

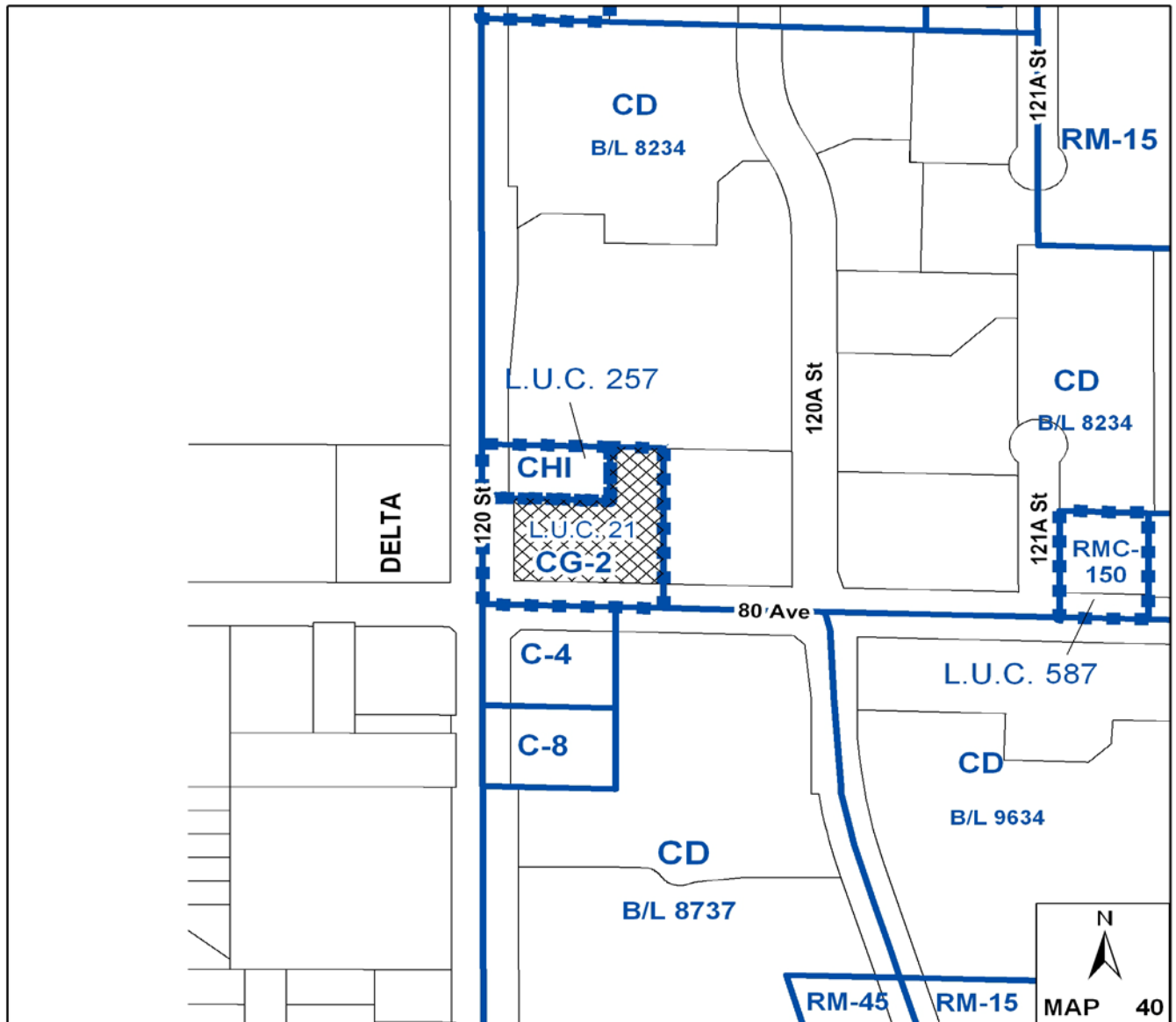
**Proposal:** Discharge Land Use Contract No. 21. Rezone from CG-2 to CD and Development Permit to permit the redevelopment of an existing gas station.

**Recommendation:** Approval to Proceed

**Location:** 8024 - 120 Street      **Zoning:** CG-2 and LUC No. 21

**OCP Designation:** Commercial

**LAP Designation:** Retail Comm.      **Owner:** Petro-Canada



## PROJECT TIMELINE

Completed Application Submission Date: October 27, 2006  
Application Revision & Re-submission Date: May 1, 2007  
Planning Report Date: July 23, 2007

## PROPOSAL

The applicant is proposing:

- a Land Use Contract discharge;
- a rezoning from CG-2 to CD; and
- a Development Permit

in order to permit the redevelopment of an existing Petro Canada gas station.

## RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to discharge Land Use Contract No. 21 and a date for Public Hearing be set.
2. a By-law be introduced to rezone the property from "Combined Service Gasoline Station Zone (CG-2)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing.
3. Council authorize staff to draft Development Permit No. 7906-0440-00 in accordance with the attached drawings (Appendix III).
4. Council instruct staff to resolve the following issues prior to approval:
  - (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; and
  - (b) registration of a Section 219 Restrictive Covenant to limit both vehicular accesses to the property from 80 Avenue and 120 Street to right-in/right-out movements 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).
Corporation of Delta:	No concerns provided that environmental requirements have been met and no underground plume of hydro carbon contaminants have moved off-site towards Delta; and all City Engineering requirements have been met to satisfy traffic movements on the site (Appendix V).
Soil Contamination Branch, Ministry of Environment (MOE):	No concerns. The applicant is required to complete an independent remediation of the site under the MOE's administrative guidance prior to the issuance of a building permit (Appendix VI).

## SITE CHARACTERISTICS

- **Existing Land Use** Previous Petro Canada Gas Station which has been closed and is in the process of being remediated.
- **East:** The Fruiticana grocery store, zoned CD (By-law No. 8234), designated Commercial in the OCP.
- **South:** Across 80 Avenue is a 7-Eleven convenience store, zoned C-4, designated Commercial in the OCP.
- **West:** Across 120 Street, in the Corporation of Delta, is an existing shopping plaza.
- **North:** Existing auto mechanic business, zoned CHI, designated Commercial in the OCP.

## PLAN AND POLICY COMPLIANCE

OCP Designation:	Commercial. Complies.
LAP Designation:	Retail Commercial. Complies.

## DEVELOPMENT CONSIDERATIONS

- The subject site is located on the northeast corner of 80 Avenue and 120 Street (Scott Road). The site is currently under Land Use Contract (LUC) No. 21 and contains a closed Petro Canada gasoline and service station. The site is designated "Commercial" in the Official Community Plan (OCP) and "Retail Commercial" in the Newton Local Area Plan (LAP). The underlying zone is CG-2, or "Combined Service Gasoline Station Zone (CG-2)".
- The neighbouring properties to the north, south, and east of the subject site are all designated and used for Commercial uses. The property to the south of the subject site, across 80 Avenue, is zoned C-4 and contains a 7-Eleven Convenience Store. The property to the east of the subject

site is currently zoned CD (By-law No. 8234) and is developed with commercial uses, including a Fruiticana Grocery Store. The property to the north of the subject site, is zoned CHI and contains an existing auto mechanics business. To the west of the subject site, across 120 Street (Scott Road) is a shopping centre in the Corporation of Delta.

- LUC No. 21 was adopted by Council on August 19, 1974 in order to permit the development of a gasoline and service station by Gulf Oil Canada. The zone also permits the land to be used for a car wash.
- The applicant proposes to discharge LUC No. 21 and rezone to CD in order to construct a more modern gasoline station on the subject site, including a 250 square metre (2,691 square feet) convenience store. The proposed CD Zone will be based on the nearest conventional zone, the CG-2 Zone.
- The existing gasoline and service station on the site will be demolished in accordance with the Ministry of Environments' Soil Contamination Branch standards.
- A total of three pump islands with six gas pumps are proposed, one of which will be a full-service pump.
- The proposed CD Zone complies with the site's OCP and LAP designations. A description of the proposed CD Zone is provided below.
- Proposed CD Zone
- The following is a table outlining the differences between the existing LUC No. 21, the nearest conventional zone (CG-2 Zone) and the proposed CD Zone:

	<b>LUC No. 21</b>	<b>Nearest Conventional Zone (CG-2 Zone)</b>	<b>Proposed CD Zone</b>
Permitted Uses	Gasoline Service Station	Gasoline station provided that where self-service hoses are available, at least an equal number of full-service hoses shall be available on the same lot.	Gasoline station provided that where self-service hoses are available, at least one full-service hose shall be available on the same lot.
		Retails Stores limited to: convenience stores of 28 sq m (300 square feet).	Retails Stores limited to: convenience stores of 250 sq m (2,691 square feet).
	Car Wash	Automobile Service Uses (permits car wash).	Does not permit car wash.
Minimum Setbacks	Front: 15 m (49 feet) Rear: 4.6 m (15 feet) Side: 12.2 m (40 feet)	Rear yard (East)- 4 m (13 feet) Side yard on Flanking Street (80 Avenue)- 12 m (40 feet)	Rear yard East) - 3.5 m (12 feet) Side yard on Flanking Street (80 Avenue) - 11 m (36 feet)
Maximum Height for Pump Island Canopy	5.1 m (16.6 feet)	6m (20 feet)	7.4 metres (24 feet)

