

## Report to **Development Permit Panel**

To:

**Development Permit Panel** 

Date:

July 11, 2003

From:

Joe Ercea

File:

DP 03-223156

Manager, Development Applications

Re:

Application by Paul Leong Architect Inc. for a Development Permit at

7360 Heather Street

#### Manager's Recommendation

That a Development Permit be issued for a property at 7360 Heather Street that would:

- 1. Allow the construction of 10 townhouse units on a property zoned Comprehensive Development District (CD/130); and that would:
- 2. Vary the regulations in the Zoning and Development Bylaw to:
  - reduce the side yard setback on the north side for two buildings from 3 m (9.843 ft.) to 1.29 m (4.25 ft.), and
  - reduce the setback from the east right-of-way from 6m (19.685') to 1m (3.28') for entry stairs.

Manager, Development Applications

AJ:blg Att.

#### Staff Report

#### Origin

Paul Leong Architect Inc., on behalf of AKJ Enterprises Ltd., proposes to build ten (10) units immediately south of another townhouse site being constructed by the same developer. The two sites, although separate lots and separate strata corporations, have cross-access agreements for shared driveways, mailboxes and garbage/recycling facilities. The final reading of the rezoning to Comprehensive Development District (CD/130) is expected on July 28, 2003.

During the rezoning process, the applicants agreed to contribute \$10,000 towards traffic-calming on Heather Street and \$10,000 towards park development in lieu of building an indoor amenity space on-site.

A copy of the development application filed with the Urban Development Division is appended to this report.

#### **Development Information**

Site Area:

1,769.93 m<sup>2</sup> (19,052 ft<sup>2</sup>)

Building Area:

1,115.265 m<sup>2</sup> (12,005 ft<sup>2</sup>)

Site Coverage:

30% Allowed

30% Proposed

F.A.R.:

0.63 Allowed

0.63 Proposed

Parking:

17 Spaces Required including 2 visitors

22 Spaces Proposed including 2 visitors

#### **Findings of Fact**

Guidelines for form and character of Development Permits appear in Bylaw 7100, City Centre Plan and the McLennan South Area Plan, part of the Official Community Plan.

The following is a summary of the most pertinent guidelines, with areas of compliance shown with a  $\square$  and staff comments in **bold italics**.

#### Analysis of the McLennan South Guidelines

- 1. General guidelines for transition areas:
- Setback and landscape between housing types/neighbourhoods.
- ☑ Entry portals, etc. for transition. No vehicle gates.
- Edges between properties to be semi-private but open (no high fences).
- 2. General architectural guidelines:

Buildir	ng scale and form:					
	Single-family form and massing.					
Ø	Reduce building scale by varied housing types and design.					
Ø	Reduce the apparent height of buildings.					
v	Balconies inset - no large projecting balconies on street-front.					
Roof tr	reatment:					
Ø	Pitched forms visible from the street.					
	Decorative elements such as dormers to complement the pitched form.					
Ø	Re-emphasize the pitch at the ground floor level, such as at front doors.					
	Materials should be natural or west-coast. The roof material is asphalt.					
Windov	ws:					
$\square$	Residential scale, operable, and with strong identity.					
	Not flat, but bays, box widows, French balconies, trim, shutters, or similar features.					
Ø	Visible at sidewalk level and clear glass for surveillance.					
Ø	Traditional character, not bubbles or skylights visible from the street.					
Entran	ces:					
Ø	Direct grade access for front doors.					
Ø	Visible from the street.					
Ø	Emphasize ground-level entries – no two-storey entries.					
Ø	Minimize exterior staircases, except along arterial roads.					
Materio	als:					
V	Use high-quality natural materials, or at least replica materials with wood trim.					
Ø	Obviously synthetic materials (plexi-glass, etc.) should not be visible on the outside of buildings.					
Colours	s:					
Ø	Use muted, Heritage colours.					
Ø	Less than 50% of any wall area to be a colour which "draws attention" to the wall.					
Ø	Vary colours to reinforce smaller components and reduce the apparent scale of buildings.					

#### Intent:

General landscape guidelines:

3.

