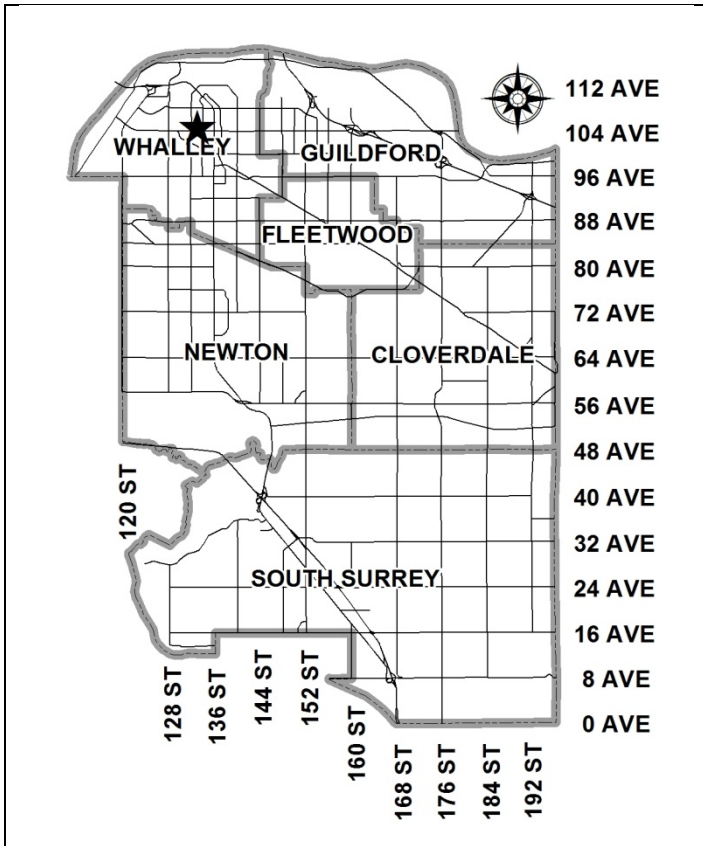


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0012-00

Planning Report Date: March 11, 2013



PROPOSAL:

- **Temporary Commercial Use Permit**

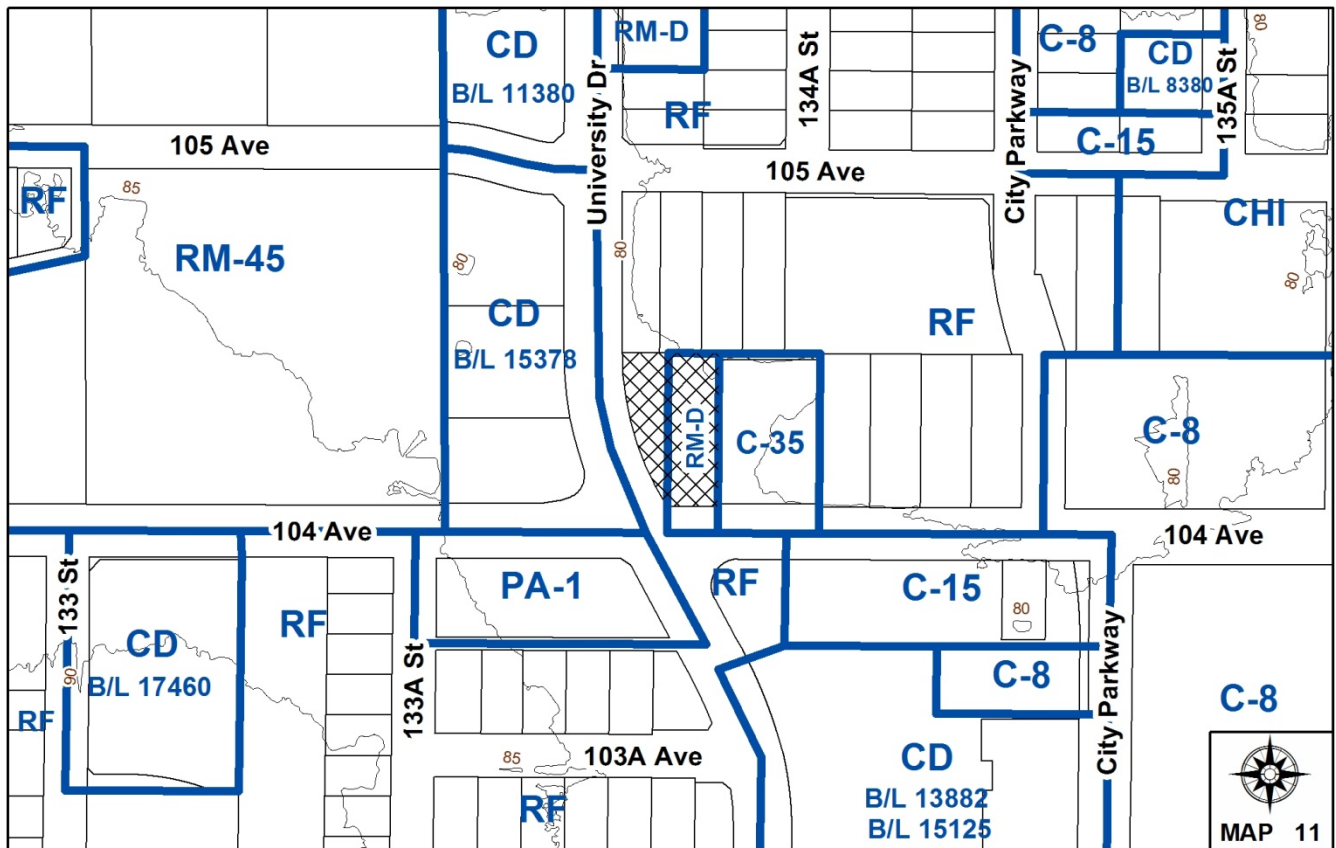
in order to permit the development of a temporary real estate sales centre for a proposed residential high-rise project in Surrey City Centre.

