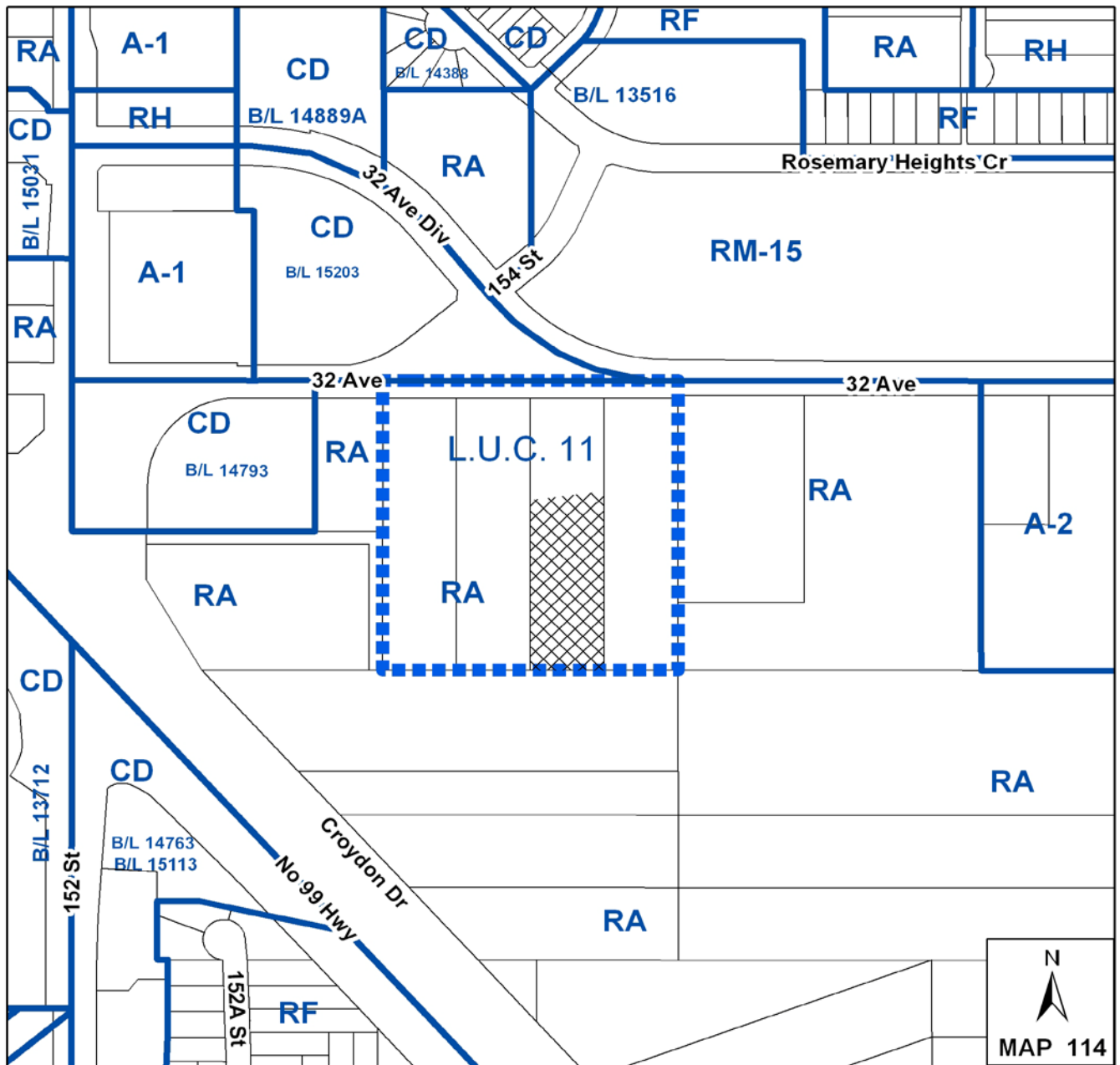


Proposal:	Temporary Use Permit to allow the continued use of a portion of the property as an automotive repair shop on a temporary basis.		
Recommendation:	Approval to Proceed		
Location:	Portion of 15360-32 Ave	Zoning:	RA (LUC No. 11)
OCP Designation:	Industrial	Owner:	Robert S. McGillivray & Cheryl A. McGillivray
NCP Designation:	Business Park		



PROJECT TIMELINE

Completed Application Submission Date: February 5, 2007
Planning Report Date: March 12, 2007

PROPOSAL

The applicant is proposing:

- a Temporary Use Permit

in order to allow a continued operation of an existing automotive repair shop limited to vehicles less than 5,000 kilograms (11,023 lbs.) gross vehicle weight (GVW).

