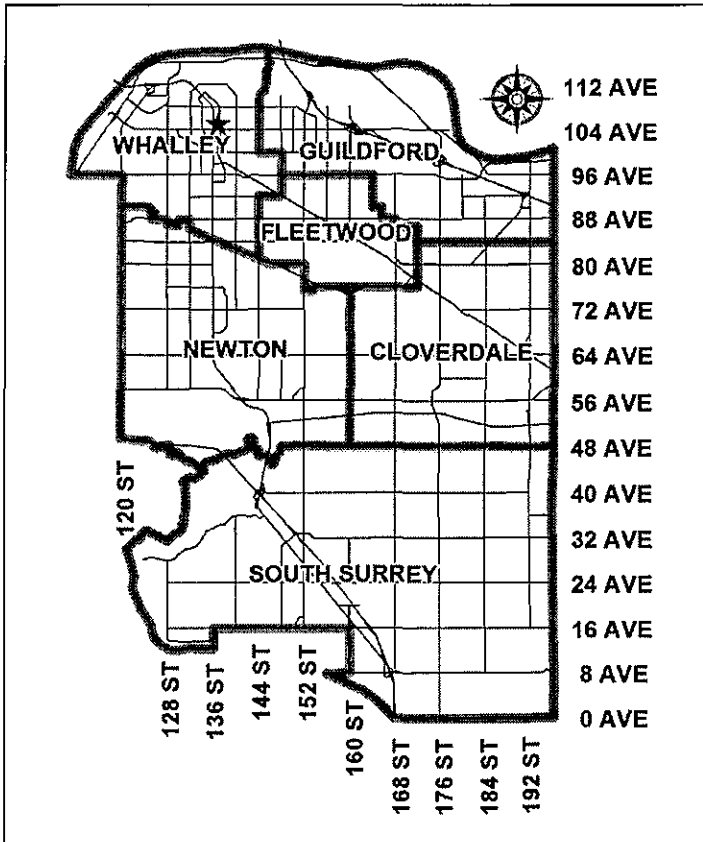


Planning Report Date: March 7, 2016

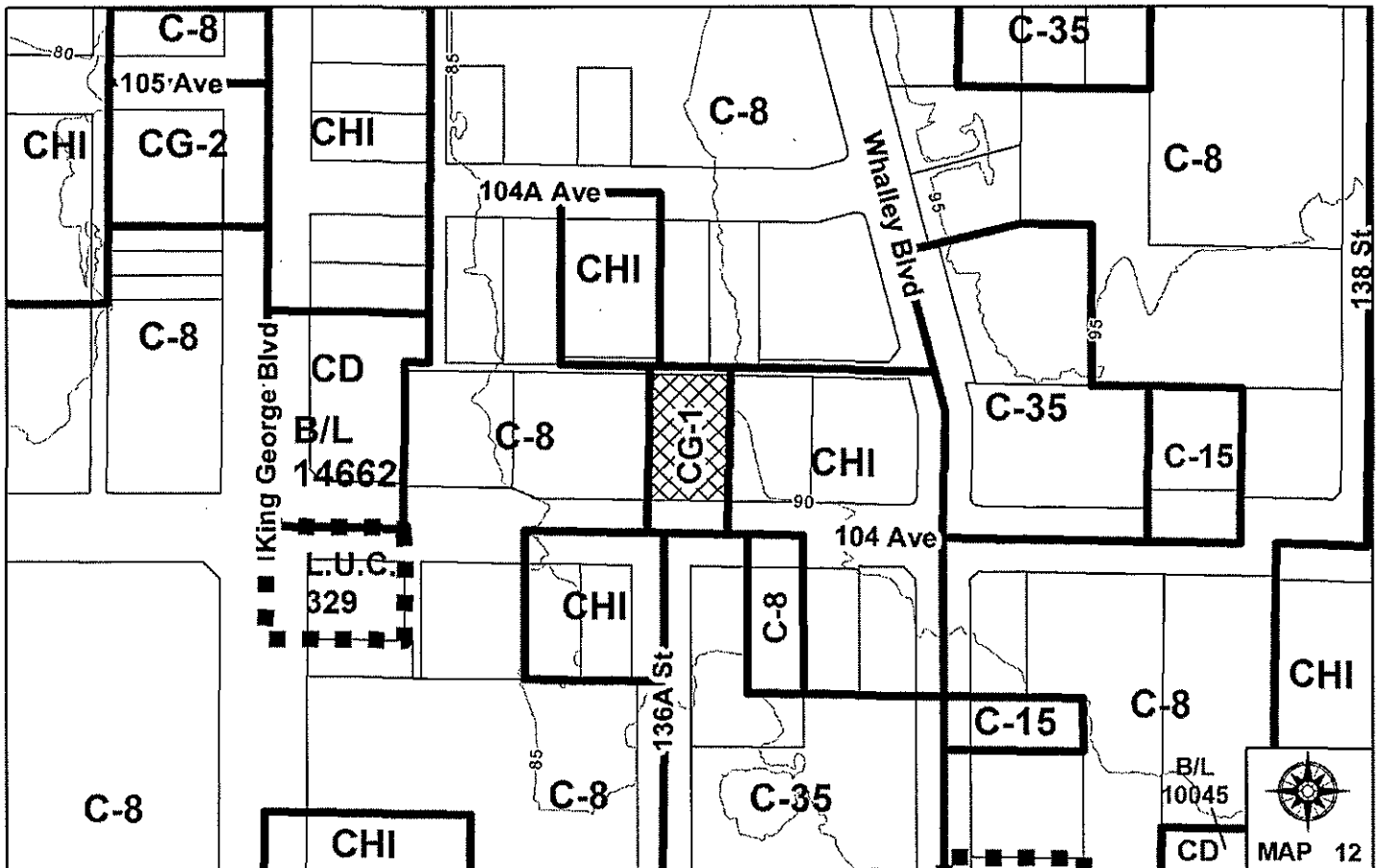


PROPOSAL:

- Temporary Use Permit

to allow a used car dealership in City Centre for a period of three (3) years.

LOCATION: 13669 - 104 Avenue
OWNER: Plaza City Centre Ltd.
ZONING: CG-1
OCP DESIGNATION: Central Business District
NCP DESIGNATION: Mixed-Use (3.5 FAR)



RECOMMENDATION SUMMARY

The Planning and Development Department recommends that this application be denied.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The proposed land use (used car dealership) is not permitted under the existing CG-1 Zone, and is inconsistent with the designations in the OCP and the City Centre Plan Update.

RATIONALE OF RECOMMENDATION

- Does not comply with Central Business District designation in the OCP and does not comply with Land Use and Density Concept (Mixed-Use 3.5 FAR) of the City Centre Plan Update.
- If approved, the proposed used car dealership, even for a temporary basis, could further delay the redevelopment of this area to a higher density development more consistent with the Mixed-Use 3.5 FAR designation.
- The proposed used car dealership use is contrary to the vision of creating a liveable, vibrant City Centre. The subject property is located along a prominent street and will not improve upon the site conditions or streetscape along 104 Avenue.
- The subject property is zoned "Self-Service Gasoline Station Zone (CG-1)", and the proposed used car dealership is not permitted under the CG-1 Zone. The sale of new or used vehicles less than 5,000 kilograms (11,023 lbs) gross vehicle weight is only permitted under the "Highway Commercial Industrial Zone (CHI)", and this use is specifically not permitted within the boundaries of City Centre.
- The CHI Zone was amended in 2004 (Amendment By-law No. 15271) in response to Council's directive "to bring forward...appropriate recommendations for rezoning "CHI" zoned sites in the City Centre area so as to eliminate uses that are inconsistent with the vision for City Centre" [RES. R03-1749]. Following an extensive public consultation process (see Corporate Report No. R253; 2004), the CHI Zone was amended to differentiate what was permitted in the City Centre and the rest of Surrey. For City Centre, uses such as sales of vehicles and automotive service uses were prohibited, and retail stores and office uses were expanded.
- The proposed used car dealership is a relocation from New Westminster and not a relocation from within City Centre, and therefore is adding to the non-conforming automotive uses in City Centre.
- Renovations, including the installation of new walls, windows and doors, and upgrades to the roof and façade of the existing building, as well as parking lot repaving and restriping have occurred or are currently occurring on the subject site without permits.
- Previous enquiries for automobile dealerships in City Centre have not been supported by staff.
- The applicant should meet with staff to review alternative interim uses for the site that are supportable and more consistent with the vision for City Centre.

RECOMMENDATION

The Planning & Development Department recommends that this application be denied.

Should Council find merit in the proposal however, the application should be referred back to staff to complete the development application review process including the necessary referrals.

