



COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 26, 2021

From: Chris Oliver, Senior Planner

File No. DVP 20-14

Subject: **DVP 20-14; Development Variance Permit; 835 and 845 Anders Road**

RECOMMENDATION

THAT Council authorize the issuance of a Development Variance Permit (DVP 20-14) for Lot 2 DL 2689 ODYD Plan EPP76307 (835 and 845 Anders Road) in accordance with the attached permit to vary Zoning Bylaw No. 0154, S.11.1.5.(f).1 and S.11.1.5.(f).4 to reduce the front and exterior side parcel setbacks from 4.5m to 0m for two pergola structures.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity - Quality, innovative urban development (Council's 2020-2022 Strategic Priorities).

BACKGROUND

The subject property has undergone various Development Permits and Liquor License applications as part of the development of the Lakeview Village commercial center. The requested variance builds on these previous approvals and would allow for the installation of two pergola structures as part of the future operation of a brewery and café.

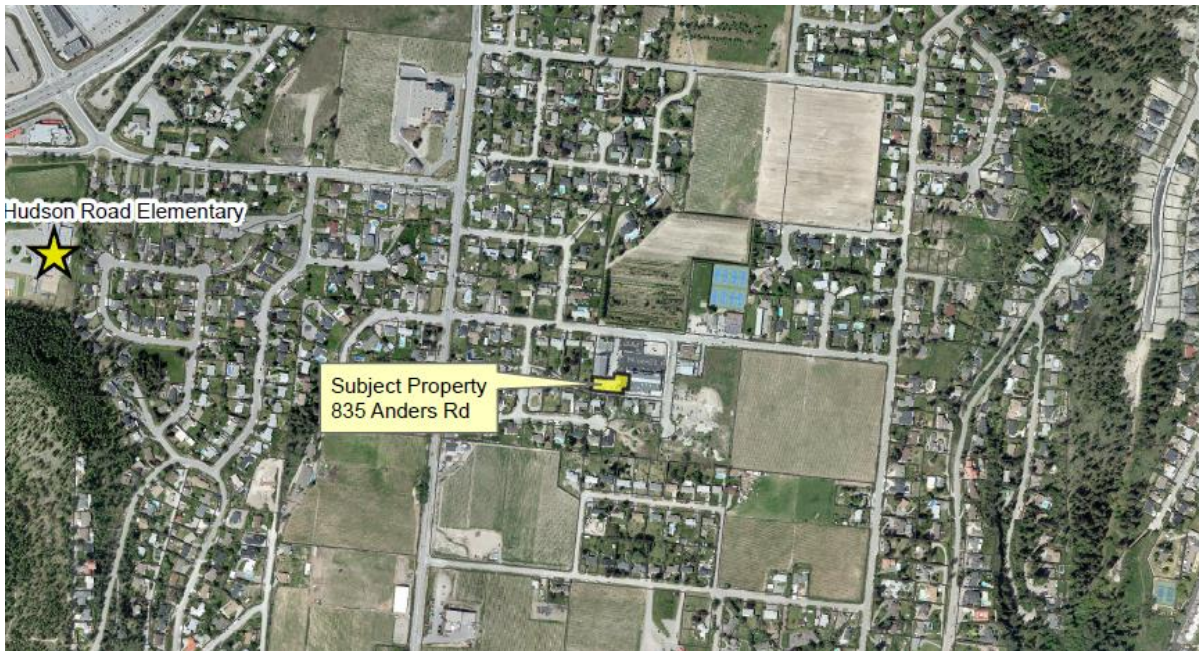
PROPERTY DETAILS

Address 835 and 845 Anders Road		PID 030-363-845	Folio 36414180.003
Lot Size 2.08 acres (8417.47 sqm)			
Owner CERJ Shopping Centers		Agent Patrick McCusker (PMA Architecture)	
Current Zoning	C1 - Urban Centre Commercial	Proposed Zoning	C1 - Urban Centre Commercial
Current OCP	Commercial	Proposed OCP	Commercial
Current Use	Commercial (various)	Proposed Use	Commercial (various)

ADJACENT ZONING & LAND USES

North	^	A1 – Agricultural Zoned Parcel
East	>	CD9 – Olalla Comprehensive Development Zoned Parcel
West	<	P2 – Institutional and Assembly and R1 – Single Detached Residential Zoned Parcels
South	v	C2 – Neighbourhood Commercial Zoned Parcel and R1– Zoned Parcels