	To preserve wood-lots and hedgerows having mature trees. The applicants removed 29 trees larger than 0.2m in diameter, and retained only two existing trees on the site. Trees in the future "ring road" right-of-way will be preserved as long as possible, and the applicants will clear Blackberries and inspect/remove dangerous trees or branches.				
	Use lush vegetation and native plants to promote wildlife habitat.				
Tree pi	reservation:				
	Plan open spaces based on a tree survey, and group buildings around these spaces.				
$\square$	Avoid fill and grading on existing tree roots, or use tree wells.				
$   \overline{\mathcal{A}} $	Tree wells to be a minimum of 1.5 x the diameter of the tree's drip-line.				
Commo	on open space:				
Ø	Co-ordinate contiguous blocks of existing mature trees on adjacent sites. See comments re. preservation of the future road r.o.w.				
	Encourage privately-owned, publicly accessible open space (POPAS). n/a.				
☑	Landscape front yards to enhance the streetscape.				
Drivew	pays:				
	Locate and construct driveways and buildings so as to preserve existing trees.				
Ø	Use lanes for vehicle access, or else screen vehicle entrances from the road.				
Ø	No driveway access to arterial roads or entry roads.				
Retaini	ing walls:				
$\square$	Maximum height of retaining walls on street frontage to be 1 m, except for tree wells for existing trees.				
Water o	and habitat:				
	Enhance or create wildlife habitat using ponds or wetlands with native aquatic and terrestrial plants.				
5.	Detailed guidelines for Area "B1":				
Buildin	Building types:				
Ø	$2\ \ensuremath{^{1\!\!/}\!_{2}}$ or 2-storey townhouse, one-storey accessible townhouses, three-storey, duplex, triplex and single detached units.				
Manag	ing transitions:				
	Tall coniferous trees in back yards.				
	6 m setback from General Currie Road, with formal planting. n/a.				
Archite	ectural Guidelines				
Buildin	g scale:				

1008160

Ø	Avoid overshadowing of the natural realm.					
$\square$	Minimum 4 m between buildings.					
$\overline{\mathbf{A}}$	Minimum 6 m setback from the ring road.					
Ø	Maximum 6 units in a building, and 25 in a cluster of buildings.					
Balcon	ies, and private open spaces:					
$\overline{\square}$	Generally discouraged.					
Ø	Along lanes, balconies may be on the second floor, if recessed.					
Materio	als:					
	See general guidelines, but brick is discouraged, and stucco should be minimized.					
Landsc	ape Guidelines					
	Plant Materials and Open Spaces:					
Ø	50% evergreen plants.					
Ø	Soften building edge along the street with a filigree of plants.					
V	Soften buildings along the street edge with vines and shrubs.					
	One columnar tree per 10.7 m of frontage, and tall columnar trees in side yards.					
Parking	g and driveway treatment:					
	Parking screened with 2 m hedge or trellis.					
	Retaining Walls, Planter Walls and Fences. n/a.					
	Hedges maximum 1 m at the property line. The Cedar hedge at the south property line was increased to 3 m at the adjacent owners request, however it is interspersed with deciduous trees so as not to overly shade the yards (see landscape plans).					
Ø	Fences not allowed in front setback.					
Equital	ble Access (from the Multi-Family Design Guidelines)					
	Units should be designed to be universally accessible in all multiple family developments, or be adaptable for conversion. Units are three storey and the applicants were unable to design them to be adaptable for conversion. The developer has offered to design accessible units in another					

#### **Staff Comments**

project in the future.

The following are staff comments, with the applicant's response in **bold italics**.

#### **Urban Development - Design**

This infill project nicely compliments the neighbouring project and the shared access/open space helps to create an efficient layout.

We confirmed that all but two (2) of the trees on the site were removed prior to the Development Permit application, which is contrary to City policy. The Official Community Plan (OCP) Development Permit Guidelines require 58 large calliper replacement trees two (2) for every one (1) cut. The remaining two (2) trees should be fenced as soon as possible. We note that the replacement trees are now shown on the landscape plans.

The trees in the "future ring road" area should be retained for as long as possible, for the enjoyment of the residents. The area should be cleared of blackberries and the trees inspected, so that any dead trees or limbs can be removed where they pose a safety hazard. The developer should complete this work prior to final landscape inspection and occupancy. *The applicants have agreed to retain the trees for as long as possible.* 

The two (2) colour schemes are a plus, and should be annotated on the drawings. *The colours are now shown on the plans*.

#### **Urban Development – Utilities**

Developer needs to retain a Civil Engineer to determine a cost for possible road construction along the entire east edge of the site. From this agreed upon cost, a Servicing Agreement will be drawn up and a Letter of Credit taken as security until it is determined that either the road needs to be built or is no longer required (same as was done for 7322 Heather Street). Developer is also required to enter into a Servicing Agreement with the developer of 7322 for Heather Street frontage improvements; this design is complete. Access via cross-access. No other concerns. *The applicants have agreed.* 

#### **Building Approvals**

Ensure all building setbacks comply with Zoning requirements or a variance is required. Architect to ensure fire fighting access and hydrant location complies with code. The architect has reviewed the hydrant locations and found them to be in accordance with the Code.

