

REPORT TO MAYOR AND COUNCIL

PRESENTED: FROM: SUBJECT: JANUARY 27, 2020 – PUBLIC HEARING COMMUNITY DEVELOPMENT DIVISION DEVELOPMENT PERMIT APPLICATION NO. 101058 (KIARAV CAPITAL INC. / 26827 FRASER HIGHWAY) **REPORT:**20-05**FILE:**13-19-0325

PROPOSAL:

Development Permit application to facilitate a 67.4 m² (725.6 ft²) addition and renovation to an existing commercial building located at 26827 Fraser Highway in Aldergrove.

RECOMMENDATION SUMMARY:

That Council authorize issuance of Development Permit No. 101058 subject to nine (9) conditions, noting eight (8) conditions to be completed prior to issuance of a Building Permit.

RATIONALE:

The proposed development complies with the Aldergrove Community Plan and the site's Service Commercial C-3 zoning (with the exception of siting, landscape and small car parking provisions).



RECOMMENDATION:

That Council authorize issuance of Development Permit No. 101058 to Kiarav Capital Inc. for property at 26827 Fraser Highway, subject to the following conditions:

- a. Building plans being in substantial compliance with Schedules "A" through "F";
- b. Landscape plans being in substantial compliance with Schedule "G" and in compliance with the Township's Street Tree and Boulevard Planting Policy to the acceptance of the General Manager of Engineering and Community Development;
- c. All signage being in compliance with Schedules "A" through "F", the Aldergrove Community Plan Development Permit Guidelines and the Township's Sign Bylaw;
- Provision of a final tree management plan incorporating tree retention, replacement and protection details in compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), to the acceptance of the General Manager of Engineering and Community Development;
- e. Rooftop mechanical equipment to be screened or integrated within the roof form in a manner consistent with the overall architecture of the building;
- f. All refuse areas to be located in an enclosure and screened to the acceptance of the General Manager of Engineering and Community Development;
- g. Section 603.5(c) Siting of Buildings and Structures of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum setback for a principal building from a side lot line abutting a flanking street in Service Commercial Zone C-3 from 4.5 m (14.8 ft) to 3.1 m (10.2 ft) as shown in Schedule "B";
- Section 111.3 Landscaping, Screening and Fencing of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the landscape area along a front lot line, side lot line abutting a flanking street and rear lot line in a commercial zone as shown in Schedule "G";
- Section 107.5(6) Design Criteria of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to increase the maximum amount of small car parking stalls permitted from 20% to 50% as shown in Schedule "B".

Although not part of the Development Permit requirements, the applicant is advised that prior to issuance of a building permit the following items will need to be finalized:

- a. A servicing agreement being entered into with the Township to secure required road and utility upgrades and extensions for the south half of Old Yale Road in accordance with the Township's Subdivision and Development Servicing Bylaw, to the acceptance of the General manager of Engineering and Community Development;
- Provision of an exterior lighting impact plan prepared by an electrical engineer in compliance with the provisions of the Township's Exterior Lighting Impact Policy to the acceptance of the General Manager of Engineering and Community Development;
- c. Submission of a site specific on-site servicing and stormwater management plan in accordance with the Subdivision and Development Servicing Bylaw and erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the General Manager of Engineering and Community Development;
- d. Tree retention, replacement, and protection in compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) being secured by letter of credit, including payment of associated administration fees;
- e. Written confirmation from owner and landscape architect or arborist that the tree protection fencing identified in the tree management plan is in place;

DEVELOPMENT PERMIT APPLICATION NO. 101058 (KIARAV CAPITAL INC. / 26827 FRASER HIGHWAY) Page 3 . . .

- f. Landscaping and boulevard treatment being secured by letter of credit;
- g. Registration of restrictive covenants pursuant to Section 219 of the Land Title Act for storm water detention facilities and individual on-site infiltration systems; and
- h. Payment of supplemental Development Permit application fees, Development Cost Charges, and Building Permit administration fees.

EXECUTIVE SUMMARY:

Farzin Yadegari Architect Inc. has applied on behalf of the owner for a Development Permit to facilitate a 67.4 m² (725.6 ft²) addition and renovation to an existing commercial building located at 26827 Fraser Highway in Aldergrove. Staff are supportive of the development proposal as it conforms to the Aldergrove Community Plan and Service Commercial Zone C-3 (with the exception of siting, landscape and small car parking provisions). Issuance of Development Permit No. 101058 is recommended subject to nine (9) conditions, noting eight (8) conditions to be applied at the Building Permit stage.

PURPOSE:

This report is to provide information and recommendations concerning proposed Development Permit No. 101058 for a property located at 26827 Fraser Highway in Aldergrove.





