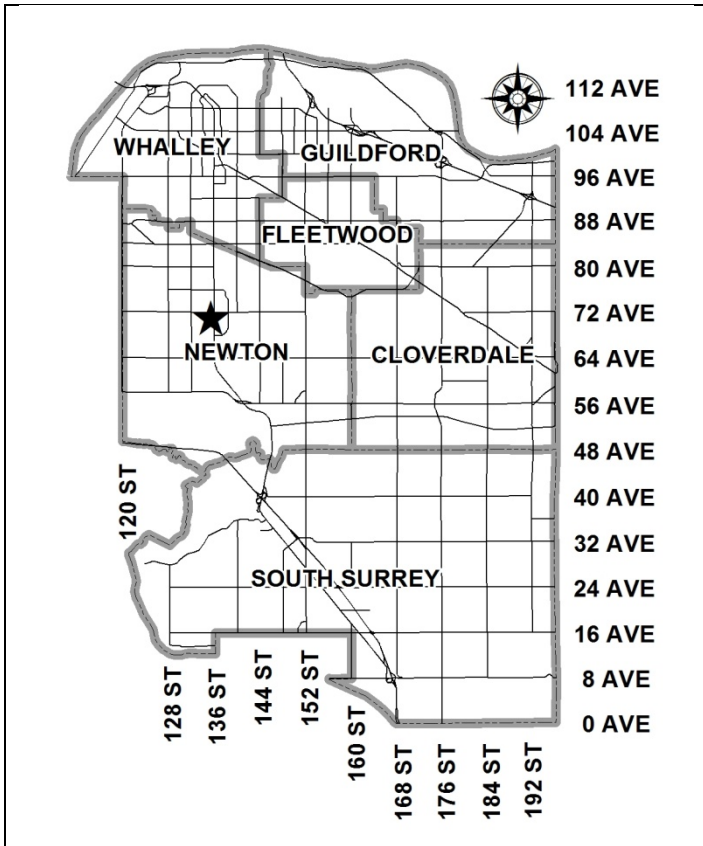


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7913-0130-00

Planning Report Date: July 22, 2013



PROPOSAL:

- **Temporary Use Permit**

in order to allow the continued operation of an auto repair, tire retail and car detailing business on-site.

