



To: Planning Committee

Date: September 8, 2003

From: Joe Erceg
Manager, Development Applications

File: RZ 03-229096

RE: APPLICATION BY LONDON LANDING DEVELOPMENT CORPORATION TO AMEND "COMPREHENSIVE DEVELOPMENT DISTRICT (CD/115)" AND TO REZONE 13160 PRINCESS STREET AND 6431 PRINCESS LANE FROM "LIGHT INDUSTRIAL DISTRICT (I2)" TO "COMPREHENSIVE DEVELOPMENT DISTRICT (CD/115)" AND TO REZONE A PORTION OF THE FORMER CN RAIL RIGHT-OF-WAY FROM "AGRICULTURAL DISTRICT (AG1)", "LIGHT INDUSTRIAL DISTRICT (I2)" AND "COMPREHENSIVE DEVELOPMENT DISTRICT (CD/112)" TO "SCHOOL & PUBLIC USE (SPU)"

Staff Recommendation

1. That Bylaw No. 7568, to amend the "Comprehensive Development District (CD/115)" zone, to include zoning provisions for multiple-family dwelling units, be introduced and given first reading.
2. That Bylaw No. 7569,
 - a. For the rezoning of 13160 Princess Street and 6431 Princess Lane from "Light Industrial District (I2)" to "Comprehensive Development District (CD/115)", as amended, and
 - b. For the rezoning of a portion of the former CN Rail right-of-way from "Agricultural District (AG1)", "Light Industrial District (I2)", and "Comprehensive Development District (CD/112)" to "School & Public Use (SPU)",
 be introduced and given first reading.

Joe Erceg
Joe Erceg
Manager, Development Applications

JE:jl
Att.

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Parks Design, Construction & Programs..	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Recreation & Cultural Services	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

London Landing Development Corporation has submitted an application to rezone 13160 Princess Street and 6431 Princess Lane from “Light Industrial District (I2)” to “Comprehensive Development District (CD/115)” (**Attachment 1**). The Steveston Area Plan, a Sub-Plan of the Official Community Plan, designates these properties for “Residential” use. The proposal is to construct 67 multiple-family dwelling units, 16 townhouses and 8 single-family lots (**Attachment 2**).

As part of this development, the applicant is also proposing to develop a pedestrian trail and a tram barn in the former CN Rail right-of-way immediately north of the development site. A portion of the CN Rail right-of-way, which is owned by the City, is proposed to be rezoned to “School & Public Use (SPU)” in order to accommodate the trail, tram barn and potential future tram line to the London-Princess Area.

Background

The subject properties are located in the west end of the London-Princess Area, close to London Farm. Over the past several years, some of the industrial properties have redeveloped to new townhouse dwelling units. Approximately 50 units have been built or are under construction in the area. This application represents the next phase of development in this new neighbourhood.

Findings of Fact

Item	Existing	Proposed
Owner	13160 Princess St. & 6431 Princess Lane: London Landing Development Corporation Former CN right-of-way: City of Richmond	No change
Applicant	London Landing Development Corporation	No change
Site Size	13160 Princess St. & 6431 Princess Lane: 1.89 ha (4.67 acres) Former CN right-of-way: 1.46 ha (3.62 acres)	13160 Princess St. & 6431 Princess Lane: 1.27 ha (3.14 acres) after road dedication Former CN right-of-way: 1.44 ha (3.55 acres) after road dedication
Land Uses	13160 Princess St. & 6431 Princess Lane: Industrial Former CN right-of-way: Vacant	13160 Princess St. & 6431 Princess Lane: Townhouse residential and single-family lots Former CN right-of-way: Tram barn, pedestrian trail, agricultural buffer
OCP Designation	Neighbourhood Residential	No change
Area Plan Designation	Residential	No change

Item	Existing	Proposed
Zoning	13160 Princess St. & 6431 Princess Lane: I2 Former CN right-of-way: AG1, I2 and CD/112	13160 Princess St. & 6431 Princess Lane: CD/115 Former CN right-of-way: SPU

Project Description

Form and Character

The development site is characterized by three distinctive areas and housing types. The townhouses would be continued along the frontages of Princess Street and Princess Lane as well as along the internal drive aisle.

The east end of the site, which directly abuts agricultural land, would contain a row of approximately 8 single-family lots.

The north portion of the development site would contain 67 multiple-family dwelling units in 7 buildings. These buildings are, at their highest point, three storeys above an underground parking structure. The multiple-family dwelling unit buildings contain four one-level suites, and 6 two-level suites. The buildings have a terraced form where they are two storeys at the ends and three storeys in the centre. Each dwelling unit has its own distinct ground-level entryway.

All buildings throughout the development are proposed to follow the heritage character and detailing that have been incorporated into the buildings of the previous phases.

Access and Circulation

As a result of this development, London Road is proposed to be extended east of Princess Street and connect to Princess Lane via a new road that would provide access to the east end of the site (identified in the site plan in **Attachment 2** as “McKinney Walk”). London Road east of Princess Street is proposed to meander slightly and encroach a short distance into the former CN Rail right-of-way by approximately 4.6 m (15 ft.). This new public road provides access to the single-family lots as well as the underground parking structure for the multiple-family dwelling units.

The private internal drive aisle that was developed for the second phase (RZ 01-198754) will be extended to provide access to the remaining townhouses. This drive aisle will also have two additional connecting points to a public road (Princess Street and McKinney Walk).

The underground parking structure for the multiple-family dwelling units has been designed in such a way to allow for extensive landscaping and trees to be planted at ground level between the buildings.

Parks and Open Space

As part of this development, the applicant proposes to create a pedestrian trail within the former CN Rail right-of-way from the east end of the development site to No. 2 Road. This trail provides connections to pedestrian paths and routes through the development site to the waterfront dyke trails.

An extensive network of pedestrian trail connections is integrated into the development site, connecting all phases of the development to public open space and amenities.

The townhouses and multiple-family dwelling units are separated by a common open space amenity that may be shared by all residents and visitors to the area. The spaces between the multiple-family dwelling unit buildings are landscaped with trees, shrubs and ornamental paving and lighting to create a pleasant pedestrian experience.

A tram building is proposed to be developed within the former CN Rail right-of-way with the possibility to locate a tram line adjacent to the pedestrian trail. Details of this building are discussed further in this report.

Phasing and Timing of Development

The applicant, London Landing Development Corporation, plans to build all the dwelling units proposed in this application.

The multiple family dwelling units and townhouses in this proposal are to be contained within one development parcel (also one strata lot). The single-family lots will be individual freehold lots.

The first phase of construction will be the townhouses fronting Princess St., followed by the multiple-family dwelling units that are located west of the central north/south pedestrian route. These buildings are anticipated to commence construction in late 2003 and be complete in mid-2004.

The townhouses fronting Princess Lane and the remaining multiple-family dwelling units are expected to start in early 2004 and be completed mid to late 2004.

Development of the tram building is expected to start in late 2003 for completion by mid-2004. Development of the trail in the former CNR right-of-way is anticipated to start in the spring of 2004, with completion at approximately the same time as the tram building.

Site Context

The site context is as follows:

North:	City-owned former CN Rail right-of-way (zoned AG1 and I2)
East:	Agricultural uses (zoned AG1) and industrial uses (zoned I2)
South:	Townhouses (zoned CD/115)
West:	Industrial uses (zoned I2)

Related Policies & Studies

The Steveston Area Plan designates this site as “Residential” in the London’s Landing Character Area. Guidelines in the Area Plan indicate that this area should develop into a unique working, recreational living environment that respects the area’s heritage. Development is expected to enhance the area’s semi-rural landscape and create a pedestrian-friendly environment.

The 2010 Richmond Trail Strategy recommends that City Staff:

- Work with the developers in the London-Princess area to ensure that the appropriate trail links are made to the waterfront and along the City owned former CNR right-of-way.
- Determine the best route and location for the Interurban Tram and barn.

In 2000, a number of alternative vehicle access options for the London-Princess area were examined. Council indicated a preference for a loop road through 6431 Princess Lane running along the south side of the former CN Rail right-of-way to connect back to London Road (**Attachment 3**).

Staff Comments

Policy Planning

- The proposed development complies with the “Residential” land use designation of Steveston Area Plan and OCP.
- The development concept for this phase is consistent with previous phases of development.
- Public rights-of-passage are required for all publicly-accessible open spaces and trails.
- A parking lot for 20 vehicles is proposed to be located on private property at 6233 London Road to serve the tram barn. Public rights-of-passage are required over the parking lot.
- Common outdoor amenity space is comprised of trail connections and a central open space that separates the multiple-family dwelling units from the townhouses.
- Common indoor amenity space is proposed to be located at a new tram barn to be built within the former CN Rail right-of-way (Developer to build the building; City to own and manage the building).

