

City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7907-0237-01

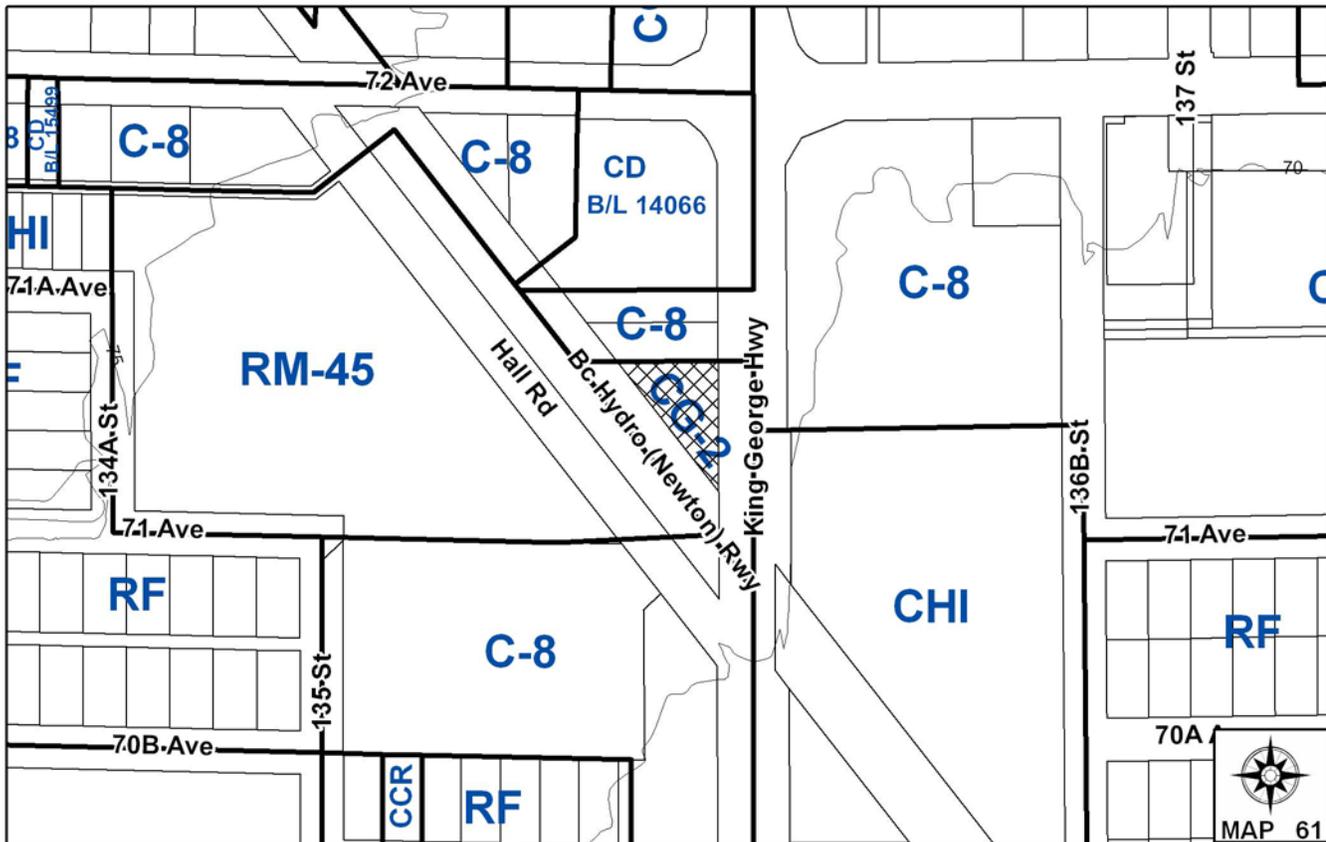
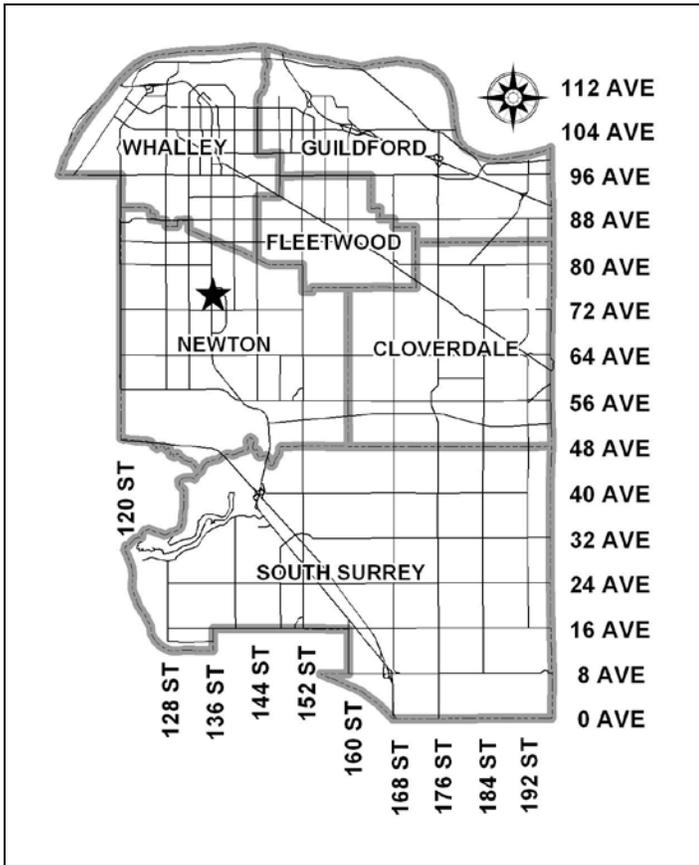
Planning Report Date: January 28, 2008

