



POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: May 4, 2010
Contact: Ingrid Hwang
Contact No.: 604.873.7756
RTS No.: 08581
VanRIMS No.: 08-2000-20
Meeting Date: May 18, 2010

TO: Vancouver City Council
FROM: Director of Planning
SUBJECT: CD-1 Rezoning - 2967 Grandview Highway (JR Furniture)

RECOMMENDATION

- A. THAT the application, by David Eaton Architect Inc., to rezone 2967 Grandview Highway (PID 010-166-343; Lot 2; Block A; Southwest corner Section 36; Town of Hastings Suburban Land, Plan 8292) from I-2 (Light Industrial) District to CD-1 (Comprehensive Development) District to permit Large Format Retail use in an existing building, be referred to Public Hearing together with:
- (i) Plans received September 14, 2009 and addendum plans received November 25, 2009 under development permit no. DE413319;
 - (ii) Draft CD-1 By-law provisions, generally as presented in Appendix A; and
 - (iii) The recommendation of the Director of Planning to approve, subject to conditions contained in Appendix B;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary CD-1 By-law generally in accordance with Appendix A for consideration at Public Hearing.

- B. THAT a consequential amendment to the Sign By-law, to establish regulations for the CD-1 in accordance with Schedule "B" (I-2), be referred to the same Public Hearing;

FURTHER THAT the Director of Legal Services be instructed to prepare the necessary amendment to the Sign By-law, generally in accordance with Appendix C, for consideration at the Public Hearing.

AND FURTHER THAT the Director of Legal Services be instructed to prepare a consequential amendment to the Noise Control By-law to establish regulations for this CD-1 in accordance with Schedule "A" (Activity Zone), as set out in Appendix C for enactment by Council following approval and enactment of the CD-1 By-law.

- C. THAT Recommendation A and B be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS the foregoing.

COUNCIL POLICY (Do not remove)

Relevant Council Policies for this site include:

- Grandview Boundary Industrial Area Rezoning & Development Policies and Guidelines, adopted July 25, 2002 and last amended July 8, 2008;
- Grandview Boundary Industrial Area Plan, adopted July 25, 2002 and amended September 12, 2006; and
- Non-Industrial Uses (I-2 and M-2) Policies and Guidelines, adopted September 12, 2006.

PURPOSE AND SUMMARY

This report assesses an application to rezone this site from I-2 (Light Industrial) District to CD-1 (Comprehensive Development) District to permit retail use in an existing building under the provision for large format retail in the Grandview-Boundary Industrial Area (GBIA) policies. David Eaton Architect Inc. has also applied for a development permit (DE413319) to retain the current retail tenant as a large format retail as permitted under the GBIA.

DISCUSSION

Background – The existing structure on this 4 765 m² (51,295 sq. ft.) site was originally built as a storage warehouse in 1952. A development permit (DP65713) was issued June 3, 1974, permitting the use of the premises for resale of used furniture, a rental furniture showroom and warehouse for storage of furniture. On February 22, 1990, a development permit (DP210093) was issued in accordance with the Board of Variance Decision (Z25596) dated January 17, 1990, permitting retail use as a furniture and appliance store while the rest of the building be maintained as furniture rental with ancillary showroom and office, on the condition that the premises are for the exclusive use of Granco Furniture and Appliances Ltd. only.

An appeal was heard by the Board of Variance on July 22, 1998 granting permission to amend the exclusive use condition from Granco Furniture and Appliance Ltd. to JR Furniture Place Ltd. and to retain the use of this existing building as furniture rental with ancillary showroom and office, warehouse storage, and ancillary office.

A new development permit, required to validate this use, has not been acquired since the 1998 Board of Variance approval, thereby contravening the Zoning and Development By-law. Follow-up to this requirement by the Inspection Services found that the building had become wholly occupied with retail use which is not permitted and was not approved. The I-2 District Schedule caps retail uses at 1 000 m² (10,764 sq. ft.) per site, whereas the building has 1 642.38 m² (17,679 sq. ft.) of retail floor area under its current tenancy – JR Furniture Place Ltd. On July 16, 2003, the City initiated enforcement action but the associated permit to extend the use was never obtained. Subsequent enforcement against the excess retail space and the development permit validation has led to the current rezoning and development permit application.