SITE CHARACTERISTICS

Existing Land Use: Fenced commercial lot with an existing building along the west property line.

Adjacent Area:

Direction	Existing Use	OCP Designation	Existing Zone
North (Across unconstructed lane):	Three-storey office building and single family dwellings.	Central Business District	CHI and C-8
East:	Two-storey office building and restaurant.	Central Business District	C-8
South (Across 104 Avenue):	Three-storey office building.	Central Business District	C-35
West:	Automotive repair/service business.	Central Business District	CHI

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 13669 - 104 Avenue in City Centre, on the north side of 104 Avenue between King George Boulevard and Whalley Boulevard.
- The property is designated Central Business District (CBD) in the Official Community Plan (OCP), Mixed-Use (3.5 FAR) in the Land Use and Density Concept of the City Centre Plan Update, and is zoned Self-Service Gasoline Station Zone (CG-1).
- A vacant, single-storey building is located along the west property line of the subject site, which is surrounded by chain link fencing. A gasoline station and then a car wash have previously occupied the site. The car wash closed in 2014, and the site has since been vacant.
- The subject property is currently undergoing site remediation as a result of the previous gasoline station use. The Ministry of Environment (MOE) will allow a temporary use on the subject site, but a permanent use will require a release letter or a Certificate of Compliance from MOE.

- The subject property is situated in an area comprised of one (1) to three (3) storey commercial / office buildings of varying land uses, including restaurants, law offices, automobile repairs, medical clinics, and consulting businesses.
- The current land use and densities in this area of City Centre are considered interim uses, and it is anticipated that the subject site and the adjacent properties will consolidate and redevelop at a density more consistent with the Central Business District designation in the OCP and the Mixed-Use (3.5 FAR) designation in the Land Use and Density Concept of the City Centre Plan Update.
- The applicant is proposing a Temporary Use Permit (TUP) to allow a used car dealership on the subject site for a period of three (3) years. If the proposed TUP is approved by Council, the owner intends to seek a renewal for an additional three (3) years, once the TUP expires.
- The applicant is proposing to temporarily relocate a used car dealership (HNG Auto Sales) from New Westminster to the subject property. The property where HNG Auto Sales currently operates has been sold, and the new owners plan an alternative use for the site.
- As the proposed use car dealership is not a relocation from within City Centre, approval of this proposed TUP would result in an additional non-conforming automotive use in City Centre.
- A number of renovations have been completed or are currently occurring on the subject site without permits, and include the demolition of a small portion of the existing building, as well as the installation of new walls, windows and doors, and upgrades to the roof and façade of the existing building. The parking lot also been repaved and restriped.

PROJECT EVALUATION

Applicant's Justification

The applicant has provided the following rationale for supporting the proposed Temporary Use Permit to allow a used car dealership on the subject site at 13669 – 104 Avenue, for a period of three (3) years (with staff comments in italics):

- The proposed used car dealership on the subject property is an interim use. The owner of the subject property also owns the abutting properties to the west (13655 – 104 Avenue, zoned C-8) and to the east (13683 – 104 Avenue, zoned CHI), which are currently leased to a number of businesses. The owner plans to redevelop all of the properties in approximately five (5) to seven (7) years, after the leases expire.

(Although the car dealership is an interim use, it is a land use that is contrary to the vision of creating an attractive, distinct and vibrant City Centre. The subject property is located along a prominent street and will not improve upon the site conditions or streetscape along 104 Avenue.

The approval of the proposed Temporary Use Permit to allow a used car dealership on the subject site, could delay redevelopment of the properties in this area.)

- The two (2) lots to the east (13683 and 13689 – 104 Avenue) are currently occupied by automobile repair services, while the subject site was previously used as a gasoline station and as a car wash. Therefore, a used car dealership is an appropriate temporary land use on the subject site.

(A Zoning By-law Text Amendment (By-law No. 15271) to the CHI Zone was approved by Council on November 1, 2004, restricting further automotive uses, including automotive service uses and car dealerships, from locating within City Centre. The existing automotive repair/service businesses in the immediate area were in operation prior to this 2004 Zoning By-law amendment, and may continue as non-conforming uses. Should these non-conforming uses discontinue operation for a minimum of six (6) months, these uses will no longer be allowed. In the future, these properties can be redeveloped to a land use and density more consistent with the Land Use and Density Concept of the City Centre Plan Update.