LOCATION: 13425 - 104 Avenue and
 13409 - 104 Avenue

OWNER: Bosa Properties (S. C.) Inc.

ZONING: RF and RM-D

OCP DESIGNATION: City Centre



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) will allow for the construction of a temporary sales centre from which the applicant will be able to market residential units on both the subject site and the site to the south-west (Application No. 7912-0349-00), until such time as the proposed residential tower and associated commercial space are constructed on the subject site.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Commercial Use Permit No. 7913-0012-00 (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; 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 objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.

SITE CHARACTERISTICS

Existing Land Use: Vacant lots, forming part of Development Application No. 7911-0333-00 (Third Reading) for the development of two high-rise residential towers, townhouses, and commercial space.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North:	Vacant lands, forming remainder of Development Application No. 7911-0333-00 (at Third Reading for two high-rise residential towers, townhouses, and commercial space)	City Centre	RF

Direction	Existing Use	OCP Designation	Existing Zone
East:	Mid-rise apartment building	City Centre	C-35
South (Across 104 Avenue):	New City Hall, currently under construction	City Centre	RF and C-15
West (Across University Boulevard):	Mid-rise apartment building and two, four-storey apartment buildings	City Centre	CD (By-law 15378)

DEVELOPMENT CONSIDERATIONS

- The subject site at 13409 and 13425 – 104 Avenue in City Centre is designated City Centre under the Official Community Plan (OCP) and is zoned "Single Family Residential Zone (RF)" and "Duplex Residential Zone (RM-D)".
- There is a land development application (No. 7911-0333-00) on the subject site, with the rezoning currently at Third Reading, to permit the development of two high-rise residential towers, containing approximately 499 apartment units, 12 townhouses, and 1,200 square metres (13,000 sq. ft.) of commercial space.
- The developer, Bosa Properties, wishes to construct a sales centre on the subject site from which to market the project.
- However, Development Application No. 7911-0333-00, which would allow commercial uses on the subject site, has not yet completed and the subject site is still zoned RF and RM-D. The current zoning does not allow a sales centre as a permitted use.
- As a result, the applicant has applied for a Temporary Commercial Use Permit (TUP) to permit the development of a temporary real estate sales centre and associated surface parking, on the subject site.
- The proposed real estate sales centre will be used by Bosa Properties to market residential units proposed on the subject site, as well as the residential units in the proposed residential tower on the south-west corner of University Drive and 104 Avenue (Development Application No. 7912-0349-00 which is pre-Council).
- The Temporary Commercial Use Permit is proposed to be in effect for three years, which should be sufficient time for the applicant to complete the sales of the proposed residential units on the subject site and the residential units in the proposed project on the adjacent lands to the south-west.

