

Report to **Development Permit Panel**

To:

Development Permit Panel

Date:

February 14, 2007

From:

Jean Lamontagne

File:

DV 06-351211

Re:

Director of Development

Application by Ron Johnston - Contura Building Corporation for a

Development Variance Permit at 12033 Riverside Way

Staff Recommendation

That a Development Variance Permit be issued which would vary the provisions of the Zoning and Development Bylaw No. 5300 to increase the maximum building height of the "Business Park Industrial District (I3)" from 12 m (39.4 ft.) to 14 m (46 ft.), in order to permit construction of a three-storey office building at 12033 Riverside Way.

Jean Lamontagne

Director of Development

CL:blg Att.

Staff Report

Origin

Mr. Ron Johnston, of Contura Building Corporation, has applied to the City of Richmond for permission to vary the maximum building height from 12 m (39.4 ft.) to 14 m (46 ft.) to construct a three-storey office building at 12033 Riverside Way on a site zoned "Business Park Industrial District (I3)". The site is currently a vacant lot at the northeast corner of No. 5 Road and Riverside Way (see **Schedule A**).

Background

A Development Variance Permit was issued for the site in 2000 to vary the parking requirement for a proposed three-storey restaurant and office development. No Building Permits were ever issued for the proposed development and the Development Permit expired in 2002.

In October, 2006, the applicant submitted a Building Permit application for a new proposal at the site, and it was during the initial building plans review that the need for the building height variance was identified. The Building Permit review is still in progress at this time.

The applicant has submitted an application for a Development Variance Permit for a three-storey office building (without a restaurant). The rationale provided by the applicant in designing the building higher than that permitted in the zoning district is to provide a more attractive interior floor plan and enhanced exterior building design though an articulated building height.

A staff report regarding the height variance as well as parking variances was initially scheduled for review by the Development Permit Panel in January, 2007, but was withdrawn because the applicant wished to revise the building design and site plan. Amendments to the parking requirements in the Zoning Bylaw, adopted by Council on January 15, 2007, eliminated the need for the parking variances on the site.

Surrounding Development

The subject property is zoned Business Park Industrial District (I3) and is located in the Shellmont Area of Richmond near the main intersection of No. 5 Road and Steveston Highway. The surrounding area is mainly a mix of business park and commercial land uses.

- To the north, are two (2) remnant properties zoned Agricultural District (AG1) that are within the Agricultural Land Reserve (ALR), but which are not being farmed and which are designated as *Business and Industry* in the City's Official Community Plan (OCP). Also, there is a property zoned Business Park Industrial District (I3) to the northeast that contains large warehouses and office space. Further to the north, is a commercial shopping centre zoned Comprehensive Development District (CD/161).
- To the east, across Featherstone Way is a property zoned Business Park Industrial District (I3) that contains a large office building including warehouse.
- To the south, across Riverside Way is a property zoned Business Park Industrial District (I3) that contains an office building including warehouse.

• To the west, across No. 5 Road is the Keg Restaurant zoned Business Park Industrial District (I3) and Ironwood Shopping Centre immediately to the northwest zoned business Park Industrial District (I3) and Community Commercial District (C3).

Development Information

Please refer to attached Development Application Data Sheet (**Attachment 1**) for a comparison of the proposed development data with the relevant bylaw requirements.

Staff Comments

The proposed scheme attached to this report has satisfactorily addressed the significant urban design issues and other staff comments identified as part of the review of the subject Development Variance Permit application (**Plan # 1 through Plan # 3**). In addition, it complies with the intent of the applicable sections of the Official Community Plan (OCP) and is generally in compliance with the requirements of the Business Park Industrial District (I3) except for the zoning variance requested herein.

Analysis

Conditions of Adjacency

- The applicant revised the site plan to incorporate a 1.2 m (4 ft.) high solid Cedar fence along the north property line to provide screening between the proposed development and the neighbouring properties to the north.
- A minimum 3 m (10 ft.) wide landscape buffer is proposed along all the road frontages of the subject property, in accordance with the Zoning Bylaw and the OCP's Industrial Guidelines.

