

Proposal: Rezone from CG-2 and RA to CD (based on CG-2) and RF to permit a new gas station and 2 single family lots. A DP to permit the development of a new gas station and convenience store. DVP to vary the Sign By-law.

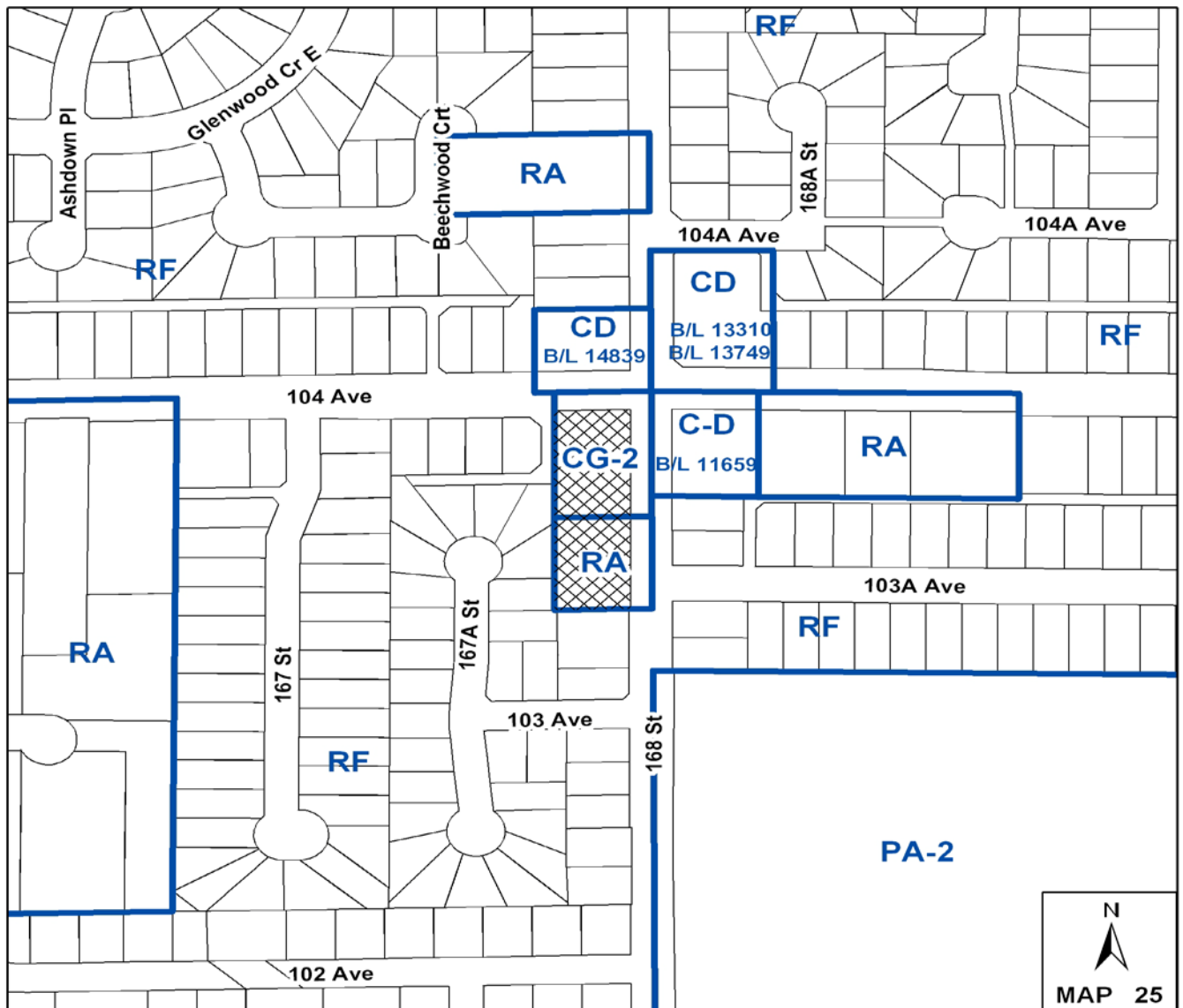
Recommendation: Approval to Proceed

Location: 16780 - 104 Avenue

Zoning: CG-2 and RA

OCP Designation: Urban

Owner: Otter Farm and Home Co-operative



PROJECT TIMELINE

Completed Application Submission Date: December 11, 2006
Planning Report Date: July 23, 2007