PRE-NOTIFICATION

- Pre-notification letters were mailed on February 1, 2013 and the development proposal sign was installed on February 8, 2013. Staff received one telephone call in response (*staff comments in italics*):
 - One caller asked about the status of the proposed tower development on the subject site. (*Staff explained that the 2-high-rise residential tower, townhouse, and commercial project (Development Application No. 7911-0333-00) has been granted Third Reading by Council and that the developer is working towards completing the conditions of approval. The proposed sales centre is for the developer can begin to market the tower development project.*)

DESIGN PROPOSAL AND REVIEW

- The proposed sales centre will be a single-storey building, with a total building area of 445 square metres (4,790 sq. ft.). As the proposed sales centre will be a modular building, the developer will be able to relocate the building to other development sites within City Centre once construction commences on the subject lot for the ultimate planned development.
- The sales centre will contain a sales area and offices, as well as mock-ups of a one-bedroom suite and a two-bedroom suite.
- The exterior of the building will be clad in composite metal panels with metal reveals that provide texture and interest. A glass curtain wall will emphasise the entry to the building and the model room area of the sales centre. The ramp to the entry of the sales centre will be made of architectural concrete foundation walls with the Bosa Properties logo. Signage is proposed on the north, east and south elevations.
- A surface parking lot, with spaces for 21 vehicles, will be constructed just north of the proposed sales centre and will be accessed by a driveway along the University Drive frontage of the subject site.
- The parking lot will be surfaced with crushed gravel.
- The remainder of the site will be comprised of paved walkways or landscaping including a mixture of trees, shrubs and grasses.

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. 7913-0012-00

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: Kevin Clark
 Cotter Architects Inc.
 Address: 11300 No 5 Road, UNIT 235
 Richmond, BC V7A 5J7

 Tel: 604-272-1477 - Work
 604-272-1477 - Fax

2. Properties involved in the Application
 - (a) Civic Addresses: 13425 - 104 Avenue
 13409 - 104 Avenue

 - (b) Civic Address: 13425 - 104 Avenue
 Owner: Bosa Properties (S. C.) Inc.
 PID: 009-467-891
 Lot 29 Except: Parcel A (Bylaw Plan 87435) Section 22 Block 5 North Range 2 West New
 Westminster District Plan 11141

 - (c) Civic Address: 13409 - 104 Avenue
 Owner: Bosa Properties (S. C.) Inc.
 PID: 009-467-939
 Lot 30 Except: Part of Bylaw Plan 55687; Section 22 Block 5 North Range 2 West New
 Westminster District Plan 11141

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Temporary Commercial Use Permit No. 7913-0012-00

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

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

DATE: **March 1, 2013**

PROJECT FILE: **7813-0012-00**

RE: **Engineering Requirements (Commercial/Industrial)
Location: 13409 104 Avenue.**

TEMPORARY USE PERMIT

- Provide security for construction and removal of all temporary services and driveways; and
- Provide Statutory Rights-of-Way for the future 104 Avenue road dedication, for the future University Drive BC/Surrey Parkway public rights-of-passage area and for the future 104 Avenue and University Drive intersection corner cut dedication area.

A Servicing Agreement is required prior to issuance of the Temporary Use Permit.