Site Planning, Landscape Design and Open Space Design

- The main entrance to the proposed building and the main vehicle access to the site is oriented toward the east from Featherstone Way. A secondary vehicle access along the south property line of the site is limited to right-in/right-out as this section of Riverside Way is limited to one-way westbound traffic.
- Planting islands have been incorporated into the parking lot to soften the building and parking lot appearance and improve site permeability.
- A combination of trees and shrubs are proposed along the west and south property lines of the site and at entry driveways to form a canopy over the sidewalks and driveways.
- Landscaping along the east side of the site is limited to shrubs due to a City sanitary sewer Right-of-way, although trees have been proposed at the south-east corner and in planting islands that extend into the parking lot.
- A perimeter walkway around the proposed building has been extended to Riverside Way to improve pedestrian circulation and access to/from the public sidewalk.
- Stamped concrete has been incorporated to provide surface differentiation from the rest of the paved parking area adjacent to the building's main entrance; this has also been provided at driveway entrances to the site to emphasize a change in circulation speed.
- A bicycle rack has also been added near the main entrance of the proposed building to provide some choice in transportation mode to/from the site since the site is on a proposed future bicycle route and is accessible by public transit.

Architectural Form and Character

- Building materials consist of painted concrete with various reveals, sills, and recesses, black aluminum storefront framing, with substantial glazing provided along all the building elevations to enhance building appearance.
- Entry canopies are provided above each building entrance to provide weather protection.
- The building has been designed to provide substantial articulation to the eastern and southern facades through a combination of varying setbacks and parapet treatment.
- The west façade has been revised in response to staff comments to ensure consistency in architectural expression on the three (3) main sides of the proposed building and to reinforce the building entrance oriented towards No. 5 Road.

Zoning Compliance/Variances

Building Height

The applicant has requested a variance to increase the maximum building height from 12 m (39.4 ft.) to 14 m (46 ft.) in order to facilitate the proposed building.

Staff have worked with the applicant to revise the site plan, landscaping and building elevations as described previously. The majority of the building is approximately 12.3 m (40.4 ft) in height with an increased parapet height being provided in certain locations to enhance building appearance. Staff support the proposed variance as the building is setback substantially from adjacent development, is of a high-quality design that is consistent with the OCP's Industrial Development Permit guidelines, and site landscaping provided along the road frontages and internally within the parking lot enhance the overall proposal design while visually breaking up the building mass.

Comments from the Public

Table 1 outlines the nature of three letters and one phone call received from the public in regards to this application.

Table 1. Summary of Public Comments

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From	Location	Date	Comments	
Nathan Allan Glass	12011	Phone Call – Nov 15, 2006	Expressed concerns about:	
Studios Inc	Riverside Way	Letter – Dec 12, 2006	• the impact to the ambience	
(Attachment 2)		Letter – Jan 22, 2007	of area, surrounding views	
			and open space;	
			the impact to views from	
			their site and the potential	
			their property value to	
			decrease;	
			• increased traffic flow in an	
			area already severely	
			impacted by traffic at peak	
			times.	
Global Collective	11300	Letter – January 16, 2007	Expressed concerns about:	
Design	No. 5 Road		obstruction of views from	
(Attachment 3)			their site;	
			the impact to aesthetics of	
			the street.	
The Beedie Group	11188	Letter – January 22, 2007	Expressed no objections to the	
(Attachment 4)	Featherstone		height variance application.	
	Way			

The subject property is already designated for business and industrial uses in the Official Community Plan (OCP) and there is no change in land use proposed for this site, which would otherwise affect traffic flow in the area. The number of parking spaces provided on-site meets the parking requirements for office use within the zoning bylaw. In addition, a covenant prohibiting vehicle access to and from No. 5 Road was previously registered on title, which assists in addressing traffic concerns.

The proposed building will be separated from 12011 Riverside Way by both the setback at the subject site and the setback at 12011 Riverside Way and by the width of the Riverside Way road allowance for a total distance of approximately 25 m (82 ft.).

Site landscaping is provided along all road frontages and internally within the parking lot enhances the overall building design and visually breaks up the building mass.

Flood Covenant

A flood covenant was previously registered on title therefore staff are not requiring one to be registered at this time.

