



Committee of the Whole Report

For the Meeting of October 5, 2017

To: Committee of the Whole **Date:** September 18, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: **Development Permit with Variances Application No. 00026 for 308 Menzies Street**

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00555, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No.00026 for 308 Menzies street, in accordance with:

1. Plans date stamped July 26, 2017 (as amended to address overhead canopy design to the satisfaction of the Director of Sustainable Planning and Community Design).
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16(c), reduce the required number of parking spaces from fifteen to eight
 - ii. Zoning Bylaw No. 80-159, Part 4.1.6, reduce the required rear yard setback from six metres to 1.52 metres.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 308 Menzies Street. The proposal is to construct a second storey addition to an existing building for office use and to construct two overhead canopies above existing gas bar islands. The proposal includes converting the existing ground floor repair garage into a convenience store and adding a 37m² (400 square foot) addition to the side of the ground floor. The variances are related to reducing the required number of parking stalls and reducing the rear yard setback.

The following points were considered in assessing this Application:

- the parking variance to reduce the required number of parking spaces from fifteen to eight is supportable based on the anticipated changes to the parking bylaw for properties located in a Large Urban Village. Additionally, to offset the parking shortfall, double the amount of required Class 1 (secure and enclosed) and Class 2 (visitor) bicycle parking would be provided.
- the variance to reduce the rear yard setback from six metres to 1.52 metres is supportable. The proposed setback is consistent with the single and two family dwelling side yard setbacks of the adjacent zone, is single storey and does not contribute to shadowing or overlook impacts.

BACKGROUND

Description of Proposal

The proposal is for a second storey addition to an existing gas station building to house office space and to construct two overhead canopies above existing gas bar islands. The proposal also includes converting the existing ground floor repair garage into a convenience store. Specific details include:

- exterior materials comprised predominantly of brick and cement board cladding
- extensive glazing on both street frontages on both floors, and minimal glazing on building façades that face adjacent residential properties
- formalized accesses and parking
- concrete and wood fencing at property boundaries
- two Class 1 (covered) and two Class 2 bicycle parking spaces in excess of the City requirements.

The proposed variances are related to:

- reducing the required number of parking stalls from fifteen to eight
- reducing the rear yard setback from six metres to 1.52 metres.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The Application proposes to provide double the required amount of Class 1 and Class 2 bicycle racks (two Class 1 and two Class 2 bicycle racks) which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed landscape surrounding the proposed building is designed to be accessible.

Existing Site Development and Development Potential

The site is presently occupied by a single storey gas station and a three bay repair garage.

Under the current C-SS Zone, Special Service Station District, the property could be developed to accommodate a three storey building, not exceeding 11m in height and land uses would be limited to service stations only.

Data Table

The following data table compares the proposal with the existing C-SS Zone, Special Service Station District, for applicable regulations. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the building is legally non-conforming with regard to the existing zone.

Zoning Criteria	Proposal	Zone Standard C-SS, Special Service Station District
Site area (m ²) - minimum	1096.25	n/a
Density (Floor Space Ratio) - maximum	0.36	1.40
Total floor area (m ²) - maximum	391.21	1534.75
Height (m) - maximum	8.00	12.00
Storeys - maximum	2.00	n/a
Site coverage % - maximum	35.50	n/a
Open site space % - minimum	14.10	n/a
Setbacks (m) - minimum:		
Front	13.2 Building 5.9 Gas Bar**	6.00
Rear (east)	1.52*	6.00
Side (north)	2.85	2.40
Flanking Street (south)	12.46 Building 4.5 Gas Bar columns	2.40
Parking - minimum	8*	15
Bicycle parking stalls (minimum)	2 Class 1 2 Class 2	1 Class 1 1 Class 2

Relevant History

The applicant's letter makes reference to the upgrading of the existing four gas pumps on site and the underground fuel tank. Neither of these items are a consideration of this Application and are dealt with through building permits.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on *December 14, 2016*. A letter dated December 22, 2016 is attached to this report.

ANALYSIS

The *Official Community Plan (OCP)* identifies this property within DPA5, Large Urban Villages. An objective of this designation is to revitalize commercial uses to create complete communities and strengthen commercial viability. Within the Large Urban Village designation, buildings are encouraged to have three to five storey façades that define a street wall with shop windows and building entrances that are oriented to face the street. The service station use of the site prevents the street wall possibility; however, the addition of the second storey and extensive street facing glazing provide a design approach to meet the intent of the OCP direction. The proposed building also incorporates high quality building materials to help meet the OCP objectives around enhancing the appearance of Large Urban Villages.

Design guidelines that apply to DPA 5 are the *Guidelines for Fences, Gates and Shutters (2010)* and the *Advisory Design Guidelines for Buildings: Signs and Awnings (1981)*. The proposal includes overhead canopies above the existing fuel pump islands which extend into the front and flanking street setbacks. Given the urban village setting, staff do not support the canopy design as shown on the plans and recommend instead a light standard similar to other service stations located in urban village and residential areas. The applicant has indicated that they are willing to work with staff to address the canopy design issues with revisions to the canopy design prior to the issuance of the Development Permit.

The OCP speaks to providing a careful transition between different land uses, which the proposal achieves with its massing and location. It is smaller than both the adjacent multi family buildings and its second storey is set back 6.7 metres from the buildings to the west and north (approximately 22 feet). Additionally, windows on the proposed building are both limited and staggered in relation to the adjacent property windows. Shadowing is also limited with the minimal height of the second storey addition and proposed setbacks. The proposal also includes improved fencing around the property, which has been an issue for neighbouring properties.

Local Area Plans

The OCP provides current planning direction; however, the James Bay Neighbourhood Plan offers supporting guidance. It includes the subject property within a designated Commercial Centre and promotes the growth and vitality of this centre.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public trees with this Application.

CONCLUSIONS

The proposed second storey addition to the existing service station and conversion of the ground floor maintenance garage into retail space is consistent with commercial revitalization goals for the James Bay Urban Village in the OCP. The impact on neighbouring properties is minimal and the associated site improvements are of benefit to the community. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00026 for the property located at 308 Menzies Street.

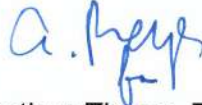
Respectfully submitted,



Miko Betanzo
Senior Planner - Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date:

Sept. 26, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped July 26, 2017
- Attachment D: Letter from applicant to Mayor and Council dated December 20, 2016
- Attachment E: Community Association Land Use Committee comments dated December 22, 2016.