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7907-0025-00 (Appendix III) allowing a continued operation of an automotive repair shop on a portion of the site on a temporary basis to proceed to Public Notification.

REFERRALS

Engineering: The Engineering Department has no objection to the project (Appendix IV).

SITE CHARACTERISTICS

- **Existing Land Use** Acreage residential and automotive repair shop.
- **Significant Site Attributes** Mature deciduous and coniferous trees surround the residence and auto repair shop.
- **East:** Single family dwelling on lot under Land Use Contract No. 11, zoned RA, designated Industrial in the OCP.
- **South:** Single family dwelling on a lot, zoned RA, designated Industrial in the OCP.
- **West:** Single family dwelling on a lot under Land Use Contract no. 11, zoned RA, designated Industrial in the OCP.
- **North:** Across 32 Avenue is a townhouse development, zoned RM-15, designated Urban in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Industrial. Complies.

NCP Designation: Does not comply. The Rosemary Heights Business Park NCP designates the site as "Business Park". However, due to the temporary nature of the land use, a NCP amendment is not required.

DEVELOPMENT CONSIDERATIONS

Background

- A portion of the subject site was designated a Temporary Use Permit (TUP) Area on September 20, 1999, to permit the operation of an existing automotive repair shop under project number 7999-0135-00. The TUP (No. 7999-0135-00) was issued under Section 921 of the Local Government Act to allow the use, while the owner sought a new site for the existing automotive repair operation. TUP (No. 7999-0135-00) expired on September 20, 2001, and was extended by Council until September 30, 2003 under TUP (No. 7901-0133-00). A subsequent extension was granted under TUP (No. 7903-0037-00). The active permit is to expire June 13, 2007.
- As one extension was granted to TUP No. 7903-0037-00, no further extension may be granted, according to Section 921 (14) of the Local Government Act. However, the Local Government Act does not prohibit a landowner from making an application seeking a new TUP on a property for which a TUP was granted and had an extension.
- To date the business owners have not been able to find a suitable site to relocate the business and hence have requested an extension of the existing TUP for a period of two years, under Subsection 921(13) of the Local Government Act.

The Continued Temporary Use

- The site is located at 15360 – 32nd Avenue and is designated Business Park in the Rosemary Heights Industrial Park NCP and Industrial in the OCP.
- The existing automotive repair shop has been in operation for a number of years. The operation is located on the southern portion of the property, and is out of view from the street (32 Avenue). Additionally, mature trees surround the site acting as a buffer from nearby residences.
- The operation is clean and does not appear to create any nuisance in the neighbourhood. All the necessary drainage systems for activities such as vehicle cleaning, service bay wash down, and storage of waste auto fluids has been treated using the Best Management Practices for industry.
- The new TUP will prohibit any expansion of the operation, tree cutting and land clearance, and will not be transferable. The City will continue to hold a letter of credit in the amount of \$5,000.00 to ensure the restoration of the site.

- The automotive repair business has garnered a number of awards and accolades in recent years for Best Practices. Letters of support were received for the previous and current TUP applications on the property, including one from the Rosemary Heights Neighbourhood Committee. There has not been any opposition.
- The applicant has actively pursued a new site in South Surrey to relocate their automotive repair business, but have not been successful. The owners have contacted a local company in regards to securing a lease at a new site to be ready in the near future (Appendix VI).
- The subject site is located in the Rosemary Heights Industrial Park NCP and is designated Business Park. The Temporary Use Permit can be supported as a holding use until the Business Park uses can be realized through land assembly.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners and Action Summary
Appendix II.	Contour Map
Appendix III.	Temporary Use Permit No. 7907-0025-00
Appendix IV.	Engineering Summary
Appendix V.	Site Plan
Appendix VI.	Berezan Management Letter

How Yin Leung
Acting General Manager
Planning and Development

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CONTOUR MAP FOR SUBJECT SITE

