

NO: L001

COUNCIL DATE: July 9, 2018

REGULAR COUNCIL – LAND USE

TO: **Mayor & Council**

DATE: **July 5, 2018**

FROM: **General Manager, Engineering**

FILE: **5250-01**

XC: **7916-0448-00**

SUBJECT: **Development Variance Permit No. 7916-0448-00**

RECOMMENDATION

The Engineering Department recommends that Council approve the Development Variance Permit No. 7916-0448-00 (Appendix “I”) to vary the definition of “Bond” in the *Surrey Subdivision and Development By-law, 1986, No. 8830, as amended*, to include the use of a Surety Bond for Servicing Agreement No. 7816-0448-00 and to proceed to Public Notification.

INTENT

The purpose of this report is to seek Council’s approval to vary the definition of “Bond” in the *Surrey Subdivision and Development By-law, 1986, No. 8830, as amended*, to include the use of a Surety Bond for the noted development project.

BACKGROUND

On December 5, 2016, Council approved Corporate Report R257; 2016 titled “Pilot Program for Use of Surety Bonds as Alternate Form of Security for Servicing Agreements.” On February 27, 2017, Council approved Corporate Report L001; 2017 titled “Update on Pilot Program for Use of Surety Bonds as Alternate Form of Security for Servicing Agreements.”

DISCUSSION

Anthem Surrey City Centre Holdings LP is proposing to rezone 13665 – 102 Avenue to develop a 30-storey residential high-rise with ground floor commercial uses in Phase 1 of a multi-phased mixed-use high-rise development.

In order to allow the use of a Surety Bond, a Development Variance Permit is required to vary the definition of “Bond” in the *Surrey Subdivision and Development By-law, 1986, No. 8830, as amended*, to include the use of a Surety Bond for the noted development project.

To date, there have been two development projects that have been approved to use Surety Bonds (7814-0348-00 and 7815-0130-00).

SUSTAINABILITY CONSIDERATIONS

The pilot program to use Surety Bonds supports the goals of the City's Sustainability Charter 2.0 to increase housing options and affordability by allowing improved utilization of developers' capital funds for reinvestment. In particular, the pilot program supports the Sustainability Charter 2.0 theme of Inclusion, specifically the following Desired Outcomes ("DO") and Strategic Directions ("SD"):

- Housing DO12: Everyone in Surrey has a place to call home;
- Housing DO13: Appropriate and affordable housing is available to meet the needs of all households in Surrey;
- Housing SD10: Increase and maintain the supply of affordable and appropriate rental housing across all Surrey communities; and
- Housing SD11: Ensure development of a variety of housing types to support people at all stages of life.

CONCLUSION

The Engineering Department recommends that Council approve the Development Variance Permit No. 7916-0448-00 (Appendix "I") to vary the definition of "Bond" in the *Surrey Subdivision and Development By-law, 1986, No. 8830, as amended*, to include the use of a Surety Bond for Servicing Agreement No. 7816-0448-00 and to proceed to Public Notification.

Fraser Smith, P.Eng., MBA
General Manager, Engineering

SSL/jma/ggg

Appendix "I": Development Variance Permit No. 7916-0448-00

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7916-0448-00

Issued To: ANTHEM KS SURREY HOLDINGS LTD.

(the "Owner")

Address of Owner: 300, 550 Burrard Street
Vancouver, B.C. V6C 2B5

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance 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: 000-498-556
Lot 59 Section 26 Block 5 North Range 2 West New Westminster District Plan 33336

13665 – 102 Avenue

(the "Land")

3. Surrey Subdivision and Development By-law, 1986, No. 8830, as amended, is varied as follows:
 - (a) In Part I – Interpretation – Definitions, "Bond" means cash, an irrevocable Letter of Credit or a Surety Bond in favour of the City.
4. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
5. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE ____ DAY OF _____, 2018.
ISSUED THIS ____ DAY OF _____, 2018.

Mayor – Linda Hepner

City Clerk – Jane Sullivan