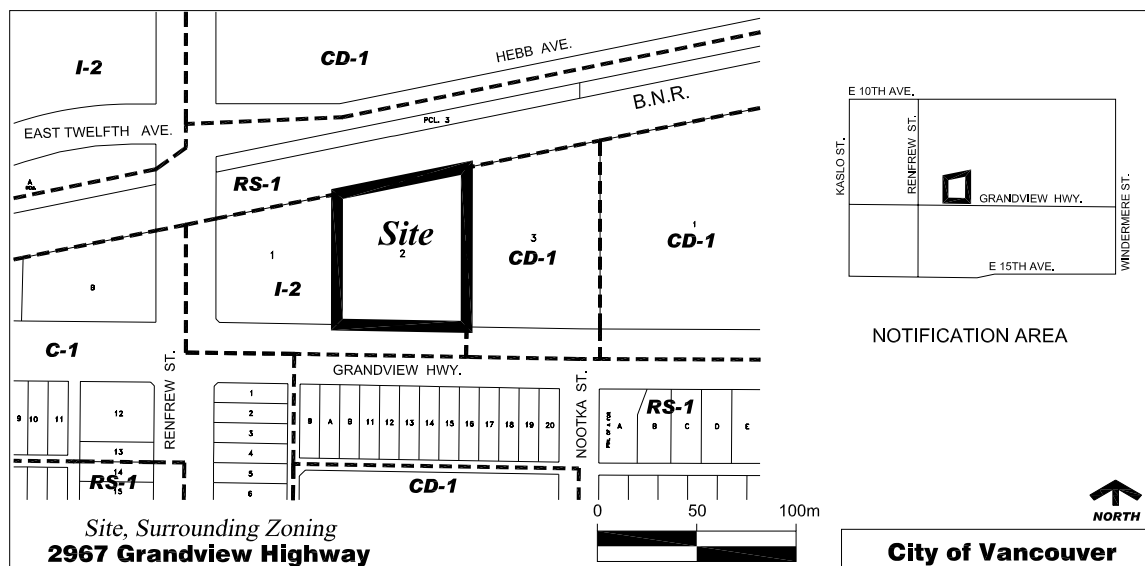


Figure 1: Site and Surround Zoning

Land Use – The intention with the rezoning is that the existing retail use on the site would be retained and become legal with respect to its current size. Staff have examined JR Furniture’s use of the site and conclude that it should be classified as “Furniture or Appliance Store”. The GBIA policies outline specific criteria for retail uses that are suitable for the area.

JR Furniture fits the criteria because of its need for large display space, because it serves a wide catchment area and because the products require vehicles for transport. Staff support legalizing this particular large format retail use at this location.

The proposed by-law also lists other uses found in the I-2 District Schedule, including other retail uses. This would allow the existing building to revert to industrial uses without having to rezone back to I-2. It would also allow development applications for other types of retail use to be considered for the existing building, if development requirements for that use, including parking, can be satisfied. This approach to land use is consistent with other existing CD-1 By-laws created for large format retail sites in the GBIA.

Density and Minimum Store Size – The GBIA policies support a maximum density of up to 0.60 floor space ratio (FSR) for large format retail use and a minimum store size of 929 m² (10,000 sq. ft.). The overall density of the existing building is 0.51 FSR or 2 448 m² (26,351 sq. ft.) which is less than the maximum supportable density for retail and well over the minimum store size.

Building Height – The GBIA policies and guidelines recommend a maximum height of 12.20 m (40.0 ft.) for large format stand-alone retail developments. The existing building height of 9.45 m (31.0 ft.) is below this maximum.

