

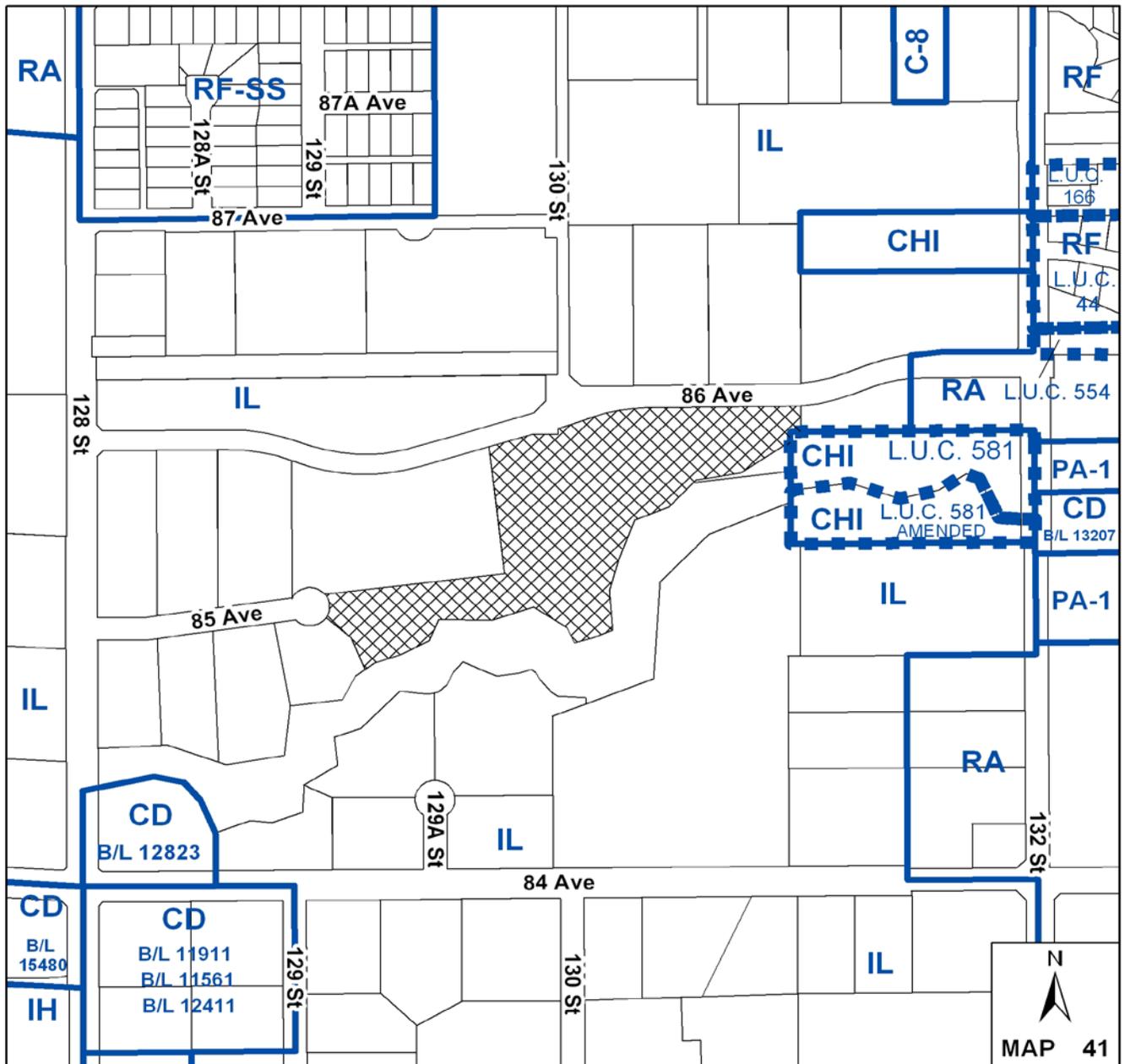
Proposal: Rezone from IL to PA-2 to allow a community services building including an assembly hall, library, gymnasium and community service uses. DVP to vary height and side yard setbacks.

Recommendation: Approval to Proceed

Location: 12895 - 85 Avenue **Zoning:** IL

OCP Designation: Industrial

LAP Designation: General Ind. & Open Space **Owner:** Gurdwara Sahib Dasmesh Darbar Inc.