Rémi Dubé, P.Eng.
Development Services Manager

SSA

CITY OF SURREY

(the "City")

TEMPORARY COMMERCIAL USE PERMIT

NO.: 7913-0012-00

Issued To: BOSA PROPERTIES (S. C.) INC
("the Owner")

Address of Owner: 1201, 838 - Hastings Street West
Vancouver, BC
V6C 0A6

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: 009-467-891

Lot 29 Except: Parcel A (Bylaw Plan 87435) Section 22 Block 5 North Range 2 West New Westminster District Plan 11141

13425 - 104 Avenue

Parcel Identifier: 009-467-939

Lot 30 Except: Part of Bylaw Plan 55687; Section 22 Block 5 North Range 2 West New Westminster District Plan 11141

13409 - 104 Avenue

(the "Land")

3. The Land has been designated as Temporary Commercial Use Permit Area No. 17 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; 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.

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.

- ii. 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.

Authorized Agent: Signature

Name (Please Print)



Owner: Signature

COLIN BOSHA

Name: (Please Print)

OR

TO THE CITY OF SURREY:

I, COLIN BOSA (Name of Owner)

being the owner of Lot 29 Except: Parcel A (Bylaw Plan 87435) Section 22 Block 5 North Range 2 West New Westminster District Plan 11141
Lot 30 Except: Part of Bylaw Plan 55687; Section 22 Block 5 North Range 2 West New Westminster District Plan 11141

(Legal Description)

known as 13425 - 104 Avenue
13409 - 104 Avenue

(Civic Address)

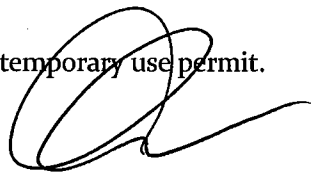
hereby undertake as a condition of issuance of my temporary use permit to:

- (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)

PROJECT INFORMATION

CIVIC ADDRESS:
13409 & 13425 104th Avenue, Surrey, BC

LEGAL ADDRESS:
LT30 SEC 22 RGE 2W PL 11141 NWD
LT29 BLK 5N SEC22 RGE 2W PL 1141 NWD

APPLICANT:
COTTER ARCHITECTS

CURRENT ZONING:
RF and RM-D

PROPOSED ZONING:
CD

DEVELOPMENT DATA

GROSS SITE AREA:
87,589 sq ft (8,137.2 m²)

BUILDING FOOTPRINT:
6,016 sq ft (558.90 m²)

SITE COVERAGE:
6.9%

GROSS FLOOR AREA:
4,793 sq ft (445.28 m²)

FLOOR AREA RATIO:
0.05

PARKING PROVIDED:
21 (Including 2 H.C.)

PROJECT DIRECTORY

OWNER:
BOSA Properties
1201 - 838 West Hastings Street
Vancouver, BC V5C 0A9
T(604) 299-1363; F(604) 299-6460

ARCHITECTURAL:
Cotter Architects Inc.
Suite #235 11300 No. 5 Road
Richmond, BC V7A 5J7
T(604) 272-1477; F(604) 272-1471

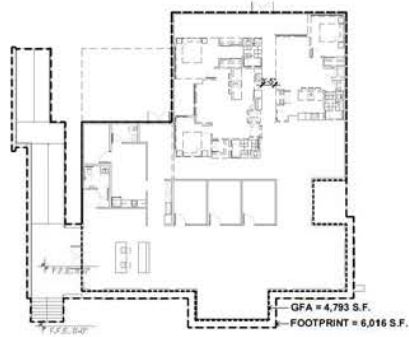
LANDSCAPE:
Van Der Zalm + Associates Inc.
Suite 1 - 8538 192nd Street
Surrey, BC V4N 3W8
T(604) 882-0024 ext 22; F(604) 882-0042

STRUCTURAL:
Weiler Smith Bowers
#118 - 3855 Henning Drive
Burnaby, BC V5C 6N3
T(604) 294-3753; F(604) 294-3754

DRAWING LIST

ARCHITECTURAL
A-000 Cover Page /Data sheet
A-101 Site Plan
A-111 Floor Plan
A-112 Roof Plan
A-201 Building Elevations
A-301 Building Sections
A-901 Images

AREA SUMMARY



LOCATION MAP



SURREY PRESENTATION CENTRE

BOSA PROPERTIES

13409 & 13425 104th Avenue, Surrey, BC



APPLICATION FOR TEMPORARY USE PERMIT
JANUARY 15, 2013

