

ITEM 8
MANAGER'S REPORT NO. 35
COUNCIL MEETING 1982 05 25

RE: LETTER FROM MR. CLAUDE S. HAZLE, MANAGER, PROPERTY DIVISION, MOHAWK OIL CO. LTD. WHICH APPEARED ON THE AGENDA FOR THE 1982 MAY 03 MEETING OF COUNCIL (ITEM 4b)
COMBINED SERVICE STATION AND GROCERY STORE FACILITY
975 WILLINGDON AVENUE
(ITEM 5, REPORT NO. 29, 1982 MAY 03)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER. 1982 MAY 17

FROM: DIRECTOR PLANNING & BUILDING INSPECTION DEPARTMENT

SUBJECT: COMBINED SERVICE STATION AND GROCERY STORE FACILITY
975 WILLINGDON AVE.

RECOMMENDATION :

1. THAT Council reconfirm that the prevailing zoning bylaw regulations regarding the establishment of combination grocery store/gas station facilities are necessary to maintain appropriate development standards.

1.0 BACKGROUND INFORMATION:

- 1.1 On 1982 May 03, Mr. Claude Hazle of Mohawk Oil Co. Ltd. appeared before Council as a delegation to request that the Burnaby Zoning Bylaw be amended to reduce the prevailing site area requirements for the establishment of a combination grocery store/service station facility at the above referenced location. In response to Mr. Hazle's delegation, Council on the same occasion received a report from the Planning and Building Inspection Department which essentially concluded that the prevailing zoning bylaw regulations provide sufficient latitude for the development of such combination facilities and are necessary to maintain the appropriate development standards.

1.2 Arising out of discussion of the matter, Council, on 1982 - 111
May 03 adopted the following motion:

"THAT this matter be referred back to the Director Planning and Building Inspection for a further report on the questions raised by Council this evening."

2.0 GENERAL DISCUSSION:

- 2.1 A question was raised in Council concerning the interpretation of the Zoning Bylaw requiring a minimum site area for a combined service station/retail store use equivalent to the sum of the minimum site areas for the two uses. In this regard, Council requested that the Planning and Building Inspection Department obtain the Municipal Solicitor's opinion regarding the interpretation of the Zoning Bylaw.
- The Planning and Building Inspection Department has consistently interpreted the Bylaw such that the retail store use requires 560 m² (6,029.99 sq. ft.) and that a gasoline service station requires a minimum of 1110 m² (11,948.33 sq. ft.); thereby requiring a combination facility to provide a minimum site area of 1,670 m² (17,976.32 sq. ft.).

The Municipal Solicitor's comments as contained in a memo dated 1982 May 14 are as follows:

"The lot area requirements for gasoline service stations (C6 and C6a) are established in Section 306 of the Bylaw. Pursuant to Section 306.1 (3) accessory buildings and uses may share that area, which is set at a minimum of 1,110 square meters.

A service station is also a permitted use in land that is zoned C1, C2, C3, or C4 but in those zones the use is made subject to the C6 and C6a regulations. In this way the minimum lot area of 1,110 square metres for a service station and its accessory buildings and uses is incorporated into the C1 and C4 zones.

Since a grocery store does not fit the definition of a building or use accessory to a service station, it follows that such a use cannot share the 1,110 square metres required for the service station but requires the additional 560 square metres.

In short, I agree with your conclusion that the minimum area for the combined uses is 1,670 square metres."

Council is advised that there are currently two combination facilities in Burnaby that have been approved and are under construction. These two facilities satisfy the minimum site area regulations of the prevailing Bylaw.

- 2.2 In view of the foregoing, the Planning and Building Inspection Department is of the opinion that the prevailing Bylaw regulations pertaining to the proposed combination grocery store/gas station facilities are appropriate and reflect the necessary site area requirements for two principal land uses. As such, each of these principal uses possesses its own individual characteristics and physical and functional demands that must be reflected in the Zoning Bylaw, for the benefit of the businesses owner/operators themselves and the general public.

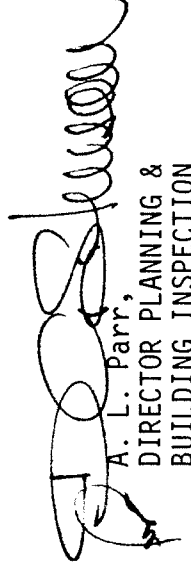
The prevailing bylaw regulations governing gas stations recognizes the characteristics of an automotive-oriented motor fuel dispensing use

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and the particular spatial requirements of active automobile manoeuvring access and safety. Additionally, the bylaw reflects the general characteristics of retail stores which are more pedestrian oriented with internalized sales activity. Combining the two uses must respect these functional and spatial characteristics in order to maintain the existing high standards which are considered necessary for their appropriate development.

AHP

PDS/mdw/g1


A. L. Parr,
DIRECTOR PLANNING &
BUILDING INSPECTION

C. C. Municipal Solicitor.

