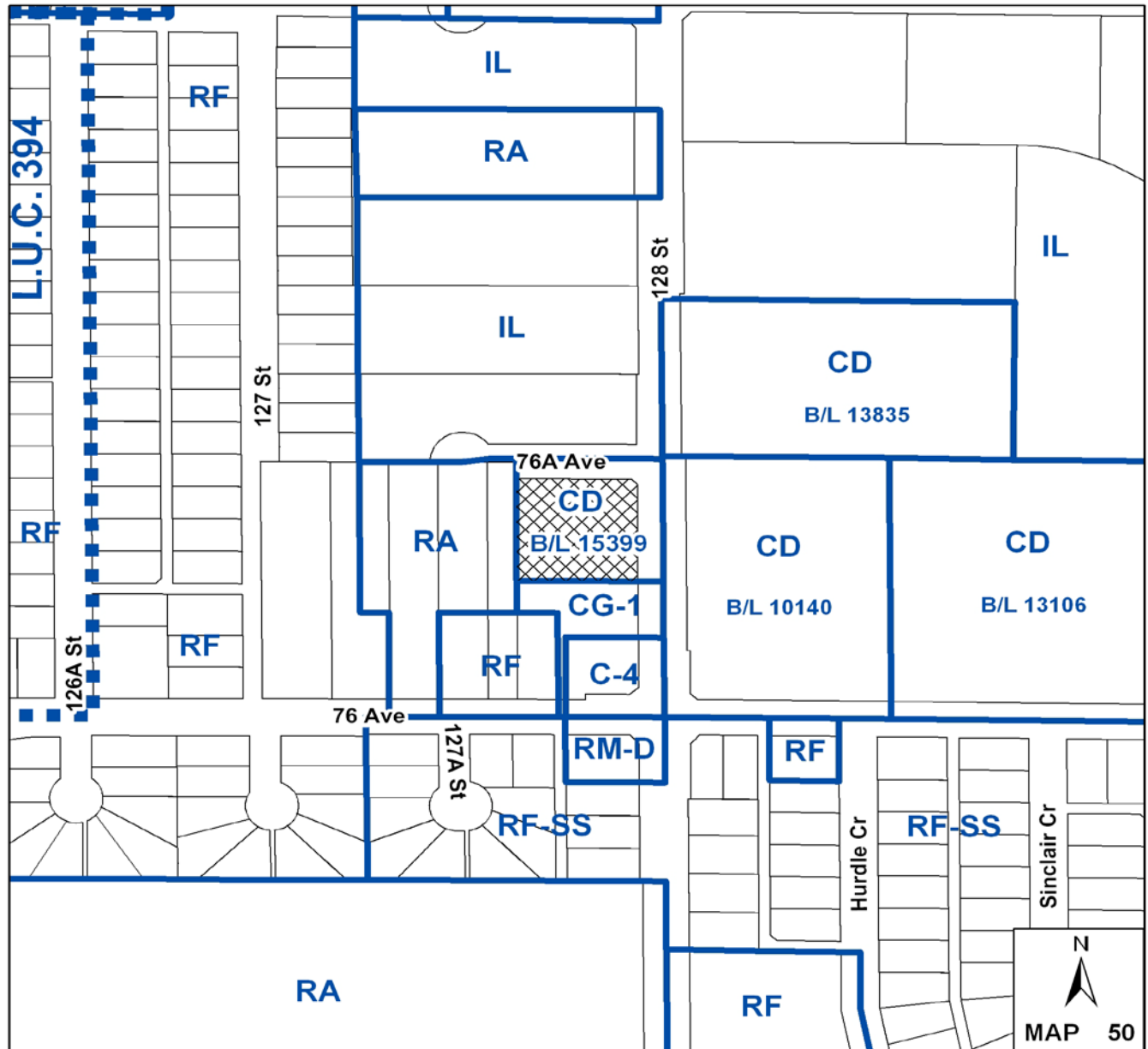


<b>Proposal:</b> CD By-law Amendment to allow up to 50% retail sales of products produced on the lot or as part of the wholesale or warehouse operations.	
<b>Recommendation:</b>	Denial
<b>Location:</b>	12788 - 76A Avenue
<b>OCP Designation:</b>	Industrial
<b>LAP Designation:</b>	General Industrial
<b>Zoning:</b>	CD (By-law No. 15399)
<b>Owner:</b>	678859 B.C. Ltd.