Landscape Setback – This application proposes to maintain the area of established greenery within the setback bordering Grandview Highway. While the existing setback area does not meet the recommended 12.1 m (37.7 ft.) setback width of the Grandview Boundary Industrial Area Rezoning and Development Policies and Guidelines (Section 8.2.2), it does meet the intent of the guidelines. Aerial photographs confirm that the landscape setbacks align with the established landscape setback on the neighbouring site to the east, and approved under previous rezoning. The applicant is proposing the planting of two new trees in the front yard. One mature street tree shall remain. Staff recommend that the landscape plan submitted with this application should be accepted as part of the development permit application with a few minor additions [see Appendix B, conditions (b)(i) to (iii)].

Parking and Loading – There are currently 25 parking spaces and 2 loading spaces provided on the site. This is consistent with the development permit approved in 1990 for furniture rental, wholesale and ancillary uses. For the existing building to be used entirely for retail, the Parking By-law requires 46 parking spaces and 3 loading spaces. Staff have reviewed the rezoning application and conclude that 2 of the parking spaces will need to be removed in order to provide a sufficient manoeuvring aisle. The site has insufficient area to accommodate any more spaces and given the site's proximity to the nearby Renfrew SkyTrain Station, staff recommend that an exclusion be made for this site and that the parking provision in the CD-1 By-law be as per the Parking By-law, except that for the existing Furniture or Appliance Store use, the parking requirement be 23 spaces. Should a change of use be sought for the existing building to another type of retail store or to another use that requires more than 23 spaces, the parking requirement and any potential reduction would be re-evaluated.

Engineering Services staff have reviewed the rezoning application and have no objections to the proposed rezoning provided that the applicant satisfies the Engineering condition included in Appendix B [see Appendix B, condition (b)(iv) to (v)].

Form of Development (Note Plans: Appendix D) – The GBIA policies encourage development that improves and enhances the public realm through high quality architectural building expression, careful site planning, public and private landscaping, and appropriate vehicular and pedestrian circulation. Recognizing that the proposal is for an existing building for which the owner has no plans for changes, staff propose no conditions of design development beyond those mentioned above related to improvements to the landscape setback. The applicant has submitted new drawings showing the existing form of development shown in Appendix D. Staff recommend approval in principle of these drawings as the form of development along with the landscape and engineering conditions in Appendix B.

Signage – Should this rezoning application be approved, a consequential amendment to the Sign By-law is also required to add the CD-1 to Schedule E. The site would be assigned Schedule B which is the same schedule that currently applies under I-2. Approval of the rezoning and the amendment to the Sign By-law does not legitimize any signs which have been erected on the site without proper approval by the City.

Community Amenity Contribution – For rezoning sites under 0.8 ha (2 acres) outside of the Downtown, council policy does not look for offered Community Amenity Contributions (CACs) if the land use is not changing to residential and if there is no increase in the total floor space permitted. As this rezoning meets these circumstances, so no CAC is offered.

Public Notification – A notification postcard was sent to 233 property owners in the notification area on September 28, 2009. The notification area of the mailing is shown in Figure 1 of this report. A standard rezoning sign was placed on the building on October 5, 2009. Two people contacted the Rezoning Centre for more information with none expressing opposition to the application.

FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

Planning staff support legitimizing the existing use on this site because it qualifies under the GBIA policies for rezoning to large format retail use. Consequently, the Director of Planning recommends the application be referred to Public Hearing, together with a draft CD-1 By-law generally as shown in Appendix A and with recommendation that it be approved subject to conditions outlined in Appendix B.

* * * * *

2967 Grandview Highway
DRAFT CD-1 BY-LAW PROVISIONS

Note: A By-law will be prepared generally in accordance with the provisions listed below, subject to change and refinement prior to posting.