PROPOSAL

The applicant is proposing:

- a rezoning from CG-2 and RA to CD (based on CG-2) and RF;
- a Development Permit; and
- a Development Variance Permit to vary Sign By-law, 1999, No. 13656, as follows:
 - to vary Section 31 (2) (f) of Part 6 to permit a fascia sign above the roofline of the building face of the north and east building elevations of the convenience store;
 - to vary Section 31 (4) (a) of Part 6, to increase the maximum number of under canopy signs from 1 to 2; and
 - to vary Section 31(4) (e) of Part 6, to increase the clearance between the top of the under canopy sign and the underside of the canopy, from 5 cm (2 in) to 0.6 metre (2 ft.)

in order to permit the development of a new gas station and convenience store and to allow for subdivision into three lots, one for the gas station redevelopment and two single family residential lots.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone Blocks A and B as shown on the Survey Plan from "Combined Service Gasoline Station Zone (CG-2)" (By-law No. 12000) and "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Comprehensive Development Zone (CD)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
2. a By-law be introduced to rezone Block C as shown on the Survey Plan from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing (Appendix I).
3. Council authorize staff to draft Development Permit No. 7906-0504-00 in accordance with the attached drawings (Appendix III).
4. Council approve Development Variance Permit No. 7906-0504-00, (Appendix X) varying Sign By-law, 1999, No. 13656, with the following, to proceed to Public Notification:

- (a) to vary Section 31(2)(f) of Part 6 to permit one fascia sign above the roofline of the building face of the north and east building elevations of the convenience store;
 - (b) to vary Section 31(4)(a) of Part 6 by increasing the maximum number of under canopy signs from 1 to 2; and
 - (c) to vary Section 31 (4) (e) of Part 6, to increase the clearance between the top of the under canopy sign and the underside of the canopy, from 5 cm. (2 in) to 0.6 metre (2 ft.).
5. 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) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) submission of revised architecture and landscape plans to the satisfaction of the Acting City Architect and City Landscape Architect;
 - (e) submission of a landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect; and
 - (f) demolition of all existing buildings and structures to the satisfaction of Building Division staff.

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).

Ministry of Environment (MOE):

The MOE has determined that the proposed development will not present a significant risk if the development is approved, provided that the applicant: retains a qualified environmental consultant during the excavation at the site, has the consultant conduct a site investigation and that the applicant completes any required remediation of the proposed residential lots and provides a determination that these lots are not contaminated or obtains a certificate confirming satisfactory remediation of these lots prior to any reutilization of the lots (Appendix V).

SITE CHARACTERISTICS

- **Existing Land Use** Existing Tempo gas station with auto repair on the northern portion and southern portion is vacant.
- **East:** Across 168 Street, existing commercial development, zoned CD (By-law No. 11659) and further south, existing single family dwellings, zoned RF.
- **South:** Existing single family dwellings (1980s), zoned RF.
- **West:** Newer single family dwellings (2000s), zoned RF.
- **North:** Across 104 Avenue, currently vacant; DP approved for multi-tenant commercial development, Application No. 7906-0159-00, zoned CD (By-law No. 14839).
- **Northeast:** Across 104 Avenue and 168 Street, existing multi-tenant commercial development, zoned CD (By-law Nos. 13310 and 13749).

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

- The subject property is located at 16780-104 Avenue. The property is currently split zoned Combined Service Gasoline Station Zone (CG-2) at the north and One-Acre Residential Zone (RA) at the south.
- The applicant is proposing to rezone the northern portions of the property (Blocks A and B) from Combined Service Gasoline Station Zone (CG-2) and One-Acre Residential Zone (RA) to Comprehensive Development Zone (CD) based on the CG-2 Zone and to rezone the southern portion (Block C) from One-Acre Residential Zone (RA) to Single Family Residential Zone (RF). The purpose of the rezoning is to allow for the redevelopment of a new gas station and convenience store on the northern portion and the creation of two single family residential lots on the southern portion.
- The applicant has proposed to move the existing CG-2 zoning boundary slightly towards the south to allow for a larger area for the gas station redevelopment. The lot area for the gas station development (proposed Lot 1) will be 2,288 square metres (24,631 sq.ft.). Two single family lots are proposed for the southern portion: one single family lot (proposed Lot 2) is 717 square metres (7,718 sq.ft.) in size; and the other lot (proposed Lot 3) is 814 square metres (8,760 sq.ft.) in size.
- The subject property is currently designated Urban in the Official Community Plan (OCP). The development proposal complies with the designation.
- A roundabout is proposed at the intersection of 168 Street and 104 Avenue and the current application has provided the road dedication to facilitate its future construction.

