubé, P.Eng.

**Development Services Manager** 

(the "City")

#### TEMPORARY COMMERCIAL USE PERMIT

NO.: 7912-0032-00

Issued To:

POLYGON DEVELOPMENT 272 LTD., INC. NO. 877466

("the Owner")

Address of Owner:

900, 1333 West Broadway

Vancouver, BC V6H 4C2

- 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.
- 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: 011-356-944 Lot 34 Except: Firstly, Parcel "H" (Bylaw Plan 62662); Secondly, Part on Plan BCP6711 Section 27 Township 1 New Westminster District Plan 8895

3386 - 150 Street

(the "Land")

- 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 parking areas.
- 5. The temporary use shall be carried out according to the following conditions:
  - (a) The appearance and location of the real estate sales centre, access and parking areas shall be as shown on Schedule B 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) Parking surfaces shall be of a dust-free material such as crushed gravel; and
  - (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.

- 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.
- 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 Schedule A 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	RESOLUTIO	ON PASSED BY TH	E COUNCIL, THE	DAY OF	, 20 .	
ISSUED THIS	DAY OF	, 20 .				
			Mayor - Dian	ne L. Watts		_
			City Clerk – Ja	ne Sullivan		-

<sup>\\</sup>file-server\\net-data\csdc\\generate\areaprod\\save\\n807511005.doc R 4/18/12 n:n AM

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

wner: Signature

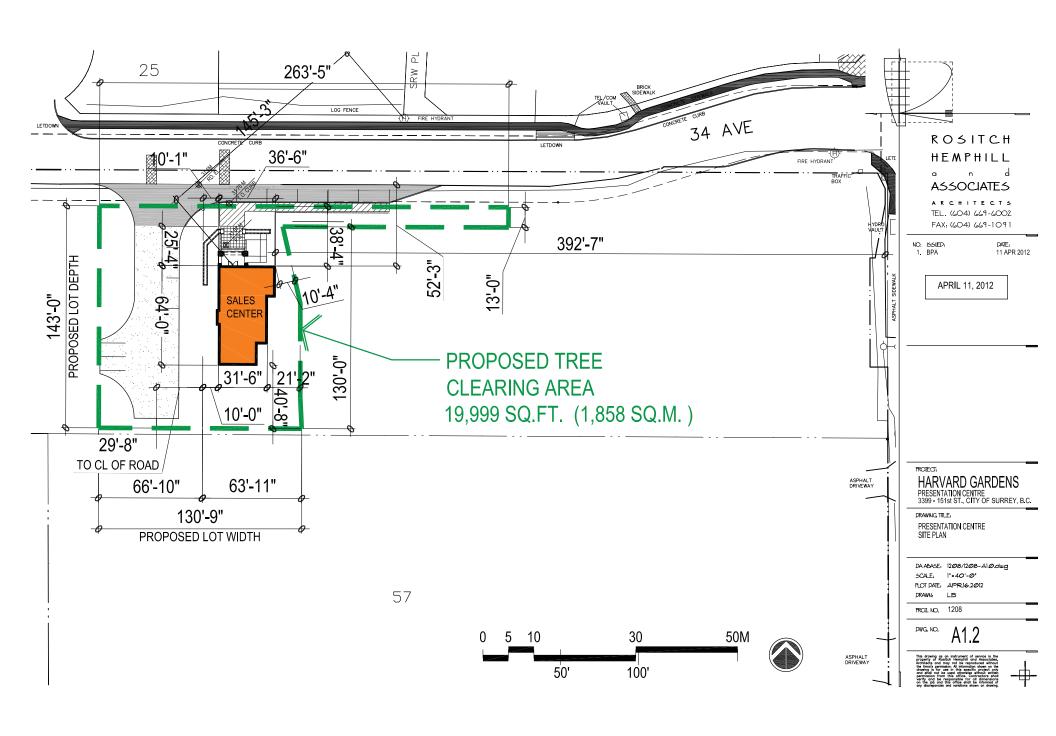
Name (Please Print)