Transportation

The following summarizes the transportation improvements to support this rezoning application:

- Developer is responsible for construction of upgrading the intersection of London Road and Dyke Road to full urban standard including realignment of the roads to fit within the existing road right-of-way based on a design approved by the City (appropriate DCC credits will be applied). Although this intersection is beyond the immediate frontage of the subject site, London Road including this intersection serves as the sole access for previously constructed and currently proposed developments. As the traffic consultant stated in the traffic impact study, this intersection is currently sub-standard as the profile of London Road drops abruptly east of Dyke Road and sightlines are limited posing potential traffic safety concerns, therefore, the immediate upgrading of this intersection is necessary.
- The design and construction of the curvature on Princess Lane at the southeast corner of the site must meet TAC (Transportation Association of Canada) guidelines for a minimum 30 km/h design speed curvature.
- Full road frontage improvements to City's urban standard for the full road including an ultimate road pavement width of 8.5 m plus sidewalk and boulevard on both sides of the road.
- Construction of traffic calming measures on Dyke Road (east-west section) between north-south section of Dyke Road and eastern edge of London-Princess area (i.e. in line with eastern edge of 6431 Princess Lane), including a minimum of two (2) raised crosswalks or horizontal deflections (i.e. pavement narrowing), in consultation with the neighbourhood and other stakeholders.
- Outstanding from 13200 Princess Street and 6411 Dyke Road rezoning applications is final design for London Road from Princess Street to No. 2 Road, including cost estimate. Staff had agreed at the time to defer the requirement due to applicant's timing constraints.

The timing of widening of No. 2 Road to four (4) lanes south of Steveston Highway will be determined by the City as part of the Capital Works Program.

Parks and Recreation

The Parks and Recreation Department has reviewed the concept for the trail within the CN Rail right-of-way. They support the development of the trail in the proposed location as it is consistent with the 2010 Richmond Trail Strategy.

The location of the tram and parking area has been reviewed and is supported by the Parks and Recreation Department. Staff presented a report to City Council on June 9, 2003 to endorse the location of the tram barn in the former CNR right-of-way. This report was approved.

Engineering Works and Services

There are no servicing concerns. Prior to final adoption, the applicant will be required to dedicate public road to complete the loop road, the amount of which will be determined when the engineering design for the new road is approved (Note: The applicant's preliminary estimate is that the amount of dedication is approximately 3,998.4 m² (43,040 ft²)).

The applicant will also be required to enter into the City's Standard Servicing Agreement for the design and construction of Princess Lane and Princess Street across the entire frontage to current standards and for the design and construction of the new public loop road.

A subdivision application is to be approved for the reconfiguration and creation of all new lots.

Fire Department

Fire access for the residential development and car barn meet the Building Code requirements. The unobstructed path for the fire fighter from the pumper shall have no obstructions such as landscaping, fences, exterior furnishings, etc.

Consultation

The application was presented to the Agricultural Advisory Committee (AAC) on July 9, 2003 in order to review issues of buffering and potential impacts on nearby agricultural activities. The application was well-received by the AAC, which supported the buffering concept within the CN Rail right-of-way.

Some enhancements to the applicant's original buffering proposal in the edge between the single-family lots and adjacent agricultural lands were requested by the AAC in order to minimize urban-rural conflicts. The details of the final agreed upon buffering concept is discussed later in this report.

Analysis

Land Use Concept

The rezoning application proposes completion of the residential neighbourhood on lands developed by London Landing Development Corporation. Earlier phases of development which are now completed or under construction include:

- The 20-unit townhouse project at 13400 Princess Street;
- The 19-unit townhouse project at 13200 Princess Lane; and
- The 11-unit townhouse project at 6400 Princess Lane.

Residential Housing

For this latest phase, the applicant proposes three housing types:

- Single-family lots – located at the east boundary of the site, adjacent to the Agricultural Land Reserve (ALR). The applicant has chosen this form of housing in order to maintain low density along the ALR boundary and minimize residential impacts on agricultural land.

The front yards are proposed to be 4 m (13.1 ft.), which is less than the 6 m (19.7 ft.) specified in the standard single-family zones. The purpose of siting the buildings closer to the street is to maintain consistency with the multi-family front yard setbacks, which are also 4 m.

The rear yards are proposed to be increased to 12 m (39.4 ft.), which exceeds the 6 m (19.7 ft.) specified in the standard single-family zone. The increase in rear yard is to accommodate an agricultural landscape buffer along the rear property lines of the single-family lots.

Staff support the proposed siting of the single-family dwelling units. The setbacks will be reflected in the amended CD/115 zone.

- Townhouses – located along the remaining frontage of Princess Street and Princess Lane. This housing form is consistent with earlier phases of development and completes the streetscape.
- Multiple-Family Dwelling Units – located at the north end of the site, separated from the townhouses by a central open space. They are separated from the single-family lots and the former CN Rail right-of-way by new public roads.

The multiple-family dwelling units are a new form of housing in this area. They are similar to townhouses in that each dwelling unit has its own distinct, ground-level entryway. However, within a multiple-family building, some of the units are located above other units, which is different from the traditional side-by-side townhouse form of development.

A typical building consists of two-storey units at the ends of each building, and two-storey units above one-storey units at the centre of the buildings. The one-storey, ground floor units are designed in such a way that they can be adapted for use by occupants in a wheelchair.

An amendment to the CD/115 zone is required to accommodate the multiple-family dwelling unit form of development in this part of the site.

All residential development in this remaining phase will incorporate the heritage design and character of the previous phases of development.

Outdoor Amenity Space

In addition to the buildings, a system of outdoor amenity space in the form of passive/active open space and pedestrian trail linkages are proposed in this phase of development.

A central east-west open space is proposed to separate the new multiple-family dwelling units from the townhouses that are currently under construction (approved as part of an earlier rezoning application). This open space will have both passive recreation areas as well as a children's play area. This central open space is intended to be available for use by area residents, including those that live in earlier developed phases. Therefore public rights-of-passage shall be registered over this space to allow for use by the broader neighbourhood.

In the earlier rezoning application for 13200 Princess Street (RZ 02-198754), public rights-of-passage were registered over three north-south pedestrian connections in order to provide access to the future central open space. In order to enhance the pedestrian connections through this neighbourhood, public rights-of-passage are proposed to be registered over several pathways that connect the central open space to the major public roads.

The locations of the areas that are subject to public rights-of-passage are illustrated in **Attachment 4**.

Height and Massing

The Steveston Area Plan specifies that residential development in the "London's Landing" area generally be limited to two storeys and 9 m (29.5 ft.) in height, except where additional height is desirable in order to, among other things:

- i. Contribute to a dynamic streetscape/riverscape and/or landmark features through the introduction of special roof forms and taller buildings or portions of buildings;
- ii. Enhance residential and development opportunities, livability (i.e. through improved views or privacy) and character.

This development exceeds the two-storey, 9 m height limit guideline. The tallest portions of the multiple-family dwelling unit buildings are three storeys over a parking structure, measuring approximately 15 m (49.2 ft.) from the floor of the underground parking structure to the top of the roof structure. The buildings reduce in mass to two storeys at the sides. This articulation of building creates variety in the neighbourhood, increases housing choice and enables units located further from the waterfront to have views to the south and north. The use of an underground parking structure further enables the development to have more green space at the ground level.

Typical elevations of the multiple-family dwelling unit buildings are shown in **Attachment 5**.

Overall, Staff are satisfied that the increased height is justified as the proposed development contributes to a more dynamic streetscape and there is an improvement in residential amenities.

Area Traffic Circulation

The proposed development will ultimately extend both Princess Lane and London Road to form a loop road to service the new residential areas. This loop road conforms to the general concept of the preferred vehicle access option that was identified by Council in 2000 (**Attachment 3**).

Overall access to the area is via No. 2 Road as other accesses to Dyke Road are either closed or for emergency access only in order to preserve its recreational nature. Given that overall access is limited, the applicant conducted a traffic impact study to determine the impacts of proposed development on streets feeding into the area.