- In order to satisfy the Engineering Department's requirement of locating the vehicular entrances of the proposed development at the furthest possible location from the intersection of 80 Avenue and 120 Street, the applicant has proposed to locate the convenience store building 0.5 metres (1 foot) closer to the north property line (rear yard setback) than is permitted in the CG-2 Zone. The reduced setback is more in keeping with the commercial development on the neighbouring site and will be able to accommodate sufficient landscaping.
- The applicant has proposed an 11 m (36 feet) side yard setback on the flanking Street (80 Avenue). Although this setback is 1m (3.3 feet) less than is required in the CG-2 Zone, the applicant proposes an active frontage including a large patio area to compensate for the reduced setback area.
- Similar to the CG-2 Zone, the proposed CD Zone permits both full-service and self-service gasoline stations. However, the proposed CD Zone requires that where self-service pumps are provided, at least one full-service pumps must be provided on the same site. This is a standard provision in all CD Zones permitting gasoline stations in the City. The existing LUC No. 21 does not specify the required number of full or self-service pumps.
- The CG-2 Zone permits a convenience store as an accessory use to a gasoline station provided that the total sales and display area open to the public is not more than 28 square metres (300 square feet). The proposed CD Zone permits a larger convenience store. The proposed larger convenience store is typical of the newer gasoline station models, which provides a fuller range of convenience services to customers. The existing LUC No. 21 does not specify a maximum convenience store size.
- The applicant has proposed a 1.4 metres (4.6 feet) metre height variance to the pump island canopy. The convenience store is proposed to comply with the 6 metres (20 feet) height restriction of the CG-2 Zone. The proposed increased height in the pump island canopy is necessary to accommodate larger trucks and is consistent with newer gasoline station models. Furthermore, the pump island canopy has been carefully designed to not reflect the typical corporate logo and provides visual interest to the site. The applicant has also reduced the number of signs on the canopy to one, although two are permitted by the Sign By-law.
- The proposed uses are supportable at this location because the site is located at the intersection of 2 major roads in a commercially designated area. The site is already zoned for a gasoline station and has been occupied by a gasoline station for an extensive period of time. The proposal is a modernization of an existing facility.

### PRE-NOTIFICATION

Pre-notification letters were sent on February 14, 2007 and staff received the following comments:

- Two callers requesting additional information about the project and did not oppose the application.
- One caller opposed the application because he believed that there were already traffic problems in the area and the proposed development would aggravate it.

*(The site was previously occupied by a gas station. The proposal will retain the existing gas station use but enable the site to be upgraded to a modern gas station standard. The applicant will be required to limit access to the site to right-in, right-out only.)*

### DESIGN PROPOSAL AND REVIEW

- This application was referred to the Advisory Design Panel (ADP) on May 10, 2007 (Appendix VIII). All ADP comments and suggestions have been satisfactorily addressed (Appendix IX).
- ADP noted that this redevelopment will be a significant improvement to this prominent corner location of 80 Avenue and 120 Street. ADP also complimented Petro-Canada on the effort they have made to reduce the impact of the corporate logo.
- The proposed gasoline station has been designed in accordance with the Official Community Plan (OCP) Design Guidelines for Gas Stations. The architectural expression also takes into consideration the prevailing character of existing buildings in the surrounding area.
- The convenience store building is 250 square metres (2,691 square feet) in total floor area and faces out towards 120 Street (Scott Road). A patio has been incorporated into the design of the convenience store to liven and enhance the street frontage along 80 Avenue. The building materials consist of architectural block, cultured stone, spandrel glass, metal roofing and metal cladding in light brown/beige tones. The storefront style windows are framed with green coloured aluminium. Peaks have been added to the building roof.
- Two vehicular accesses are proposed to the site, one from 120 Street and one from 80 Avenue. Both accesses will be restricted to right in/ right out only. A Section 219 Restrictive Covenant will be registered on the title for this property to restrict access to right in/ right out movements only. The Zoning By-law requires 7 parking stalls and the applicant is proposing 22 parking stalls including one handicapped parking stall. The majority of the stalls are located at the northeast corner of the site, which is landlocked and cannot be developed with buildings.
- The building materials and colour palette used for the pump island canopy match the convenience store. The garbage and loading areas are located towards the interior of the site away from the public street view. To prevent vandalism and graffiti, the applicant is proposing prickly landscaping beside the garbage and loading enclosures.
- Fascia signage on the convenience store consists of several signs. Although the total number of signs exceeds what is permitted in the Sign By-law, the signs are small and carefully designed so that the total sign area does not exceed what is permitted in the Sign Bylaw. The applicant has proposed fascia sign projections that exceed what is permitted in the Sign By-law in order to allow for weather protection surrounding the entrance to the convenience store. These variances have been added into the text of the CD Bylaw.
- One- 1 metre (3.3 feet) high pump island canopy sign is proposed facing 120 Street. Two 3.3 metre (11 feet) freestanding signs are proposed, one fronting 120 Street and the other fronting 80 Avenue. The sign will be framed with architectural block and cultured stone to match the convenience store and pump island canopy.