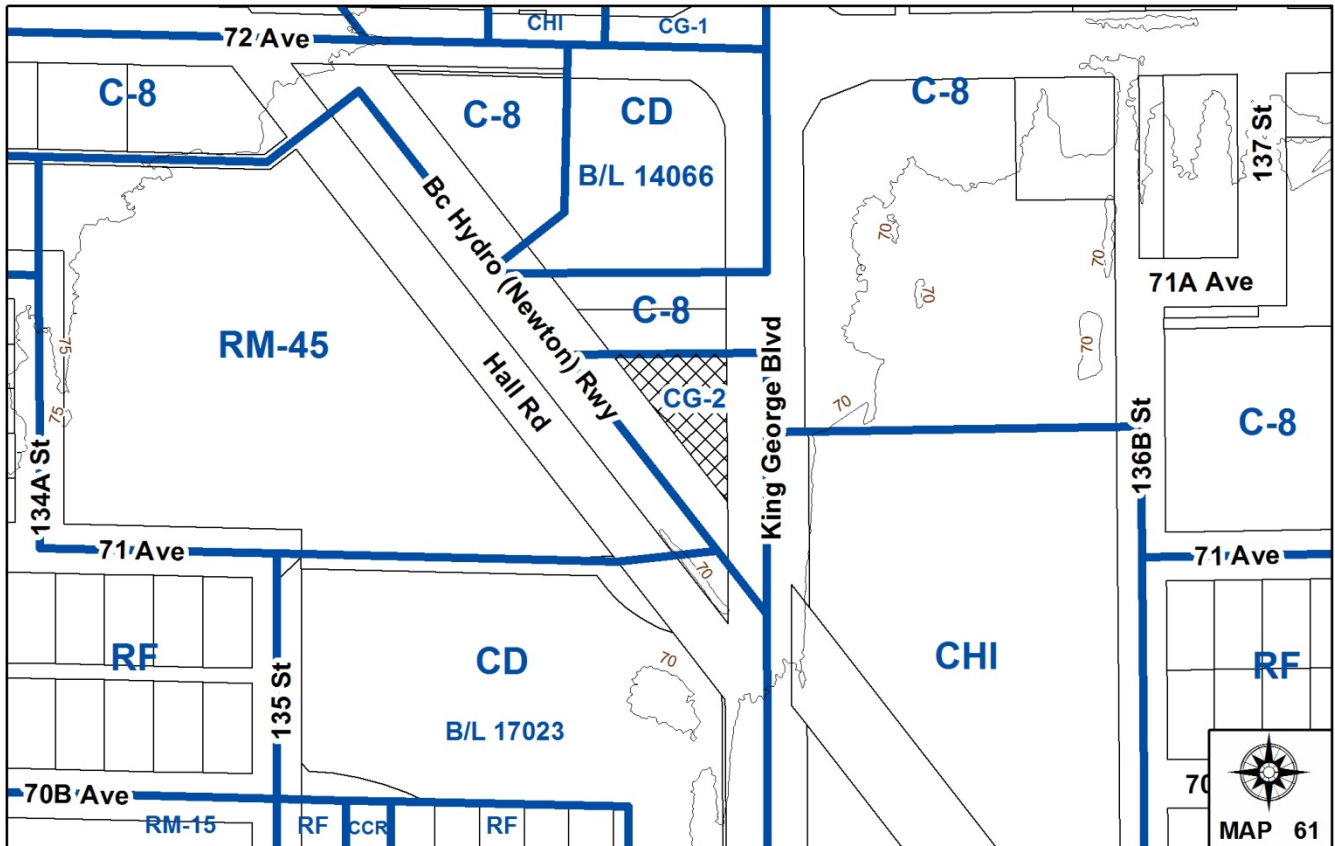
LOCATION: 7127 - King George Boulevard

OWNER: Arzoo Enterprises Ltd.

ZONING: CG-2

OCP DESIGNATION: Commercial

LAP DESIGNATION: Highway Commercial



RECOMMENDATION SUMMARY

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

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- None.

RATIONALE OF RECOMMENDATION

- The owner would like to redevelop the subject property in future. However, redevelopment will likely require consolidation with adjacent parcels and is not contemplated at this time. In the interim, the Temporary Use Permit (TUP) would allow for a larger range of uses on-site.
- The proposed interim uses are consistent with the Highway Commercial designation in the Newton Town Centre Plan as well as general uses within the surrounding neighbourhood.
- The current TUP expired on June 15, 2013. The existing building is currently occupied by an automotive service business. Therefore, the proposed TUP extension will enable the existing tenant to continue operating for a period of three years. Previously the building sat vacant for extended periods given the applicant was unable to attract a tenant under the CG-2 Zone.
- The applicant has maintained the subject property in relatively good condition over the past 2 years. In particular, the applicant has removed unauthorized signage and installed additional landscaping along King George Boulevard thereby improving the appearance of the property. Further enhancements to the current landscaping are proposed as part of the TUP application.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Temporary Use Permit No. 7913-0130-00 (Appendix III) to proceed to Public Notification.
2. Council instruct staff to resolve the following issue prior to final approval:
 - (a) upgrade existing landscape material and installation of additional landscaping along King George Boulevard to the satisfaction of the City Landscape Architect.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

Surrey Fire Department: No concerns.

SITE CHARACTERISTICS

Existing Land Use: Automotive service business and vacant gas station.

Adjacent Area:

Direction	Existing Use	OCP/LAP Designation	Existing Zone
North:	Commercial building	Commercial/ Highway Commercial	C-8
East (Across King George Boulevard):	Commercial building and vacant parcel	Commercial/Commercial Office and Highway Commercial	C-8 & CHI
South (Across B.C. Hydro Rail Corridor and Hall Road):	Commercial building	Commercial/ Highway Commercial	CD (B/L 17023)
West (Across B.C. Hydro Rail Corridor and Hall Road):	Multiple residential building	Commercial/ Highway Commercial	RM-45

DEVELOPMENT CONSIDERATIONSBackground

- The property is designated "Commercial" in the Official Community Plan (OCP) as well as "Highway Commercial" in the Newton Town Centre Plan. The subject property is currently zoned "Combined Service Gasoline Station Zone (CG-2)".