The Transportation Department reviewed the traffic impact study and identified several off-site improvements that should be undertaken in conjunction with the proposed development to mitigate potential impacts. The off-site improvements which are described below are in addition to standard frontage improvements:

- The London Road and Dyke Road intersection has been identified as substandard due to an abrupt change in grade in London Road, east of Dyke Road. As sightlines are limited at this intersection, thus posing traffic safety concerns, upgrading of this intersection is necessary as part of this development application. These works are to be completed prior to completion and occupation of the multiple-family dwelling units.
- Traffic calming measures on the east-west section of Dyke Road are requested in order to discourage its use as a major thoroughfare and preserve the recreational nature of the road.
- Design and cost estimate for improvements to London Road, from Princess Street to No. 2 Road. This is an outstanding requirement from a previous phase of development that was deferred until this phase.

Uses of the Former CN Rail Right-of-Way

The applicant proposes to contribute significant public amenities by developing the former CN Rail right-of-way adjacent to the development site. The right-of-way, approximately 30.5 m (100 ft.) in width, is City-owned property that is currently undeveloped.

The 2010 Richmond Trail Strategy envisions the creation of a public trail within the right-of-way. This corridor has also been identified as a potential alignment for a tram line to connect the London-Princess Area to Steveston.

The applicant is proposing to create a public trail from the development site out to No. 2 Road as well as provide an adequate rail bed to a standard that could accommodate a tram line should it be built sometime in the future. As the City is also looking for new facilities to store the heritage tram, the applicant also proposes to build a tram barn that could function as a future tram station. This tram barn would be a focal point for the neighbourhood and include offices for the tram society and public meeting room space that may be booked for use by area residents.

The northern 9.1 m (30 ft.) of the CN Rail right-of-way will be heavily landscaped with trespass inhibiting shrubs and greenery in order to function as a solid landscape buffer to the adjacent Agricultural Land Reserve.

Public Trail

The applicant proposes to create a public trail within the former CN Rail right-of-way from the east end of the development site to No. 2 Road (a distance of approximately 475 m (1,558.4 ft.)). The public trail would be located within the south half of the CN Rail right-of-way, closest to areas of urban development.

The location of the trail was determined in consultation with area farmers. They expressed concerns that a trail located too close to agricultural lands or one that permitted access to agricultural areas was not desirable as it could interfere with agricultural activities or promote trespassing.

The applicant has therefore designed a trail that is located farthest away from agricultural lands. There are no direct openings or access from the trail to agricultural lands. The trail would connect the development area to the tram station and continue out to No. 2 Road. The trail would also serve to bring residents outside of the area to this neighbourhood and out to the waterfront trails.

The Parks Department supports the development of a trail in this location as it is identified in the 2010 Richmond Trail Strategy. Development of this trail represents a significant public benefit as it would enhance recreation opportunities in this area and provide a scenic link to the waterfront.

The trail would be designed under a Servicing Agreement to the satisfaction of the Parks Department. The trail would be eligible for Parks Development Cost Charge (Parks DCC) credits.

Approximately 1.44 ha (3.55 acres) of the former CNR right-of-way would be rezoned to "School & Public Use District (SPU)" to accommodate the trail and other public amenities.

Tram Barn

In the early stages of conceptual planning, the applicant was requested to provide a common amenity building within the site that could be used by residents in this development (both current and earlier phases). Indoor and outdoor amenity space is commonly sought and provided for in larger multi-family developments as per guidelines in the City's Official Community Plan. An indoor amenity building typically has space to accommodate larger meetings or parties; some even include fitness facilities or games rooms.

The applicant has taken a different approach to the provision of indoor amenity space. He feels that in many complexes, indoor amenity space is underutilized and an added burden on residents to support and maintain. He notes that this development site is in close proximity to a number of public amenities, including London Farm, the waterfront trails along the dyke, and Steveston Village.

Rather than provide a separate on-site amenity building, the applicant has offered to construct a barn for the heritage interurban tram that would include a meeting room that is available for public use (**Attachment 6**). In addition to storing the tram when it is not in use, the proposed tram barn would also function as a station to bring visitors to the London-Princess area as well as take area residents to Steveston Village on a seasonal basis. The tram barn would be located within the former CNR right-of-way (which is City-owned) and turned over to the City to own and manage upon completion.

The applicant has been working with the Tram Society to design a 320 m² (3,450 ft²) multi-functional building that meets the needs of storing and maintaining the tram as well as contribute to the needs of the community. The building would include a ticket office for passengers, museum space for a tram history display, a coffee shop, offices for the Tram Society, and an upstairs meeting room space that could accommodate approximately 50 people. The loading platform would face the street in order to create visual interest in the tram.

A surface parking area for approximately 20 cars is proposed to be provided on private property adjacent to the tram site that is owned by the applicant (6233 Dyke Road). Public rights-of-passage would be required as a condition of this rezoning application to secure the parking lot site for public use until the applicant submits a more detailed redevelopment proposal for the site.

The tram barn and parking area would also be designed under a Servicing Agreement to the satisfaction of the Parks and Recreation Division. Construction of the tram barn would not be eligible for DCC credits.

The issue of locating a tram barn in the London-Princess area was presented to City Council on June 9, 2003. The following resolution was passed:

1. "That the City-owned former CNR right-of-way within the London-Princess area be endorsed as a potential location for the Interurban Tram car barn and workshop.
2. That staff report on the routing of the Interurban tram in context with the Waterfront Strategy."

Staff support the concept of building the tram barn in lieu of providing an indoor amenity building. The tram barn would be located in an area of the neighbourhood that is easy to access yet separated from residential uses. It is linked to the neighbourhood by walking trails. Staff also note that additional meeting room space is available at London Farm and at the Steveston Community Centre.

When two earlier rezoning applications were approved last year for 13200 Princess Street (RZ 02-198754) and 6400-block Dyke Road (RZ 02-202859), neither development was required to provide on-site indoor amenity space on the understanding that a common facility would be developed and available for shared use in a future phase. In lieu of on-site provision, the City collected Letters of Credit for \$30,000 in total to be held until the indoor amenity space could be provided in a future development phase. Once the tram barn with indoor amenity space is developed, these Letters of Credit can be released.

Loop Road Encroachment

The loop road on the south side of the City-owned former CNR right-of-way is proposed to meander into the City lands. The meandering of the road will create some interest and diversity to the road pattern in this area. The dedication of approximately 298.5 m² (3,213 ft²) of the City lands for the loop road is required to accommodate the encroachment. The property to be dedicated for public road is 4.6 m (15 ft.) at the widest portion.

Staff support the encroachment of the loop road into the former CNR right-of-way because the applicant will be dedicating some excess lands at the entry to the site as public road. These lands (totalling an area of approximately 322.6 m² (3,473 ft²)) would be developed with boulevard landscaping and sidewalks in order to integrate into the area's pedestrian realm.

Buffering of New Development

From the ALR

The development site is bordered by Agricultural Land Reserve (ALR) on its east side and separated from the ALR on the north side by the former CNR right-of-way. As the CNR right-of-way is 30 m (100 ft.) wide and a new road runs, for the most part, alongside the right-of-way, this is deemed as an adequate buffer for the north side.

The OCP has a Development Permit guideline that states that any urban development adjacent to the ALR should provide a 15 m (49.2 ft.) buffer if it is not separated from the ALR by a road.

The applicant is proposing to relax this guideline on the east side of the development site that directly abuts active agricultural lands. Instead of a 15 m buffer, the applicant proposes a 12 m buffer, which would basically be comprised of the rear yard setbacks of the single-family lots. Reasons to consider the reduced buffer width include:

1. Single-family lots, instead of townhouses, are proposed in order to maintain low density along the border between urban and rural uses.
2. The rear yards that directly abut agriculture are proposed to be raised about 1.2 m (4 ft.). A retaining wall would be constructed along the property line of the single-family lots.
3. A 2.4 m (8 ft.) high fence would be constructed on top of the retaining wall to eliminate direct ground level views and opportunity for trespass into the agricultural areas. The fence would also help screen the rear yards from any dust or drift that may emanate from normal farm activities.
4. Addition of evergreen trees within the rear yards to form a 4.6 m to 6 m (15 ft. to 20 ft.) high evergreen hedge in addition to the fencing.
5. Increasing the width of the landscaped buffer strip from 3 m (10 ft.) to 4.6 m (15 ft.) by relocating the initially proposed deciduous trees and trespass inhibiting shrubs further into the single-family rear yards.

6. Registration of a restrictive covenant to identify the entire 12 m rear yard space as a buffer area to prohibit expansion of principal buildings into the buffer, and to prevent the removal of the buffer landscaping. The covenant would also notify prospective owners that the properties are adjacent to active agricultural lands and to expect the normal agricultural activities that may generate noise, odours and dust.

