

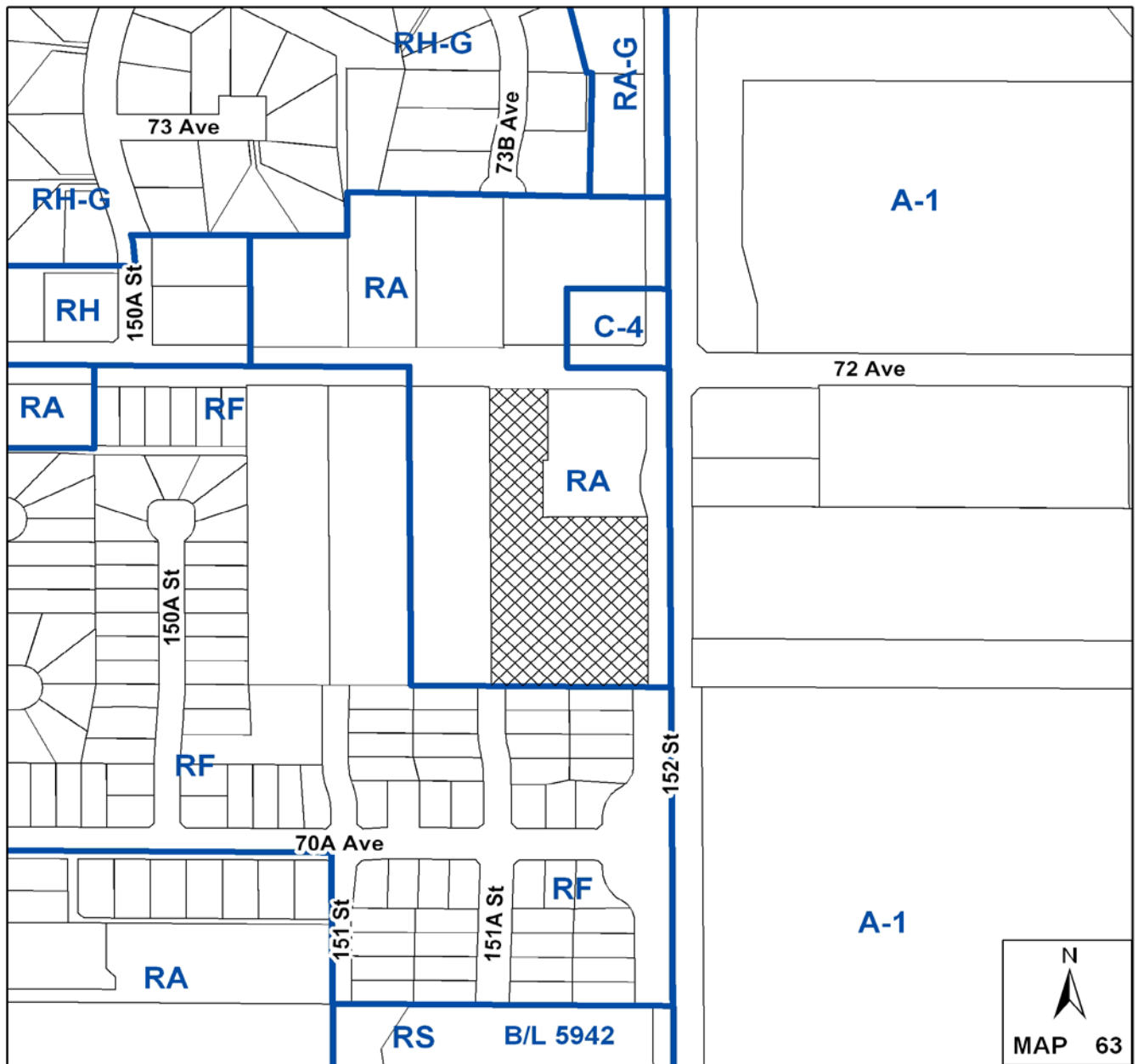
Proposal: Development Variance Permit to reduce the east and west side yard setbacks and reduce the minimum lot area for a proposed commercial building.

Recommendation: Approval to Proceed

Location: 15194 - 72 Avenue **Zoning:** C-5

OCP Designation: Urban

NCP Designation: Neighbourhood **Owner:** 0706302 B.C. Ltd.
 /Local Comm.



PROJECT TIMELINE

Completed Application Submission Date: November 10, 2005
Planning Report Date: April 10, 2006

PROPOSAL

The applicant is proposing:

- a Development Variance Permit to vary the following by-law regulations:
 - reduce the minimum easterly side yard setback from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
 - reduce the minimum westerly side yard setback from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
 - reduce the minimum lot area from 2,000 square metres (21,528 sq.ft.) to 1,560 square metres (16,800sq.ft.)

in order to permit the development of a commercial development in a comprehensively-planned neighbourhood commercial centre.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7906-0139-00, varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum easterly side yard setback of the C-5 Zone from 7.5 metres (25 ft.) to 3.6 metres (12 ft.);
 - (b) to reduce the minimum westerly side yard setback of the C-5 Zone from 7.5 metres (25 ft.) to 0 metre (0 ft.); and
 - (c) to vary the minimum lot area of the C-5 Zone from 2,000 square metres (21,528 sq.ft.) to 1,560 square metres (16,800 sq.ft.).

REFERRALS

Engineering: The Engineering Department has no objection to the proposed Development Variance Permit (Appendix IV).