- The applicant purchased the subject property but previously experienced difficulties attracting a tenant to operate the vacant gas station given its close proximity to an existing gas station at 7195 - King George Boulevard (i.e. Esso). However, the subject property cannot be redeveloped effectively without consolidating with the adjacent properties to the north. As a result, further extending the TUP will enable the owner to retain the tenant and remain economically viable until redevelopment.
- Council previously issued a TUP (No. 7907-0237-01) on March 31, 2008 in order to permit auto detail, automotive service uses, car washing and tire retail on-site. However, the applicant later experienced difficulties attracting a tenant and requested that Council approve the addition of vehicle rentals (less than 5,000 kilograms) as a permitted use in addition to vehicle service uses previously approved under TUP No. 7907-0237-01. Council approved an expanded range of uses under File No. 7909-0027-00 in June, 2009 and issued another TUP under File No. 7911-0106-00 in June, 2011.

Current Proposal

- The owner secured a tenant over three years ago who currently operates an automotive repair business located in the existing building. However, the Temporary Use Permit (No. 7911-0106-00) expired on June 15, 2013. Therefore, the applicant is requesting that Council grant another TUP (No. 7913-0130-00) thereby allowing the automotive repair business to continue operating for a period not to exceed three (3) years.
- The applicant indicated that market conditions in the surrounding neighbourhood have not resulted in higher property values or increased demand for redevelopment. The applicant did approach the adjacent property owner at 7141 and 7153 King George Boulevard about acquiring the subject property or purchasing the adjacent properties. However, the property owner was not interested in participating in the development application and/or redeveloping at this time.
- The applicant previously installed additional landscaping along King George Boulevard under File No. 7909-0027-00 as well as completed substantial upgrades to the existing building which included painting the exterior façade. As part of the subsequent application (File No. 7911-0106-00), the owner removed the unauthorized signage and installed additional landscaping on the east lot line which included a 2 metre (6 ft.) wide landscape buffer on King George Boulevard.
- Based upon further discussions with the City's Landscape Architect, staff recommend that the applicant replace the poor quality soil along King George Boulevard without disturbing the root protection zone of the existing trees and reinstall the shrubs/groundcover, as per the attached landscape plan (Appendix II). City staff will conduct an inspection before Final Approval of the TUP. In addition, the applicant is required to ensure the landscaping is maintained over the 3 year period of the TUP (No. 7913-0130-00).
- The subject property is already identified in the Official Community Plan (OCP as part of Temporary Commercial Use Permit Area No. 19 that allows a range of automotive service-related uses on-site. Therefore, no additional OCP Amendment is required for this application.
- Staff support a three (3) year renewal of the TUP to coincide with the current lease on the subject property.

PRE-NOTIFICATION

Pre-notification letters were mailed out on June 19, 2013 and staff have received no comments from adjacent property owners.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

- Appendix I. Lot Owners and Action Summary
- Appendix II. Building Elevation Drawings and Landscape Plan
- Appendix III. Temporary Commercial Use Permit No. 7913-0130-00

original signed by Nicholas Lai

Jean Lamontagne
General Manager
Planning and Development

MJ/da

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Information for City Clerk

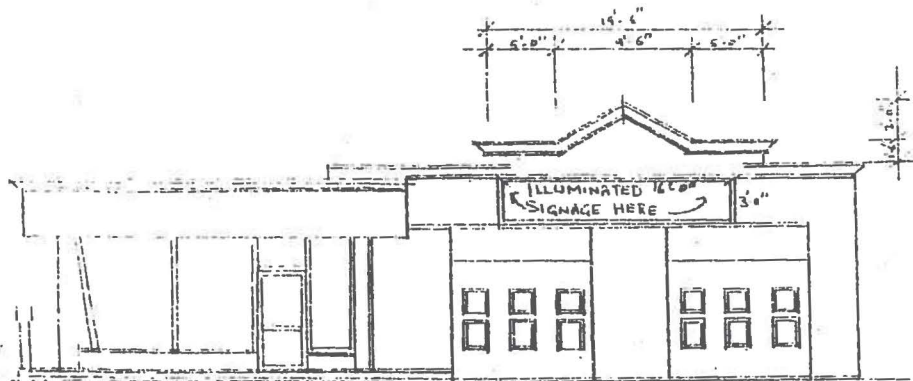
Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Arzoo Enterprises Ltd.
 Address: 7847 – 122 Street
 Surrey, B.C. V3W 3S5
 Tel: 604-593-8433

