



City of Richmond
Urban Development Division

Report to Committee

To: Planning Committee

To Planning - March 02, 2004
Date: February 12, 2004

From: Holger Burke
Acting Manager, Development Applications

File: SC 03-250149

Re: **Application for a Strata Title Conversion by Pacific Architectural Inc. for the Property Located at 3631 No. 3 Road**

Staff Recommendation

That the application for a strata title conversion by Pacific Architectural Inc. for the property located at 3631 No. 3 Road be approved upon fulfilment of the conditions agreed to by the applicant as outlined in the staff report dated February 12, 2004.

Holger Burke
Acting Manager, Development Applications

KE:blg
Att.

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Pacific Architectural Inc. has applied, on behalf of Richview Investments Inc., to strata title the existing building at 3631 No. 3 Road (see attached location map), which is in the North Aberdeen District of the City Centre. The applicant is proposing to strata title the building into five (5) strata title lots (four (4) on the ground floor, one (1) on the second floor).

Findings of Fact

The subject building was originally constructed in 1993 on a site with an area of 6,473 m² (69,674 ft²). The approved Development Permit (DP 92-206) indicated a total building area of 3,233 m² (34,797 ft²), with the ground level containing 1,791 m² (19,278 ft²) and second floor containing 1,442 m² (15,518 ft²) of floor area respectively.

Currently, there are nine (9) tenants in the commercial building. The Knight & Day Restaurant and Tom Lee Music occupy a majority of ground floor units with remaining smaller commercial businesses operating from second floor units.

The applicant is proposing to split the complex into five (5) strata title lots. Tom Lee Music will own three (3) strata title lots with the Knight & Day Restaurant owning one (1) strata title lot. The property owner of the site, Richview Investments Inc., will own the final strata title lot.

Related Policies & Studies

The subject site is zoned Automobile-Oriented Commercial District (C6), which permits the existing uses on the property. The subject site's land use designation is for Mixed Use in the Official Community Plan (OCP).

Policy 5031 (Strata Title Conversion Applications – Commercial and Industrial) outlines Council's policy in determining how staff process these applications (see attached). The applicant has submitted necessary processing information required by City staff (i.e. building report; tenant survey; confirmation of compliance with applicable City Bylaws and guidelines).

Staff Comments

During review, three (3) concerns were identified by staff and addressed by the applicant. Specific staff comments are listed below with applicant responses highlighted in ***bold italics***.

Zoning

Zoning staff noted a concern with the implementation of an outdoor patio associated with the Knight & Day Restaurant. This patio occupies approximately six (6) parking stalls at the north-east corner of the site. No Building Permits were issued for the patio structure as its location would decrease the number of parking stalls, which were already reduced through the Development Permit and at minimum requirements. Site visits by staff confirm that there is an existing outdoor patio located in the parking lot occupying six (6) parking stalls and requested that it be removed prior to any strata title application approval by the City. ***The applicant has agreed to remove the outdoor patio associated with the Knight & Day Restaurant on the subject site.***

Transportation

Transportation Department staff, after consulting with the Richmond-Airport-Vancouver (RAV) Rapid Transit Project, requested a 2 m road dedication along the entire No. 3 Road frontage for the future RAV line. The dedication (2 m) is measured from the easternmost property line along No. 3 Road and is to run parallel to this property line. This road dedication will be a condition of strata title conversion approval. In order to accommodate the RAV line dedication, staff note that the 3 m setback required for off-street parking spaces adjacent to a public road stated in the City's Zoning Bylaw will no longer conform with this requirement. The dedication will also result in a decrease to the site's total area. As a result, total density measured after the road dedication will be marginally over permitted density requirements of the zoning. The intent is to permit continued use of the dedicated strip until needed for RAV line implementation. ***The applicant has agreed to the 2 m road dedication strip.***

In order to secure lands for future rear access for properties fronting this busy portion of No. 3 Road, staff requested a 9 m dedication along the rear of the site (generally west property line). There is an existing parking structure that occupies a majority of the requested dedication. Therefore, staff propose that the applicant enter into a covenant to grant a 9 m dedication along the entire west property line of the subject site (3631 No. 3 Road) if any redevelopment of the property occurs in the future. The covenant will be a condition of strata title conversion approval. ***The applicant has agreed to grant the above mentioned covenant.***

Analysis

The applicant has responded to all staff requests and agreed to remove the outdoor patio, grant the 2 m road dedication for the future RAV line and register a covenant securing future rear access through a 9 m dedication upon any future redevelopment on the property.

