

City of Surrey
PLANNING & DEVELOPMENT REPORT

Application No.: 7921-0007-00

Planning Report Date: May 31, 2021

PROPOSAL:

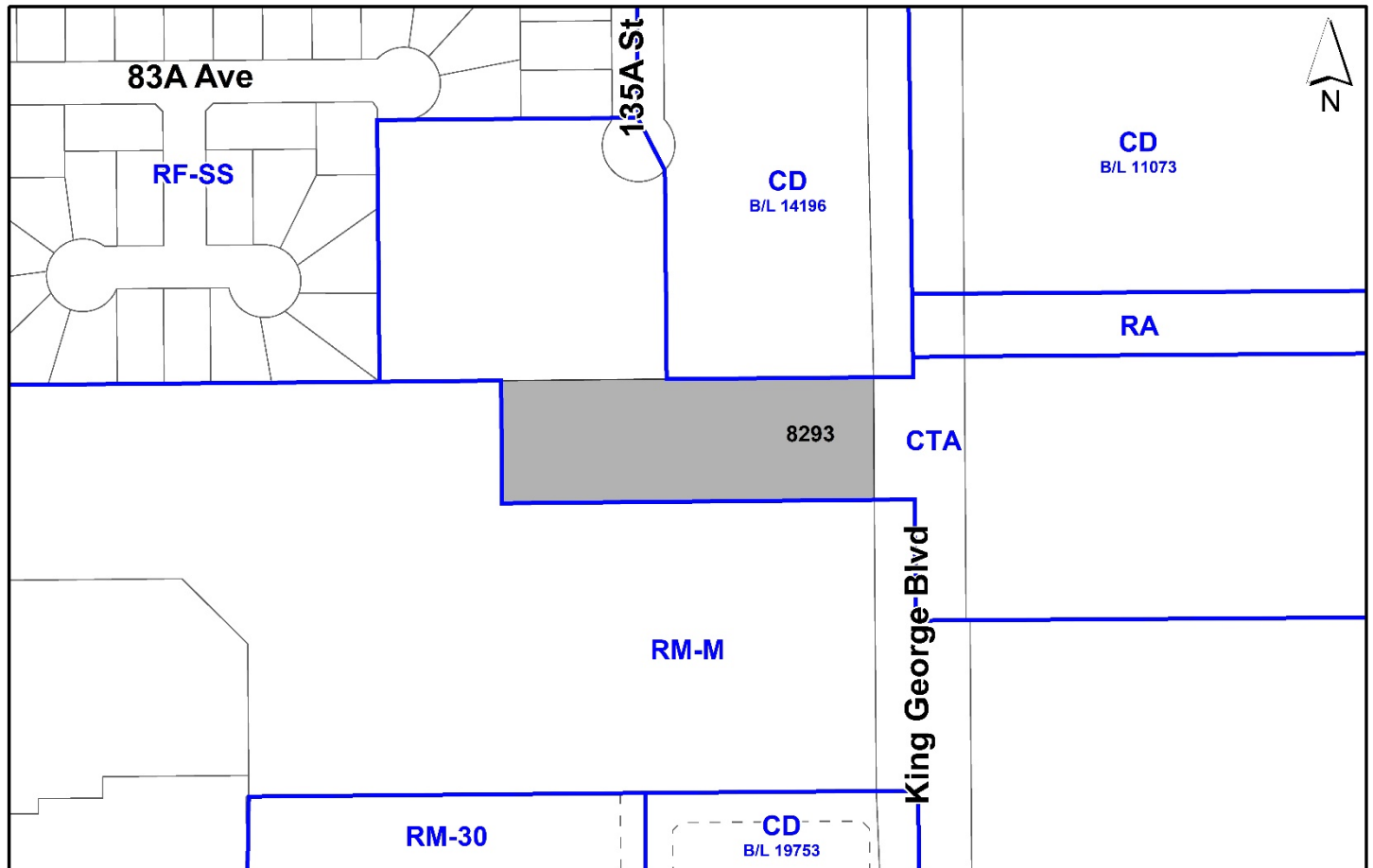
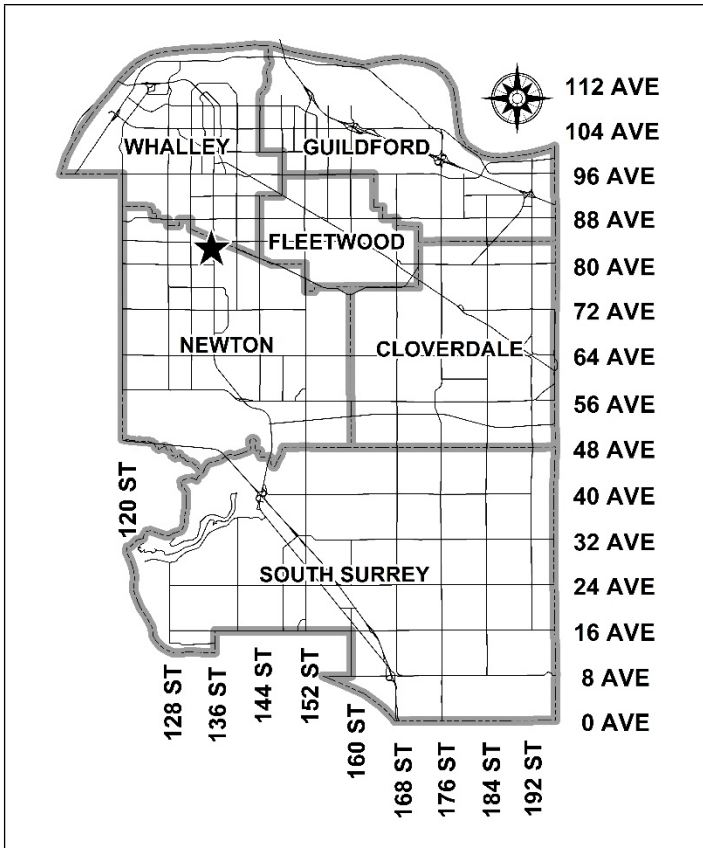
- **Temporary Use Permit**