#### Fire Prevention, Detection and Protection

As usual, the Fire Department access roadways to the buildings shall be 7.3 m clear width. Building Code minimums are not suitable for the emergency response tactics and equipment in Richmond. Peaking at Building Code minimums for emergency access road width is not acceptable. We note that the plans seem to provide sufficient width for truck access, and the aprons in front of the garages are suitable for stabilizers on the sides of the trucks, thus providing the requested 7.3 m width.

Grass-crete or other open pavers is not an acceptable road surface. Asphalt, concrete or suitable solid pavers acceptable if roadway able to support weight and punch-effect of fire-fighting vehicles, turn-around facility as required, etc.

Site services designer shall submit fire hydrant layout and water supply calculations to the Fire Department for review and possible acceptance prior to issuance of the Building Permit.

#### **Development Coordinator**

At the December 16, 2002 Public Hearing, tree removal on this site and privacy/screening along the south boundary for the lots fronting General Currie Road became an issue. Via the Development Permit, Joe Erceg, Manager of Development Applications, has asked that staff ensure that the developer installs a screen fence, reviews potential overlook from south facing windows and plants appropriately located trees and shrubs for privacy. See December 16, 2002 Public Hearing Minutes for further details. Plans now indicate 18 Thuja plicata "Excelsia" at 3.5 m height along the south property line along with a 10 cm Norway Maple and other landscaping.

Note that prior to submitting the application to Council, the City will require a Letter of Credit for the landscaping.

#### **City Centre Planner**

Rezoning (RZ 02-215251) requires a 10 m wide public rights-of-passage right-of-way (e.g. 8 m + 2 m) be provided along the site's rear property line for future road. The 2 m strip will likely not be required for road and will be discharged, so building setbacks should be measured from the 8 m line, not from the 10 m (e.g. 8 m + 2 m) line. Because the zoning does not distinguish between public rights-of-passage right-of-way secured for the long-term versus ones like the 2 m strip that are secured "just in case", vary the setback at Development Permit stage.

- 1. The west and east buildings should both be set further back (about 10 m) to increase the yards and provide more variety along the streetscape. The applicants have set the building 8m from the property lines, which has generally achieved the objective of providing a varied setback.
- 2. The yards of the east building show fencing running along the edge of the 8 m public rights-of-passage right-of-way. If the 10 m right-of-way is required for road, the fence will have to be torn out (and the City does not want to have to discuss this with property owners). If only the 8 m right-of-way is used for road, the fence will be right on the back of the sidewalk which would be unattractive. If the yards must be fenced, the fences should be not farther east than the edge of the 10 m right-of-way. The applicants have agreed to move the fence back 2m.
- 3. At the rezoning stage, the following items were identified in the staff report as being issues that special attention should be paid to: Enhancing the integration of the subject development with 7322 Heather Street, especially in the design of their shared open space; pedestrian access to the subject site's rear units; and the project's massing and character. (Note, in this regard, staff support relaxing the side yard setback of the subject development along the property line shared with 7322 Heather Street). The applicants have made the necessary changes to the plans.

#### **Advisory Design Panel**

The comments of the Panel on April 23, 2003 were as follows:

- "space was tight around the area where the common services enter the site, especially hydro and telephone;
- use land dedication for property's benefit, don't give away land before it is necessary (the treed area);
- pedestrian circulation is only addressed by the east-west parkway, there needs to be more thought given to pedestrian circulation possibly south/north;
- narrow strips close to the fence on the south property line at the ends of the stub roads needs landscaping treatment."

The Chair stated that overall, this was a good project. In response to a query from the Panel, Mr. Leong stated that the project's servicing had been designed/approved without any problem. He stated that a north/south pedestrian walkway had not been planned because of motor traffic in this area. The pedestrian walkway had been sited east/west because of open space locations.

The Panel approved the project subject to consideration of the above comments. The applicants have generally responded to the panel's comments. In regard to the north south circulation, they have responded that the property is only 63' wide, and north-south pedestrian circulation is not warranted.

#### **Analysis**

This project was anticipated when the project to the north was constructed, and the ten (10) units will round out that development. The applicant unfortunately prematurely cleared a number of mature trees on the site and therefore compensation planting was required.

The neighbour to the south had privacy concerns which have been addressed in the landscape planning by a combination of evergreen and deciduous trees of a larger-than-usual planted size. The architecture and landscaping are generally of good quality and in keeping with the guidelines.

The parking exceeds the bylaw requirement, and another opportunity to down play the effect of the private automobile is lost. In addition, the two-car garages take up most of the ground floor space and generally precludes the design of habitable area at grade. As a result, the buildings are not universally-accessible.

