



Proposal: Rezone from RA to CD and Development Permit to allow construction of 2 neighbourhood commercial buildings accommodating retail uses, medical clinic, child care facility and a dwelling unit.

Recommendation: Approve to Public Hearing

Location: 18434 - 64 Avenue

Zoning: RA

OCP Designation: Urban

LAP Designation: Urban

Owner: Coventry Development

Single

Family

PROJECT TIMELINE

Original Application Submission Date:	August 18, 2003
Additional Application Submission Date:	September 30, 2004
Planning Report Date:	October 18, 2004

The applicant is proposing:

- a rezoning from RA to CD; and
- a Development Permit

in order to allow the construction of 2 neighbourhood commercial buildings accommodating retail uses, medical clinic, child care facility, and one dwelling unit.

The Planning & Development Department recommends that this application be approved to proceed to Public Hearing, and that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA (By law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and date be set for Public Hearing (Appendix II).
2. Council authorize staff to draft Development Permit No. 7903-0279-00 generally in accordance with the attached drawings (Appendix III), should the rezoning by-law be granted Third Reading after Public Hearing.
3. Council instruct staff to resolve the following issues prior to final adoption should the rezoning by-law be granted 3rd reading after Public Hearing:
 - (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 road dedication plan to the satisfaction of the Approving Officer;
 - (c) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (d) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Covenant to restrict the hours of operation from 7:00 a.m. to 11:00 p.m.;
 - (f) removal of all existing buildings and structures to the satisfaction of the General Manager, Planning & Development;
 - (g) submission of signage details (type and location) to the satisfaction of the General Manager, Planning & Development; and
 - (h) registration of a Section 219 Covenant to restrict access at 64 Avenue and 184 Street to right-in and right-out only.

REFERRALS

Engineering:

The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

SITE CHARACTERISTICS

- **Existing Land Use:** There is one single family dwelling on the property, which will be demolished.
- **Significant Site Attributes** The site has no significant vegetation.
- **East, West and South:** Single family subdivision zoned RF, designated Urban.
- **North:** Across 64 Avenue, west of 184 Street is an existing gas station zoned CD and occupied single family lots under Land Use Contract No. 404, all of which are designated Urban
On east of 184 Street is an existing townhouse development,

zoned CD (By-law Nos. 12008 and 12583), designated Urban

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject site is located at the south-east corner of 184 Street and 64 Avenue in Cloverdale. It is designated Urban in the Official Community Plan (OCP), zoned RF, and is approximately 4,127 square metres (1 acre) in size.
- The applicant proposes to rezone from RF to Comprehensive Development Zone (CD), based on the C-5 Zone, to allow the construction of two commercial buildings that will accommodate retail stores, medical office and a daycare facility. The second level of the proposed easterly building will accommodate a chiropractor clinic and dwelling unit with a combined floor area of 322 sq. m. (3,466 sq. ft.). The following table provides a comparison between the proposed CD and C-5 Zones:

	C-5 Zone	Proposed CD Zone
Proposed Uses	Variety of commercial uses, including Neighbourhood Pub	Variety of commercial uses, excluding Neighbourhood Pub
Maximum floor area of each Business	370 sq. m. (4,000 sq. ft.)	370 sq. m. (4,000 sq. ft.)
Floor Area Ratio	0.50	0.45
Lot Coverage	50%	45%
Floor Area of Dwelling Unit	No limit in floor area	Limited to 197 sq. m. (2,120 sq. ft.)
Building Height	Maximum of 9.0 metres (30 ft.)	Maximum of 9.0 metres (30 ft.)
Building Setbacks	Minimum 7.5 m (25 ft.) from all lot lines	Vary from 8.5 m (28 ft.) to 2.0 m (6.5 ft.) to the building face

- The proposed Building A is a 2-storey structure. Proposed Building B is one-storey building. Table below shows the proposed uses, the corresponding floor areas and the proposed location:

Proposed Use	Proposed Floor Area	Proposed Location
Retail	824 sq. m. (8,869 sq. ft.)	Ground floor, Building A and B
Medical Clinic	186 sq. m. (2,000 sq. ft.)	Ground floor, Building B
Child Care	217 sq. m. (2,325 sq. ft.)	Ground floor, Building A
Chiropractor Clinic	125 sq. m. (1,349 sq. ft.)	Second level, Building A
Dwelling Unit	197 sq. m (2,000 sq. ft.)	Second level, Building A

- While Building B will be established with setbacks of 2 metres (6.5 ft.) from the north (fronting 64 Avenue) and west (fronting 184 Street) property lines primarily to promote a pedestrian-scale development, proposed Building A will maintain the required 7.5-metre (25-ft.) setback to the property line fronting 64 Avenue, in keeping with the existing 7.5-metre (25-ft) setback that has been achieved for the existing single family home east of proposed Building A.
- The proposed 3-metre (10-ft.) setback between Building A and the property line to the east will accommodate a combination 1.8-metre (6-ft.) deciduous (Katsura) trees, variegated Dogwood and Willow Cotoneaster which will provide a visual buffer between the proposed building and the existing house to the east.
- The applicants have committed to register a Restrictive Covenant on the title restricting hours of operations between 7:00 AM to 11:00 PM, 7 days a week. This Restrictive Covenant is a recommended subject condition

prior to final adoption of the rezoning by-law.

PRE-NOTIFICATION AND PUBLIC INFORMATION MEETING

Pre-notification letters were sent on December 17, 2003 and the Planning & Development Department received the following responses:

- Four adjacent property owners (three of whom reside east of the subject site) submitted letters opposing the rezoning application. The reasons for the objections include:
 - There are ample local facilities offering the same services (medical offices, chiropractic clinics, daycare centres) in Cloverdale, especially with the two proposed shopping centres at Fraser Highway and 188 Street, which will provide a variety of shopping options for the residents in the neighbourhood.

(Since that time, one of the proposed shopping centres (on the former drive-in theater site) has received Final Approval.)

- The site should remain residential in keeping with the existing residential subdivision surrounding the property.
- In response to the comments from the neighbours, the applicants were advised to hold a Public Information Meeting (PIM). A 2-hour PIM was conducted on February 11, 2004 at the Cloverdale Recreation Centre, with 20 people in attendance.
- Eight attendees filled out the questionnaires, five of which indicated opposition to the proposal. The residents' concerns include the following:
 - Commercial development is not compatible with the established residential neighbourhood;
 - The proposal will generate an increase in traffic, noise, youth presence, crime;
 - The proposal will decrease property values; and
 - Widening 64 Avenue is not a good idea.
- On February 23, 2004, staff received a petition from a neighbour, together with 16 completed questionnaires that were distributed at the PIM, objecting to the proposed development. On the same day, the applicants provided staff with 2 separate petitions, indicating support to the proposal. Staff noted that a number of signatures on the petitions submitted by the applicants were from residents who live beyond a 200-metre (650 ft.) radius of the subject site.
- On March 10, 2004, staff received a separate petition with approximately 102 signatures, also indicating opposition to the proposed commercial development.
- A map indicating the location of signatories to the above-mentioned petitions and respondents to the questionnaires, is shown in Appendix V. The combined result is limited to those addresses (including the strata lots within the existing townhouse site north-east of 64 Avenue and 184 Street) that are located within a 200-metre (650 ft.) radius of the subject site.
- The map indicates very limited support for the proposal as summarized below:

	# of signatures based on 304 single family lots within the 200-metre radius	# of signatures based on 100 strata lots within 200-metre radius	Total Within 200 m Radius (404 units)
In Support	10	6	16 (3.9%)

Not In Support	56	80	136 (34%)
----------------	----	----	-----------

- The applicant's petitions include 163 signatures outside the 200-metre (650-ft.) radius in support of the project.
- As illustrated on the map attached as Appendix V, there is significant opposition by residents who live directly adjacent to the subject site (i.e., north and south of 63A Avenue, between 184 and 185 Streets).
- Given the significant opposition to the proposal, staff encouraged the applicants to hold a second PIM. However, the applicants indicated that, being cognizant of the neighbours' opposition, they instead met with 5 neighbours on June 21, 2004 in lieu of holding another PIM. The applicants advised that at the end of the meeting, it was obvious that the neighbours in attendance oppose the proposed land use itself and no amount of mitigation measures with respect to the design would address the neighbours' concerns.