ZONING BYLAW NO. 2500



2 SW VIEW

RENDERING – SUBMITTED BY APPLICANT



SITE PLAN – SUBMITTED BY APPLICANT

REFERENCE:	
Owner:	Kiarav Capital Inc. 8694 – 206B Street Langley BC V1M 3X5
Agent:	Farzin Yadegari Architect Inc. 100 – 2240 Chippendale Road West Vancouver BC V7S 3J5
Legal Description:	Lot A (AD37359) Section 19 Township 13 New Westminster District Plan 55710 Except Plan BCP38542
Civic Address:	26827 Fraser Highway
Area:	0.10 ha (0.27 ac)
Aldergrove Community Plan:	Commercial
Existing Zoning:	Service Commercial Zone C-3

BACKGROUND/HISTORY:

The subject site is designated "Commercial" in the Aldergrove Community Plan and is zoned Service Commercial Zone C-3. The subject site currently accommodates a commercial building on the easterly portion of the site. The applicant proposes to renovate and add to the existing building to accommodate a restaurant (with accessory office space) and an additional commercial unit.

As the property is designated as a mandatory Development Permit area in the Aldergrove Community Plan, Council is provided the opportunity to review the form, character and siting of the proposed development. Issuance of the Development Permit is required prior to the issuance of a Building Permit.

DISCUSSION/ANALYSIS:

Farzin Yadegari Architect Inc. has applied on behalf of the owner for a Development Permit to facilitate a 67.4 m² (725.6 ft²) addition and renovation to an existing commercial building located at 26827 Fraser Highway in Aldergrove. Staff are supportive of the development proposal as it conforms to the Aldergrove Community Plan and Service Commercial Zone C-3 (with the exception of siting, landscape and small car parking provisions). Issuance of Development Permit No. 101058 is recommended subject to nine (9) conditions, noting eight (8) conditions to be applied at the Building Permit stage.

In accordance with Council's policy, a site plan, building elevations and landscape plans have been submitted detailing the proposed development's form, character and siting. Proposed Development Permit No. 101058 is attached as Attachment A to this report. Development Permit guidelines relevant to the site are contained in the Aldergrove Community Plan (see Attachment B).

Adjacent Uses:

North:	Old Yale Road, beyond which are properties designated Medium Density Residential and Commercial in the Aldergrove Community Plan and zoned Multiple Family Residential Zone RM-1 and Service Commercial Zone C-3;
South:	Fraser Highway, beyond which is land designated Medium Density Residential in the Aldergrove Community Plan, currently consisting of a linear park and townhouses regulated by Land Use Contract No. 63.
East:	A commercial property designated Commercial in the Aldergrove Community Plan and zoned Service Commercial Zone C-3; and
West:	268 Street, beyond which are properties designated Low Density Residential in the Aldergrove Community Plan and zoned Residential Zone R-2.

Development Permit:

The applicant proposes to construct a 67.4 m² (725.6 ft²) addition and renovate the existing commercial building. The applicant indicates that the building will accommodate a restaurant (with accessory office space) and an additional commercial unit. Parking is proposed on the westerly portion of the site adjacent to Fraser Highway and Old Yale Road. Access to the site is proposed from Old Yale Road with an additional pedestrian connection proposed on the south portion of the site from Fraser Highway.

The proposed building features hardieplank siding painted brown and white, accentuated with painted fascia boards and red fabric awnings. The southerly portion of the site includes a trellis and sidewalk that provides a pedestrian connection from the site to Fraser Highway. Onsite and offsite landscaping separating the street from the parking area is proposed along the north, south and west property lines. As a condition of the Development Permit, refuse bins are to be located in an enclosure and screened to the acceptance of the Township. A condition has been included in the Development Permit requiring the screening of rooftop mechanical equipment.

The proposal complies with the site's Service Commercial C-3 zoning with respect to lot coverage (29%), height (8.08 m / 26.5 ft) and parking (18 stalls required, 18 stalls provided).

Proposed Variances

The applicant proposes to vary siting, landscape and small car parking provisions of the Zoning Bylaw.

The existing building is located 3.26 m (10.7 ft) from the north property line. Section 603.5(c) of the Zoning Bylaw requires a 4.5 m (14.8 ft) setback from a side lot line abutting a flanking street. The Aldergrove Community Plan Development Permit Guidelines state that "Building elevations that are visible from adjacent roads, walkways or properties should be improved by painting, architectural details, landscaping or screening." The applicant proposes to add to the westerly portion of the building using the same setback as the existing building. Staff do not object to the proposed siting variance as it is consistent with the existing building and with the provisions of the Development Permit Guidelines.