- Michael Mills, ISA Certified Arborist prepared the Arborist Report. The report has been reviewed by the City's Landscape Architect and deemed acceptable.
- The Arborist Report indicates there are 9 protected trees on the subject site. The report proposes the removal of 1 tree because it is located too close to the building envelope and within the footprint of proposed underground services. The Report proposes 8 trees be retained. These trees are located on the perimeter of the northern lot boundary (Appendix VII).
- The landscaping plan prepared for the site includes a generous combination of new trees and shrubs in a variety of species, throughout the site, which will complement the existing trees proposed to be retained. In addition to tree and shrub planting, the landscaping plan also includes a gazebo structure, aligned at forty-five degrees with the corner to facilitate the flow of pedestrian traffic. It has been designed to complement the architecture of the building.
- Decorative paving delineates pedestrian routes through the site including a direct pedestrian linkage from the bus stop on 120 Street to the entrance to the convenience store.
- The proposal complies with the Scott Road Corridor Guidelines that were developed in coordination with the Corporation of Delta.

#### 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.	Corporation of Delta
Appendix VI.	Ministry of Environment
Appendix VII.	Tree Preservation Summary
Appendix VIII.	Advisory Design Panel (ADP) Comments
Appendix IX.	Applicant's Response to ADP Comments
Appendix X.	CD By-law

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated April 26, 2007.
- Soil Contamination Review Questionnaire prepared by Ashley Nivoson dated October 19, 2006.
- Site Profile dated October 18, 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:              David Cheung, Gustavson Wylie Architects Inc.  
                         Address:              4<sup>th</sup> Floor - 576 Seymour Street  
    Vancouver, B.C.  
    V6B 3K1  
                         Tel:                      604-687-2511
  
2.      Properties involved in the Application
  - (a)      Civic Address:              8024 - 120 Street
  
  - (b)      Civic Address:              8024 - 120 Street  
                 Owner:                      Petro-Canada, Inc. No. A32939  
                 PID:                              007-376-847  
                 Lot 37 Except: Parcel A (By-law Plan 71289) Section 30 Township 2 New  
                 Westminster District Plan 43732
  
3.      Summary of Actions for City Clerk's Office
  - (a)      Introduce a By-law to discharge Land Use Contract No. 21.
  
  - (b)      Introduce a By-law to rezone the property.

## DEVELOPMENT DATA SHEET

**Proposed Zoning: CD based on the CG-2 Zone**

Required Development Data	Minimum Required / Maximum Allowed CG-2	Proposed CD
<b>LOT AREA*</b> (in square metres)		
Gross Total	min. 1,400 sq.m.	4,036 sq.m.
Road Widening area		
Undevelopable area		
Net Total		3,945 sq.m.
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		
Paved & Hard Surfaced Areas		
Total Site Coverage	30%	16%
<b>SETBACKS</b> ( in metres) (Building)		
Front (120 Street)	12 m	53.5 m
Rear	4 m	3.5 m
Side #1 (East) (80 Avenue)	12 m	11 m
Side #2 (West)	4 m	44.6 m
Pumps		
Canopy Setback		
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal: Building & Pump Island Canopies	6 m	7.4 m
Accessory	4 m	3.7 m
<b>NUMBER OF RESIDENTIAL UNITS</b>		n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
<b>FLOOR AREA: Residential</b>		n/a
<b>FLOOR AREA: Commercial</b>		
Convenience Store		250 sq.m.
Gas Company		500 sq.m.
Total		750 sq.m.
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>	28 m <sup>2</sup>	250 m <sup>2</sup>

**\* 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)	0.3	0.19
AMENITY SPACE (area in square metres)	n/a	n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	7	22
Industrial		
Residential Bachelor + 1 Bedroom	n/a	n/a
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	7	22
Number of disabled stalls	0	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	YES
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CONTOUR MAP FOR SUBJECT SITE