DESIGN PROPOSAL AND REVIEW

- The proposed commercial development will have separate driveway access points (to be defined by decorative pavers) off 64 Avenue and 184 Street. Both driveways are limited to right-in, right-out. A Section 219 Restrictive Covenant that secures this restriction is to be registered on title as a condition of at Final Adoption. Access from the rear lane will not be permitted.
- The Engineering Department has confirmed that the lane south of the subject site will not be extended to 184 Street. Instead, the existing lane that currently terminates at the south-east corner of the subject site will be extended to the mid-point along the south property line, connecting to the existing north-south lane that connects to 63A Avenue. The completion of the lane will provide an alternate route for residents fronting 64 Avenue, who at the present time, can only access 64 Avenue via 188 Street to the east.
- The proposed one-storey, L-shaped structure (Building B) will front both 64 Avenue and 184 Street, while the 2-storey structure (Building A) will front 64 Avenue. Both structures indicate gable ends, following the residential character of the adjacent neighbourhood. Wood columns supporting the gable ends are also introduced to provide additional architectural interest.
- The applicants have been advised that the location of signage should be limited to the entrances to the proposed buildings. Building A should not have any signage on the building elevations facing south or east. The proposal does not include a free-standing sign, in consideration of the adjacent single family development. Details of the proposed signage will be provided prior to final approval of the Development Permit.
- A total of 34 trees consisting of flowering deciduous and coniferous varieties such as Red Maple, Chestnut, Cypress, and Serbian Spruce will be installed on the site. These trees will be complemented with flowering shrubs such as variegated Dogwood, cotoneaster and roses. A 1.8 metre (6-ft.) high fence with a trellis on top will be installed along the south property line abutting the proposed lane to buffer the development from the residential neighbourhood to the south. A pedestrian pathway is provided off the lane to the subject site, to be defined by decorative pavers.
- A total of 38 parking spaces are being provided, conforming to the requirement of the Zoning By-law.

ADVISORY DESIGN PANEL

-
ADP Meeting Date: December 18, 2003

The applicant has adequately addressed the concerns raised by the ADP.

-

PROJECT EVALUATION

Advantages of the Proposal

- The proposal is consistent with the objectives of the Official Community Plan and Council policy related to the encouragement of local economic development.
- Although community scale shopping centres have been approved west of 188 Street, on both sides of Fraser Highway, there is no neighbourhood-scale commercial centre within the area bounded by 184 Street to the west, 72 Avenue to the north, 192 Street to the east, and 64 Avenue to the south, to provide convenient commercial services to the immediate neighbourhoods.
- The proposal will cater to the commercial needs of the immediate neighbourhood. High impact land uses such as a neighbourhood pub are not being proposed nor permitted in the proposed CD Zoning By-law.
- The small scale of the development should not generate sufficient traffic to have a significant impact on the adjacent streets.

Issues and Concerns

- The original Local Area Plan for North Cloverdale identified the north-east corner of 64 Avenue and 184 Street for a local commercial use. However, the proposed land use designation was changed when the North Cloverdale East Neighbourhood Concept Plan was developed in response to neighbourhood concerns. This particular corner is designated Townhouse/Cluster (8 15 upa) in the NCP and has since been developed into a 100-unit townhouse project.
- There is a persistent, strong neighbourhood opposition to the proposed development on the subject site that has been demonstrated by way of two petitions received by staff to date along with letters and telephone inquiries.
- The recently-approved 6,100 sq.m. (65,662 sq.ft.) shopping centre located to the east of 186 Street and south of Fraser Highway is within an 800-metre (1/2 mile) of the subject site, offering the potential for a range of commercial services. Across Fraser Highway, on the west side of 188 Street, is another proposed shopping centre (the by-law has just recently received Third Reading) of the same scale (10,065 sq.m. (108,342 sq.ft.)). An argument could be made that these two shopping centres may adequately serve the subject area.