A variance is required to allow two (2) of the buildings to be moved closer to the north property line. In addition, because of the 2m right-of-way on the east side, a variance is required for the entry stairs. The variances have minimal impact on the townhouses to the north since the relationship is side-yard to side-yard, similar to a single-family situation. Similarly, there is no significant impact on the east side, because it is a future road allowance.

#### Conclusions

Paul Leong Architect Inc. has applied for a townhouse project immediately south of and integrated with the larger site to the north. The plans generally conform to the guidelines and bylaws, except that the parking exceeds the bylaw requirement and makes it difficult to design

buildings which are universally-accessible. There is are minor setback variances required, but staff have no objections to the variances.



Alex Jamieson

Planner 2 - Urban Design

AJ:blg

There are conditions to be met:

Prior to forwarding this application to Council, a Letter of Credit is required for landscaping; and

Prior to a Building Permit:

- the existing trees shall be fenced;
- the applicant must provide evidence that the existing trees will be continuously monitored by a qualified professional during construction; and
- the developer must enter into a Servicing Agreement.



# Development Permit Application Development Applications Department

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

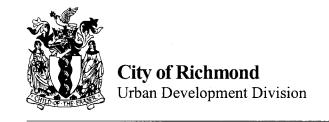
Please submit this completed form to the Zoning counter located at City Hall. All materials submitted to the City for a *Development Permit Application* become public property, and therefore, available for public inquiry.

Please refer to the attached forms for details on application attachments and non-refundable application fees.

Property Address(es):	7360	Heather	Street	, Richmon	d, BC.
Legal Description(s):	Lot S	outh Half	9, Block	. B, Jea	tion 15
	Block	4 , Nor	th Range	6, Pla	n 1207
Applicant: Paul		Architec			
Correspondence/Calls to	be directed t	to:			
Name: Panl	Leong				
Address: # 20	- 28	88 West	8th A		
Vancou	ier, e	о C			N5
Tel. No.: 604 -	•			Postal Code	
Business				Residence	0 B/CA
Pla_ E-mail	inc @	netcom.c	<u>م</u> F	604-81	9-8650
Property Owner(s) Signat	ure(s):	10			K
or Authorized Agent's Sign		Paul LEO			
	F	Please print name			
For Office Use					
Date Received:	m 22/1	53	Application Fe	e: <u>\$2,81</u>	25.
File No.: 03-22 Only assign if applic	3156 cation is comple	ete	Receipt No.:	pd.\$3,400.	00 \$ 17-00043 5°
1		<b>5</b> - 1 10			

\* chaque for \$3,400.00 was already made out.

read to send applicant \$535.00 refund



### **Development Permit**

No. DP 03-223156

To the Holder:

PAUL LEONG ARCHITECT INC.

Property Address:

7360 HEATHER STREET

Address:

C/O PAUL LEONG

#201 - 288 WEST 8<sup>TH</sup> AVENUE VANCOUVER, BC V5Y 1N5

- 1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development 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 or supplemented as follows:
  - a) The dimension and siting of buildings and structures on the land shall be generally in accordance with Plan #1 attached hereto.
  - b) The siting and design of off-street parking and loading facilities shall be generally in accordance with Plan #1 attached hereto.
  - c) Landscaping and screening shall be provided around the different uses generally in accordance with the standards shown on Plan #2 to 5 attached hereto.
  - d) Roads and parking areas shall be paved in accordance with the standards shown on Plan #1 and 2 attached hereto.
  - e) Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
  - f) Subject to Section 692 of the Local Government Act, R.S.B.C., the building shall be constructed generally in accordance with Plans #6 to #8 attached hereto.
- 4. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder, or should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived. In addition to other remedies, if existing trees die or are damaged during construction, the City may cash the letter-of-credit in an amount equal to the value of the trees.

# **Development Permit**

No. DP 03-223156

				NO. DP 03-223150			
To the Holder:		PAUL LEONG ARCHITECT INC.					
Property Address:		7360 HEATHER STREET					
Address:		C/O PAUL LEONG #201 - 288 WEST 8 <sup>TH</sup> AVENUE VANCOUVER, BC V5Y 1N5					
The	re is filed accordingly:						
	An Irrevocable Letter	of Credit in the amou	ınt of \$24,000.				
(	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.						
			ion permitted by this Perre and the security shall be				
	Γhis Permit is not a Build	ling Permit.					
	THORIZING RESOLUT Y OF ,	ION NO.	ISSUED BY THE COU	JNCIL THE			
DEL	LIVERED THIS D	AY OF ,					

MAYOR