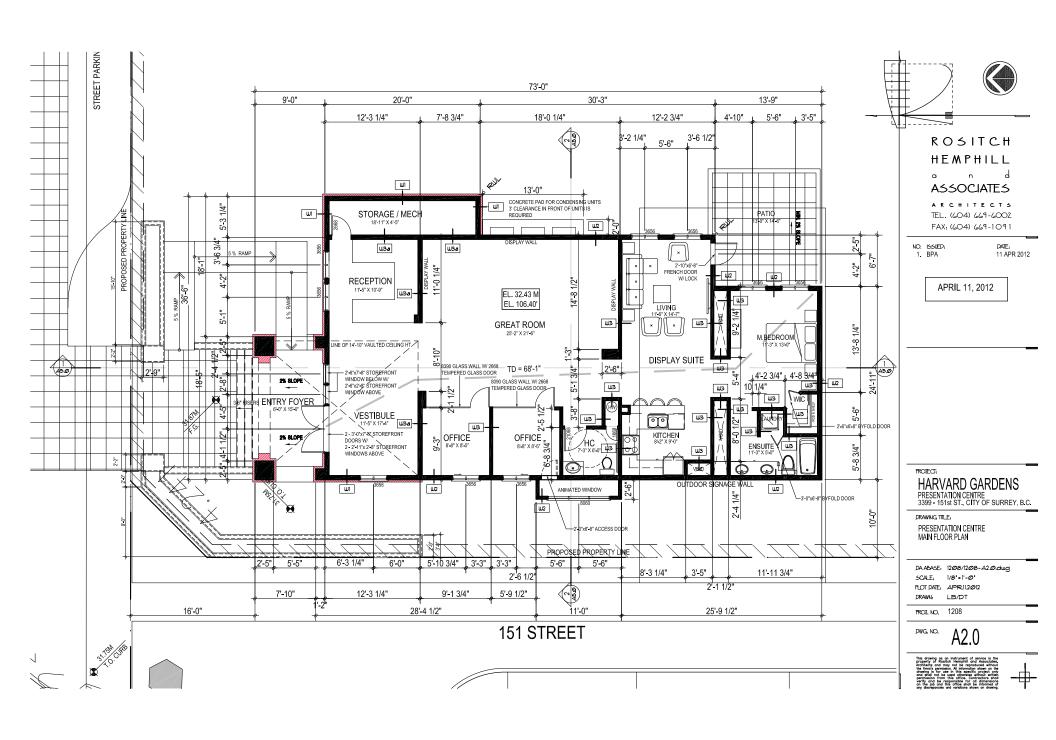
Name: (Please Print)

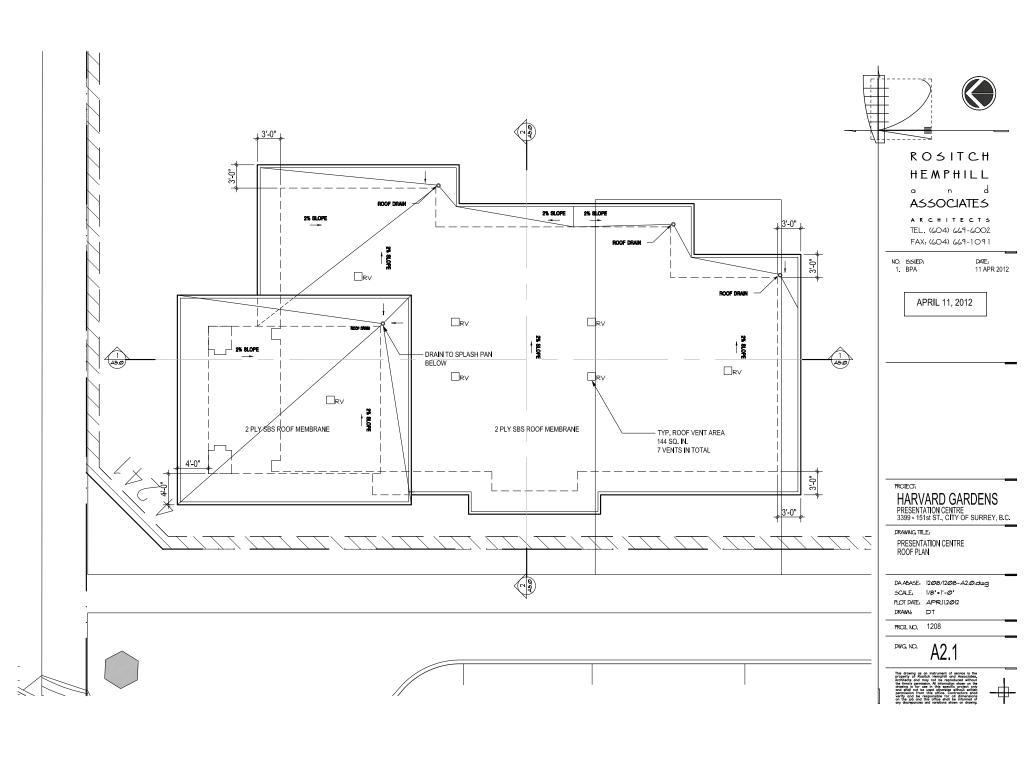
 $\label{linear_equality} $$ \left( \frac{4}{17}12.9:29 \text{ AM} \right) = \frac{4}{17}12.9:29 \text{ AM} $$$ 