The previous land uses on the subject site were permitted in accordance with the CG-1 Zone. An automobile dealership however, is not a permitted use under the CG-1 Zone. In fact, the sale of new or used vehicles less than 5,000 kilograms (11,023 lbs) gross vehicle weight is only permitted under the "Highway Commercial Industrial Zone (CHI)" of the Zoning By-law, and is specifically not permitted within the boundaries of City Centre, as a result of the 2004 amendment to the CHI Zone.)

- The owner assures that the site will be kept clean and will be well-maintained. Large planters will be installed on the subject site along 104 Avenue for the duration of the Temporary Use Permit to provide some appropriate landscaping.

(The subject property is located along a prominent street in City Centre and the proposed used car dealership will not improve upon the site conditions or streetscape along 104 Avenue. The proposed land use is contrary to the vision of creating an attractive City Centre with an enhanced city form and public realm.

The used car dealership (HNG Auto Sales) currently operates on industrial land, zoned Light Industrial Districts (M-1), in New Westminster. The current site in New Westminster is unsightly and contains numerous dealership signs and car parts, including tires, visible from the main road (Brunette Avenue) and the rear lane. Similar conditions may result on the subject site in City Centre if the proposed Temporary Use Permit is approved, which is contrary to the vision of the City Centre Plan Update in developing an attractive street interface, particularly along a prominent road.)

Advantages of the Proposal

- The proposed Temporary Use Permit to allow a used car dealership on the subject site will be an interim use until the subject property and the adjacent properties can redevelop into a land use and density more consistent with the Mixed-Use (3.5 FAR) designation in the Land Use and Density Concept of the City Centre Plan Update.
- The used car dealership is a temporary use and does provide employment, which is an improvement over the current site conditions since the property is vacant.

Disadvantages of the Proposal

- If approved, the proposed temporary used car dealership could further delay the redevelopment of this area to a higher density that is consistent with the Mixed-Use (3.5 FAR) designation in the Land Use and Density Concept of the City Centre Plan Update, and OCP policies seeking increased densities along rapid transit routes.
- The proposed used car dealership use is contrary to the vision of creating a vibrant, attractive City Centre with an enhanced city form and public realm. The subject property is located along a prominent street and will not improve upon the site conditions or streetscape along 104 Avenue.
- The subject property is zoned "Self-Service Gasoline Station Zone (CG-1)", and the proposed temporary used car dealership is not permitted under the CG-1 Zone. The sale of new or used vehicles less than 5,000 kilograms (11,023 lbs) gross vehicle weight is only permitted under the "Highway Commercial Industrial Zone (CHI)", and is specifically not permitted within the boundaries of City Centre. The intent of separate regulations for City Centre in the CHI Zone was to restrict further automotive uses, particularly automotive service uses and car dealerships, from locating within City Centre.
- The used car dealership (HNG Auto Sales) currently operates on industrial land in New Westminster. The current site in New Westminster is unsightly with numerous dealership signs and car parts, including tires, visible from the main road and rear lane. Similar conditions may result on the subject site in City Centre if the proposed Temporary Use Permit is approved, which is contrary to the vision of the City Centre Plan Update in developing a beautiful city form and public realm, particularly along a prominent street. The applicant's offer to install large planters along 104 Avenue is not considered sufficient.

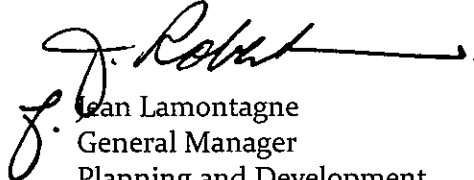
CONCLUSION

- Staff recognize that the proposed used car dealership on the subject site is an interim use. However, in order to develop an attractive and vibrant City Centre with appropriate land uses consistent with the City Centre Plan Update, staff do not support the proposed Temporary Use Permit to allow a used car dealership on the subject property for three (3) years.
- If approved for three (3) years and a possible further three (3) years, the proposed used car dealership could further delay the redevelopment of this area to a higher density that is consistent with the Mixed-Use (3.5 FAR) designation in the Land Use and Density Concept of the City Centre Plan Update.
- The Planning and Development Department recommends that the proposed 3-year Temporary Use Permit to allow a used car dealership on the subject site be denied.
- The applicant should meet with staff to review alternative interim uses for the site that are supportable, and more consistent with the vision for City Centre.
- Should Council find merit in the proposal however, the application should be referred back to staff to complete the development application review process including the necessary referrals.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