Section 111.3 of the Zoning Bylaw requires a 2 m (6.6 ft) landscape area around the perimeter of commercial zoned properties. The applicant indicates that if a 2 m landscape area was provided around the perimeter of the site in accordance with the Zoning Bylaw, it would result in 264 m² (2,841.7 ft²) of landscape area. The applicant proposes 104 m² (1,119.4 ft²) of onsite landscape area and an additional 190 m² (2,045.1 ft²) of offsite landscape area for a total of 294 m² (3,164.6 ft²) of landscape area.

Staff do not object to the proposed landscape area variance given the existing site constraints (i.e. lot shape and parking requirements), proposed improvements to the existing asphalt condition, as well as the additional off site landscape area proposed.

The proposed development requires 18 parking spaces in accordance with Section 107.3 of the Zoning Bylaw. Section 107.5(6) of the Zoning Bylaw permits a maximum of 20% of the required parking spaces for a commercial development to be small car parking spaces. The applicant proposes 50% of the parking spaces to be small car parking spaces. The applicant indicates that they have maximized the amount of parking spaces on the triangular shaped property and that additional street parking is available on Old Yale Road in close proximity to the site.

Staff do not object to the proposed small car parking variance given the existing site constraints (i.e. lot shape and retention of the existing building) as well as the overall number of parking spaces provided being in compliance with the Zoning Bylaw (18 required, 18 provided).

Signage:

The proposed signage includes two (2) freestanding signs (5.2 m / 17.3 ft and 4.2 / 13.8 ft high) as well as awning signage. All future signage will require a sign permit and shall be in compliance with the Aldergrove Community Plan Development Permit Area "B" Guidelines (Attachment B) and the Township's Sign Bylaw.

Aldergrove Community Enhancement Committee:

The Aldergrove Community Enhancement Committee (A.C.E) has reviewed the proposal (Attachment C) and has indicated support for the project.

Access and Parking:

The existing access from Fraser Highway on the southerly portion of the site is proposed to be removed as part of the development. Access to site is proposed from Old Yale Road (on the north portion of the site). A pedestrian access to the site from Fraser Highway on the southerly portion of the site is also proposed.

A total of 18 parking spaces are required for the proposed development. The applicant is proposing a total of 18 parking stalls including nine (9) small car parking stalls. The applicant is proposing a variance to increase the amount of small car parking spaces (three (3) permitted, nine (9) proposed).

Tree Protection / Replacement:

No significant trees were identified on the site. As part of the Development Permit application, the applicant proposes to provide eight (8) replacement trees as required by the Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection). The applicant proposes an additional six (6) street trees on Fraser Highway. Final tree replacement plans are subject to the final acceptance of the Township.

Landscaping:

The landscape plan (Attachment A – Schedule G) for the development permit proposes a variety of trees, ground covers and shrubs on site. A trellis is proposed to acknowledge the pedestrian connection from Fraser Highway on the south portion of the site. As indicated earlier in the report, the applicant proposes a variance to the landscape area. The proposed offsite

landscaping consists of trees and a variety of ground covers and shrubs. Final landscape plans are subject to the final acceptance of the Township of Langley General Manager of Engineering and Community Development, and will be secured prior to issuance of a building permit.

Environmental Considerations:

The Township's Sustainability Charter includes environmental objectives to protect and enhance rivers, streams, wildlife habitats and environmentally sensitive areas in the Township. These environmental objectives are supported by policy and guidance outlined in the Township's Environmentally Sensitive Areas Study, Wildlife Habitat Conservation Strategy, Schedule 3 of the Township's Official Community Plan (Streamside Protection), Erosion and Sediment Control Bylaw, and Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) which promote sound environmental management practices and outline Township environmental performance expectations. The provision of stormwater management and sediment control measures and compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) satisfies the objectives of the Sustainability Charter.

Servicing:

Full urban services exist to the subject site. At the Building Permit stage, the applicant will be required to provide a site specific on-site servicing and storm water management plan in accordance with the Township's Subdivision and Development Servicing Bylaw to the acceptance of the Township. In addition, an erosion and sediment control plan is required in accordance with the Erosion and Sediment Control Bylaw to the acceptance of the Township.

At the Building Permit stage the applicant will be required to construct the south half of Old Yale Road in accordance with the Township's Subdivision and Development Servicing Bylaw to the acceptance of the Township.

Exterior Lighting:

As the subject site is located within 150 m (492 ft) of land zoned for residential purposes, compliance with the Township's Exterior Lighting Impact Policy is required. Provision of an exterior lighting impact plan prepared by an electrical engineer to the acceptance of the Township is required prior to the issuance of a building permit.