Conclusion

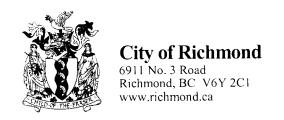
The proposed development provides a high-quality building design and landscape scheme that fits into the current context. The applicant has satisfactorily addressed the significant urban design issues and other staff comments identified as part of the application review. The proposed development complies with the intent of the applicable sections of the Official Community Plan (OCP) and is generally in compliance with the requirements of the Business Park Industrial District (I3), except for the variance discussed. On this basis, staff recommend support of this application.

for Cypthia Lussier

Planning Assistant

(Local 4108)

CL:blgl



Development Application Data Sheet

Development Applications Division

DV 06-351211 Attachment 1

Address: 12033 Riverside Way

Applicant: Ron Johnston - Contura Building Corporation Owner: Sherwood Investments Ltd

Planning Area(s): Shellmont

Floor Area Gross: 3,489 m² (37,560 ft²) Net: 3,140 m² (33,803 ft²)

	Existing	Proposed
Site Area	5,279 m (56,825 ft ²)	No change
Land Uses	Vacant	Riverside Business Centre (3-storey office building)
OCP Designation	OCP Generalized & Specific Land Use Map – Business and Industry	No change
Zoning:	Business Park Industrial District (I3)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	1.0	.66	none permitted
Lot Coverage:	Max. 50%	Approx. 22%	None
Road Setbacks:	Min. 6 m (19.685 ft ²)	Min. 6 m (19.685 ft ²)	None
Height (m):	Max. 12 m (39.370 ft.)	12.3 m (40.4) to 14 m (46 ft.)	variance requested
Off-street Parking Spaces – Office Use:	3 per 100 m ² (1,076.43 ft ²) of gross leasable floor area = 94	94	None
Off-street Parking Spaces – Small Spaces	Max. 30% = 28	28	None
Off-street Parking Spaces – Accessible:	2% = 2	2	None

December 12, 2006

Cynthia Lussier
City Of Richmond
Development Application Department
6911 No 3 Road
Richmond, B.C.
V6Y 2C1

Re: File - DV-06-351211 12033 Riverside Way, Richmond, B.C.

To Whom It May Concern:

This letter is to inform the development department of the City Of Richmond that we have concerns with the proposed building across the street from our location; we are located at 12011 Riverside Way.

I would like it noted on file that we have great concerns with the proposed height of this building, this 3-story structure will ultimately affect the beautiful north mountain views that we currently have, potentially decreasing the value of our property.

We are also very worried about the increased traffic flow from a building of this size. This Riverside area is incredibly busy already, without adding more businesses with many employees and customer's vehicles. Traffic flow must be considered and reviewed, we are at a complete stand still in this area with the existing Riverside businesses, the industrial areas to the West of us, Ironwood, and the new complex on the North/East corner of # 5 Road & Steveston Hwy.

We look forward to being further informed by the City as to future meetings and changes to this development project.

Thank you,

Sincerely,

Annylei from

Jennifer Kirk

C/O: Barry Allan Meppelink 639056 BC Ltd. 12011 Riverside Way Richmond, B.C, V6W 1K6 V6W 1K6 DECETVE 1 000 1 1 2000 By: Ch



January 22, 2007

City of Richmond Director, City Clerk's Office

Re: 12033 Riverside Way (see attached notice)

Dear Madam or Sir,

DW GJ KY DAW DB WB

DV 06-351211

I am writing you with my concern, on behalf of the Applicant's intent, to vary provisions of the Zoning Bylaw No. 5300. Point 1 of the intent to vary states an "increase from 12m to 14m height" of the proposed building.

I am very concerned about such a proposal as my building is directly across the street from the applicant's building. My address is 12011 Riverside Way, and my office/studio/and warehouse face directly towards the mountains and the building in question. I own and work out of my location, and the best feature of my building is a beautiful, unobstructed view of the mountains. Not only is it an incredible and pleasing benefit to our work environment, but it also affects the value of my location.

I was very aware and considerate of my neighbor, when constructing my building. I stayed with building guidelines and made every attempt to be as unobtrusive as possible, particularly keeping the height of my structure at a minimal height. My building is designed with a very open view to the north, with the majority of our windows providing a clear view of the mountains.

I have always known that eventually, a building would be constructed. However, I was never informed by the developer of this land, that over height buildings were permitted.