PROPOSAL:

- OCP Amendment; and
- Temporary Use Permit

in order to allow for temporary auto repair, tire retail, car detailing and car wash uses on the site.

LOCATION: 7127 King George Highway
OWNER: Arzoo Enterprises Ltd.
ZONING: CG-2
OCP DESIGNATION: Commercial
LAP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

- File By-law No. 16462 and Temporary Use Permit No. 7907-0237-00.
- Approval to amend OCP to declare the site a Temporary Use Permit Area.
- Approval for Temporary Use Permit No. 7907-0237-01 to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Auto repair, washing and detailing are permitted as accessory uses in the CG-2 Zone, but because no gasoline is sold at this site, the applicant is requesting a Temporary Use Permit to allow for these activities to occur as a primary use on the site. The applicant is also requesting that tire retail and associated servicing be included as a temporary use.

RATIONALE OF RECOMMENDATION

- The previous Temporary Use Permit (TUP) No. 7907-0237-00 presented to Council on September 10, 2007 did not include car wash uses due to Engineering constraints. Since that time, it has been determined that the Engineering constraints are no longer applicable. In order to allow the addition of car wash use in the TUP, a new OCP Amendment By-law and TUP are required. It is noted that the tire retail component of the previous TUP No. 7907-0237-00 has been dropped from the current proposed TUP.
- The applicant's request that tire retail and associated servicing be a temporary use is reasonable given the compatibility with the automotive service uses.
- The applicant wishes to redevelop the site in the future and this would likely involve consolidation with neighbouring parcels. As this redevelopment is not proposed at the current time, a Temporary Use Permit would allow for an interim use of the site.
- The proposed interim uses are consistent with the highway commercial nature of the area.
- The existing building is currently vacant and the site has been the location of undesirable activities. An occupied site with a general upgrade to the building will limit undesirable activities on the site.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council File By-law No. 16462 and associated Temporary Use Permit No. 7907-0237-00.
2. a By-law be introduced to amend the Official Community Plan by declaring the subject site a Temporary Use Area and a date for Public Hearing be set.
3. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the Local Government Act.
4. Council approve Temporary Use Permit No. 7907-0237-01 (Appendix III) to proceed to Public Notification.
5. Council instruct staff to resolve the following issues prior to approval:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a landscaping plan and cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (c) resolution of final signage and detailed landscaping issues.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix II.
- Surrey Fire Department: No concerns.