## PROJECT TIMELINE

Completed Application Submission Date: May 9, 2006  
Planning Report Date: July 10, 2006

## PROPOSAL

The applicant is proposing:

- to amend CD By-law No. 15399

in order to allow up to 50% retail sales of products produced on the lot or as part of the wholesale or warehouse operations.

## RECOMMENDATION

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

## REFERRALS

Engineering: Engineering servicing requirements for the project were previously addressed under the earlier rezoning application for the subject site. The Engineering Department has not provided comments on the subject proposal.

Economic Development Office: Economic Development does not support the proposal because it contributes to the erosion of industrially designated lands to other uses. In addition, retail uses within the industrial areas put pressure on existing industrial uses in the general day to day course of their business operations (Appendix VI).

## SITE CHARACTERISTICS

- **Existing Land Use** The building is significantly constructed and shall remain unoccupied until completion.
- **East:** Across 128 Street is an industrial-type building similar to the building constructed on the application site, zoned CD, designated Industrial in the OCP.
- **South:** The site includes a service station with vehicle repair shop, zoned CG-1, designated Industrial in the OCP.
- **West:** Underutilized, split-zoned RA and RF land. The property is treed immediately adjacent to the subject site, designated Industrial in the OCP.
- **North:** Across 76A Avenue is a fully developed IL property, zoned IL, designated Industrial in the OCP.

## PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

OCP Policy: Partially complies. The retail component of the proposal is contrary to the policies of the OCP.

## BACKGROUND

- The site was rezoned to Comprehensive Development (CD No. 15399) and a Development Permit was approved and issued for a two-storey industrial building in May of 2005.
- Construction of an attractive industrial building, complementing the surrounding context and architecture of the area, is nearly complete.
- The approved CD Zone is based on a combination of Light Impact Industrial Zone (IL) and the Business Park Zone (IB) permitted uses. The intent of the CD Zone is to accommodate a wide range of light impact industry, offices and general service uses. Retail uses are not permitted in this zone. As was presented to Council in the original Planning Report:
  - *The proposed CD Zone is supportable for the following reasons:*
    - *A number of Industrial designated CD Zoned sites in the vicinity are based on IL (By-law No. 12000) and IG (By-law No. 5942) zones, that allow uses such as additional Office uses and General Service uses, which cater to the building industry (Appendix VI);*
    - *The CD Zone is primarily IL in nature and does not allow any retail uses;*
    - *The design of the proposed building is a typical industrial building, with overhead doors at the rear; and*
    - *The site is at the periphery of an industrial area and is adjacent to a commercial zoned lot to the south (Gas Station and Convenience Store).*
- Permitted uses within the existing CD Zone include light impact industry, automotive services, general services (limited to 45% of the total floor area), warehouses, offices and related accessory uses. (Appendix III)
- The construction of the proposed building is nearly completed and the applicant is now negotiating lease agreements with potential tenants that include retail operations.
- The applicant is seeking to amend By-Law No. 15399 to add retail sales of products on the lot or as part of the wholesale or warehouse operations similar to the uses allowed in the IB Zone. However, some uses suggested by the applicant seem to be entirely retail in nature

## DEVELOPMENT CONSIDERATIONS

- The area of 128 Street and 76 Avenue is at the edge of the industrial designated area of the OCP; lands to the south are designated Urban. The area is characterized by the following traits:
  - Light industrial, general services and business services uses;
  - Some retail uses have crept into the mix;
  - The lots and their associated uses are vehicular oriented; most have two access/egress points;
  - Most buildings are set back from the street with parking between the street and the building with all parking accommodated on-site;
  - Pedestrian access from the street to the individual buildings is generally poor;
  - 128 Street is a highly used, busy arterial;
  - The area to the south, across 76 Avenue, is designated Urban. Single-family dwellings characterize this area with some under developed RA zoned land.
  - The area to the west is also designated Urban and is also characterized by single-family dwellings.
  - To the north and east is a continuation of industrial designated lands of IL zoning and character.