The above buffer concept was determined in close consultation with the Agricultural Advisory Committee (AAC) and a representative of the Ministry of Agriculture, Food and Fisheries. The buffering outlined above addresses the concerns of the AAC.

Since the single-family edge adjoins the ALR, a Development Permit will be required to finalize the details of this buffer.

From Existing Industrial Uses

The industrial property at 6451 Princess Lane is comprised of two multi-tenant buildings situated against the north and west property lines. Access to the buildings is from Princess Lane.

The industrial buildings are located at the east end of Princess Lane, at the intersection with a new proposed north-south road. The new road is proposed to be constructed as a half-road until redevelopment of the industrial property can result in the completion of the full road.

Until the vision of the London-Princess Area Plan can be realized, there will be an edge condition where residential uses are located in close proximity to existing industrial uses. The applicant was requested to give attention to this edge condition in order to minimize urban/industrial conflicts.

There are two dwelling units that are most affected by its location close to the industrial buildings. One is the single-family lot immediately north of the industrial site. The side yard for the proposed dwelling would abut the industrial buildings. The applicant proposes to minimize the windows in the side yard.

The other dwelling unit potentially affected by the presence of industrial uses is the townhouse unit at the far end of Princess Lane, across the street from the industrial buildings. This building is proposed to be located approximately 12.6 m (41.3 ft.) from the industrial building, separated by its yard setback, public sidewalk, and half road.

The design details for the buildings located close to the industrial uses can be determined at the Development Permit stage.

Public Art

The applicant is interested in pursuing a public art initiative with the City in the London-Princess area. The applicant has been working with the City's Public Art Coordinator to develop a program whereby an artist would be retained to design approximately 15 to 17 neighbourhood signs (some address directional signs, pedestrian directional signs, neighbourhood entry signs, etc).

This public art initiative, which is independent of the rezoning application, would involve participation by area residents and the City's Public Art Commission. The artist would do the design work, and the developer would then create the artwork from artist designed templates and install them at designated locations on private property. The signs would be made out of steel to reflect the area's industrial and historical past.

Correspondence from Curtis Eyestone Dated June 28, 2003

A letter to Planning Committee (**Attachment 7**) was submitted by Mr. Curtis Eyestone, owner of the industrial property at 6451 Princess Lane and area resident at 6471 Dyke Road. Mr. Eyestone has had subdivision applications submitted for 6451 Princess Lane in the past for various uses, including single-family lots and industrial buildings.

Mr. Eyestone outlines a number of concerns about the process by which the area has developed and the potential impacts on his properties. The issues raised by Mr. Eyestone are discussed below:

Road Widening

Mr. Eyestone notes that when the applicant rezoned 6400 Princess Lane (RZ 02-202859) for an 11-unit townhouse project, only 1.5 m (4.9 ft.) of land was dedicated along the lane to the east of the site.

Staff note that the applicant assembled a total of four lots for the rezoning application and that vehicle access to the site was proposed to be from Princess Lane. As there was no proposed vehicle access to the development site from the lane, the applicant was technically not required to provide any road dedication. The applicant offered to dedicate 1.5 m along the lane in order to widen it and create a more aesthetic street environment.

The 1.5 m dedication also helps to reduce future dedication requirements, if needed, to accommodate development of the industrial property at 6451 Princess Lane.

Loop Road

Mr. Eyestone objects to the alignment of the loop road that would require dedication of additional road when 6451 Princess Lane (the industrial property) develops in order to complete the road. He believes that the loop road, which can only be created as a direct result of new housing development in the area, should be provided entirely by the developer on his own land.

The location and alignment of the loop road is consistent with Council's preferred vehicle access option for the London-Princess area shown in **Attachment 3**.

When new neighbourhoods are being developed in transitional areas, developers are often required to dedicate new public roads in order to create access and circulation throughout the neighbourhood. It is common practice for dedication of roads to be shared among adjacent property owners in order to reduce the burden of dedication on a particular property owner.

For instance, Muir Drive in the Hamilton Area was dedicated as a half road when the property to the east at 5900 Muir Drive was rezoned and developed for townhouses. When the properties to the west at 22111 to 22191 Westminster Highway were rezoned for small lot development last year (RZ 02-213387), the property owner dedicated the west half of Muir Drive in order to complete the full width of road right-of-way.

The dedication of partial roads is also common practice in the McLennan North and McLennan South Areas where development is occurring on an incremental basis.

Preparation of an Area Concept Plan

Mr. Eyestone states that an acceptable Area Concept Plan has never been provided and that the existing industrial buildings, the required industrial and ALR buffer zones and access to the industrial buildings have never been shown.

The Steveston Area Plan, first adopted in 1985, sets out the broad land use objectives for the London-Princess Area (**Attachment 8**). The vehicle access option shown in **Attachment 3** outlines the Council-preferred road pattern in the neighbourhood.

When the previous phases were rezoned, conceptual plans were submitted to indicate potential build-out scenarios for the lands. As each development progressed, the overall area concept plan has been refined and modified to reflect updated land use and internal circulation patterns. However, the overall road and land use concept has been consistent with the City's policies and plans.

The current site plan for this application includes the existing industrial buildings to show the interim road condition before the industrial property redevelops. The interim road condition is acceptable to handle local traffic and emergency vehicles.

The industrial and agricultural buffers were discussed in a previous section of this report.

Access to the industrial buildings will still be maintained from Princess Lane. As Princess Lane and McKinney Walk would be raised in elevation, access would be ramped into the industrial property. Engineering work that was undertaken by the applicant in conjunction with the development of 6400 Princess Lane identified options to maintain access to the industrial properties. The applicant, applicant's engineer, Mr. Eyestone, tenants of the industrial buildings, and City Staff met on-site on May 8, 2003 to discuss road access, road elevation and drainage issues as a result of new development.

The applicant's engineer has been revising initial road concepts in order to address concerns of the industrial tenants. Once the revisions are finalized, the City will be meeting with the industrial tenants again to review overall road access.

Furthermore, the half-road that would be adjacent to an industrial building would be closed to general vehicle traffic and used only as an emergency vehicle access route in the interim. This interim measure is intended to address the concerns of the industrial tenants by helping to reduce residential/industrial traffic conflicts in the area until full redevelopment occurs.

Dyke Road Connection to McKinney Walk

Mr. Eyestone states that the Utilities right-of-way registered over the portion of 6451 Princess Lane that connects McKinney Walk to Dyke Road does not permit road extension, trail, or emergency vehicle access through the property.

A Statutory Right-of-Way agreement was registered over the aforementioned portion of 6451 Princess Lane in June 1997.

Clause 2(b) indicates that the City may enter the subject property “to make surveys, tests and examinations upon the right of way, and to excavate the soil thereof and to construct, install, lay down, place and maintain a roadway for the purpose of public rights of passage with or without vehicles, together with ancillary appliances and fittings.”

The latter part of the clause clearly gives public rights of passage to use the land for pedestrian or vehicle access.

The Law Department advises that Mr. Eyestone has commenced legal action to challenge the contents of the right-of-way agreement so the matter is now before the courts. As the Law Department is aware that this subject rezoning application (13160 Princess Street and 6431 Princess Lane) is proceeding, they will be working to resolve this matter in a timely manner.

Residential/Industrial Buffer

Mr. Eyestone does not feel that the proposed buffering between the single-family residential development and the industrial buildings is adequate.

The proposed buffering concept was discussed earlier in this report.

Access for Industrial Park Tenants

The access issues for tenants of the industrial buildings was discussed in the earlier section on “Preparation of an Area Concept Plan”.

Future Development of the Industrial Property

Mr. Eyestone objects to earlier area concept plans that assumed future single-family subdivision of the industrial property in order to continue the land use pattern along McKinney Walk.

The industrial property is designated for “Residential” and “Heritage Residential” use in the Steveston Area Plan. Residential use may take place in the form of single-family houses or townhouses. There has not been any suggestions that would preclude one form over another.

Mr. Eyestone has made previous subdivision applications for single-family subdivision of the vacant portion of the industrial property. These applications have not proceeded in the past due to the inability of the site to meet road access standards for single-family lot development and the need for rezoning approval.

Financial Impact

The creation of a public trail and tram barn within the former CN Rail right-of-way will incur ongoing maintenance and operational costs for the Parks and Recreation Department.