Council policy for commercial and industrial strata title conversion applications requires a tenant survey soliciting views from those being affected. A survey was conducted by the applicant with all nine (9) tenants in favour of the proposed strata title conversion application.

A total of five (5) strata title lots are proposed (see attached preliminary strata lot plan). Three (3) strata lots (Strata Lot #2-4) will be owned by Tom Lee Music, who plans to occupy two (2) of the strata lots (one lot each for the retail store and music school) and sub-lease the final strata lot to an existing dry cleaning operation (Bee Clean – Strata Lot #4). The Knight & Day Restaurant will own one (1) strata lot (Strata Lot #1). Remaining businesses in the building will occupy the large strata lot on the second floor (Strata Lot #5), which will be owned by the property owners, Richview Investments Inc. Richview Investments Inc. plans to sub-lease this strata lot to these existing small commercial businesses located on the second floor of the building. No building upgrades are proposed in order to accommodate this strata title conversion application.

Financial Impact

None.

Conclusion

Pacific Architectural Inc. has applied to strata title the building at 3631 No. 3 Road into five (5) strata title lots. Staff recommend approval of the strata title conversion application as the applicant has responded positively to all staff requests.



Kevin Eng
Planning Technician – Design
(604) 276-4000 (Local 3205)

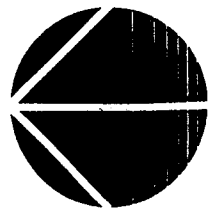
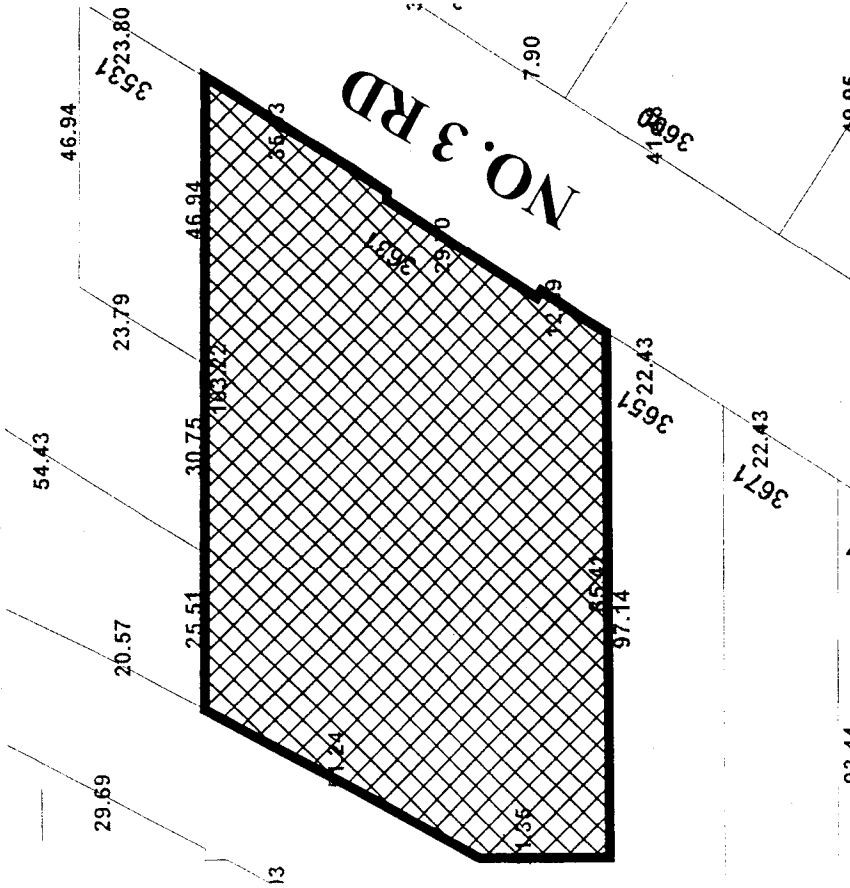
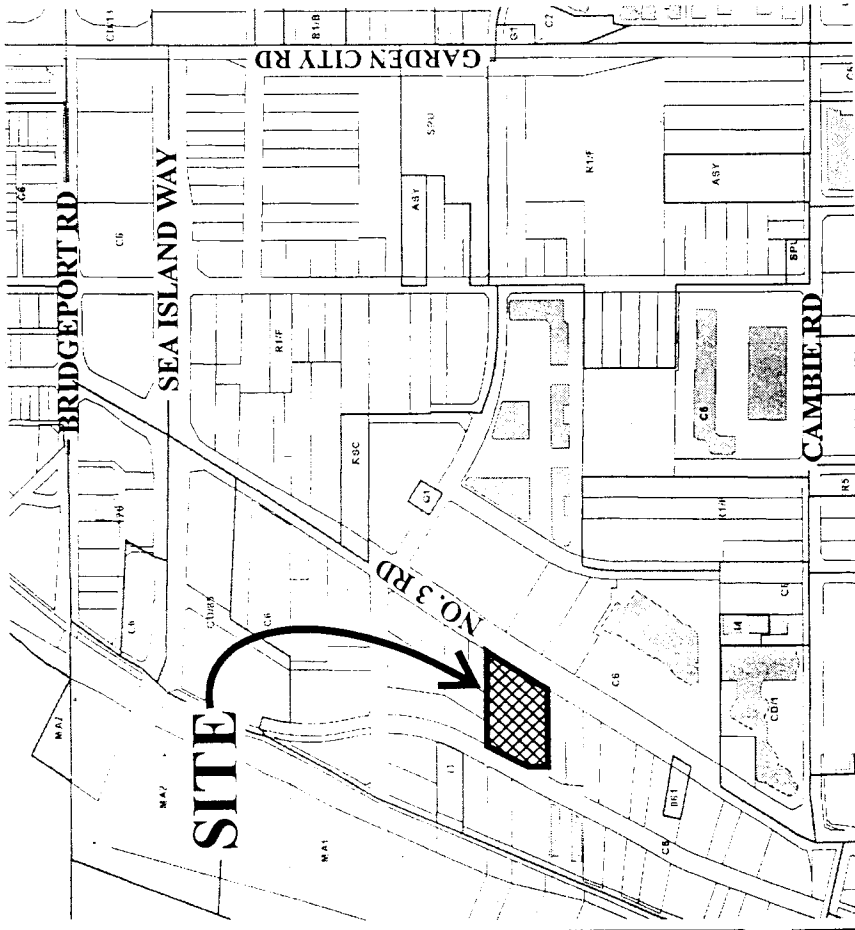
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The following conditions must be fulfilled prior to approval of the strata title conversion application:

1. Removal of the outdoor patio associated with the Knight & Day Restaurant and reinstatement of parking stalls;
2. Dedication of a 2 m road strip along the site's entire No. 3 Road frontage;
3. Registration of a Restrictive Covenant ensuring that if the property is redeveloped at a future date, the property owner will be required to grant a 9 m dedication along the entire west portion of the subject site;
4. Payment of all City utility and property taxes; and
5. Submission of the appropriate plans and documents for execution by the Mayor and City Clerk within 180 days of the date of this resolution.



City of Richmond



SC 03-250149

Original Date: 11/14/03

Revision Date:

Note: Dimensions are in METRES



City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

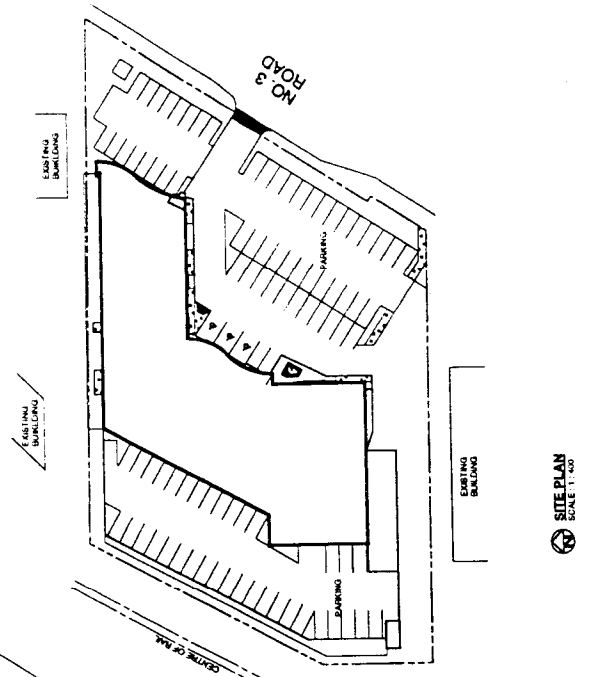
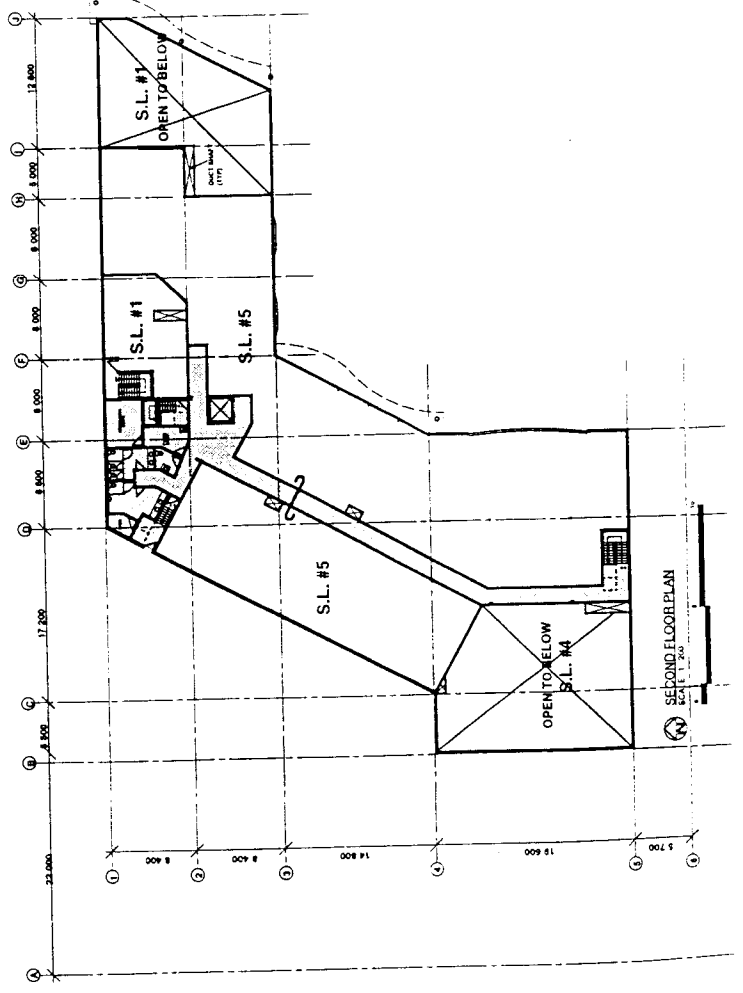
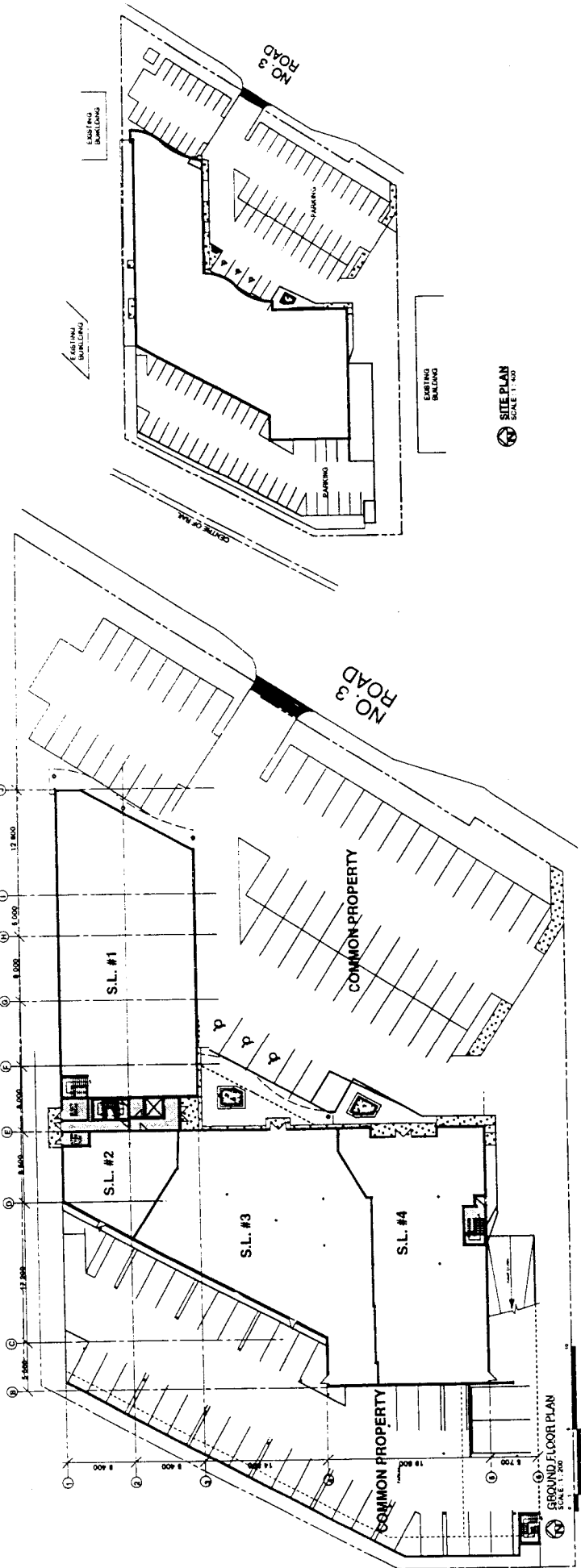
Strata Title Conversion Applications **Development Applications Department**