Use

- Manufacturing Uses, limited to:
 - Bakery Products Manufacturing
 - Batteries Manufacturing
 - Chemicals or Chemical Products Manufacturing - Class B
 - Clothing Manufacturing
 - Dairy Products Manufacturing
 - Electrical Products or Appliances Manufacturing
 - Food or Beverage Products Manufacturing - Class B
 - Furniture or Fixtures Manufacturing
 - Ice Manufacturing
 - Jewellery Manufacturing
 - Leather Products Manufacturing
 - Machinery or Equipment Manufacturing
 - Metal Products Manufacturing - Class B
 - Miscellaneous Products Manufacturing - Class B
 - Motor Vehicle Parts Manufacturing
 - Non-metallic Mineral Products Manufacturing - Class B
 - Paper Products Manufacturing
 - Plastic Products Manufacturing
 - Printing or Publishing
 - Rubber Products Manufacturing
 - Shoes or Boots Manufacturing
 - Software Manufacturing
 - Textiles or Knit Goods Manufacturing
 - Tobacco Products Manufacturing
 - Transportation Equipment Manufacturing
 - Wood Products Manufacturing - Class B

- Office Uses, limited to:
 - General Office, but not including the offices of accountants, lawyers and notary publics, nor the offices of real estate advertising, insurance, travel and ticket agencies

- Retail Uses, limited to:
 - Furniture or Appliance Store
 - Gasoline Station - Full Serve
 - Gasoline Station - Split Island
 - Retail Store, except for clothing sales
 - Vehicle Dealer

- Service, limited to:
 - Animal Clinic
 - Auction House
 - Catering Establishment
 - Laboratory
 - Laundry or Cleaning Plant
 - Motor Vehicle Repair Shop
 - Motor Vehicle Wash
 - Photofinishing or Photography Laboratory
 - Photofinishing or Photography Studio
 - Print Shop
 - Production or Rehearsal Studio
 - Repair Shop - Class A
 - Repair Shop - Class B
 - School - Vocational or Trade
 - Sign Painting Shop
 - Work Shop

- Transportation and Storage Uses, limited to:
 - Cold Storage Plant
 - Mini-Storage Warehouse
 - Packaging Plant
 - Storage Warehouse
 - Storage Yard
 - Taxicab or Limousine Station
 - Truck Terminal or Courier Depot
 - Weighing or Inspection Station
 - Works Yard

- Utility and Communication, limited to:
 - Public Utility, on a site not less than 61.0 m from any R district
 - Radiocommunication Station
 - Recycling Depot

- Wholesale, limited to:
 - Cardlock Fuel Station
 - Junk Yard or Shop
 - Lumber and Building Materials Establishment
 - Wholesaling - Class A
 - Wholesaling - Class B

- Accessory Uses customarily ancillary to the above uses, including accessory office, provided that the total area of all accessory uses is not greater than 33¼ percent of gross floor area of the principal and accessory uses combined, and provided that the floor area in accessory uses accessible to the general public is separated by a wall from the floor area in other uses.

Condition of Use

- Minimum size for a Retail Store, or a Furniture or Appliance Store, must be 929 m².

Density

- Site area deemed to be 4 770.38 m²
- Maximum floor space ratio of 0.51 FSR
- General office use not to exceed the greater of 235 m² or 33⅓ percent of total gross floor area
- Computation of floor space ratio must include:
 - All floors of all buildings including accessory buildings, both above and below ground level to be measured to the extreme outer limits of the building
- Computation of floor space must exclude:
 - open residential balconies or sun decks, and any other appurtenances which, in the opinion of the Director of Planning, are similar to the foregoing; provided that the total area of all exclusions does not exceed eight percent of the residential floor area being provided;
 - patios and roof gardens, for residential purposes only, provided that the Director of Planning first approves the design of sunroofs and walls;
 - where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used, which:
 - are at or below base surface, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length; or
 - are above the base surface and where developed as off-street parking are located in an accessory building situated in the rear yard, provided that the maximum exclusion for a parking space shall not exceed 7.3 m in length;
 - storage space associated with an Artist Studio - Class B where the space is provided below the base surface and subject to a maximum exclusion of 20 m² for each Artist Studio - Class B;
 - amenity areas for the social and recreational enjoyment of residents and employees, or providing a service to the public, including facilities for general fitness, general recreation and child day care provided that:
 - the total area being excluded shall not exceed the lesser of 20 percent of the permitted floor space or 100 m²; and
 - in the case of a child day care centre, the Director of Planning, on the advice of the Director of Social Planning, is satisfied that there is a need for a day care facility in the building or in the immediate neighbourhood; and
 - where exterior walls greater than 152 mm in thickness have been recommended by a Building Envelope Professional as defined in the Building By-law, the area of the walls exceeding 152 mm, but to a maximum exclusion of 152 mm thickness, except that this clause shall not apply to walls in existence prior to March 14, 2000; and