Preliminary ballpark estimates for annual maintenance and operational costs are approximately \$18,000 for the tram building (hydro, gas, janitorial, preventive maintenance, etc.) and \$2,000 for the trail.

Conclusion

This rezoning application is a further phase of the residential development that has been developing in the London-Princess Area. Completion of this phase will result in the development of a new loop road, a variety of housing choice in the community including single-family lots, townhouses and potentially accessible units, as well as community amenities such as a new public trail and tram building.

The proposed development will continue the heritage character and theme that has become established in the neighbourhood. A network of internal trails and open spaces connect the neighbourhood to the tram building as well as the waterfront.

The London-Princess Area is distinguishing itself as a unique and desirable neighbourhood due to its location close to the waterfront, appealing building design, and attention to landscaping and architectural detail. This new proposed phase of development will further enhance the neighbourhood by offering new choices of housing type, and improving the network of public open spaces.

It is proposed that this rezoning application be approved.



Janet Lee
Planner 2
(4108)

JE:jl

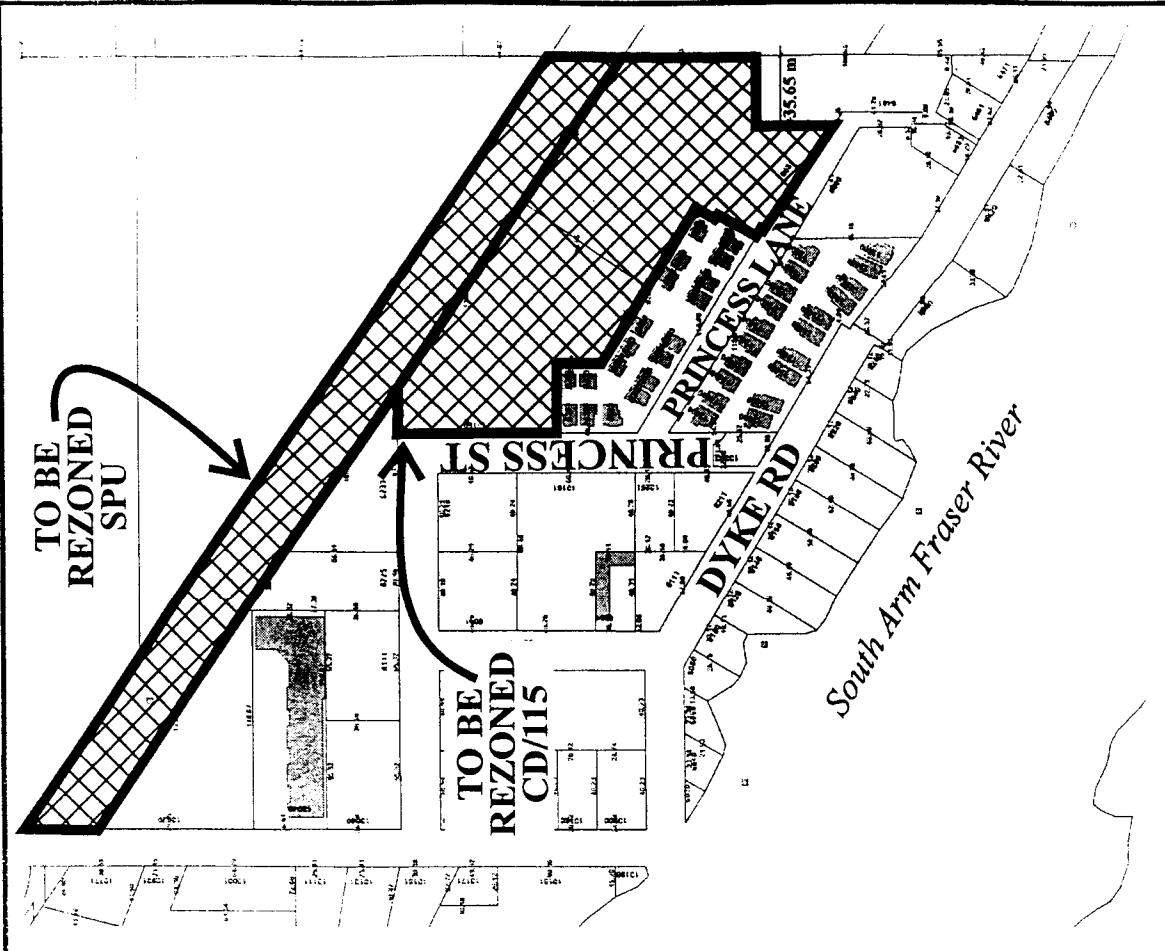
There are requirements to be dealt with prior to final adoption:

Legal requirements, specifically:

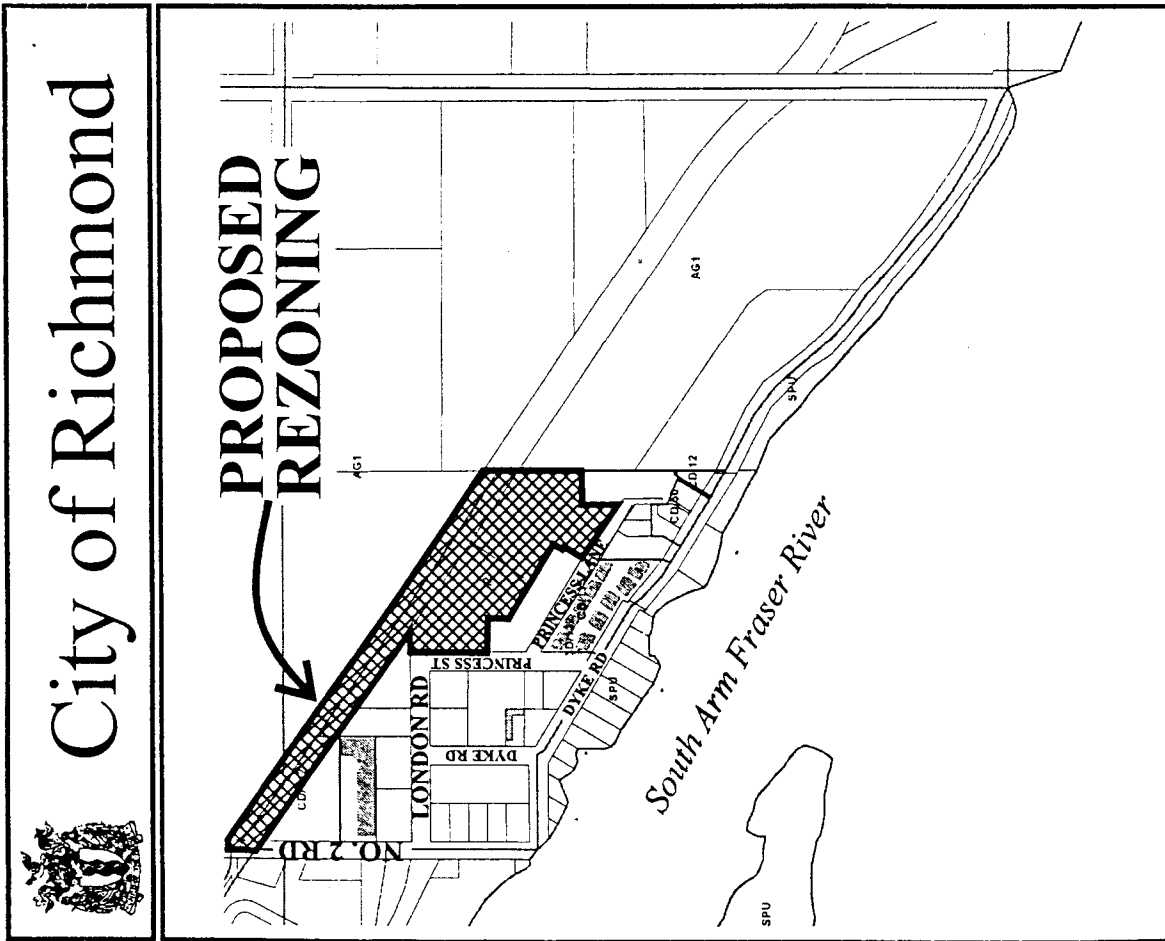
1. Public rights-of-passage over central park space and trail connections.
2. Public rights-of-passage over the parking lot located at 6233 London Road.
3. Registration of a restrictive covenant on the rear yards of the single-family lots in order to prohibit the construction of any habitable buildings or structures, prohibit the removal of any fencing and landscaping installed in this area and notify residents of the proximity of normal agricultural activities.
4. Registration of a restrictive covenant that prior to the issuance of any Building Permits for the multiple-family dwelling units, the applicant shall enter into a Servicing Agreement to design and construct the upgrading of the intersection of London Road and Dyke Road to full urban standards including realignment of the roads to fit within the existing road right-of-way based on a design approved by the City (i.e. based on the preliminary draft plan submitted by HY Engineering).

