

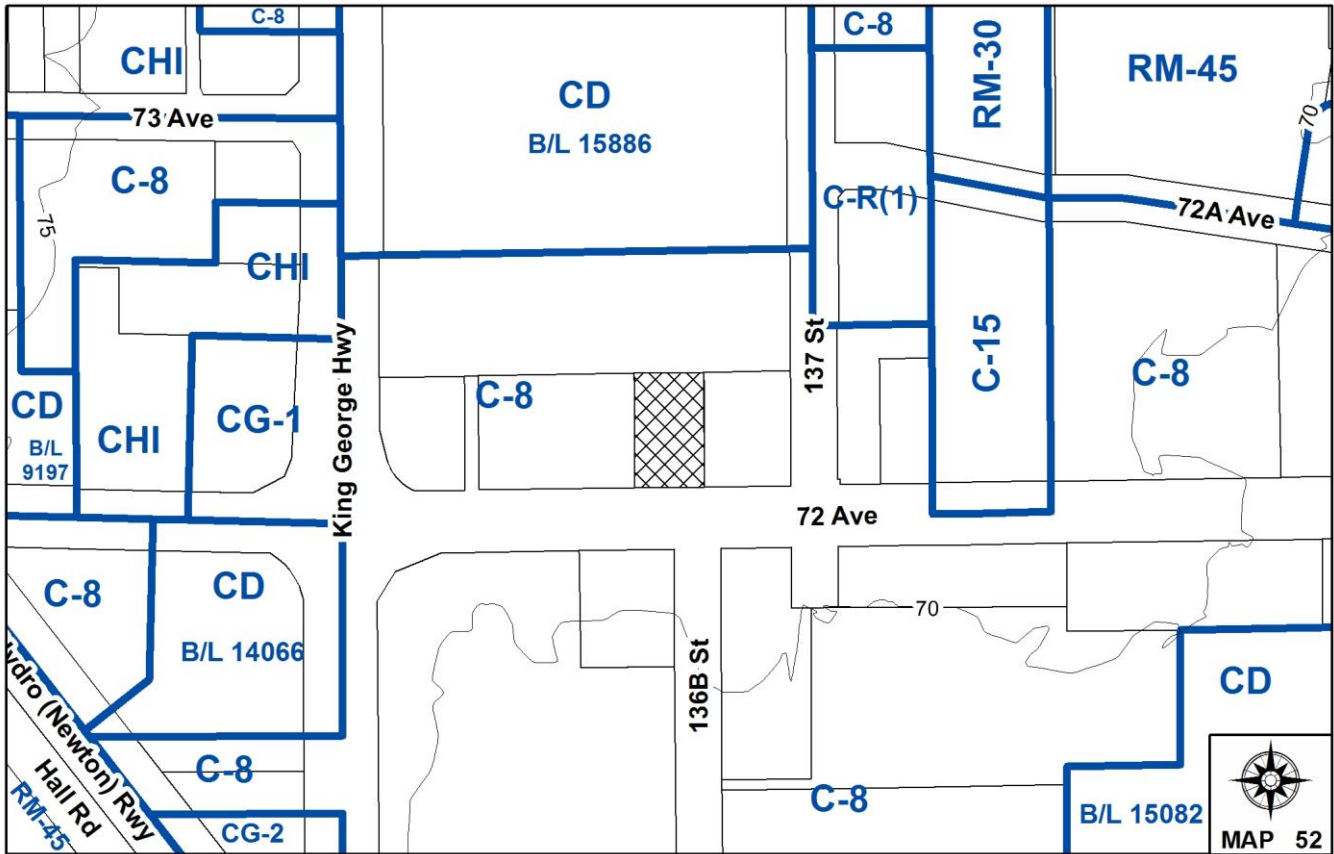
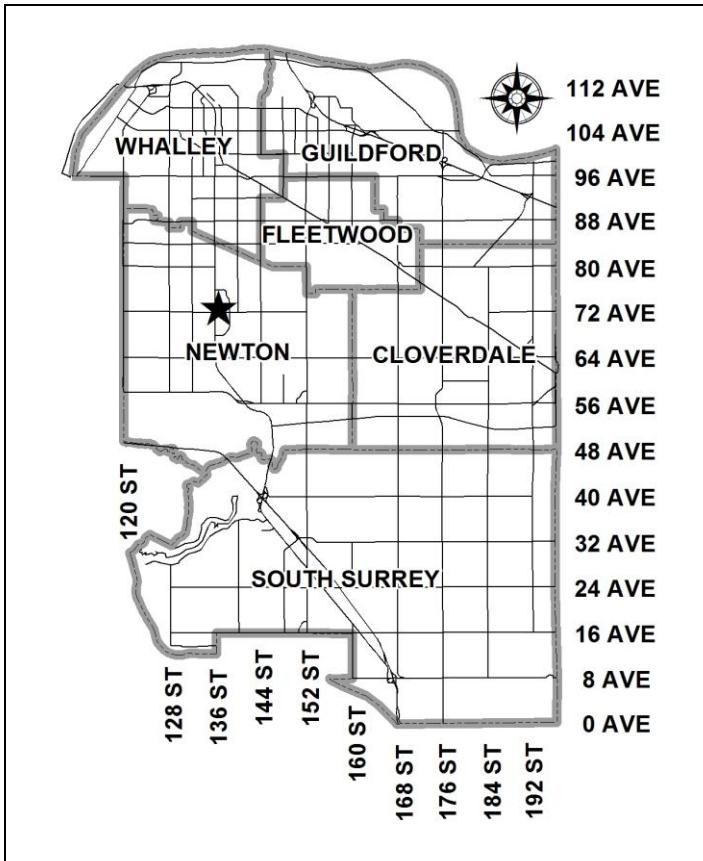
Planning Report Date: May 4, 2009