to permit the development of a temporary real estate sales centre for a duration of 3 years for a proposed multi-family development located in City Centre

LOCATION: 8293 - King George Boulevard

ZONING: CTA

OCP DESIGNATION: Urban



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The proposed Temporary Use Permit (TUP) will allow for the construction of a temporary sales centre from which the applicant will be able to market residential units for a proposed development located in City Centre.
- The subject application is associated with Development Application No. 7918-0339-00, which proposed to construct 86 apartment units. The application received Third Reading at the October 7, 2019 Regular Council – Public Hearing meeting.
- A development proposal is currently being reviewed by staff for a mixed-use and multi-family residential development on the subject property under Development application No. 7919-0371-00, which has not been reviewed by City Council yet.
- The applicant will post a \$5,000.00 bond to ensure the removal of the temporary building in the future.

RECOMMENDATION

The Planning & Development Department recommends that:

Council approve Temporary Use Permit No. 7921-0007-00 (Appendix III) to proceed to Public Notification.

1. Council instruct staff to resolve the following issues prior to final approval:
 - (a) submission of a finalized landscaping plan and completion of landscape works to the specifications and satisfaction of the Planning and Development Department;
 - (b) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect; and
 - (c) submission of security to ensure the building is removed and the site is brought into compliance with the Zoning By-law following the expiration of the Temporary Use Permit.