Development requirements, specifically:

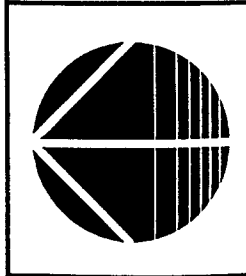
1. Road dedication of approximately 3,998.4 m² (43,040 ft²) on the subject properties and approximately 298.5 m² (3,213 ft²) in the former CNR right-of-way for the loop road.
2. Land exchange of approximately 322.6 m² (3,473 ft²) on 13160 Princess Street with approximately 298.5 m² (3,213 ft²) in the former CNR right-of-way.
3. A Development Permit, processed to a satisfactory level to the Manager, Development Applications.
4. A Temporary Use Permit or Rezoning to allow parking on 6233 London Road.
5. Enter into a Servicing Agreement for:
 - a. Design and construction of the tram barn in the former CNR right-of-way, based on plans prepared by Gomberoff Bell Lyon Architects, dated June 6, 2003;
 - b. Design and construction of a public trail within the former CNR right-of-way from No. 2 Road to the east end of the development site, based on plans prepared by Ito and Associates, dated June 4, 2003;
 - c. Design and construction of Princess Lane and Princess Street across the entire frontage to current standards;
 - d. Design and construction of the new public loop road to current urban standards (e.g. 8.5 m wide road pavement plus sidewalk and boulevard on both sides of the road except the part abutting the former CNR right-of-way; curvature on Princess Lane at southeast corner of site must meet TAC guidelines for a minimum 30 km/h design speed);
 - e. Design and construction of traffic calming measures on Dyke Road (east-west section) between north-south section of Dyke Road and eastern edge of London-Princess area (i.e. in line with the eastern edge of 6431 Princess Lane), including a minimum of two (2) raised crosswalks or horizontal deflections (i.e. pavement narrowing), in consultation with the neighbourhood and other stakeholders;
 - f. Design and construction of the central park space and trail connections that are subject to public rights-of-passage;
 - g. Design and construction of the parking lot located at 6233 London Road that is subject to public rights-of-passage.
6. Design and cost estimate for London Road from Princess Street to No. 2 Road.



Original Date: 03/18/03
 Revision Date: 08/06/03
 Note: Dimensions are in METRES



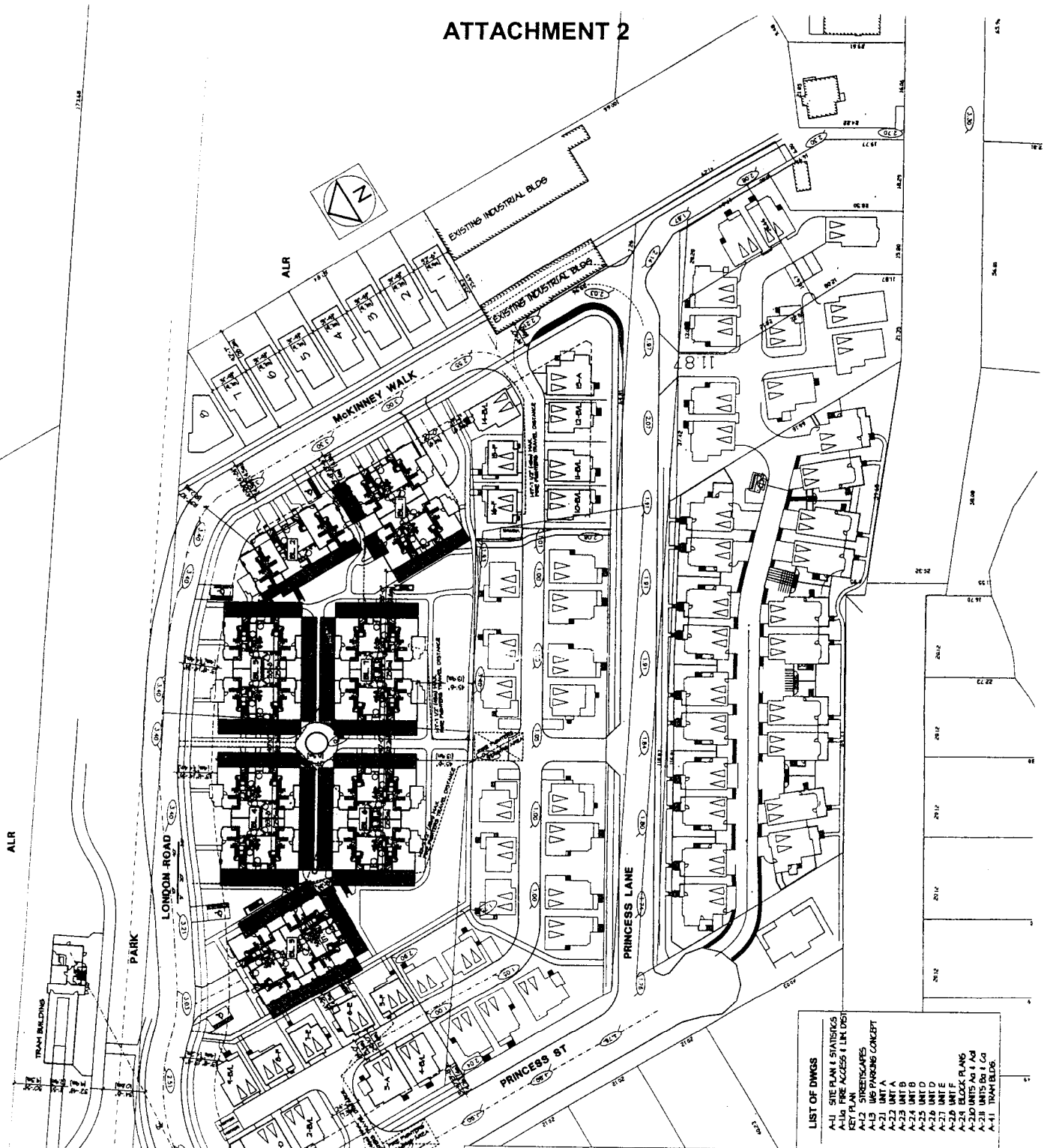
RZ 03-229096



City of Richmond



ATTACHMENT 2



LONDON LANDING, PHASE 4 & 5

JUNE / 2003
ZONING: C-2

LEGAL: LOT 25, EXCEPT PART SUBDIVIDED PLANS 1444 PLANK 024 AND LOT 26, PLANK 024, ALL OF SEC. 10, BLOCK 3 NORTH, RANGE 6 WEST, HIGH WINDSHIELD DISTRICT
 GROSS SITE AREA: 293,553 SF (10,840 SQ. FT. AC)
 SFH: 20
 PARK ROAD: 43,040 SF
 NET SITE AREA: 250,513 SF (7,270 SQ. FT. AC)
 DENSITY CALCULATION: 26.45 UPA
 GROSS F.S.R. AREA (LEG. SF.H.): 0.51 (0.53 UPA)
 NET F.S.R. AREA: 0.75 (0.53 UPA)
 HEIGHT: PROPOSED 3 STOREY OVER PARKING LEVEL 41 FT

LOT COVERAGE: 0.32 41/30 SF
 NET PROPOSED: 81 13/3 FT
 SETBACKS: FRONT 41 13/3 FT
 REAR PROPOSED: 41 13/3 FT
 SIDE 41 13/3 FT
 PARKING CALCULATION FOR 63 UNITS: RES. 2,000 SPACES/UNIT 146
 VISITORS: 0.20 SPACES/UNIT 17
 PROVIDED (145 IN UPG. PARKING, 32 IN TH. 1 ON GRACE) 184
 PROVIDED PARKING @ TRAM BLDG. 20
 TOTAL PARKING PROVIDED: 204
 UNIT COUNT: 204