**PROPOSAL:**

- **Development Permit**
- **Development Variance Permit**

in order to legalize an addition to an existing commercial building in the Newton Town Centre, and vary the rear yard setback.

**LOCATION:** 13671 - 72 Avenue  
**OWNER:** 525596 British Columbia Ltd.  
**ZONING:** C-8  
**OCP DESIGNATION:** Town Centre  
**LAP DESIGNATION:** Office Commercial



### RECOMMENDATION SUMMARY

- Approval to draft Development Permit.
- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- The applicant is proposing to vary the following to legalize an addition to a commercial building:
  - the rear yard setback from 7.5 metres (25 ft.) to 3.9 metres (12 ft.).

### RATIONALE OF RECOMMENDATION

- Complies with OCP Designation.
- Complies with the Newton Town Centre Plan Local Area Plan (LAP).
- The Development Variance Permit can be justified in order to legalize an addition to a commercial building. The issuance of a DVP will allow the building owners to apply for, and complete, upgrades and enhancements to the building making it suitable for office/commercial use.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council authorize staff to draft Development Permit No. 7909-0049-00 generally in accordance with the attached drawings (Appendix II).
2. Council approve Development Variance Permit No. 7909-0049-00, (Appendix III) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the C-8 Zone from 7.5 metres (25 ft.) to 3.9 metres (12 ft.).
3. 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) submission of a landscaping plan and landscaping cost estimate to the specifications and satisfaction of the City Landscape Architect.

REFERRALS

Engineering: The Engineering Department has no objection to the project.

SITE CHARACTERISTICS

Existing Land Use: Vacant commercial/office building.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP/NCP Designation</b>	<b>Existing Zone</b>
North:	RCMP Newton detachment.	Town Centre/ Commercial Office	C-8
East, South and West:	Commercial/retail (Bank).	Town Centre/ Commercial Office	C-8

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject property located at 13671 - 72 Avenue, is designated as "Town Centre" in the Official Community Plan (OCP), "Commercial Office" in the Newton Town Centre Local Area Plan (LAP), and is zoned "Community Commercial Zone (C-8)".
- The site, which is 1,456 sq.m. (15,673 sq.ft.) in area, contains a 272.72 sq.m. (2,931 sq.ft) vacant commercial/office building. This equates for a Floor Area Ratio of 0.18 (a maximum FAR of 0.80 is permitted under the C-8 Zone).
- The existing building was constructed in the early 1980s and there is no record of a Development Permit being issued by the City for this building. A small, 21.64 sq.m (233 sq.ft.) addition was constructed later; there is no record of a building permit associated with its construction. The applicant has been in contact with City staff to complete additional exterior and internal building improvements, and also to legalize the building addition through a building permit. However, because the addition encroaches on the rear yard setback requirement of the C-8 Zone, and is subject to a Development Permit, Council approval for a Development Permit and Development Variance Permit is required.

### Proposal

- The applicant seeks to legalize the previous building addition in order that the site can be effectively utilized by RBC as an extension to their offices located next door. The applicant also seeks to replace the roof and windows, and repaint and repair the building exterior.
- The building enhancements to be completed as part of this application include new and improved landscaping and vehicle circulation, installation of new roof and windows, replaced and repainted siding and flashings where required. The site will be substantially improved both aesthetically and functionally as a result of these improvements.