(604) 276-4000 Fax (604) 276-4052

Commercial and Industrial Policy 5031

It is Council policy that the following matter shall be considered before deciding on any commercial or industrial strata title conversion applications involving three or more strata lots:

1. The life expectancy of the building and any projected major increases in maintenance costs due to the condition of the building. This information shall be supplied by the applicant in the form of a written report in an acceptable form prepared by a registered architect, engineer or similarly qualified professional. The report shall review the building's age, quality, general condition and measure of compliance with current building codes and City bylaws.
2. The impact of the proposal on the existing tenants in terms of their existing leases and their ability to offer to purchase the units they occupy or to relocate into comparable and suitable rental premises if unable to purchase their existing units.
3. The views of the affected tenants as established by a formal canvass by the City staff or agents of the City. A standard form available from the City's Urban Development Division may be used for this purpose.
4. Any proposals involving upgrading of the buildings or changes affecting open space, landscaping, common facilities, off-street parking and loading spaces. The ownership and management of the off-street parking and loading facilities should be specifically addressed.
5. Any other conditions peculiar to the circumstances of the conversion proposal and requiring special measures to be taken as a condition of approval.
6. All commercial or industrial strata conversion applications must be compatible with the City's bylaws regulating the use and development of the land, and the servicing standards appropriate to the site.



COMMON AREA

PRELIMINARY
STRATA LOT PLAN

		PACIFIC ARCHITECTURAL INC. 3431 NO. 3 ROAD RICHMOND B.C.	
Project: STRATA LOT PLAN		Client: TOM LEE MUSIC CENTRE 3431 NO. 3 ROAD RICHMOND B.C.	
Drawing No: 03-07		Date: OCT 08/03	
No. Date: AS 24/03/2004		Record of Issuance:	
No. Date:		Record of Revision:	
No. Date:		Record of Issue:	
No. Date:		Record of Issue:	