From a planning perspective and in support of Council policy related to encouraging commercial development, the proposed development has some merit. The applicant has demonstrated some support for this project from a larger area. However, the immediate neighbourhood remains in opposition to the proposed development.

Based on the above, it is recommended that Council give the rezoning by-law first and second reading and schedule a Public Hearing to provide opportunities to both the applicant and the community to express their opinions directly to Council about the merits and impacts of the proposal which will assist Council in determining whether the proposed development should proceed.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II	Proposed CD By-law
Appendix III.	Proposed Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective

- Appendix IV. Engineering Summary
 Appendix V. Map Showing Combined Results of Petitions

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated September 16, 2004.
- Soil Contamination Review Questionnaire prepared by Kirpal Garcha dated August 15, 2003
- Letters in Opposition and Support of the Proposed Development

Murray Dinwoodie
 General Manager
 Planning and Development

JDM/kms

v:\wp-docs\planning\plncom04\10061547.jdm.doc
 KMS 10/18/04 9:29 AM

APPENDIX I

Information for City Clerk

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

1. (a) Agent: Name: Darrin Collie, Ankenman Architects & Associates
 Address: Suite 200, 12321 Beecher Street
 Surrey, B.C. V4A 3A7
 Tel: 604-536-1600

2. Properties involved in the Application
 - (a) Civic Address: 18434 - 64 Avenue

 - (b) Civic Address: 18434 - 64 Avenue
 Owner: Coventry Developments Ltd.
 PID: 012-609-960
 Parcel "A" (Reference Plan 16271) Lot 1 Section 9 Township 8 New Westminster
 District Plan 2327

3.
 - (a) Introduce a By-law to rezone the property.

DEVELOPMENT DATA SHEET

Required Development Data	Minimum Required / Maximum Allowed Based on C-5	Proposed	
LOT AREA* (in square metres)			
Gross Total		4,127 m ²	
Road Widening area		492 m ²	
Undevelopable area			
Net Total		3,635 m ²	
LOT COVERAGE (in % of net lot area)			
Buildings & Structures	50%	43%	
Paved & Hard Surfaced Areas			
Total Site Coverage			
SETBACKS (in metres)		Bldg. Face	Canopy
Front (184 Street)		2.35 m	0.61 m
Rear (East)		3.0 m	-
Side #1 (North) on Flanking Street (64 Ave.)		2.3 m	0.61 m
Side #2 (South)		8.66 m	7.5 m
BUILDING HEIGHT (in metres/storeys)			
Principal	9 m	9 m	
Accessory			
NUMBER OF RESIDENTIAL UNITS		1	
Bachelor			
One Bed			
Two Bedroom		1	
Three Bedroom +			
Total		1	
FLOOR AREA: Residential		197 m ²	
FLOOR AREA: Commercial			
Retail		1,010 m ²	
Office		125 m ²	
Total		217 m ²	
		1,352 m ²	
FLOOR AREA: Industrial			
FLOOR AREA: Institutional			
TOTAL BUILDING FLOOR AREA	1,817.5 m ²	1,549 m ²	

* If the development site consists of more than one lot, lot dimensions pertain to the entire site.

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
---------------------------	---------------------------------------	----------

	Based on C-5	
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)	0.50	0.38
FAR (net)	0.50	0.43
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor for Daycare		
PARKING (number of stalls)		
Commercial/Retail	24	37
Office and Clinic	10	
Daycare	3	
Residential Bachelor + 1 Bedroom		
2-Bed	2	2
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	39	39
Number of disabled stalls	1	1
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----