PROJECT TIMELINE

Completed Application Submission Date: March 1, 2006
Planning Report Date: April 2, 2007

PROPOSAL

The applicant is proposing:

- a rezoning from IL to PA-2; and
- a Development Variance Permit to relax the following by-law regulations:
 - reduce the north and south side yard setbacks from a minimum of 12.1 metres (40 ft.) to a minimum of 7.5 metres (25 ft.) to the building face, and from 12.1 metres (40 ft.) to 3.3 metres (10.75 ft.) to the entry canopies only; and
 - increase the maximum building height from a maximum of 9.0 metres (30 ft.) to a maximum of 12.1 metres (40 ft.)

in order to allow a community services centre, including an assembly hall, community services, library, museum and archives, language instruction and gymnasium within an existing building to serve the Sikh Khaligar Religious Society.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "Light Impact Industrial Zone (IL)" (By-law No. 12000) to "Assembly Hall 2 Zone (PA-2)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0082-00, (Appendix VII) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum north and south side yard setbacks of the PA-2 Zone from 12.1 metres (40 ft.) to 7.5 metres (25 ft.) to the building face and from 12.1 metres (40 ft.) to 3.3 metres (10.75 ft.) to the entry canopies at the entrance only; and
 - (b) to vary the maximum building height allowed in the PA-2 Zone allowed from 9 metres (30 ft.) to 12.1 metres (40 ft.).
3. Council instruct staff to resolve the following issues prior to final adoption:
 - (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) input from Senior Government Environmental Agencies;
 - (c) submission of a landscape plan and cost estimate for landscaping to the specifications and satisfaction of the City Landscape Architect;
 - (d) registration of a Section 219 Restrictive Covenant to ensure the approved site design and landscaping is constructed and maintained and that future site development be required to complete a design review process;
 - (e) approval from BC Hydro; and
 - (f) finalization of Building Permit and Occupancy approvals for the site, and payment of Development Cost Charges for the developed portion of the site, including the existing parking area.
4. Council pass a resolution to amend the Newton Local Area Plan from "General Industrial" and "Open Space" to "Institution" and "Open Space".

REFERRALS

Engineering:	The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached. A servicing agreement will be required (Appendix IV).
Parks, Recreation & Culture:	No concerns (Appendix V).
Department of Fisheries and Oceans:	No comment. The change in use for the structure is of no consequence to DFO (Appendix VI).
Economic Development Office:	No support. The Economic Development Office has raised concern regarding the loss of industrial land and does not support the proposed change of use (Appendix VIII).
BC Hydro:	No concerns.

SITE CHARACTERISTICS

- **Existing Land Use** Newly constructed industrial building. Flag pole and surplus surface parking for the adjacent Gurdwara. The BC Hydro Corridor traverses the site.
- **Significant Site Attributes** A tributary of Bear Creek is located on the south side of the property. A DFO creek protection Restrictive Covenant is registered on a portion of the site.
- **East:** Across the creek are industrial buildings on lots, zoned IL and Commercial buildings on a lot zoned CHI, all designated Industrial in the OCP.

- **South:** Across the creek are industrial buildings on lots, zoned IL, designated Industrial in the OCP.
- **West:** An industrial building on a lot, zoned IL, designated Industrial in the OCP.
- **North:** An industrial building which houses industrial uses and the Sikh Gurdwara on a lot, zoned IL, designated Industrial in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: "Industrial". Complies.

Newton LAP Designation: "General Industrial" and "Open Space". Partially complies. An amendment to the Newton Local Area Plan from "General Industrial" and "Open Space" to "Institution" and "Open Space" is required.

JUSTIFICATION FOR PLAN AMENDMENT

- The proposed zone (PA-2) is allowed in the OCP "Industrial" designation. However, the "General Industrial" designation does not reflect the proposed Institutional uses on the site. In addition, the boundary between "General Industrial" and "Open Space" designation of the Newton LAP is unclear, because of the scale of the plan. The new designation will clearly separate the "Open Space", which covers the riparian corridor of the Bear Creek system and the "Institutional" portion which covers the rest of the site.