Gas Station Development

- The total lot area for the gas station redevelopment will be 2,288 square metres (24,629 sq.ft.).
- The applicant is proposing a combined service gas station, with a 165.8-square metre (785-sq.ft.) convenience store. Two (2) pump islands are proposed for the redevelopment, which is the same as what currently exists, and complies with the OCP's *Gas Station Design Guidelines in Residential Areas*. One pump at the northwest corner will be full service, with the remaining pumps being self service.
- A CD By-law based upon the CG-2 Zone will govern this lot. The proposed floor area ratio (FAR) for this development will be 0.22, which is below the maximum 0.30 FAR permitted under the equivalent CG-2 Zone. The proposed lot coverage is 23%, which is below the maximum 30% permitted under the CG-2 Zone.
- The gas station generally complies with the OCP *Guidelines for Gas Stations in Residential Areas*, except that the applicant has proposed to include an above-ground propane tank. Generally, with new gas station developments, above-ground propane tanks are discouraged. However, there is an existing surface propane tank located along 168 Street. Therefore, due to this reasoning, staff can support the inclusion of an above-ground propane tank, as long as it is located along the 168 Street frontage. The propane tank will be located along 168 Street, but will be moved north to accommodate the vehicular access along 168 Street. The propane tank will be screened with a trellis and landscaping.
- The maximum height of the convenience store and pump island canopy will be 6.0 metres (20 ft). The canopy complies with the Ministry of Transportation's minimum 4.2-metre (13.8 ft.) overhead clearance standard requirement.
- The pump islands are located a minimum distance of 8.5 metres (28 ft.) from each other.
- The proposed gas station redevelopment proposes a total of 8 parking stalls, including 1 for disabled persons. A loading bay is also proposed at the southwestern part of the site, next to the convenience store. Based upon the parking requirements of the Zoning By-law, the development would only be required to provide 5 parking stalls. The proposed parking exceeds the minimum requirements. Bicycle parking is proposed at the patio location.

Residential Component

- The residential component will encompass two (2) single family residential lots. There is currently an existing Telus utility area secured with a right-of-way located at the southeast corner of the subject property, which will impact proposed Lot 3.
- The applicant has retained Mike Tynan of Tynan Consulting Ltd. as the residential building designer.

- The proposed house design will allow for two-storey, split level and bungalows in Neo-Traditional and Neo-Heritage styles. Exterior finishes may reflect stucco, cedar, vinyl, hardiplank, brick and stone. Roof materials may reflect cedar shingles, shake profile concrete roof tiles and shake profile asphalt shingles with a raised ridge cap in Grey or Brown only (Appendix VI).
- The applicant is not proposing in-ground basements and language has been included in the design guidelines to reflect this. The design guidelines will be registered on the title of the two lots.
- Basement-entry homes and secondary suites will be prohibited.

Arborist Assessment and Tree Replacement (Appendix VII)

- The applicant has submitted an arborist assessment prepared by Randy Greenizan, Certified Arborist, of C. Kavolinas and Associates.
- Four (4) trees were identified on the subject property. Two (2) of the four (4) trees are proposed to be retained and the other two (2) are proposed for removal.
- For the gas station portion, twenty-eight (28) trees are proposed, whereas in the single family residential portion, three (3) trees are proposed for each lot, for a total of six (6) trees.
- The proposed tree replacement exceeds the requirements for tree replacement of the Tree Protection By-law.

Proposed CD By-law (Appendix VIII)

- The proposed CD By-law which will govern the gas station development will be based upon the Combined Service Gasoline Station Zone (CG-2), but will differ in the size of the convenience store. Building setbacks and lot size created through subdivision will be specific to the development.
- The proposed convenience store floor area will be increased from the maximum 28 square metres (301 sq.ft.) permitted under the CG-2 Zone to 167 square metres (1,800 sq.ft.).
- The side yard on flanking street building setback (168 Street) for a principal building will be reduced from 12.0 metres (39 ft.) to 8.7 metres (28.5 ft.). The provision, which requires that a 12.0-metre (39-ft.) rear yard setback abutting a residential lot be provided, has been eliminated to reflect the proposed development.
- The lot size created through subdivision will be limited to the development area of the gas station.