I would even kindly invite someone from your office, to visit our location, to see first hand how this new building will affect our view. I'm not totally sure about the height of my building, but I believe it is at maximum, 28' high. It may even be shorter. Just now, I'm trying to picture how a 12m high building would look, and even that height is going to be enormous. I am strongly opposed to anything higher than 2 stories.

An over height structure would destroy our view. To have it placed at the most northerly location will block the view of other buildings in this development. I'm not against anyone constructing a building; I would just hope that the "blockage of our view" might be taken into consideration.

I was born and raised in Richmond, I have worked here for 30 years. I plan on being in this location for at least another 20 years, before my son's take over. I have contributed to our Richmond tax base for many years and I would hope that as a resident worker, my concerns might be heard over people who may not live in Richmond, and/or ever have worked in Richmond.

Sincerely,

Barry Meppelink, owner Nathan Allan Glass Studios Inc. 12011 Riverside Way Richmond, BC V6W 1K6



Barry Allan Factor of the second reserved

110 - 12011 Riverside Way Richmond, BC CANADA V6W 1K6 Ph: 604/277.8533 ext. 225 Fax: 604/277.1515 bm@nathanallan.com www.nathanallan.com



Phone 604.277.9963 Fax 604.277.3177 Toll Free. 1.888.663.7236

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January 16, 2007

David Weber - Director City Clerk's Office Planning and Development Department City of Richmond 6911 No. 3 Road Richmond, B. C. V6Y 2C1

Re: Permit DV 06-351211 - Bylaw 5300

Dear Mr. Weber:

Please be advised that we are writing in regards to the Notice of Application for a Development Variance Permit for 12033 Riverside Way.

We are opposed to the first paragraph – to increase the maximum building height of the "Business Park Industrial District (13)" from 12 M (39.4 ft) to 14 m (46 ft). We feel that increasing the building height by 7 feet will obstruct our view and will negatively alter the esthetic of the Riverside Way.

We hope you will take our concerns into consideration as you determine whether or not to grant these provisions.

Thank you for your time.

Glenn Taylor

President

Global Collective Design Inc.



ATTACHMENT 4



BEEDIE CONSTRUCTION LTD ... KEBET HOLDINGS LTD. BEEDIE CANTALIAM KERY VENTURES LP - SABORE DA DUS DEVELORMENTS DD. - PARKER SIRES TERMINALS

5367 KINGSWAY BURNAHY B.C. V5H 2G1 -WEB, www.beediegroup.co PHONE ((64) 415-3321 FAX (604) 482-7849 E-MAL, beorierábaediograup.ca

DW GJ SS KY DAW D6 W6

06.357211

File: 3122

January 22, 2007.

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

Attention: David Weber, Director, City Clerk's Office

Dear David:

Re: Development Variance - 12033 Riverside Wav

The Beedie Group, owners of the adjacent property addressed at 11188 Featherstone Way, wish to advise that we have no objections to the variances requested by Contura Building Corporation.

However we would expect Richmond's Bylaw Enforcement Division to investigate our tenants' complaints should the reduced parking requirement negatively impact our property.

Yours truly,

THE BEEDIE GROUP

On behalf of

KERY VENTURES LIMITED PARTNERSHIP

George Havhoe

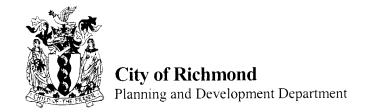
Vice-President, Property Management

GH/km:is

СС

Peace Bridge Brokerage Limited Fresenius Medical Care Canada Torre & Tagus Designs Limited Opus Corporation DECETVE)

S. Property Management General Correspondence Wetter to City of Richmond re Development Variance doc



Development Variance Permit

No. DV 06-351211

To the Holder:

RON JOHNSTON - CONTURA BUILDING CORPORATION

Property Address:

12033 RIVERSIDE WAY

Address:

C/O RON JOHNSTON

CONTURA BUILDING CORPORATION

2021 - 134TH STREET

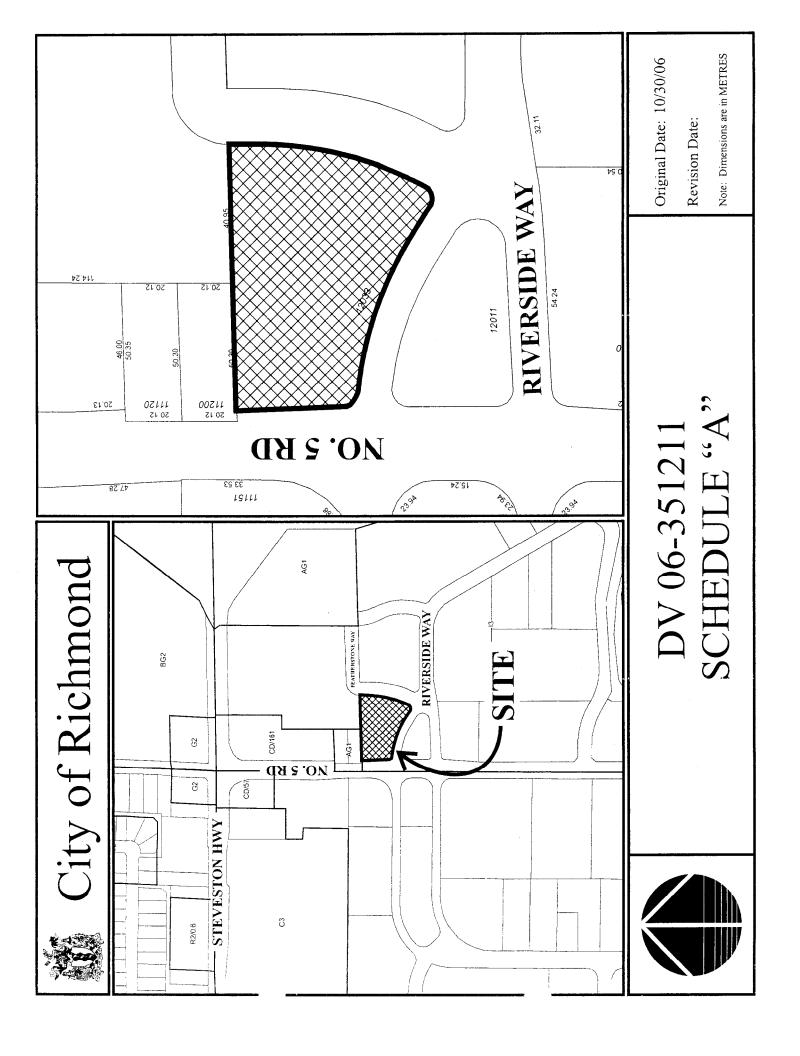
WHITE ROCK, BC V4A 9N8

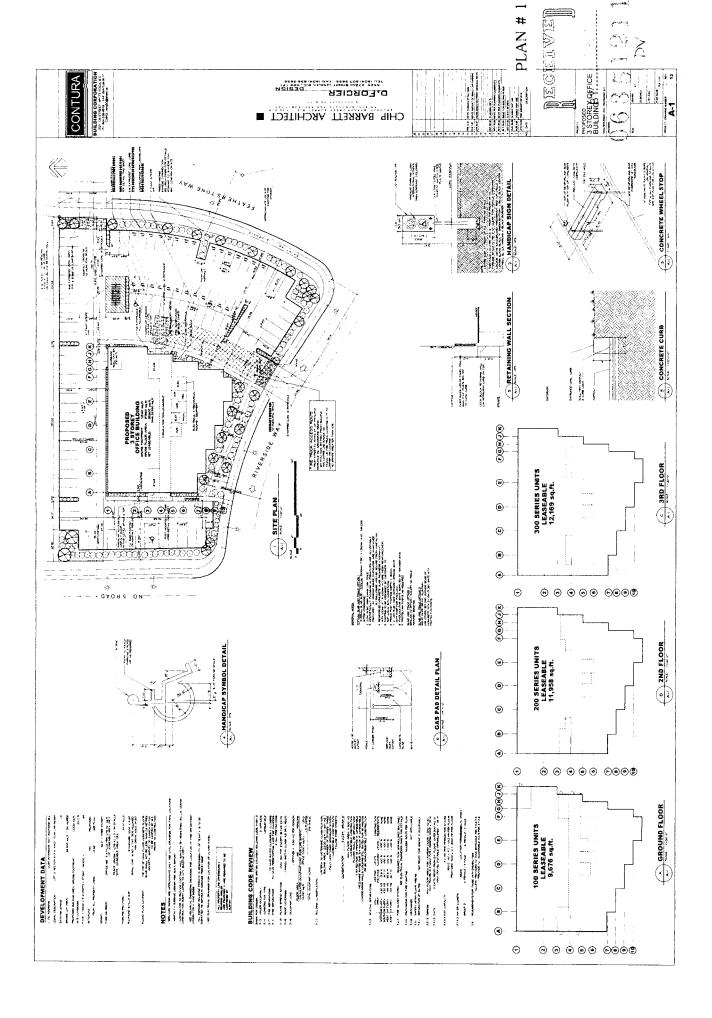
- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied by this Permit.
- 2. This Development Variance Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. The "Richmond Zoning and Development Bylaw No. 5300" is hereby varied as follows:
 - i to increase the maximum building height of the "Business Park Industrial District (I3)" from 12 m (39.4 ft.) to 14 m (46 ft.);
- 4. This Development Variance Permit applies to the proposed development as indicated in Plan # 1 through Plan # 3. All substantial renovations, building alterations, extensions or reconstruction shall be undertaken in accordance with the existing zoning.
- 5. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
- 6. If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse.