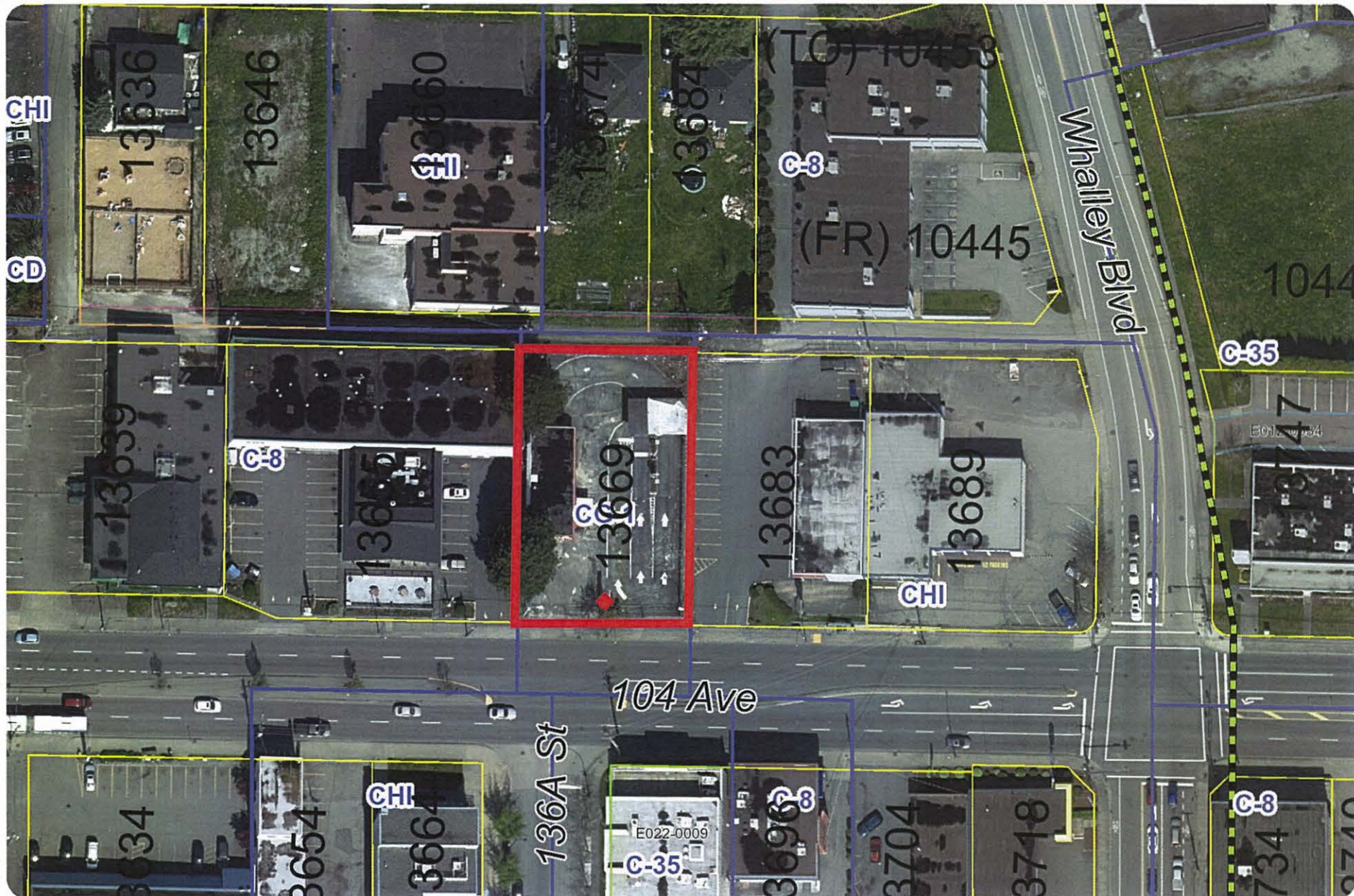
- Appendix I. Lot Owners and Action Summary
- Appendix II. Site Plan and Aerial Map



Jean Lamontagne
General Manager
Planning and Development

DN/ar

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The data provided is compiled from various sources and is NOT warranted as to its accuracy or sufficiency by the City of Surrey. This information is provided for information and convenience purposes only. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. Use and distribution of this map is subject to all copyright and disclaimer notices at cosmos.surrey.ca

