October 14, 2011
Our file: 08-3060-20/11 012899 DP/1
Doc #: 1120567.V1

To: City Manager
From: General Manager Planning and Development

Subject: Temporary Use Permit Authorization for a Bank at 1025, 1027A, 1029 Brunette Avenue (11 012899 DP)

For: Land Use and Economic Development Standing Committee

Recommendation:
That Council approve a two and a half year Temporary Use Permit 11 012899 DP (1025, 1027A, 1029 Brunette Avenue) and the Mayor and City Clerk be authorized to execute the Permit on behalf of the City of Coquitlam.

Report Purpose:
To authorize a Temporary Use Permit (TUP) to accommodate a temporary bank (Vancity) at 1025, 1027A, 1029 Brunette Avenue for a period of two and a half years.

Strategic Goal:
This report supports the strategic corporate objective of supporting neighbourhoods.

Background:
The Local Government Act permits municipalities to issue TUPs to permit temporary uses on properties that are not otherwise permitted. At the April 19, 2011 Regular Council meeting, Council authorized text amendments to the Zoning Bylaw to designate the subject properties as a TUP Area in order to accommodate the construction of a temporary Vancity bank. The applicant is seeking to relocate the existing Vancity bank facility on the adjacent property to the west, at 1013 Brunette Avenue, to the subject site on a temporary basis to facilitate the redevelopment of the existing bank property.

Site Context
The subject site is 3071m² in size, and comprises three (3) legal properties at the northwest corner of Brunette Avenue and Nelson Street (Attachment 1). The vacant site is immediately adjacent to the existing Vancity bank. The adjacent lands to the west, east and south are designated Neighbourhood Centre and the land to the north is designated Neighbourhood Attached Residential.
Proposed Development
The applicant is proposing to construct a temporary modular building fronting Brunette Avenue (Attachments 2 and 3). The development proposes a density of 0.18 FSR (floor space ratio) and lot coverage of 45.4% (Attachment 4). The building will be accessible to pedestrians from Brunette Avenue and Nelson Street and the access to the parking lot is from Nelson Street. The proposed development will provide all of the required parking (14 parking stalls), provides one on-site loading bay and is providing the City with a required 3.5 metre right-of-way along Brunette Avenue for future road/sidewalk improvements.

Discussion/Analysis:
Zoning Bylaw
The subject site is designated Neighbourhood Commercial in the Maillardville Neighbourhood Plan and the corresponding zone to this designation is C-5 Community Commercial. The proposed development was reviewed based on the parameters of the C-5 zone and meets the density, setback, lot coverage and parking requirements of the C-5 zone.

While the design standard for temporary modular buildings under a TUP is reduced from what would be expected from a permanent C-5 Community Commercial project, staff have evaluated the project design to ensure that the temporary use is still appropriately designed.

Staff contend that the proposed temporary development is generally consistent with the vision and intent of the Maillardville Neighbourhood Plan and meets the conditions and criteria applicable to TUPs outlined in Section 402(2) of the Zoning Bylaw, as follows:

- will operate at an intensity of use suitable to the surrounding area;
- is compatible with regard to use, design and operation with other surrounding land uses;
- will operate on a temporary basis only and includes plans for development and restoration prior to expiry of the Permit; and,
- provides financial security to ensure the temporary use is removed and the site properly restored.

Temporary Use Permit (TUP) 11 012899 DP
The TUP (Attachment 5) is valid for a period of two and a half years from the time of authorization, although staff expect the new Vancity building to be completed prior to this. The applicant will be required to remove the temporary building that is proposed and restore the site with landscaping. To ensure the site is restored after the Permit lapses, the applicant has submitted a financial security that will be held until all restoration works are completed.
Financial Implications:
There are no direct financial implications associated with this report.

Conclusion:
Staff support the proposed TUP application and temporary building. The proposed use is consistent with the intent and policies of the Maillardville Neighbourhood Plan and the proposed temporary development is consistent with the applicable design and zoning parameters for temporary uses. Further, the subject site and the proposed development would facilitate the reconstruction of the existing VanCity building located at 1013 Brunette Avenue, without disrupting banking services to local residents.

J.L. McIntyre, MCIP
MD/Imc

Attachments:
1. Ortho Photo
2. Site Plan
3. Elevations
4. Development Data Sheet (Doc. #1120791)
5. TUP 11 012899 DP (Doc. #1120793)

This report was prepared by Michael Dhaliwal, Development Planner and reviewed by Raul Allueva, Manager Development Services and Erica Tiffany, Supervisor Development Planning.
**Development Proposal**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>Land Uses</td>
<td>Single-Family Homes (3)</td>
</tr>
<tr>
<td>CWOCP Designation</td>
<td>Neighbourhood Commercial</td>
</tr>
<tr>
<td>Zoning</td>
<td>RT-1 Two-Family Residential</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bylaw Requirement (C-5 Community Commercial Zone used for comparison)</th>
<th>Proposed</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot size</td>
<td>N/A</td>
<td>3071m²</td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td>Max. 2.5 x lot area</td>
<td>0.18 x lot area (550m²)</td>
</tr>
<tr>
<td>Lot coverage</td>
<td>Max. 90%</td>
<td>45.4%</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front (Brunette)</td>
<td>Min. 3.0m</td>
<td>3.0m</td>
</tr>
<tr>
<td>Ext. Side (Nelson)</td>
<td>Min. 3.0m</td>
<td>12.0m</td>
</tr>
<tr>
<td>Int. Side (west lot line)</td>
<td>Min. 0.0m</td>
<td>3.0m</td>
</tr>
<tr>
<td>Rear</td>
<td>Min. 0.0m</td>
<td>30m</td>
</tr>
<tr>
<td>Building Height (No. of storeys and metres)</td>
<td>Max. N/A</td>
<td></td>
</tr>
<tr>
<td>Off-street Parking</td>
<td>1 space for 40m² (14 spaces)</td>
<td>14 spaces</td>
</tr>
</tbody>
</table>
This Temporary Use Permit applies to and only to those lands, within the City, described below, and any and all buildings and structures thereon.