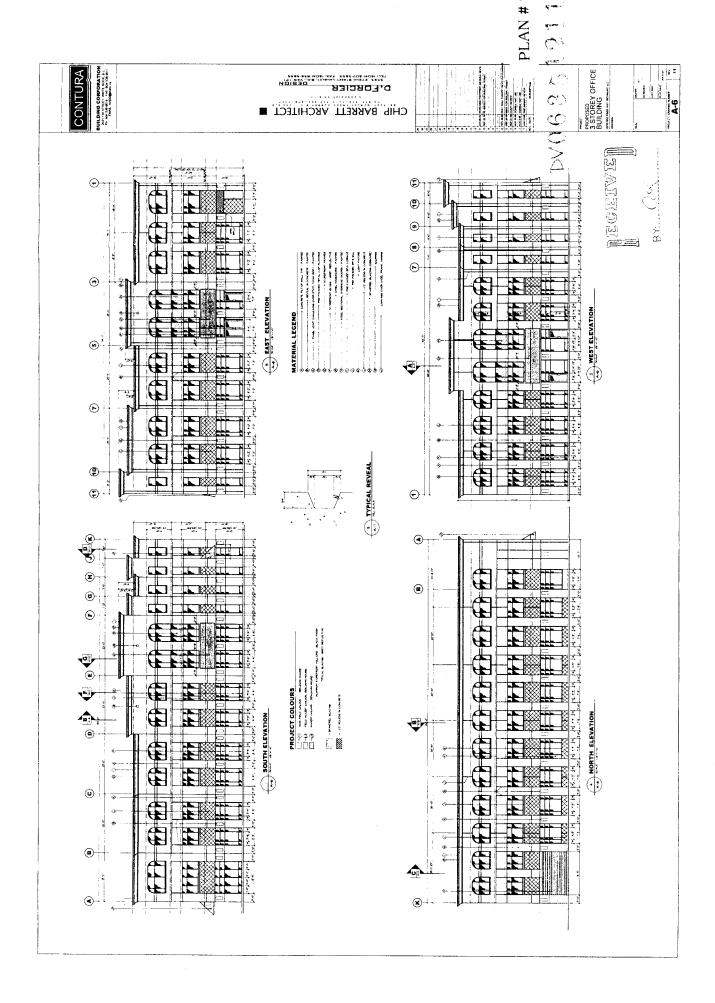
This Permit is not a Building Permit.

AUTHORIZING RESOI DAY OF ,	LUTION NO.		ISSUED BY THE COUNCIL THE
DELIVERED THIS	DAY OF	,	

MAYOR

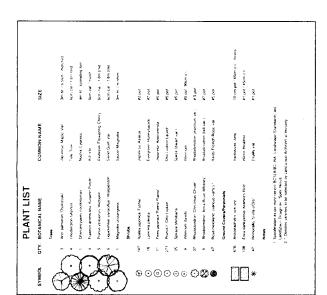












3 STOREY OFFICE BUILDING RICHMOND, B.C.

PROPOSED

PLAN # 3 0635121