SITE CHARACTERISTICS

Existing Land Use: An unoccupied gas station.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Commercial building.	Commercial/Highway Commercial	C-8
East (Across: King George Highway):	A vacant lot. Commercial plaza.	Commercial/Highway Commercial Commercial/Shopping Centre	CHI C-8
South (Across BC Hydro Rail Corridor and Hall Road):	Commercial plaza.	Commercial/Shopping Centre.	C-8
West (Across BC Hydro Rail Corridor and Hall Road):	Multiple residential complex.	Commercial/Multiple Residential	RM-45

DEVELOPMENT CONSIDERATIONS

- The subject site at 7127 King George Highway is 1,427 sq.m. (15,360 sq.ft.) in area and contains an old gas station that is no longer in use.
- The applicant is applying for an OCP Amendment to declare the property a Temporary Use Permit (TUP) Area and also for a Temporary Use Permit (TUP) to allow automotive service, tire retail and related uses, for a period of two (2) years. The Zoning By-law defines automotive service uses as: "light maintenance of motor vehicles including engine tune-ups, lubrication, repairs and car wash facilities, excluding automobile painting and body work and gasoline stations." The applicant is also proposing to do auto detailing and tire retail and associated servicing on the site. The current CG-2 Zone allows for these uses, with the exception of tire retail, as an accessory use. However, as no gasoline retailing is occurring on the site, automotive service uses become the primary use, and this is not permitted in the CG-2 Zone.

Previous TUP Application

- During the processing of the previous application, a downstream sanitary drainage constraint was identified. This impacted the applicant's ability to wash cars on the site. The applicant decided to proceed to Council without car washing as a permitted use in the TUP and on September 10, 2007, a report went to Council to request an OCP Amendment and a TUP to permit automotive service uses (but excluding car washing) and a tire retail use. Public Hearing for the OCP Amendment and Third Reading was granted on October 1, 2007.

- Since that time it was determined that no downstream sanitary drainage constraint exists. The applicant can thus apply for a TUP that includes car washing as a permitted use. This current proposal deletes tile retail use but includes automotive service, car wash, tire retail and associated servicing uses.

Current TUP Application

- The applicant has expressed a desire to redevelop the site in the future. Any future development on the site would likely need to proceed concurrently with redevelopment of the neighbouring parcels. As this future redevelopment is not proposed at the current time, the applicant is applying for a TUP so that the site may be used in the interim.
- The proposed TUP would allow occupancy of the currently vacant building. The existing building has been vacant for some time. The property has been the site of undesirable activities and the proposed use would limit undesirable activities.
- The applicant is proposing to retain the existing building and canopy, the pump island and the underground tanks. Under the Ministry of Environment's procedures, a TUP does not trigger the environmental remediation process. The applicant has removed the large propane storage tank from the site.
- The existing 190.3 sq.m. (2,048 sq.ft.) building contains 91.8 sq.m. (988 sq.ft.) of office/retail space and 98.5 sq.m. (1,060 sq.ft.) of shop space. The applicant is proposing to keep the existing building.
- The applicant has proposed some general upgrades to the existing building, including repainting. The applicant is proposing to repaint the building with the existing colour scheme, which is white and grey, with red trim. The applicant also proposes to put a fascia sign on the front (King George Highway) elevation. This sign is proposed to be an illuminated box sign and is within the allowable sign area for the premises. The applicant has indicated that the fascia sign is proposed to be coordinated with the colour scheme used on the building. The applicant indicated that no free-standing sign is proposed.
- The site contains eleven (11) parking spaces on the front portion of the site. In addition, there is a 270 sq.m. (2,900 sq.ft.) parking compound behind the existing building that can be used for parking. The amount of parking available exceeds the parking requirements of the Zoning By-law.
- There is currently no landscaping on the site along King George Highway. The applicant is proposing to plant a landscaping strip along King George Highway with a variety of shrubbery, grasses and trees. Security will be secured for the landscaping and the landscaping is a condition of the TUP.

PRE-NOTIFICATION

Pre-notification letters were sent on August 20, 2007 on the original proposal. Staff received two (2) comments:

- A caller from an automotive business to the south inquired as to the nature of the proposal and expressed concern over possible competition.

(Staff advised the caller on the particulars of the application.)

- A letter was received stating opposition to the proposed TUP. No reasons were provided.

(The proposed TUP is in congruence with the current CG-2 zoning and commercial designation on the site. The proposed TUP is for 2 years only and occupancy of the site will reduce the undesirable activities that occur on the currently unused site.)

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the Local Government Act, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the pre-notification process.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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| Appendix I. | Lot Owners and Action Summary |
| Appendix II. | Engineering Summary |
| Appendix III. | Temporary Use Permit No. 7907-0237-01 |

Jean Lamontagne
General Manager
Planning and Development

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