PRE-NOTIFICATION

Pre-notification letters were sent on February 2, 2007 and staff received no comments.

DESIGN PROPOSAL AND REVIEW

- Design review was provided of the gas station portion of the property only, as it is only this portion which is subject to a Development Permit.
- Vehicular access to the gas station will be located at 168 Street and 104 Avenue. Each access will be marked with decorative paving.
- The design of the convenience store and pump canopy reflect a residential character with exterior finishing in stucco and brick, with a gabled roof. The proposed roof material will be fiberglass shingles.
- Awnings are proposed at the north and east elevations of the convenience store, offering patrons some weather protection. There is a patio area proposed to the east of the convenience store for patrons or employees to enjoy. The patio will be finished in decorative paving, with removable planters. Spandrel glass is proposed at the east elevation (168 Street) to provide the impression of natural surveillance to the street and to the proposed patio.
- The proposed colour scheme will meet the corporate colours of the Co-op, generally a red accent, with green and white.
- A minimum 3.0-metre (9.8 ft.) wide landscape buffer is proposed along all property lines to screen the development. The proposed landscaping incorporates a mixture of trees, shrubs and grass, including Red Flowering Dogwood, Worpelsdon Sweet Gum, Western Hemlock and Western Red Cedar.
- A trellis mounted on a stone base with brick accent is proposed to wrap around the corner of 104 Avenue and 168 Street. A wooden fence is proposed along the west and south property lines.
- The garbage and recycling area is to be located along the west property line and will be enclosed with a fence in vertical batten board.
- Two (2) free-standing signs are proposed, one along 168 Street and the other along 104 Avenue. Each will be setback 2.3 metres (7.5 ft.) from the property line. Two fascia signs are proposed for the convenience store, two signs are proposed for pump island canopy and two signs are proposed as under canopy signage. A DVP will be required for signage (see By-law Variance Section)

ADVISORY DESIGN PANEL (Appendix IX)

ADP Meeting Date: June 7, 2007

Most of the ADP suggestions have been satisfactorily addressed except for the following, which the applicant has agreed to address to the satisfaction of the Acting City Architect and City Landscape Architect, prior to final adoption:

- Details for fascia, canopy and under canopy signage to be clarified;
- Landscape revisions required; and
- Minor architectural revisions for coordination purposes.

BY-LAW VARIANCES AND JUSTIFICATION (Appendix X)

(a) Requested Variance:

- To vary Section 31(2)(f) of Part 6 of Sign By-law, 1999, No. 13656, to allow for fascia signage to be located above the roofline on the north (104 Avenue) and east (168 Street) building elevations of the convenience store.

Applicant's Reasons:

- The convenience store signs are shown above the proposed awnings at the north and east elevations. The proposed signage cannot be moved further down the building face without eliminating the awnings for weather protection.

Staff Comments:

- The applicant's response is reasonable as the awnings will provide weather protection above the convenience store entrance and partially in the patio area.
- Staff can support the proposed variance.

(b) Requested Variance:

- To vary Section 31(4)(a) of Part 6 of Sign By-law, 1999, No. 13656, by increasing the number of under canopy signs from 1 to 2.

Applicant's Reasons:

- The proposed under canopy signage suspended between the columns is part of the corporate signage package. Only 1 sign is proposed for each pump island for a total of 2 signs.

Staff Comments:

- The proposed additional sign has been designed to blend in with the overall design of the gas station development. The proposed increase in signage is not considered to be excessive as the signs will be distributed between the two pump islands.

- Staff can support the proposed variance.

(c) Requested Variance:

- To vary Section 31(4)(e) of Part 6 of Sign By-law, 1999, No. 13656, by increasing the clearance between the top of an under canopy sign and the underside of the canopy from 5 cm (2 in) to 0.6 metre (2 ft.).

Applicant's Reasons:

- The proposed under canopy signage suspended between the columns is part of the corporate signage package.