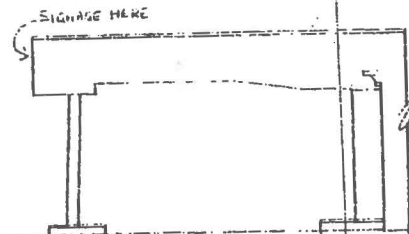
2. Properties involved in the Application
 - (a) Civic Address: 7127 - King George Boulevard

 - (b) Civic Address: 7127 - King George Boulevard
 Owner: Arzoo Enterprises Ltd.
 PID: 002-205-823
 Lot 1 Section 17 Township 2 New Westminster District Plan 8939

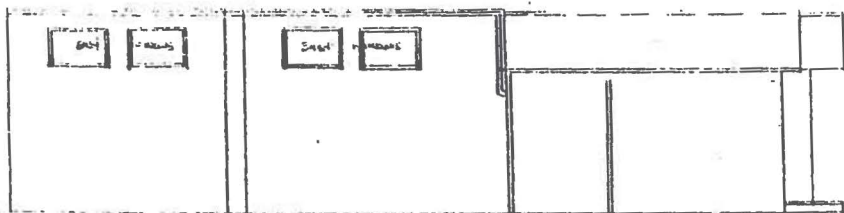
3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Temporary Use Permit No. 7913-0130-00 and bring the Temporary Use Permit forward for an indication of support by Council. If supported, the Temporary Use permit will be brought forward for issuance and execution by the Mayor and City Clerk once all outstanding conditions are satisfied.



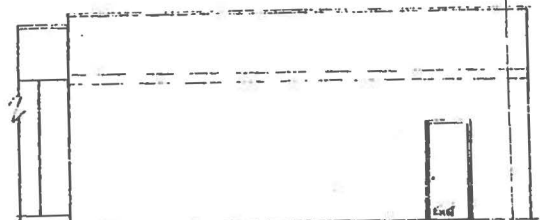
(A) EAST ELEV. (FRONT)
 $\frac{1}{4}'' = 7' - 0''$



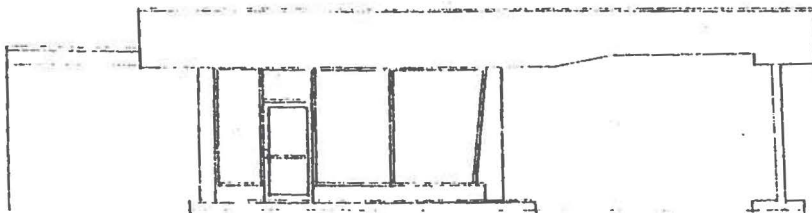
(B) NORTH ELEV.
 $\frac{1}{4}'' = 1' - 0''$



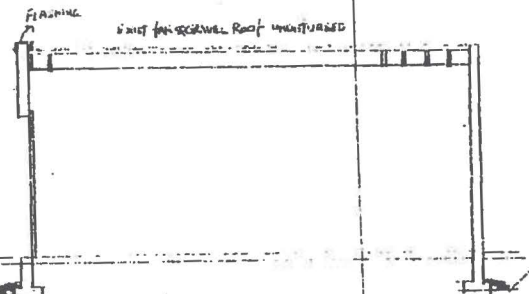
(C) WEST ELEV. (REAR)
 $\frac{1}{4}'' = 1' - 0''$