NEIGHBOURHOOD MAP



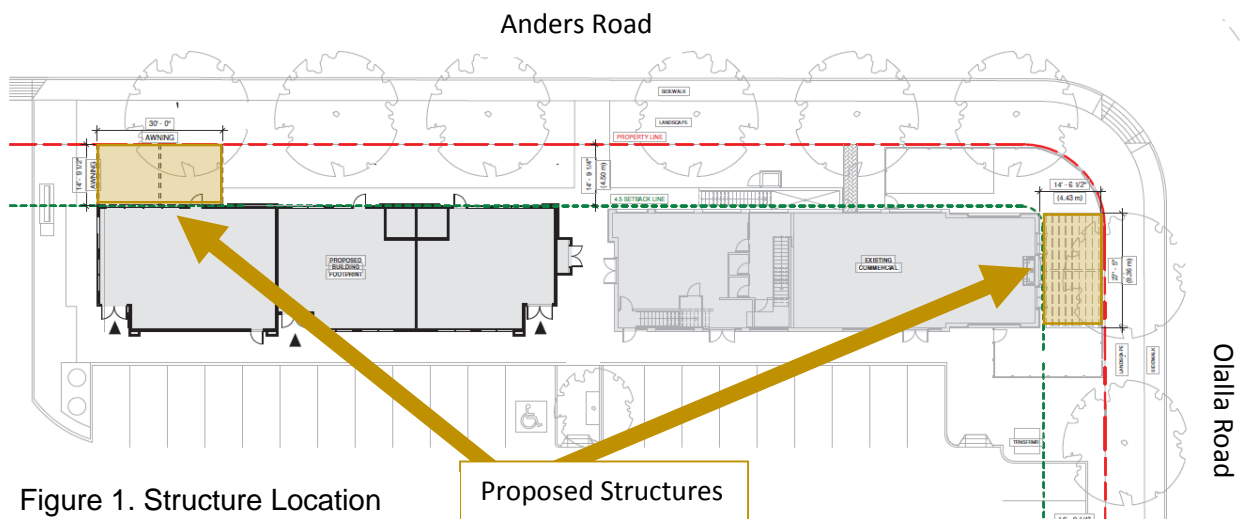
PROPERTY MAP



DISCUSSION

Proposal

As part of the ongoing development of the Lakeview Village commercial center, the applicant has chosen to ensure there is a mix of tenancies and occupants in the area (pharmacy, grocery store, liquor store, offices, food establishments, etc.). With the final phases of the property under construction, the applicant is requesting a variance to support the operation of two future tenants that include a coffee shop and brewery (Lakesider Brewing). The variance is intended to provide operational benefits to these tenants by providing extended seasonal outdoor seating options for the last two buildings in the development (Figure 1.).



Both of these pergola structures consist of high-quality materials and are intended to activate the Anders Road and Olalla Road frontages by bringing patrons closer to the perimeter of the property (Figure 2).

The applicant has indicated the addition of the pergola structures will also assist the new business operators in these spaces to be more responsive to the current challenges associated with COVID-19 and assist in complying with health orders.



Policy Review

Official Community Plan

The subject property is subject to Commercial Development Permit requirements. As part of the previous development permit considerations, the applicant is required to complete landscaping fronting Anders Road (under construction). As part of the requested variance, the applicant has committed to completing the revised landscape works (Figure 3).