Staff Comments:

- The signage blends well as part of the overall design of the development.
- Staff can support the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary, Project Data Sheets and Survey Plan
Appendix II.	Contour Map
Appendix III.	Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations and Landscape Plans
Appendix IV.	Engineering Summary
Appendix V.	Ministry of Environment Comments
Appendix VI.	Building Design Guidelines Summary
Appendix VII.	Summary of Tree Survey and Tree Preservation
Appendix VIII.	Proposed CD By-law
Appendix IX.	ADP Comments and Applicant's Response
Appendix X.	Development Variance Permit No. 7906-0504-00

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated July 19, 2007.
- Building Design Guidelines dated July 6, 2007.
- Neighbourhood Character Study dated July 16, 2007.
- Arborist Report dated October 30, 2006.

- Soil Contamination Review Questionnaire prepared by R.A. Johnson dated November 3, 2006.
- Site Profile dated January 8, 2007.

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: Rick Johnson c/o Rimark Consulting Services
 Address: 3184 - 204 Street
 Langley, B.C.
 V2Z 2C7
 Tel: 604-530-6283

2. Properties involved in the Application
 - (a) Civic Address: 16780 - 104 Avenue

 - (b) Civic Address: 16780 - 104 Avenue
 Owner: Otter Farm and House Co-operative
 PID: 009-769-960
 Lot "E" Section 25 Block 5 North Range 1 West New Westminster District
 Plan 13094

3. Summary of Actions for City Clerk's Office
 - (a) Introduce a By-law to rezone the property.

 - (b) proceed with Public Notification for Development Variance Permit No. 7906-0504-00.

SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA (overall lot area)	
Acres	0.94 acre
Hectares	0.38 ha
NUMBER OF LOTS	
Existing	1
Proposed	2 residential lots
SIZE OF LOTS	
Range of lot widths (metres)	20.14 m to 22.86 m
Range of lot areas (square metres)	718 m ² to 814 m ²
DENSITY (based on residential portion)	
Lots/Hectare & Lots/Acre (Gross)	
Lots/Hectare & Lots/Acre (Net)	13 uph/5.3 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	
Estimated Road, Lane & Driveway Coverage	
Total Site Coverage	
PARKLAND	n/a
Area (square metres)	
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	YES
MODEL BUILDING SCHEME	YES
HERITAGE SITE Retention	NO
BOUNDARY HEALTH Approval	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Others	NO

DEVELOPMENT DATA SHEET

Proposed Zoning: CD (Based on CG-2)

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		3,819.9 m ²
Road Widening area		
Undevelopable area		
Net Total		2,288.3 m ²
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	30%	23%
Paved & Hard Surfaced Areas		43%
Total Site Coverage		66%
SETBACKS (in metres)		
<i>Convenience Store</i>		
Front (104 Avenue)	12 m	49.6 m
Rear (South)	4 m	5.1 m
Side (West)	4 m	11.3 m
Flanking Side (168 Street)	12 m	8.8 m
<i>Pump Islands</i>		
Front (104 Avenue)	4.5 m	10.3 m
Rear (South)	4 m	11.7 m
Side (West)	4 m	11.3 m
Flanking Side (168 Street)	4.5 m	12.6 m
<i>Pump Island Canopy</i>		
Front (104 Avenue)	2 m	8.9 m
Rear (South)	2 m	34.2 m
Side West	2 m	9.4 m
Flanking Side (168 Street)	2 m	10.3 m
BUILDING HEIGHT (in metres/storeys)		
Convenience Store	6 m	6 m
Pump Island Canopy	6 m	5.9 m
Underside of Pump Canopy	4.2 m	4.2 m
Accessory (Garbage Enclosure)	4 m	3.9 m
NUMBER OF RESIDENTIAL UNITS		n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		

*** 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
FLOOR AREA: Residential		n/a
FLOOR AREA: Commercial	28 m ²	165.8 m ²
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		n/a
TOTAL BUILDING FLOOR AREA	28 m ²	165.8 m
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)		
FAR (net)	0.30	0.22
AMENITY SPACE (area in square metres)		n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	5	7
Industrial		n/a
Residential Bachelor + 1 Bedroom		n/a
2-Bed		
3-Bed		
Residential Visitors		n/a
Institutional		n/a
Total Number of Parking Spaces		
Number of disabled stalls		1
Number of small cars		n/a
Tandem Parking Spaces: Number / % of Total Number of Units		n/a
Size of Tandem Parking Spaces width/length		n/a

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