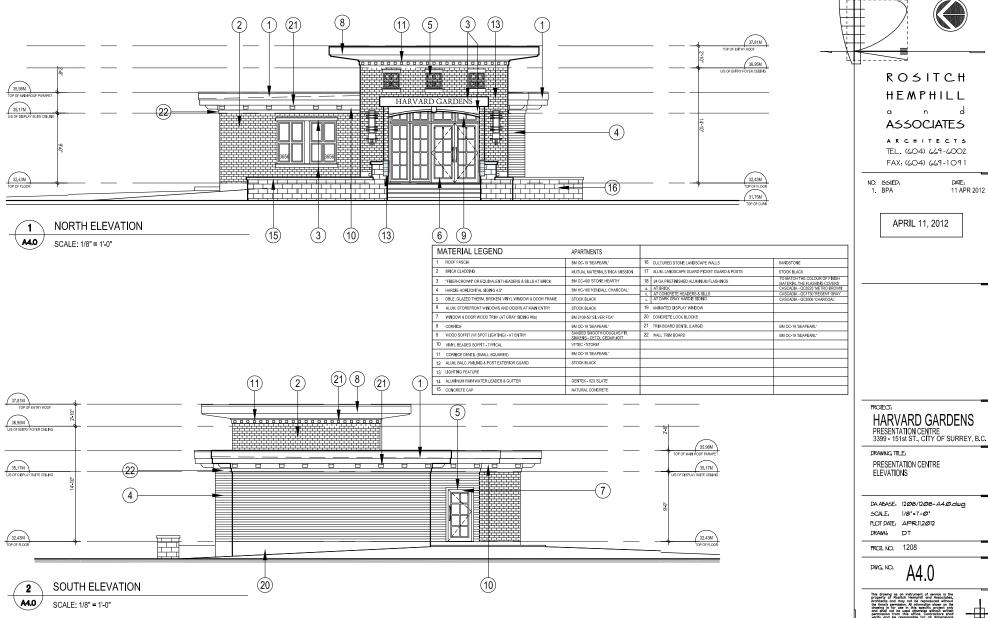
## TO THE CITY OF SURREY:

We,	POLYGON DEVELOPMENT 272 LTD., INC. NO. 877466 (Name of Owner)
being the BCP6711 Se	owner of <u>Lot 34 Except: Firstly, Parcel "H" (Bylaw Plan 62662); Secondly, Part on Plan</u> ection 27 Township 1 New Westminster District Plan 8895 (Legal Description)
known as	
	(Civic Address)
hereby und	dertake 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 permit.	n shall be done not later than the termination date set out on the temporary use
agents may is necessary compliance submitted l	nderstand that should I not fulfill the undertaking described herein, the City or its renter upon the land described on the temporary use permit and perform such work as to eliminate the temporary use and bring the use and occupancy of the land in with Surrey Zoning By-law, 1993, No. 12000, as amended, and that any securities by me to the City pursuant to the temporary use permit shall be forfeited and applied of restoration of my land as herein set out.
This undert	taking is attached hereto and forms part of the temporary use permit.  (Owner)
	BAM
	(Witness)













## ROSITCH HEMPHILL a n d

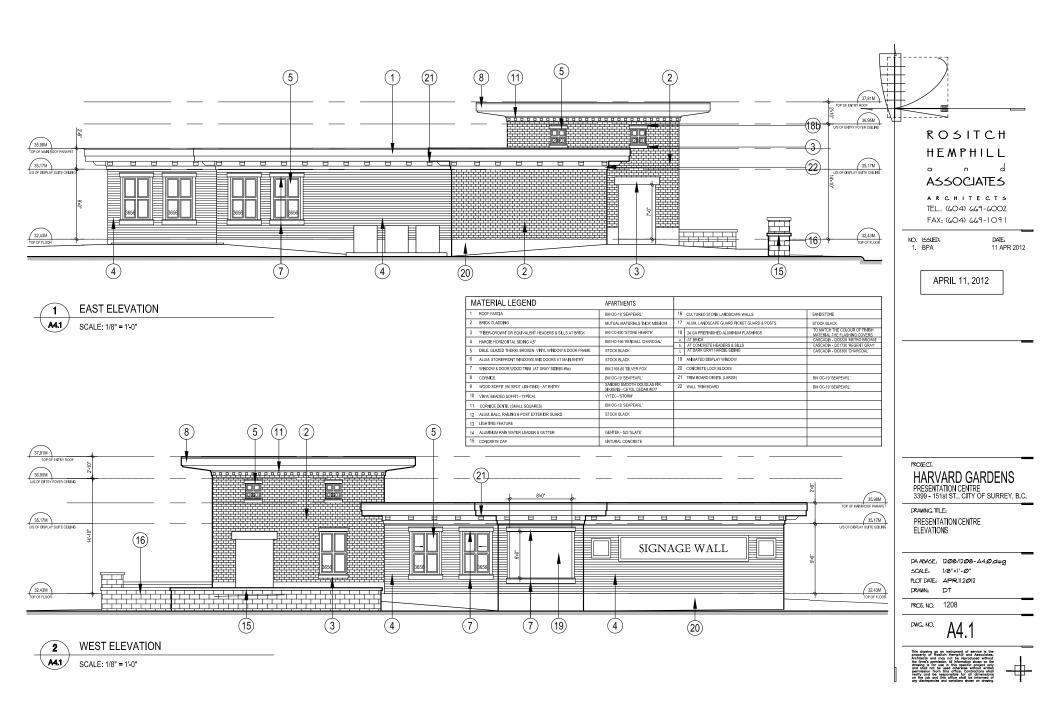
ARCHITECTS TEL. (604) 669-6002 FAX: (604) 669-1091