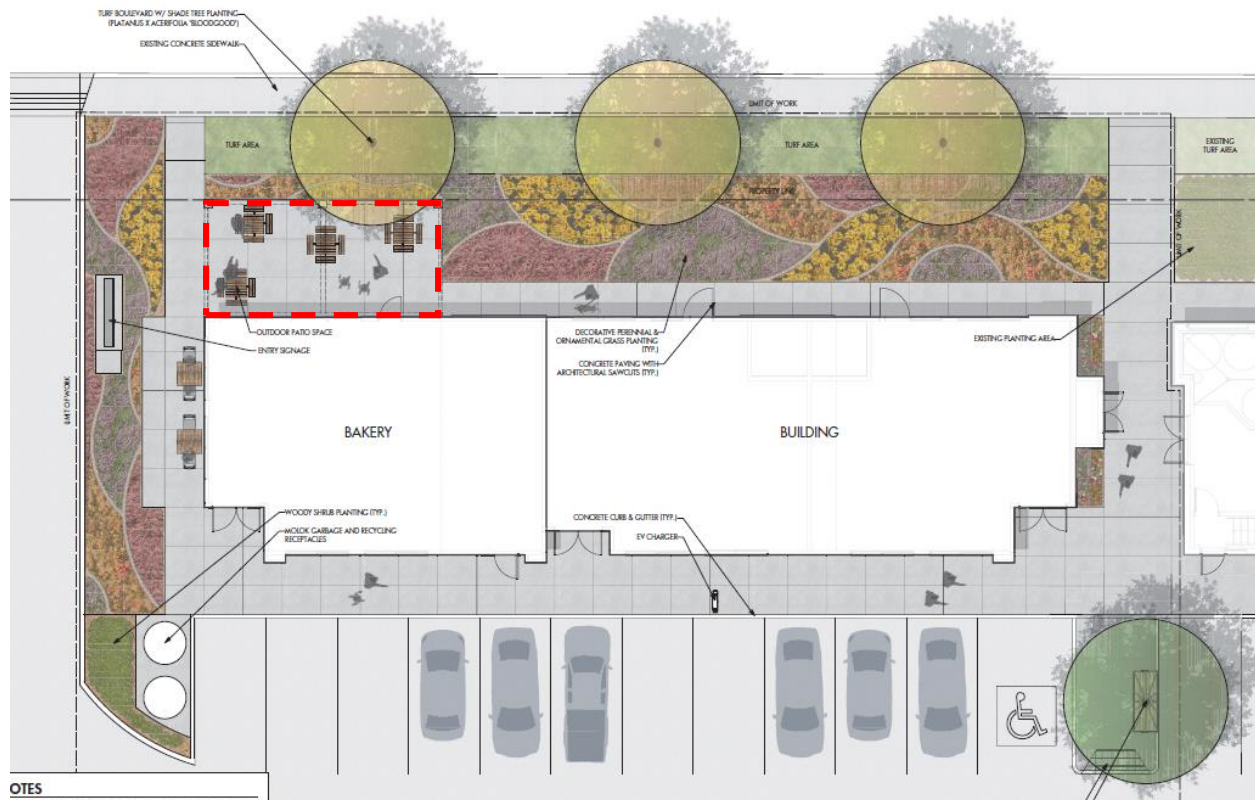


Figure 3. Revised Landscape Plan

Zoning Bylaw No. 0154

The Urban Centre Commercial Zone (C1) includes various setback requirements for structures. Two of these minimum setback requirements are the front and exterior side parcel setback requirements, both of which require a setback distance for structures of 4.5m (S.11.1.5.1 and S.11.1.5.4).

The Zoning Bylaw also in some instances allows for siting exemptions to permit certain structures into required minimum siting distances (e.g., sheds, pools, awnings, etc.). Landscape features such as arbors, trellises, and pergolas benefit from a siting exemption allowing them to be sited 1.5m from a parcel boundary.

The requested 0m setback exceeds the minimum required setback distance outlined in the exemption of 1.5m and requires a variance in order to be installed.

Technical Review

The architect has confirmed that due to the depth of the road ROW and boulevard in front of the pergola structure on Anders Road as well as the thin nature of the supporting frames there will be no sightline impacts to the Anders Road access.

PUBLIC NOTIFICATION

In accordance with the *Local Government Act*, 33 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (Attachment 2) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public had been received.

CONCLUSION

As part of the recommended motion, Council may choose to consider the following:

- The request variance is minor in nature, creates no sightline impacts, and would otherwise partially benefit from a siting exemption;
- The addition of the requested pergola structures, their respective siting, and landscaping would activate the Anders Road and Olalla Road street frontages;
- Creating additional opportunities for business operators during the challenges associated with COVID-19 align with Council priorities; and
- No opposition to the requested variances has been received as part of the consultation process.

ALTERNATE MOTIONS

Alternate Motion 1: Postpone

THAT Council postpone consideration of a Development Variance Permit (DVP 20-14) for Lot 2 DL 2689 ODYD Plan EPP76307 (835 and 845 Anders Road).

Should Council postpone consideration of the requested variance, further Council direction to staff is required.

Alternate Motion 2: Deny

THAT Council deny the issuance of a Development Variance Permit (DVP 20-14) for for Lot 2 DL 2689 ODYD Plan EPP76307 (835 and 845 Anders Road).

Should Council deny the requested variance, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 months after initial Council consideration.

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Draft Development Variance Permit (DVP 20-14)
2. Public Notification Map