(D) NORTH ELEV.
 $\frac{1}{4}'' = 1' - 0''$



(E) SOUTH ELEV.
 $\frac{1}{4}'' = 1' - 0''$

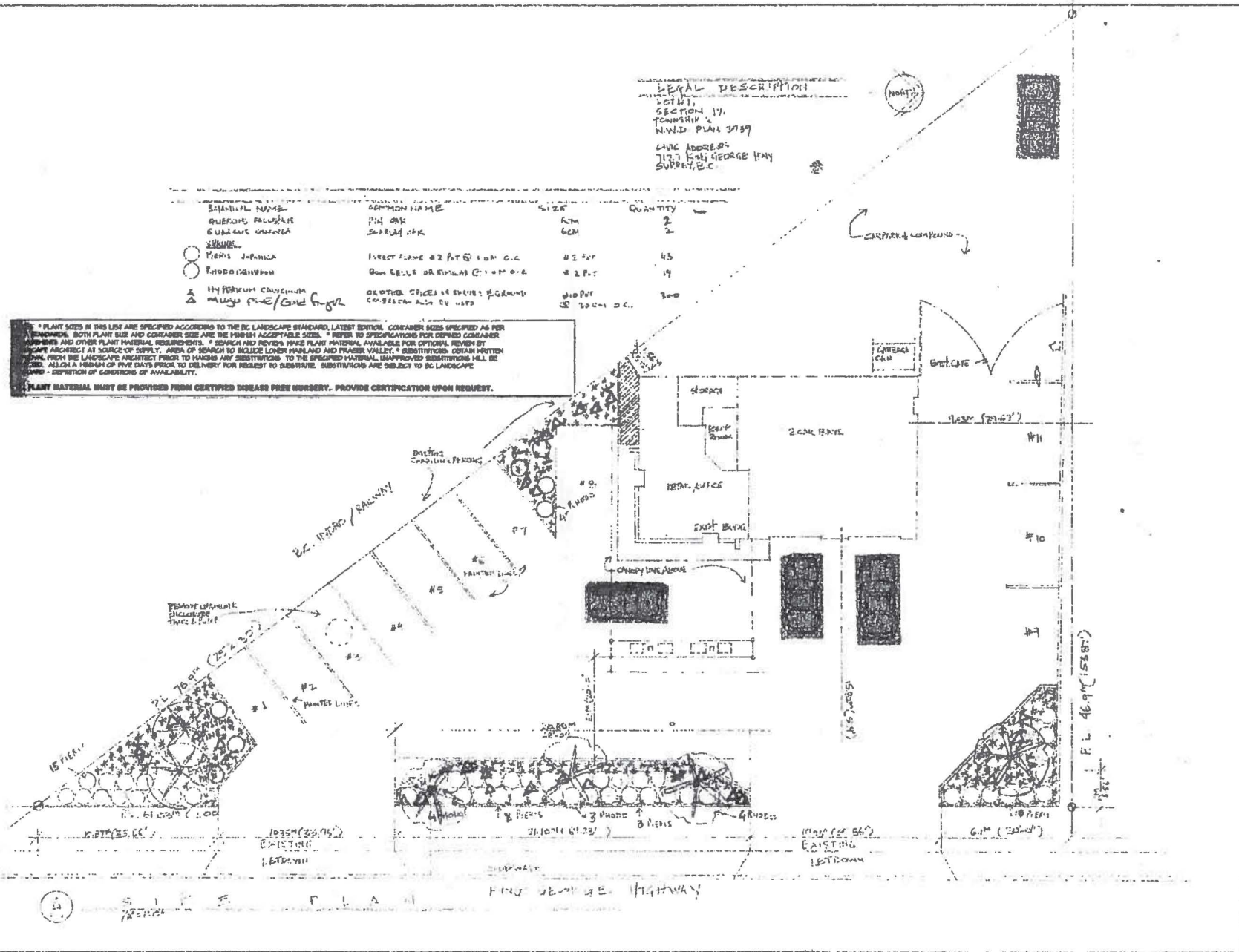


(F) SECTION
 $\frac{1}{4}'' = 11' - 0''$

LEGAL DESCRIPTION
 SECTION 17,
 TOWNSHIP 2
 N.W.1/4 PLAN 3739
 LIVE ADDRESS
 717 KYLE GEORGE HWY
 SUDBURY, B.C.