Public Consultation:

Given the application's consistency with the Aldergrove Community Plan, the requirement for the applicant to hold a public information meeting (due to the requested siting, landscape and small car parking variances) pursuant to Section 4.1 of the Developer Held Public Information Meeting Policy has been waived. Staff note that an opportunity for public input is provided through the notification mail-outs to adjacent property owners / occupants consistent with Township bylaws.

POLICY CONSIDERATIONS:

The proposed development complies with the site's "Commercial" designation in the Aldergrove Community Plan, and the existing Service Commercial Zone C-3 zoning requirements, with the exception of proposed variances related to siting, landscape and small car parking provisions.

As Development Permit No. 101058 complies with Township land use policies and, in staff's opinion, complies with the Development Permit Guidelines in the Aldergrove Community Plan (Attachment B), it is recommended that it be issued subject to the nine (9) conditions outlined in the Development Permit (and the eight (8) conditions noted at time of Building Permit).

Staff have notified adjacent property owners that this Development Permit application is being considered at the January 27, 2020 meeting, and that they may attend and speak to the proposed Development Permit application should they deem it necessary.

Respectfully submitted,

Joel Nagtegaal DEVELOPMENT PLANNER for COMMUNITY DEVELOPMENT DIVISION

- ATTACHMENT A Development Permit No.101058
- ATTACHMENT B Aldergrove Community Plan Development Permit Area B Guidelines
- ATTACHMENT C Aldergrove Community Enhancement comments

B.1 ATTACHMENT A

THE CORPORATION OF THE TOWNSHIP OF LANGLEY

Development Permit No. 101058

This Permit is issued this _____ day of _____, 2020 to:

1. Name: Kiarav Capital Inc.

Address: 8694 – 206B Street Langley BC V1M 3X5

1. This permit applies to and only to those lands within the Municipality described as follows and to any and all buildings, structures and other development thereon:

LEGAL DESCRIPTION: Lot A (AD37359) Section 19 Township 13 New Westminster District Plan 55710 Except Plan BCP38542

CIVIC ADDRESS: 26827 Fraser Highway

- 2. This Permit is issued subject to compliance with all of the Bylaws of the Municipality of Langley applicable thereto, except as specifically varied or supplemented by this permit as follows:
 - a. Building plans being in substantial compliance with Schedules "A" through "F";
 - b. Landscape plans being in substantial compliance with Schedule "G" and in compliance with the Township's Street Tree and Boulevard Planting Policy to the acceptance of the General Manager of Engineering and Community Development;
 - c. All signage being in compliance with Schedules "A" through "F", the Aldergrove Community Plan Development Permit Guidelines and the Township's Sign Bylaw;
 - Provision of a final tree management plan incorporating tree retention, replacement and protection details in compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I - Tree Protection), to the acceptance of the General Manager of Engineering and Community Development;
 - e. Rooftop mechanical equipment to be screened or integrated within the roof form in a manner consistent with the overall architecture of the building;
 - f. All refuse areas to be located in an enclosure and screened to the acceptance of the General Manager of Engineering and Community Development;
 - g. Section 603.5(c) Siting of Buildings and Structures of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the minimum setback for a principal building from a side lot line abutting a flanking street in Service Commercial Zone C-3 from 4.5 m (14.8 ft) to 3.1 m (10.2 ft) as shown in Schedule "B";
 - Section 111.3 Landscaping, Screening and Fencing of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to reduce the landscape area along a front lot line, side lot line abutting a flanking street and rear lot line in a commercial zone as shown in Schedule "G";
 - Section 107.5(6) Design Criteria of the Township of Langley Zoning Bylaw 1987 No. 2500 being varied to increase the maximum amount of small car parking stalls permitted from 20% to 50% as shown in Schedule "B".

Although not part of the development permit requirements, the applicant is advised that prior to issuance of a building permit, the following items will need to be finalized:

- a. A servicing agreement being entered into with the Township to secure required road and utility upgrades and extensions for the south half of Old Yale Road in accordance with the Township's Subdivision and Development Servicing Bylaw, to the acceptance of the General Manager of Engineering and Community Development;
- b. Provision of an exterior lighting impact plan prepared by an electrical engineer in compliance with the provisions of the Township's Exterior Lighting Impact Policy to the acceptance of the General Manager of Engineering and Community Development;
- c. Submission of a site specific on-site servicing and stormwater management plan in accordance with the Subdivision and Development Servicing Bylaw and erosion and sediment control plan in accordance with the Erosion and Sediment Control Bylaw, to the acceptance of the General Manager of Engineering and Community Development;
- d. Tree retention, replacement, and protection in compliance with the Township's Subdivision and Development Servicing Bylaw (Schedule I – Tree Protection) being secured by letter of credit, including payment of associated administration fees;
- e. Written confirmation from owner and landscape architect or arborist that the tree protection fencing identified in the tree management plan is in place;
- f. Landscaping and boulevard treatment being secured by letter of credit;
- g. Registration of restrictive covenants pursuant to Section 219 of the Land Title Act for storm water detention facilities and individual on-site infiltration systems;
- h. Payment of supplemental Development Permit application fees, Development Cost Charges, and Building Permit administration fees.
- 3. The land described herein shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached as a Schedule to this Permit which shall form a part hereof.

This Permit is not a Building Permit.

All developments forming part of this Development Permit shall be substantially commenced within two years after the date the Development Permit is issued.

This permit shall have the force and effect of a restrictive covenant running with the land and shall come into force on the date of an authorizing resolution passed by Council.

It is understood and agreed that the Municipality has made no representations, covenants, warranties, guarantees, promises or agreement (verbal or otherwise) with the developer other than those in this Permit.

This Permit shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

AUTHORIZING RESOLUTION PASSED BY COUNCIL THIS ____ DAY OF _____, 2020

Attachments:

SCHEDULE A	Renderings
SCHEDULE B	Site Plan
SCHEDULE C	West Elevation
SCHEDULE D	North Elevation
SCHEDULE E	East Elevation
SCHEDULE F	South Elevation
SCHEDULE G	Landscape Plan





Est. 1873

B.1



B.1





B.1



SOUTH ELEVATION



(viii)Internal roads shall have a coordinated streetscape of paving, lighting and tree planting. (ix) Signage shall be designed to be compatible with the design of the buildings and landscaping. (x) Watercourses shall be retained in a natural state and kept free of development, other than roads, walkways, trails or other public facilities. They shall be protected by restrictive covenant or dedicated for conservation use. The area to be protected or dedicated shall be defined by the Township in consultation with the Ministry of Environment and the Department of Fisheries and Oceans. Development shall be designed to provide leave strips adjacent to watercourses and shall be required to be set back from watercourses to protect the development and the ecological value of the area. A trail should be provided along Bertrand Creek. (b) Development Permit Area "B" - Commercial 3289 93.10.04 4824 The areas shown as Development Permit Area "B" in Schedule "B" Aldergrove 10.09.13 Development Permit Areas are designated development permit areas under Section 919.1 (1) (f) of the Local Government Act to establish objectives and provide guidelines for the form and character of development. The objective of this development permit area designation is to ensure attractive commercial development along major roads and to reduce conflict with adjacent uses. The development permit guidelines for this area are: Buildings should be sited to consider adjacent development and to provide for pedestrian and traffic movement to adjacent properties. Buildings in areas adjacent to residential development should be low profile to reduce visual impacts on nearby homes. Buildings should be sited and designed so that sun penetration to roads and adjacent properties is maximized. Building elevations that are visible from adjacent roads, walkways or properties should be improved by painting, architectural details, landscaping or screening. Landscaping shall be required to enhance the appearance of the development and to screen parking, loading and outdoor storage areas from adjacent roads, residential and institutional uses and other commercial uses. A 5m wide landscaped area and a fence shall be provided adjacent to all areas designated for residential development in this plan. A landscaping plan shall be submitted as part of a development permit application. 3462 (c) Development Permit Area "C" - Industrial 95.01.23 4824 The areas shown as Development Permit Area "C" in Schedule "B" Aldergrove 10.09.13 Development Permit Areas are designated development permit areas under Section 919.1 (1) (f) of the Local Government Act to establish objectives and provide guidelines for the form and character of development. The objective of this development permit area is to encourage the development of an attractive industrial area. The development permit area guidelines for this area are: (i) New development should be designed to integrate with and be compatible with existing development with respect to siting, exterior finish and design of buildings and landscaping.

ATTACHMENT C

B.1

From:	DOUG BLOOMFIELD
To:	Joel Nagtegaal
Subject:	Project No. 13-19-0325/Kiarav Capital
Date:	Wednesday, January 30, 2019 8:46:31 AM

Hi Joel

The members of ACE have reviewed the information package regarding the above-captioned project. All have concurred that the proposed renovations will be a welcome improvement to the property, which is long past due. No concerns regarding use, form, or character were mentioned. ACE fully supports this application as presented.

Regards

Aldergrove Community Enhancement Doug Bloomfield, Chair