SITE CHARACTERISTICS

- **Existing Land Use** Vacant.
- **East:** Across 152 Street, agricultural property in the Agricultural Land Reserve (ALR), zoned A-1, designated "Agricultural" in the OCP.
- **South:** New single family lots under development, zoned RF, designated "Urban" in the OCP.
- **West:** A single family dwelling, proposed for demolition. The parcel is under application (File No. 7996-0068-00) to permit a commercial building on the northerly portion, and single family residential lots on the southerly portion. This project has been coordinated with the subject site, is presently at Third Reading and nearing completion. The property is currently zoned RA, designated "Urban" in the OCP.
- **North:** Across 72 Avenue, a commercial centre and nursery, zoned RA and C-4, designated "Suburban" in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject 1.4 hectare (4.3 acre) site is located at 15194 – 72 Avenue and is within the East Newton South Neighbourhood Concept Plan (NCP). The rezoning application on the site (File No. 7996-0076-00) received Final Approval on March 27, 2006. The rezoning application has rezoned a 1,500 sq.m. (16,146 sq.ft.) portion of the site to C-5 and the remainder of the site has been rezoned to RF to allow for a subdivision of 14 lots (Appendix III).
- There is an in-stream rezoning and subdivision application to the immediate west (File No. 7996-0068-00) to create a small retail shopping centre, and a rezoning application to the east (File No. 7996-0076-00) to facilitate the development of a gas station (Appendix III). Both applications are at Third Reading.
- The commercial development on these three adjacent sites has been comprehensively designed to function as a neighbourhood commercial node. Reciprocal access and parking agreements are required to ensure shared parking and the coordination of access for both retail developments and the future gas station site to the east.
- In order to facilitate the comprehensively planned development, variances on certain regulations were required for the commercial centre portion of the development, including the minimum lot area, and both the east and west side yard setbacks. Three previous Development Variance Permits were issued on February 16, 1998, January 4, 1999 and September 16, 2002 and have now expired. The applicant is re-applying for the same variances.

- This development project could not be completed earlier due to sewer servicing issues that prevented completion of this project and other projects in the area. This included the need for the construction of a new sanitary lift station east of 152 Street to serve this area. The previous Development Variance Permits expired during the time it has taken to resolve this constraint. These sewer servicing issues were resolved in 2005 and this project is moving toward completion.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Three (3) consecutive Development Variance Permits were approved previously for this commercial development (7996-0076-00, 7996-0076-01 & 7996-0076-02). More than two years have passed from the approval date of the last DVP, therefore a new DVP is required. This Development Variance Permit application is identical to the previously approved Development Variance Permits. No changes to the specific variances have been requested. The variances are required to permit:
 - a zero-lot line along the western property line for the proposed retail shopping centre building site;
 - an eastern side yard setback reduction from 7.5 metres (25 feet) to 3.6 metres (12 feet); and
 - the minimum lot area to be reduced from 2,000 sq.m. (21,530 sq.ft.) to 1,560 sq.m. (16,800 sq.ft.).

Applicant's Reasons

- These previously approved variances are necessary for the completion of this comprehensively designed neighbourhood commercial centre.

Staff Comments:

- The proposed zero-lot line and the reduction of the minimum lot area are required in order to ensure the coordinated future expansion of the shopping centre building on the adjacent site to the west under Application No. 7996-0068-00. This is considered a temporary measure as part of a logical phasing of the proposed commercial centre.
- The relaxation of the easterly side yard is to facilitate a comprehensive design and coordinated layout of all the buildings on site. The proposed convenience store and commercial building have been designed as an integral development. The reduced building setbacks will provide a more intimate scale and create a more cohesive design scheme.
- A common outdoor sitting area is proposed between the buildings as an on-site amenity and the proposed fenestration pattern provides additional visual interest and allows for surveillance between the buildings.

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. Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective
- Appendix IV. Engineering Summary
- Appendix V. Development Variance Permit No. 7906-0139-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated January 11, 2006.

How Yin Leung
Acting General Manager
Planning and Development

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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: James Evans, Equitas Development Corporation
 Address: 1645 West 5th Avenue
 Vancouver, B.C. V6J 1N5
 Tel: 604-879-9940

2. Properties involved in the Application
 - (a) Civic Address: 15194 - 72 Avenue

 - (b) Civic Address: 15194 - 72 Avenue
 Owner: 0706302 B.C. Ltd.
 PID: 026-063-573
 Lot 2 Section 15 Township 2 New Westminster District Plan BCP13623

3. Summary of Actions for City Clerk's Office
 - (a) Proceed with Public Notification for Development Variance Permit No. 7906-0139-00.

DEVELOPMENT DATA SHEET

Proposed Zoning: C-5

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total	2,000 sq.m.	1,600 sq.m.
Road Widening area (72 Avenue)		42 sq.m.
Undevelopable area		
Net Total		1,558 sq.m.
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	50%	27%
Paved & Hard Surfaced Areas		
Total Site Coverage		
SETBACKS (in metres)		
Front (72 Avenue)	7.5 m	22 m
Rear	7.5 m	7.5 m
Side #1 (East)	7.5 m	3.6 m
Side #2 (West)	7.5 m	0.0 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9 m	5.8 m
Accessory		
NUMBER OF RESIDENTIAL UNITS		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		
FLOOR AREA: Commercial		428 sq.m.
Retail		428 sq.m.
Office		
Total		
FLOOR AREA: Industrial		
FLOOR AREA: Institutional		
TOTAL BUILDING FLOOR AREA		428 sq.m.

** 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)	0.50	0.27
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	13	20
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	13	21
Number of disabled stalls		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
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CONTOUR MAP FOR SUBJECT SITE