SYMBOL NAME	COMMON NAME	SIZE	QUANTITY
○	QUERCUS FALCATA	PIN OAK	2
○	QUERCUS ORIENTALIS	SURSTRY OAK	2
○	MIERS JAPONICA	1.5 METERS 42 FT @ 1.0M C.C.	45
○	PRODRISIBYBON	BON BELLE OR ORIGINAL C: 1.0M C.C.	19
△	HYPERICUM CALYCINUM	OR OTHER SPECIES AT EITHER PLANTING	300
△	MUNDA PINE / GOLF FOLIAGE	CONSTRUCTION BY US	300 @ 300MM C.C.

* PLANT SIZES IN THIS LIST ARE SPECIFIED ACCORDING TO THE B.C. LANDSCAPE STANDARD, LATEST EDITION. CONTAINER SIZES SPECIFIED AS PER STANDARD. BOTH PLANT SIZE AND CONTAINER SIZE ARE THE MINIMUM ACCEPTABLE SIZES. * REFER TO SPECIFICATIONS FOR DESIRED CONTAINER TYPES AND OTHER PLANT MATERIAL. ** RESEARCH AND REVIEW THESE PLANT MATERIAL AVAILABLE FOR OPTIONAL REVIEW BY LANDSCAPE ARCHITECT AT SOURCE OF SUPPLY. AREA OF SEARCH TO INCLUDE LOWER HAWKLAND AND PRAGER VALLEY. * SUBSTITUTIONS OBTAIN WRITTEN CONSENT FROM THE LANDSCAPE ARCHITECT PRIOR TO MAKING ANY SUBSTITUTIONS. TO THE SPECIFIED MATERIAL. UNAPPROVED SUBSTITUTIONS WILL BE CONSIDERED. ALLOW A MINIMUM OF FIVE DAYS PRIOR TO DELIVERY FOR REQUEST TO SUBSTITUTE. SUBSTITUTIONS ARE SUBJECT TO B.C. LANDSCAPE STANDARD - DEFINITION OF CONDITIONS OF AVAILABILITY.
 * PLANT MATERIAL MUST BE PROVIDED FROM CERTIFIED DISEASE FREE NURSERY. PROVIDE CERTIFICATION UPON REQUEST.



1:50
 S I T E P L A N
 FINE SCALE OF HIGHWAY

(the "City")

TEMPORARY COMMERCIAL USE PERMIT

NO.: 7913-0130-00

Issued To: ARZOO ENTERPRISES LTD., INC. NO. 702106
("the Owner")

Address of Owner: 7847 – 122 Street
Surrey, B.C.
V3W 3S5

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: 002-205-823
Lot 1 Section 17 Township 2 New Westminster District Plan 8939

7127 - King George Boulevard

(the "Land")

3. The Land has been designated as a Temporary Commercial Use Permit Area in Surrey Official Community Plan, 1996, No. 12900, as amended.
4. The temporary use permitted on the Land shall be:
 - Automotive service uses, which means a business that provides light maintenance of motor vehicles including engine tune-ups, lubrication, repairs, auto detailing, autoglass repairs and car washing. Tire retail and associated servicing as well as vehicle rental (vehicles less than 5,000 kilograms) are also permitted. Automobile painting, body work and gasoline station uses are excluded, in accordance with the attached Schedule A.
5. The temporary use shall be carried out according to the following conditions:
 - The landscaping installed on-site as a condition of Temporary Use Permit No. 7909-0027-00 is to be maintained;
 - On-site signage must conform with Surrey Sign By-law, 1999, No. 13656; and

- No signage is permitted on-site unless the owner first obtains a Sign Permit.

- 6. 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.

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

- 8. This temporary use permit is not transferable.

- 9. This temporary use permit shall lapse on or before three (3) years from the date of issuance.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

Mayor – Dianne L. Watts

City Clerk – Jane Sullivan

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.

Authorized Agent: Signature

Name (Please Print)

OR

Owner: Signature

Name: (Please Print)

TO THE CITY OF SURREY:

I, Arzoo Enterprises Ltd. (Name of Owner)

being the owner of Lot 1 Section 17 Township 2 New Westminster District Plan 8939
(Legal Description)

known as 7127 - King George Boulevard
(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)