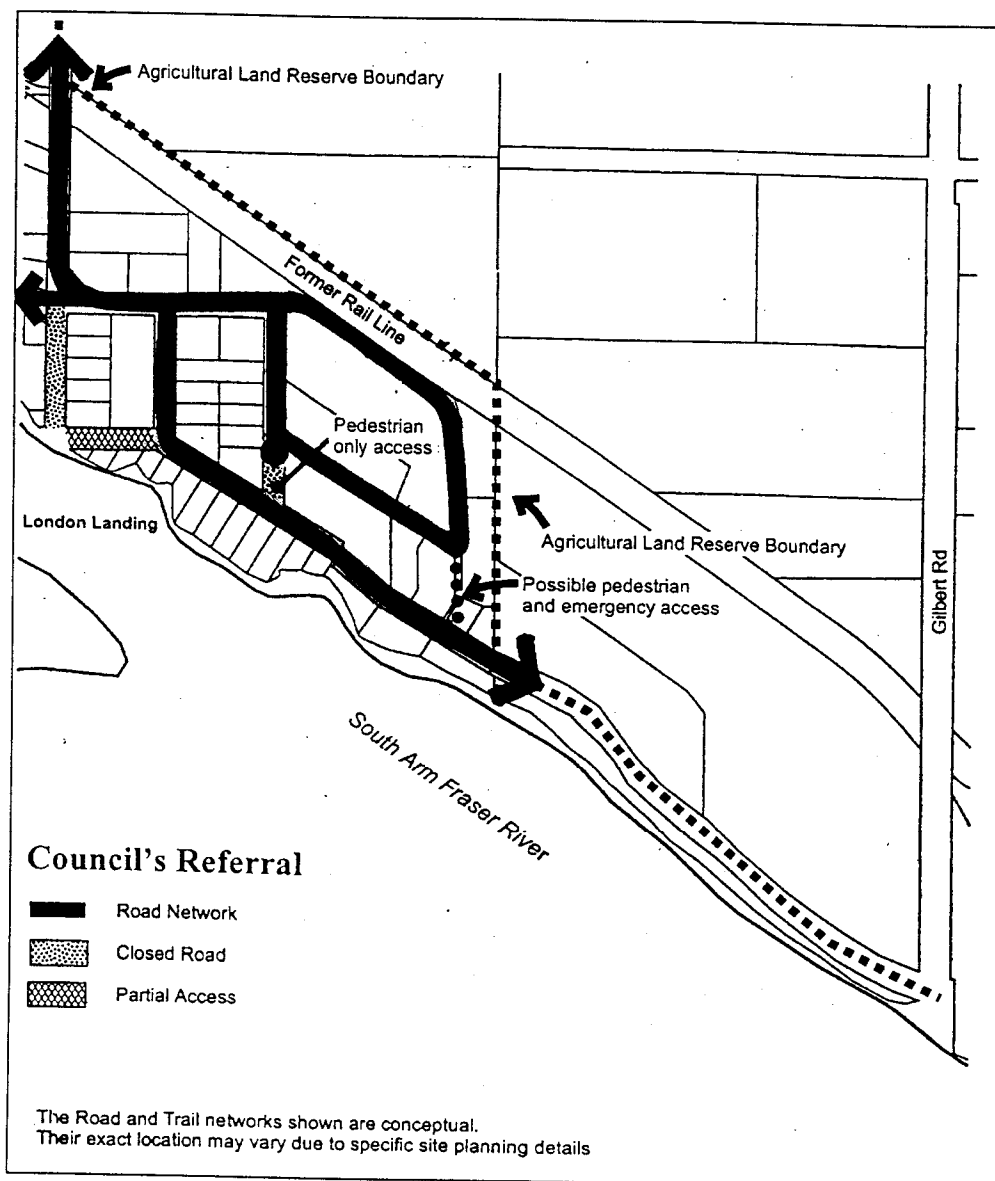
LIST OF DWGS

- A-11 SITE PLAN I STATISTICS
- A-11a FIRE ACCESS & LIT. DSG
- KEY PLAN
- A-1.2 STREETSCAPES
- A-1.9 UPG. PARKING CONCEPT
- A-2.1 UNIT A
- A-2.2 UNIT B
- A-2.3 UNIT C
- A-2.4 UNIT D
- A-2.5 UNIT E
- A-2.6 UNIT F
- A-2.7 UNIT G
- A-2.8 BLOCK PLANS
- A-2.10 UNITS A-G 1 AG
- A-2.11 UNITS B-G 1 CG
- A-11 TRAM BLDG