SITE CONTEXT & BACKGROUND

Direction	Existing Use	OCP Designation	Existing Zone
Subject Site	Vacant (Development Application No. 7919-0371-00 for multi-residential/mixed-use development)	Urban	CTA
North:	Self-storage Vacant (Development Application No. 7919-0371-00 for multi-residential/mixed-use development)	Mixed Employment Urban	CD (Bylaw No. 14196) CTA
East (Across King George Boulevard):	Mobile Home Park	Urban	CTA
South & West:	Mobile Home Park	Urban	RM-M

Context & Background

- The subject site at 8293 King George Boulevard is currently designated Urban in the Official Community Plan (OCP) and is zoned "Tourist Accommodation Zone (CTA)".
- Development Application No. 7919-0371-00, which is in its initial review stage, proposes to redevelop the subject property and one adjacent property into mixed-use (commercial and residential) fronting King George Boulevard and multi-family residential fronting 135a Street.
- The property is currently vacant.

DEVELOPMENT PROPOSAL

Planning Considerations

- The applicant is proposing a Temporary Use Permit (TUP) to allow a sales centre on the subject site from which to market a multi-family development located in City Centre while approvals for Development Application No. 7919-0371-00 are sought from the City.
- The proposed sales centre will be marketing units for application 7918-0339-00 located at the southeast corner of 108 Ave and 138 Street in City Centre. 7918-0339-00 was granted 3rd reading at the October 7, 2019 Regular Council – Public Hearing meeting.
- The sales centre is proposed on the southeast corner of the site and the rest of the site will remain vacant.
- The TUP is proposed to be in effect for three years, which should be sufficient time for the applicant to complete the sale of the proposed City Centre development. The applicant may pursue an extension of the TUP following its expiry to allow the sales centre to continue operating in order to market the development on the subject site, if supported by Council.

	Proposed
Lot Area	
Gross Site Area:	0.67 hectares
Road Dedication:	None
Undevelopable Area:	None
Net Site Area:	0.67 hectares
Building Height:	4.2 metres
Building Floor Area:	200 square metres
Floor Area Ratio (FAR):	0.03

Referrals

Engineering:

The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II. The Engineering requirements must be completed before issuance of the building permit.

Surrey Fire Department: The Fire Department has no objection to the project.

Planning Considerations

- The sales centre is proposed to be 200 square metres in size. It will be located on the southeast corner of the lot, adjacent to King George Boulevard (see Appendix I).
- Proposed setbacks are as follows:
 - North: 30.1 metres
 - West: 118.5 metres
 - East: 5.2 metres
 - South: 6.1 metres
- The east and south yard setbacks do not comply with the CTA Zone which are required to be 20 metres and 7.5 metres respectively. The proposal complies with the north and west yard setbacks of the CTA Zone.
- The proposed sales centre cannot comply to the south yard setback as there is an access easement located to the north of the proposed structure. The easement provides emergency ingress/egress to the manufactured home park located immediately to the west and south of the subject site. Complying with the side yard setback would result in the easement being obstructed.
- The 5.2 metre east yard setback locates the proposed sales centre adjacent to King George Boulevard and is appropriate given the scale and temporary nature of the proposed use.
- The sales centre consists of one single-storey prefabricated building containing an office/reception area with a mock-up of an apartment unit.
- The building exterior will consist of a mixture of Hardie panel, Hardie shingles, and Hardie siding. The north elevation will feature the Hardie shingle and panel to emphasize the sales centre's main entrance. Significant glazing is provided on the north elevation, and some minor glazing provided on the east and west elevations.
- A 6 metre wide landscaping strip will be provided on the north elevation. The landscaping proposes a mixture of sod, native grasses, evergreen shrubs, flowering shrubs and 5 red maple trees.
- The front (east) yard will be sodded and have an existing fence and shrubs maintained at the property line.
- The applicant has proposed to plant the landscaping in advance of the TUP issuance.
- Existing trees on the property are located away from the proposed development and will not be disturbed.
- The Zoning By-law requires 3 parking spaces per 100 square metres of floor area for retail uses, resulting in a minimum requirement of 6 parking spaces. The applicant proposes to provide 9 parking spaces, which exceeds the minimum bylaw requirement.