DEVELOPMENT CONSIDERATIONS

Background

- The site is an irregular lot located at 12895-85 Avenue, at the end of the 85 Avenue cul-de-sac. It is designated "Industrial" in the OCP and "General Industrial" and "Open Space" Newton Local Area Plan. The surrounding area is fully developed with industrial uses. A BC Hydro corridor transverses the majority of the site.
- The applicant, the Kalgidhar Religious Sikh Society (the Society), has operated the Gurdwara (Temple) at the adjacent site (12885-85 Avenue), which shares the same access from 85 Avenue and parking, since the mid 1990s. The Gurdwara is an important community facility, where people gather for worship, and other activities associated with the Sikh religion and culture.
- The proposal is to rezone the site at 12895-85 Avenue from IL to PA-2 to allow Assembly Hall uses, Community Services and other uses associated with Sikh religious facility located on the adjacent lot, (the Gurdwara Sahib Dasmesh Darbar). The society proposes to have youth counseling, library, Gymnasium, Sikh Museum, language instructions, archives and assembly area, within the existing 5,9647-square metre (64,201 sq.ft.) building on the property.

- The Society indicates that a facility of this scope is required, and will go a long way to solving the present community needs, particularly that of youth and new immigrants. The subject site is ideal to the Society due to the adjacency to the existing temple.
- In the late 1990s, there was an application for a Sikh Temple on this site, which was withdrawn by the applicant. This proposal does not include a temple, however, the PA-2 would permit a temple under the Assembly Hall use.
- Although the IL Zone already allows limited assembly uses (limited to churches) and community service uses (as an accessory uses), the society is seeking a PA-2 zone to address the immediate needs for assembly use and community service use which are broader and require a greater magnitude than can be accommodated within the IL zoning.

Land Use Rationale

- The proposed land use can be supported for the following reasons:
 - The proposed use (PA-2) is permitted under the "Industrial" designation, and allowed to locate within selected workplace, so long as shared parking can be arranged, and loss of productive workplace area is kept to a minimum;
 - The adjacent property is already used as a Gurdwara, and it makes sense to consolidate community uses around this site, to ensure share parking (which is in ample supply at this location) and to centralize community functions and needs;
 - The site is well served by the existing road network, and four road connections to major roads: 85 Avenue to 128 Street, 86 Avenue to 128 Street and 132 Street and 86 Avenue to 130 Street and 88 Avenue. A traffic Impact Study prepared by OPUS Hamilton concluded that, factoring future traffic growth and combining existing volumes with the zoning change, all the intersections in the study area will operate adequately in the future with certain road improvements;
 - The proposal is surrounded by industrial uses, therefore, it is not expected to impact residential areas; and
 - Majority of the site cannot be developed with buildings, as it is transversed by the BC Hydro corridor, which is suitable for parking. The proposed community uses can take advantage of this area for parking, to serve the site.

PRE-NOTIFICATION

Pre-notification letters were sent on April 6, 2006 and staff received the following comment:

- Staff received one call regarding possible intrusion of lighting and noise.

(The applicant indicated that the lighting within the parking lot is non-glare. The only noise anticipated is only during "Diwali" a once a year special occasion that is permitted by a special permit.)

DESIGN CONSIDERATION AND REVIEW

Site Plan & Design

- The existing building is not in a Development Permit Area and is being converted into an institutional building, therefore, a development permit is not required. However, the site landscaping has been reviewed and found satisfactory.
- The most notable characteristic of the site is that it abuts a riparian leave strip setback area, which is protected by a DFO covenant. A BC Hydro right-of-way is located on the northern edge of the site. Both agencies have been consulted on this proposed conversion of the existing building into assembly and community service uses (PA-2 Zone). Both responded that the proposed zoning change is to allow new uses within an existing building, without any encroachment to existing right-of-ways or covenant area, therefore, they have no objection.
- The site has two main entrances; one from the 85 Avenue cul-de-sac, which is shared with the existing industrial building to the north, within which there is a temple and the second one from the newly constructed 86 Avenue.
- The most important function of the building massing is to provide the community's assembly facility and a gymnasium for the youth. For that reason the building is essentially linear in form, and 12.1 metres (40 ft.) in height, partitioned into three levels. The main level will house a 630-square metre (6,781 sq.ft.) kitchen and dining area and a 561-square metre (6,040 sq.ft.) a high ceiling gymnasium. The second level will house a 455.2 square metre (4,900 sq.ft.) library and archives, and 810-square metre (8,720 sq.ft.) classrooms for English instruction and counseling services. The third level will be a 1,458.5 square metre (15,700 sq.ft.) assembly hall and 139.4-square metre (1,500 sq.ft.) caretaker suite.
- The elevations have generous amounts of glazing, and the concrete wall is architecturally finished with light sandblasting with clear reveals for detailing.
- The northwest and northeast corners of the building are clad in glass signifying its presence and prominence to the interfacing industrial building to the north and add architectural interest to the structure.
- Additional architectural details such as awnings and canopies with domes at the entrances also add to the architectural interest.
- As the site has capacity for additional buildings, a Restrictive Covenant is required to be registered to ensure future development on the site undergoes a design review process.