- with respect to exterior;
 - (i) wood frame construction walls greater than 152 mm thick that accommodate RSI 3.85 (R-22) insulation; or
 - (ii) walls other than wood frame construction greater than 152 mm thick that meet the standard RSI 2.67 (R-15),

the area of such walls that exceed 152 mm to a maximum exclusion of 51 mm of thickness for wood frame construction walls and 127 mm of thickness for other walls, except that this clause is not to apply to walls in existence before January 20, 2009. A registered professional must verify that any exterior wall referred to in subsection (ii) of this section meets the standards set out therein.

Height

- Maximum building height of 9.1 m

Setback

- Provide landscape setback according to Schedule C of the Zoning and Development By-law

Parking, Loading and Bicycles

- Parking, loading and bicycle spaces are to be provided and maintained according to the provisions of the Parking By-law, including those concerning exemption, relaxation, and mixed-use reduction, except for the following:
 - Provide a minimum of one space per 145 m² for the first 290 m² of gross floor area and a minimum of one space for each 93 m² thereafter. The number of parking spaces must not exceed one space per 55 m².
 - For the existing Furniture or Appliance Store use:
 - A minimum of 23 parking spaces are to be provided; and
 - A minimum of 2 Class C loading spaces are to be provided.

* * * * *

2967 Grandview Highway
PROPOSED CONDITIONS OF APPROVAL

Note: Recommended approval conditions will be prepared generally in accordance with the draft conditions listed below, subject to change and refinement prior to finalization of the agenda for the Public Hearing.

PROPOSED CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) THAT the proposed form of development be approved by Council in principle, generally as represented by plans prepared by David Eaton Architect Inc., and stamped "Received City Planning Department, September 14, 2009" and by addendum plans stamped "Received City Planning Department, November 25, 2009", provided that the Director of Planning may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) THAT, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the Director of Planning, who shall consider the following:

Landscape

- (i) Add notation on the Landscape Plan to clearly indicate that the existing street tree at the west edge of the development site is to be retained;

Note to Applicant: Part of the drawing has been cut off.

- (ii) Maintain the existing greenery as screening between parking areas, at the west property line, if possible;
- (iii) Add durable curb edges, with a minimum height of 6 inches, to protect planted areas from moving vehicles in drive aisles and parking areas (illustrated on the Landscape Plan);

Engineering

- (iv) Delete 2 parallel parking spaces adjacent to the proposed landscaping area to provide the required manoeuvring aisle;
- (v) Provide a landscape plan directly to Engineering Services showing in detail the proposed street tree locations along the Grandview Highway boulevard.

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2967 Grandview Highway
DRAFT CONSEQUENTIAL AMENDMENTS

DRAFT AMENDMENTS TO THE SIGN BY-LAW NO. 6510

Amend Schedule E (Comprehensive Development Areas) by adding the following:

"2967 Grandview Highway [CD-1] [By-law #] B(I-2)"

DRAFT AMENDMENTS TO THE NOISE BY-LAW NO. 6555

Amend Schedule A (Activity Zone) by adding the following:

"[CD-1 #] [By-law #] 2967 Grandview Highway"

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**2967 Grandview Highway
ADDITIONAL INFORMATION**

Site, Surrounding Zoning and Development: This 4 765.29 m² (51,294.78 sq. ft.) site is comprised of one parcel on the north side of Grandview Highway, one block east of Renfrew Street, is zoned I-2 (Light Industrial) District. The site is currently occupied by JR Furniture Place Ltd., a furniture showroom and ancillary warehouse. The building has been approved since 1990 as a furniture and appliance store with rental and ancillary showroom and office. The site is irregular in shape and has a frontage of 65.4 m (214.56 ft.) along Grandview Highway, a depth of 65.4 m (214.7 ft.) on the west property line, and a depth of 80.2 m (263.18 ft.) on the east property line.