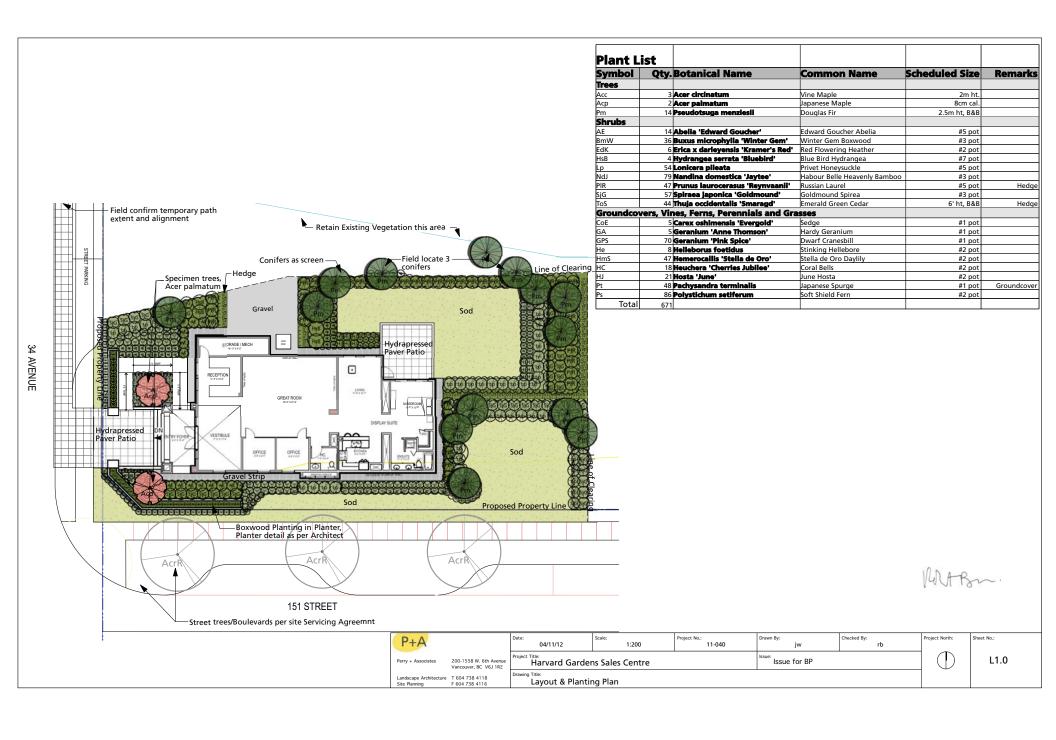
> DATE: 11 APR 2012

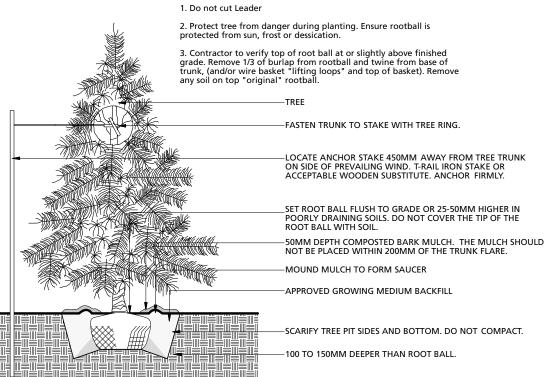
# HARVARD GARDENS



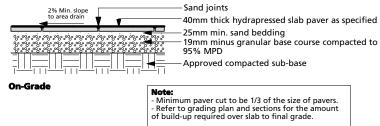








**GENERAL NOTES:** 







MARSON.

P+A		Date: 04/11/12	Scale: as noted	Project No.: 11-040	Drawn By: jw	Checked By:	Project North:	Sheet No.:
	200-1558 W. 6th Avenue Vancouver, BC V6J 1R2	Project Title: Harvard Gardens Sales Centre Issue: Issue for BP					L2.0	
Landscape Architecture Site Planning	T 604 738 4118 F 604 738 4116	Drawing Title: Details	awing Title:					