## PROJECT EVALUATION

The advantages and community benefits or any justification for approving the project are:

- The surrounding area has mix of industrial and service commercial uses.
- The applicant claims it will provide a better mix of uses to better serve the surrounding neighbourhood.

The rationale for not supporting the project are:

- **Reasonable Range of Uses:** The wide range of uses allowed in the current CD By-law is very liberal to accommodate the original intent. While there is a mix of light industrial and service commercial uses in the area to the east, compared to the allowable uses on neighbouring properties, the applicants' site allows a greater mix with fewer restrictions. Of particular note are the Office and General Service uses associated with the existing CD By-law; these uses do not have limitations as the others do, thus allowing the applicant greater flexibility in terms of tenant mix.
- **Industrial Land Supply:** The site is on the edge of the Industrial designation and on the edge of an area where Council has previously placed a restriction on further retail activity on industrial lands (City Policy O-42). The area of the restriction occurs generally between 80 Avenue to the South; 88 Avenue to the North; 132 Street to the East and 125 Street to the West. The justification surrounding the policy is to preserve industrial designated lands for industrial type land uses. There is a general shortage of industrial lands in the area that should be protected to ensure inventory is available for expansion. The Economic Development Office does not support this application.

- **OCP Policies:**

The following Policy supports the position to deny the application. The OCP is clear in its mandate to protect available business and industrial-designated lands for their appropriate uses:

- **Policy B-2 Ensure and Adequate Land Supply to Facilitate Long Term Economic Growth**

The OCP anticipates the City's long term needs for business land and provides policies to ensure that there is a sufficient supply of developable land available in appropriate locations to facilitate accelerated business growth.

On balance, the Planning & Development Department believes that the negative impacts of this project out-weigh its advantages, and therefore recommends that this application be denied.

### PRE-NOTIFICATION

Pre-notification letters were sent on June 12, 2006 and staff received no comments.

### 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.	CD By-law No. 15399
Appendix IV.	OCP Map
Appendix V.	Policy No. O-47
Appendix VI	Economic Development Office Comments

How Yin Leung  
Acting General Manager  
Planning and Development

BDP/kms

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## SUBDIVISION DATA SHEET

**Proposed Zoning: CD**

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	.89 ac
Hectares	.36 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	1
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	
Range of lot areas (square metres)	
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	60%
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	NO
<b>TREE SURVEY/ASSESSMENT</b>	
	NO
<b>MODEL BUILDING SCHEME</b>	
	NO
<b>HERITAGE SITE Retention</b>	
	NO
<b>BOUNDARY HEALTH Approval</b>	
	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

## DEVELOPMENT DATA SHEET

Proposed/Existing Zoning: CD

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		
Gross Total	4,524.14 m <sup>2</sup>	
Road Widening area	670.2 m <sup>2</sup>	
Undevelopable area	-	
Net Total	3,854.0 sq.m.	3,854.0 sq.m.
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures	60%	39.8%
Paved & Hard Surfaced Areas		47.2%
Total Site Coverage		87.0%
<b>SETBACKS</b> ( in metres)		
Front	7.5 m	22 m
Rear	7.5 m	12.4 m
Side #1 (N,S,E, or W)	7.5 m	8.4 m
Side #2 (N,S,E, or W)	0.0 m	0.0 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	18 m	8.59 m
Accessory	6 m	
<b>NUMBER OF RESIDENTIAL UNITS</b>		
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		
<b>FLOOR AREA: Commercial</b>		
Retail		
Office		
Total		
<b>FLOOR AREA: Industrial</b>	3,601 sq.m.	3,064 sq.m.
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		

*\* 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)	1.00	.86
FAR (net)		
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	38	43
Industrial	8	8
Residential Bachelor + 1 Bedroom		
2-Bed	2	2
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	48	53
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
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CONTOUR MAP FOR SUBJECT SITE