To the north is a transportation corridor containing the Burlington Northern Railway and the Millennium SkyTrain Line. To the west is a restaurant (McDonald's) on the corner of Renfrew Street and Grandview Highway. A SkyTrain station is on the west side of Renfrew Street. The properties to the east have been rezoned to CD-1 (Comprehensive Development) District and are developed with buildings for large format retail uses. Apart from these CD-1 sites, the zoning throughout the Grandview-Boundary Industrial Area is generally I-2 (Light Industrial). Properties to the south are zoned RS-1 (Single-Family Dwelling) District and are developed with primarily one-family dwellings.

Public Input: A notification postcard was sent on September 28, 2009 to 233 nearby property owners within the notification area (as shown in Figure 1 of the report). Rezoning information signs were posted on the site on October 5, 2009. Plans and information regarding the application were posted on the City website for public viewing. There have been two phone calls from residents regarding the proposal. No concerns were expressed.

Comments of the General Manager of Engineering Services: The General Manager of Engineering Services has no objections to the proposed rezoning, provided that the applicant complies with conditions as shown in Appendix B.

Comments of the Applicant: The applicant has been provided with a copy of this report and concurs with the content.

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2967 Grandview Highway
FORM OF DEVELOPMENT



Site Plan Statistics
Photos

JR Furniture
2967 Grandview Highway Vancouver



David Eaton
Architect Inc.
1880 West 2nd Avenue
Vancouver, BC V6L 1A5
Tel: 604-271-1111
Fax: 604-271-1112

Scale: 1/8" = 1'-0"
Drawing: 100
Project: 2007
Author: DEB
1. When this drawing is used, it shall be used in its entirety.

SHEET A-1

APPLICANT, PROPERTY, AND DEVELOPMENT PROPOSAL INFORMATION

APPLICANT AND PROPERTY INFORMATION

Street Address	2967 Grandview Highway
Legal Description	Lot 2, Block A, District Lot Section 36 SW QTR, THSL
Applicant	David Eaton
Architect	David Eaton Architect Inc.
Current Tenant	JR Furniture Place Ltd.
Property Owner	NR Holdings Ltd.

SITE STATISTICS

	GROSS	DEDICATIONS	NET
SITE AREA	4 765 m ² (51,295 sq. ft.)		4 765 m ² (51,295 sq. ft.)

DEVELOPMENT STATISTICS

	DEVELOPMENT PERMITTED UNDER EXISTING ZONING	PROPOSED DEVELOPMENT	RECOMMENDED DEVELOPMENT (if different than proposed)
ZONING	I-2	CD-1	
USES	Manufacturing, Service, Transportation and Storage, Utility and Communication, Wholesale, Retail uses; Accessory uses	Manufacturing, Service, Office, Transportation and Storage, Utility and Communication, Wholesale, Retail uses (not including grocery store); Accessory uses	
MAX. FLOOR SPACE RATIO	Up to 3.00 FSR for industrial, up to 1.00 for other uses, max. 1 000 m ² for retail	0.51 FSR for all uses, min. 929 m ² for retail.	
MAXIMUM HEIGHT	18.3 m (60 ft.) (outright) 30.5 m (100 ft.) (conditional)	9.1 m (29.88 ft.)	
PARKING SPACES	Per Parking By-law	Per Parking By-law, except minimum 23 parking spaces for existing building and use, and minimum of 2 Class C loading spaces	
LANDSCAPE SETBACK (Grandview Highway)	12.1 m (40.0 ft.)	12.1 m (40.0 ft.)	