Landscaping

- Landscaping consisting of a combination of trees, shrubbery and ground cover will be provided within the parking area and along the riparian setback area boundary, with the south edge next to the building lined with large block fencing, which act as a retaining wall. The riparian setback area will be left in its natural state.

Signage

- No freestanding sign is proposed for this development. However, fascia signs will be incorporated on the west east and north elevations, to identify the activities that will take place within the building. Other fascia sign bands will be above the entrances.

Parking

- There are 507 parking stalls on the subject property, mainly within the BC Hydro corridor, which are being shared by the existing Gurdwara (temple) within the building on 12885 - 85 Avenue. To meet the requirement of the PA-2 Zone, 306 parking stalls are assigned for exclusive use by the patrons of the existing building on the subject site. This exceeds the parking requirements in the Zoning By-law.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary the minimum required north and south side yard setbacks of the PA-2 Zone, from 12.1 metres (40 ft.) to 7.5 metres (25 ft.) to the building face and from 12.1 metres (40 ft.) to 3.3 metres (10.75 ft.) to canopies at the entrance only.

Applicant's Reasons:

- The PA-2 Zone requires that all setbacks be the greater of 7.5 metres (24 ft.) or the height of the tallest structure on the property. Based on this requirement, all setbacks would be required to be a minimum of 12.1 metres (40 ft.) from all property lines. The building is already in place and sited based on the setback requirement of the IL Zone. The change in zoning to PA-2 will render the building nonconforming in regard to setbacks. The variance only applies to the existing building. Any future buildings have to conform to the minimum setback requirement of the PA-2 Zone.

Staff Comments:

- Staff concur with the applicant's argument as the building already exists, and support the proposed relaxation.

(b) Requested Variance:

- To vary the maximum height requirement of the PA-2 zone, from 9 metres (30 ft.) to 12.1 metres (40 ft.).

Applicant's Reasons:

- The building is already in place and sited based on the height requirement of the IL Zone. The change in zoning to PA-2 will render the building nonconforming in regard to height. The variance only applies to the existing building. Any future buildings have to conform to the maximum height requirement of the PA-2 Zone.

Staff Comments:

- Staff concur with the applicant's argument as the building already exists, and support the proposed relaxation

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.	Contour Map
Appendix III.	Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	Department of Fisheries & Oceans Comments
Appendix VII.	Development Variance Permit No. 7906-0082-00
Appendix VIII.	Economic Development Office Comments

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated June 29, 2006.
- Traffic Study prepared by OPUS Hamilton dated February 2007.
- Soil Contamination Review Questionnaire prepared by Avnash Banwait dated March 10, 2006.

How Yin Leung
Acting General Manager
Planning and Development

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DEVELOPMENT DATA SHEET

Proposed Zoning: PA-2

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		35,180 m ²
Road Widening area		5,946 m ²
Undevelopable area		29,234 m ²
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	40%	7.3%
Paved & Hard Surfaced Areas		7.5%
Total Site Coverage		82.3%
SETBACKS (in metres)		
Front	12.1 m	13.2 m
Rear	12.1 m	13.4 m
Side #1 (North)	12.1 m	10.3 m
Side #2 (South)	12.1 m	10 m
BUILDING HEIGHT (in metres/storeys)		
Principal		
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +	1	1
Total		
FLOOR AREA: Residential	260 m ²	139.35 m ²
FLOOR AREA: Commercial		
Retail		
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional	14,357 m ²	5,824.92 m ²
TOTAL BUILDING FLOOR AREA	14,617 m ²	5,964.27 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
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.5	0.2
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed	2	2
Residential Visitors		
Institutional	281	304
Total Number of Parking Spaces	283	306
Number of disabled stalls		
Number of small cars		
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	YES/NO	Tree Survey/Assessment Provided	YES/NO
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CONTOUR MAP FOR SUBJECT SITE