- Vehicle access to the proposed sales centre will be via an existing driveway on King George Boulevard. The proposed asphalt parking lot is on the north side of the building.
- A separate pedestrian access to the main entrance of the sales centre is provided from King George Boulevard.
- The site is adjacent to a transit stop for route 321 which provides service between City Centre and White Rock via Newton Town Centre.

POLICY & BY-LAW CONSIDERATIONS

Regional Growth Strategy

- The subject property lies within the "General Urban" designation in Metro Vancouver's Regional Growth Strategy (RGS) and the proposal is compatible with that designation.

Official Community Plan

Land Use Designation

- The site is within the "Urban" designation in the City's Official Community Plan (OCP) and the site is compatible with that designation.

PUBLIC ENGAGEMENT

- Pre-notification letters were sent on February 18, 2021, and the Development Proposal Signs were installed on February 5, 2021. Staff received four responses from neighbours who mainly sought clarification on the application.
- Concerns were expressed from neighbours regarding truck parking and unpermitted construction activity. The neighbours were informed that truck parking was not a permitted use and no approvals for the sales centre had been granted. The neighbours were informed to contact Bylaw Enforcement if truck parking or unpermitted construction activity was occurring.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Site Plan and Landscape Plan
- Appendix II. Engineering Summary
- Appendix III. Temporary Use Permit No. 7921-0007-00

approved by Shawn Low

Jean Lamontagne
General Manager
Planning and Development

BD/cm

CITY OF SURREY

(the "City")

TEMPORARY USE PERMIT

NO.: 7921-0007-00

Issued To:

(the "Owner")

Address of Owner:

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: 004-959-370
Lot 67 Section 29 Township 2 New Westminster District Plan 51521
8293 - King George Boulevard

(the "Land")

3. The authority to issue Temporary Use Permits is granted to municipalities under Sections 492 and 493 of the *Local Government Act* R.S.B.C. 2015, c.1. Pursuant to Implementation, II(c) Implementation Instruments, Temporary Use Permits of Surrey Official Community Plan, 2013, No. 18020, as amended, the entire City of Surrey is designated a Temporary Use Permit area.
4. The temporary use permitted on the Land shall be for a real estate sales centre and associated surface parking lot.
5. The temporary use permitted on the Land shall be in accordance with:
 - (a) The appearance and location of the buildings, access, parking, and landscaping as shown on Schedule A and numbered 7921-0007-00 (1) through to and including 7921-0007-00 (2) (the "Drawings") which is attached hereto and forms part of this permit.

6. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:
 - (a) In Section F of Yards and Setbacks of Part 42 "Tourist Accommodation Zone (CTA)" the minimum front yard setback for a principal and accessory building and structure is reduced from 20 metres to 5.2 metres.
 - (b) In Section F of Yards and Setbacks of Part 42 "Tourist Accommodation Zone (CTA)" the minimum side (south) yard setback for a principal and accessory building and structure is reduced from 7.5 metres to 6.1 metres.

7. The temporary use shall be carried out according to the following conditions:
 - (a) Parking is restricted to vehicles less than 5,000 kilograms GVW; and
 - (b) Upon termination of this Temporary Use Permit, the real estate centre and temporary parking shall be removed, and the land restored to its original condition.

8. 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:

An Irrevocable Letter of Credit, in a form acceptable to the City, or Cash in the amount of \$5,000.

9. 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.

10. An undertaking submitted by the Owner is attached hereto as Appendix I and forms part of this temporary use permit.

11. This temporary use permit is not transferable.

12. 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 – Doug McCallum

City Clerk – Jennifer Ficocelli

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.

Owner: Signature

Name (Please Print)

TO THE CITY OF SURREY:

I, _____ (Name of Owner)

being the owner of _____
(Legal Description)

known as _____
(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)