1025, 1027A, 1029 Brunette Avenue
Lot 07 Block 26 District Lot 45 New Westminster District Plan 1481
Lot A District Lot 45 New Westminster District Plan 20736
Lot B District Lot 45 New Westminster District Plan 20736
Parcel Identifier: 012-241-369, 009-473-114, 009-473-131

AND WHEREAS the Permittee has made application for a Development Permit in regard to the Lands pursuant to Part 26 of the Local Government Act R.S.B.C., c. 323 as amended;

NOW THEREFORE, the City in consideration of the covenants and conditions contained herein hereby issues this Temporary Use Permit in respect of the Lands to the Permittee as follows:
1. **Subject to Bylaws.** This Temporary Use Permit is issued subject to all requirements contained in the City's Bylaws except where specifically varied or supplemented by this Temporary Use Permit.

2. **Compliance with Building Regulations.** The Permittee will comply with all federal, provincial and municipal statutes, regulations and bylaws.

3. **Development is Authorized Only in Accordance with the Terms of Permit.** The Lands will be developed by the Permittee, including his successors and assigns, in conformity with the attached plans and specifications (Appendices A through M) which are hereby incorporated into and form part of this Permit.

4. **Changes.** Minor changes to the attached plans that do not affect the intent of this Temporary Use Permit and general appearance of the buildings and character of the development may be permitted, subject to the approval of the City.

5. **Security.** Pursuant to s. 921 of the *Local Government Act*, the Permittee has been required to pay and the City is holding a security in the amount of $37,500.00 to ensure that the development specified in this Permit, and particularly the landscaping works therein, is carried out in accordance with the terms and conditions of this Permit, and to ensure that an unsafe condition, or damage to the natural environment, will not result from a contravention of the provisions of this Permit.

   A. The condition of posting of the security is that should the Permittee fail to carry out the works or services hereby authorized according to the terms and conditions of this Permit, the City may use the security and any interest thereon accrued by the City to carry out the work by its servants, agents or contractors. If any security remains unexpended at the completion of the works by the City, such surplus shall be paid over to the Permittee, however, if the cost of completing the work exceeds the amount of the security and interest, the Permittee will pay such excess amount to the City immediately upon receipt of the City's invoice for the same.

   B. Should the Permittee carry out the development permitted by this Permit the security and an interest thereon accrued by the City will be returned to the Permittee upon verification by the Manager of Development Services of the City or designate, that the development permitted by the Permit, and particularly the landscaping works, have been completed in accordance with the terms and conditions of this Permit, and that no unsafe condition or damage to the natural environment has resulted.

6. **Completion of Development/Lapse of Permit.** Pursuant to s. 921 of the *Local Government Act*, this Permit will expire two and a half years from the date of issuance and the temporary building is required to be removed and the site restored with landscaping.
7. **Reconsideration of Council Decision.** Under the Community Charter, a reconsideration of the decision of Council that led to the issuance of this Permit may be initiated by the Mayor or Council within thirty (30) days following the meeting at which the decision was made.

8. **Signs.** The Permittee acknowledges that the plans attached to, and forming part of this Permit, have not been reviewed by the City in relation to any signage which may be depicted on the plans and the regulatory aspects of the City of Coquitlam Sign Bylaw No. 3873, 2008, as amended. Separate applications for all signs must be made under such Sign Bylaw.

9. **Conditions.** Pursuant to s. 921 of the Local Government Act, the following conditions are hereby imposed:

   A. **Encumbrances in Favour of the City.** The Permittee will, prior to any financial encumbrances, and prior to the issuance of a Building Permit for the Lands, register on title to the Lands the following encumbrances in favour of the City in a form acceptable to, and with such changes as may be required by, the City Solicitor:

      1. registration of a 3.5 metre statutory right-of-way along the entire Brunette Avenue frontage.

   B. **Prior to Issuance of a Building Permit for the Lands:**

      1. **Landscaping Restoration Plan.** The Permittee agrees to submit to the City a complete landscaping restoration plan, indicating how the site will be restored within two and a half years. Before the permit lapses, the temporary building is to be removed and lands restored to the approval of the Manager of Development Services, or designate.

      2. **Signs.** The Permittee agrees to submit to the City a complete signage package for the Lands, including all freestanding signs, building signs, directional signs and any other signs proposed for the Lands.

   C. **Prior to Expiration of Temporary Use Permit:**

      1. **Removal of Temporary Building.** The Permittee will remove all temporary buildings and structures associated with this temporary use permit from the lands to the satisfaction of the Manager of Development Services, or designate.

      2. **Landscape Restoration.** The Permittee will restore the lands in accordance with the landscape restoration plan approved by the Manager of Development Services, or designate.
Authorized by the City, on the ______ day of __________________, 2011.
(Authorized date is the date of the Council Resolution or date of Council's Delegate signing.)

In witness whereof this Permit has been executed by the Permittee and the City, and issued by the City on the date set out above.

The Corporate Seal of
CITY OF COQUITLAM
was hereunto affixed in the presence of:

Mayor - Richard Stewart

City Clerk - James Gilbert

I/we acknowledge that I/we have read and understand the terms and conditions upon which this permit is issued.

VANCITY SAVINGS CREDIT UNION
Name of Permittee

Signature of Permittee
(or Authorized Representative of Permittee)  Printed name of Signatory
(if different from above)