### Design Review and Landscaping

- Staff have reviewed the proposed exterior renovations, and support these improvements in order to enhance the site aesthetics along 72 Avenue.
- A Development Proposal sign was installed on the property on April 30, 2009. Staff have not received any feedback to date.
- In order to enhance the subject site, which is located in the Newton Town Centre, the applicants have agreed to install landscaping on-site, fronting 72 Avenue. This includes a landscaped area abutting 72 Avenue including low-rise shrubbery and the installation of several new trees. The internal vehicle area has been reconfigured to provide additional landscaping areas, including on the west side of the property and in front of the existing building to provide a buffer for pedestrians. The landscape plan has been reviewed by the City Landscape Architect and deemed acceptable.

BY-LAW VARIANCE AND JUSTIFICATION

## (a) Requested Variance:

- To vary the C-8 Zone in the Zoning By-law to reduce the required rear yard setback from 7.5 metres (25 ft.) to 3.9 metres (12 ft.).

## Applicant's Reasons:

- The building exists, and the Development Variance Permit will allow the owners of the site to enhance the existing building with a new roof, new windows and other exterior improvements, including new landscaping. With a confirmed tenant, upon completion of the exterior renovations (and subsequent internal renovations), the site will be useable.

## Staff Comments:

- The variance reflects that the addition was located to match the rear of the previous building, which does not conform to the C-8 Zone requirement. The issuance of the DVP will allow legalization of the existing addition and enable completion of upgrades to the existing vacant building, thus allowing it to be used by the Royal Bank as office space.
- It is expected that redevelopment of properties in the area in the future may occur in this Town Centre location, and this proposal will allow adequate site use in the interim and building improvements, and also improving safety and security in this area.
- The applicants have agreed to install new landscaping fronting 72 Avenue to further enhance the site. On this basis, the DVP to reduce rear yard setbacks is supportable.

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.	Proposed Site Plan, Building Elevations and Landscape Plans
Appendix III.	Proposed Development Variance Permit No. 7909-0049-00

Jean Lamontagne  
General Manager  
Planning and Development

GM/kms

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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:                    Gord McQueen, John McCormick Architects  
                         Address:                    #202 - 1807 Fir Street  
   Vancouver, BC  
   V6J 3H9  
                         Tel:                            604-736-6331

2.      Properties involved in the Application

- (a)      Civic Address:            13671 - 72 Avenue
- (b)      Civic Address:            13671 - 72 Avenue  
            Owner:                        525596 British Columbia Ltd., Inc. No. 525596  
   Director Information:  
   Philip Yacht  
   Corinne Yacht

Officer Information: (as at August 20, 2008)  
Philip Yacht (Secretary)  
Corinne Yacht (President)

PID:                                006-643-698  
Lot 25 Except: Parcel A Bylaw Plan 69598; Section 21 Township 2 New  
Westminster District Plan 32102

3.      Summary of Actions for City Clerk's Office

- (a)      Proceed with Public Notification for Development Variance Permit No. 7909-0049-00.

## DEVELOPMENT DATA SHEET

**Existing Zoning: C-8**

Required Development Data	Minimum Required / Maximum Allowed	Proposed
<b>LOT AREA*</b> (in square metres)		15,854 sq.m.
Gross Total		
Road Widening area		
Undevelopable area		
Net Total		
<b>LOT COVERAGE</b> (in % of net lot area)		
Buildings & Structures		21%
Paved & Hard Surfaced Areas		
Total Site Coverage		
<b>SETBACKS</b> ( in metres)		
Front	7.5 m	16.4 m
Rear	7.5 m	3.9 m
Side #1 (East)	7.5 m	3 m
Side #2 (West)	7.5 m	13.5 m
<b>BUILDING HEIGHT</b> (in metres/storeys)		
Principal	12 m	4.4 m
Accessory		
<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		272 sq.m.
Total		272 sq.m.
<b>FLOOR AREA: Industrial</b>		
<b>FLOOR AREA: Institutional</b>		
<b>TOTAL BUILDING FLOOR AREA</b>		272 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)	0.80	.18
AMENITY SPACE (area in square metres)		
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial	8	21
Industrial		
Residential Bachelor + 1 Bedroom		
2-Bed		
3-Bed		
Residential Visitors		
Institutional		
Total Number of Parking Spaces	8	21
Number of disabled stalls		2
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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