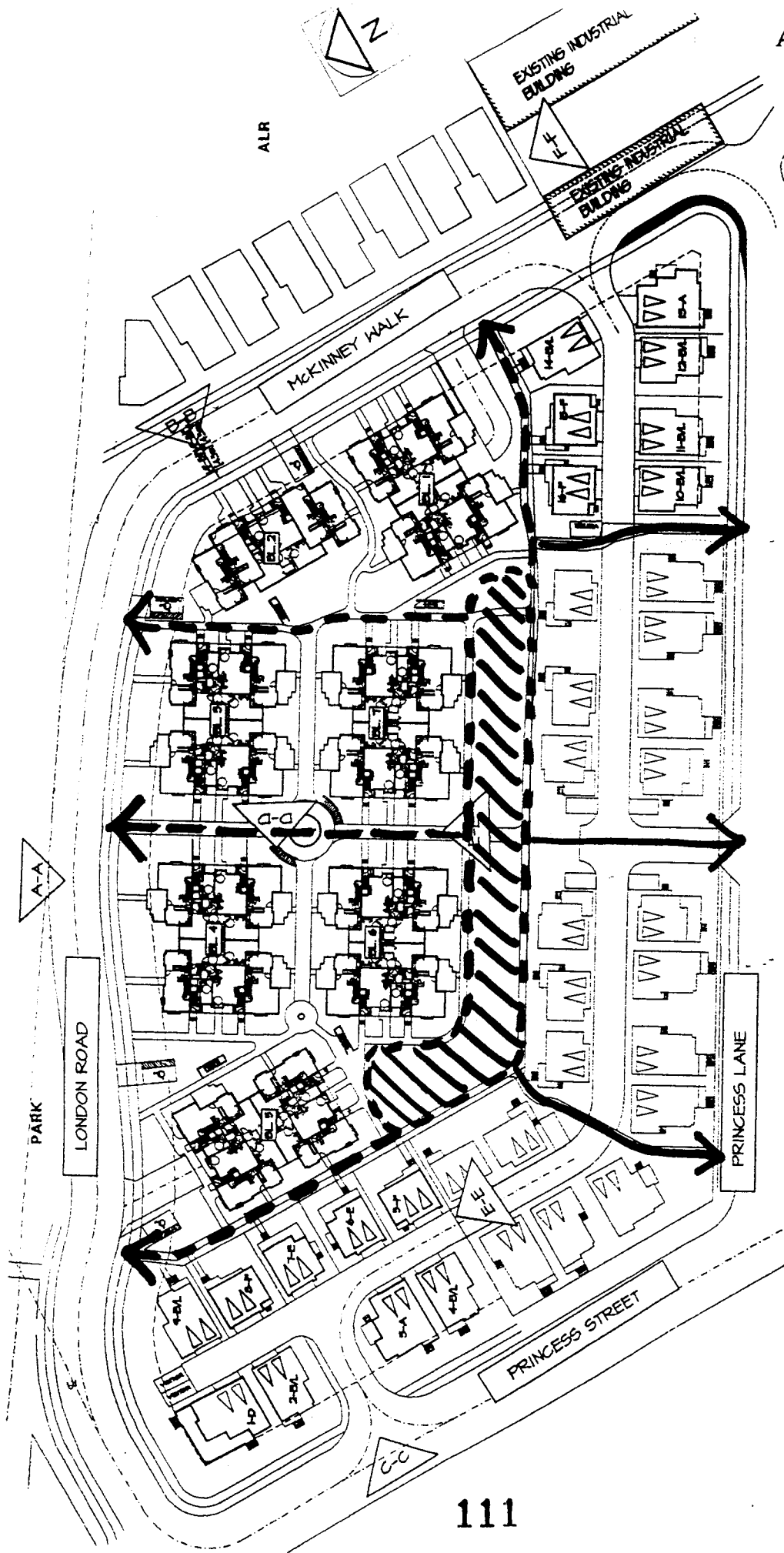
NO.	TYPE	SIZE	INT. AREA	TOTAL AREA	COVERAGE	TOTAL COV.
1	A	48R	1,072	3,914	1,040	2,000
2	A	48R	1,072	3,914	1,040	2,000
3	D	38R	1,072	1,072	640	5,000
4	D	38R	1,072	1,072	1,004	1,004
5	E	38R	1,072	2,846	1,004	1,004
6	F	38R	1,072	2,846	1,004	1,004
7	G	38R	1,072	2,846	1,004	1,004
8	H	38R	1,072	2,846	1,004	1,004
9	I	38R	1,072	2,846	1,004	1,004
10	J	38R	1,072	2,846	1,004	1,004
11	K	38R	1,072	2,846	1,004	1,004
12	L	38R	1,072	2,846	1,004	1,004
13	M	38R	1,072	2,846	1,004	1,004
14	N	38R	1,072	2,846	1,004	1,004
15	O	38R	1,072	2,846	1,004	1,004
16	P	38R	1,072	2,846	1,004	1,004
17	Q	38R	1,072	2,846	1,004	1,004
18	R	38R	1,072	2,846	1,004	1,004
19	S	38R	1,072	2,846	1,004	1,004
20	T	38R	1,072	2,846	1,004	1,004
21	U	38R	1,072	2,846	1,004	1,004
22	V	38R	1,072	2,846	1,004	1,004
23	W	38R	1,072	2,846	1,004	1,004
24	X	38R	1,072	2,846	1,004	1,004
25	Y	38R	1,072	2,846	1,004	1,004
26	Z	38R	1,072	2,846	1,004	1,004
27	AA	38R	1,072	2,846	1,004	1,004
28	AB	38R	1,072	2,846	1,004	1,004
29	AC	38R	1,072	2,846	1,004	1,004
30	AD	38R	1,072	2,846	1,004	1,004
31	AE	38R	1,072	2,846	1,004	1,004
32	AF	38R	1,072	2,846	1,004	1,004
33	AG	38R	1,072	2,846	1,004	1,004
34	AH	38R	1,072	2,846	1,004	1,004
35	AI	38R	1,072	2,846	1,004	1,004
36	AJ	38R	1,072	2,846	1,004	1,004
37	AK	38R	1,072	2,846	1,004	1,004
38	AL	38R	1,072	2,846	1,004	1,004
39	AM	38R	1,072	2,846	1,004	1,004
40	AN	38R	1,072	2,846	1,004	1,004
41	AO	38R	1,072	2,846	1,004	1,004
42	AP	38R	1,072	2,846	1,004	1,004
43	AQ	38R	1,072	2,846	1,004	1,004
44	AR	38R	1,072	2,846	1,004	1,004
45	AS	38R	1,072	2,846	1,004	1,004
46	AT	38R	1,072	2,846	1,004	1,004
47	AU	38R	1,072	2,846	1,004	1,004
48	AV	38R	1,072	2,846	1,004	1,004
49	AW	38R	1,072	2,846	1,004	1,004
50	AX	38R	1,072	2,846	1,004	1,004
51	AY	38R	1,072	2,846	1,004	1,004
52	AZ	38R	1,072	2,846	1,004	1,004
53	BA	38R	1,072	2,846	1,004	1,004
54	BB	38R	1,072	2,846	1,004	1,004
55	BC	38R	1,072	2,846	1,004	1,004
56	BD	38R	1,072	2,846	1,004	1,004
57	BE	38R	1,072	2,846	1,004	1,004
58	BF	38R	1,072	2,846	1,004	1,004
59	BG	38R	1,072	2,846	1,004	1,004
60	BH	38R	1,072	2,846	1,004	1,004
61	BI	38R	1,072	2,846	1,004	1,004
62	BJ	38R	1,072	2,846	1,004	1,004
63	BK	38R	1,072	2,846	1,004	1,004
64	BL	38R	1,072	2,846	1,004	1,004
65	BM	38R	1,072	2,846	1,004	1,004
66	BN	38R	1,072	2,846	1,004	1,004
67	BO	38R	1,072	2,846	1,004	1,004
68	BP	38R	1,072	2,846	1,004	1,004
69	BQ	38R	1,072	2,846	1,004	1,004
70	BR	38R	1,072	2,846	1,004	1,004
71	BS	38R	1,072	2,846	1,004	1,004
72	BT	38R	1,072	2,846	1,004	1,004
73	BV	38R	1,072	2,846	1,004	1,004
74	BW	38R	1,072	2,846	1,004	1,004
75	BX	38R	1,072	2,846	1,004	1,004
76	BY	38R	1,072	2,846	1,004	1,004
77	BZ	38R	1,072	2,846	1,004	1,004
78	CA	38R	1,072	2,846	1,004	1,004
79	CB	38R	1,072	2,846	1,004	1,004
80	CC	38R	1,072	2,846	1,004	1,004
81	CD	38R	1,072	2,846	1,004	1,004
82	CE	38R	1,072	2,846	1,004	1,004
83	CF	38R	1,072	2,846	1,004	1,004
84	CG	38R	1,072	2,846	1,004	1,004
85	CH	38R	1,072	2,846	1,004	1,004
86	CI	38R	1,072	2,846	1,004	1,004
87	CJ	38R	1,072	2,846	1,004	1,004
88	CK	38R	1,072	2,846	1,004	1,004
89	CL	38R	1,072	2,846	1,004	1,004
90	CM	38R	1,072	2,846	1,004	1,004
91	CN	38R	1,072	2,846	1,004	1,004
92	CO	38R	1,072	2,846	1,004	1,004
93	CP	38R	1,072	2,846	1,004	1,004
94	CQ	38R	1,072	2,846	1,004	1,004
95	CR	38R	1,072	2,846	1,004	1,004
96	CS	38R	1,072	2,846	1,004	1,004
97	CT	38R	1,072	2,846	1,004	1,004
98	CU	38R	1,072	2,846	1,004	1,004
99	CV	38R	1,072	2,846	1,004	1,004
100	CW	38R	1,072	2,846	1,004	1,004
101	CX	38R	1,072	2,846	1,004	1,004
102	CY	38R	1,072	2,846	1,004	1,004
103	CA	38R	1,072	2,846	1,004	1,004
104	CB	38R	1,072	2,846	1,004	1,004
105	CC	38R	1,072	2,846	1,004	1,004
106	CD	38R	1,072	2,846	1,004	1,004
107	CE	38R	1,072	2,846	1,004	1,004
108	CF	38R	1,072	2,846	1,004	1,004
109	CG	38R	1,072	2,846	1,004	1,004
110	CH	38R	1,072	2,846	1,004	1,004
111	CI	38R	1,072	2,846	1,004	1,004
112	CJ	38R	1,072	2,846	1,004	1,004
113	CK	38R	1,072	2,846	1,004	1,004
114	CL	38R	1,072	2,846	1,004	1,004
115	CM	38R	1,072	2,846	1,004	1,004
116	CN	38R	1,072	2,846	1,004	1,004
117	CO	38R	1,072	2,846	1,004	1,004
118	CP	38R	1,072	2,846	1,004	1,004
119	CQ	38R	1,072	2,846	1,004	1,004
120	CR	38R	1,072	2,846	1,004	1,004
121	CS	38R	1,072	2,846	1,004	1,004
122	CT	38R	1,072	2,846	1,004	1,004
123	CU	38R	1,072	2,846	1,004	1,004
124	CV	38R	1,072	2,846	1,004	1,004
125	CW	38R	1,072	2,846	1,004	1,004
126	CX	38R	1,072	2,846	1,004	1,004
127	CY	38R	1,072	2,846	1,004	1,004
128	CA	38R	1,072	2,846	1,004	1,004
129	CB	38R	1,072	2,846	1,004	1,004
130	CC	38R	1,072	2,846	1,004	1,004
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138	CK	38R	1,072	2,846	1,004	1,004
139	CL	38R	1,072	2,846	1,004	1,004
140	CM	38R	1,072	2,846	1,004	1,004
141	CN	38R	1,072	2,846	1,004	1,004
142	CO	38R	1,072	2,846	1,004	1,004
143	CP	38R	1,072	2,846	1,004	1,004
144	CQ	38R	1,072	2,846	1,004	1,004
145	CR	38R	1,072	2,846	1,004	1,004
146	CS	38R	1,072	2,846	1,004	1,004
147	CT	38R	1,072	2,846	1,004	1,004
148	CU	38R	1,072	2,846	1,004	1,004
149						

Council's Referral Option

- As directed by Council on March 13, 2000.
- This option proposes the creation of a public, dedicated loop road extending from London Road to the former CN Rail corridor, then turns south toward the eastern end of Princess Lane and back to Princess Street.
- A minor connection for a pedestrian and emergency vehicle access only would connect to Dyke Road.
- A second pedestrian access would be provided between Princess Street and Dyke Road.
- No new accesses for regular vehicular traffic would be provided to Dyke Road.
- Dyke Road itself would continue to be a through road.

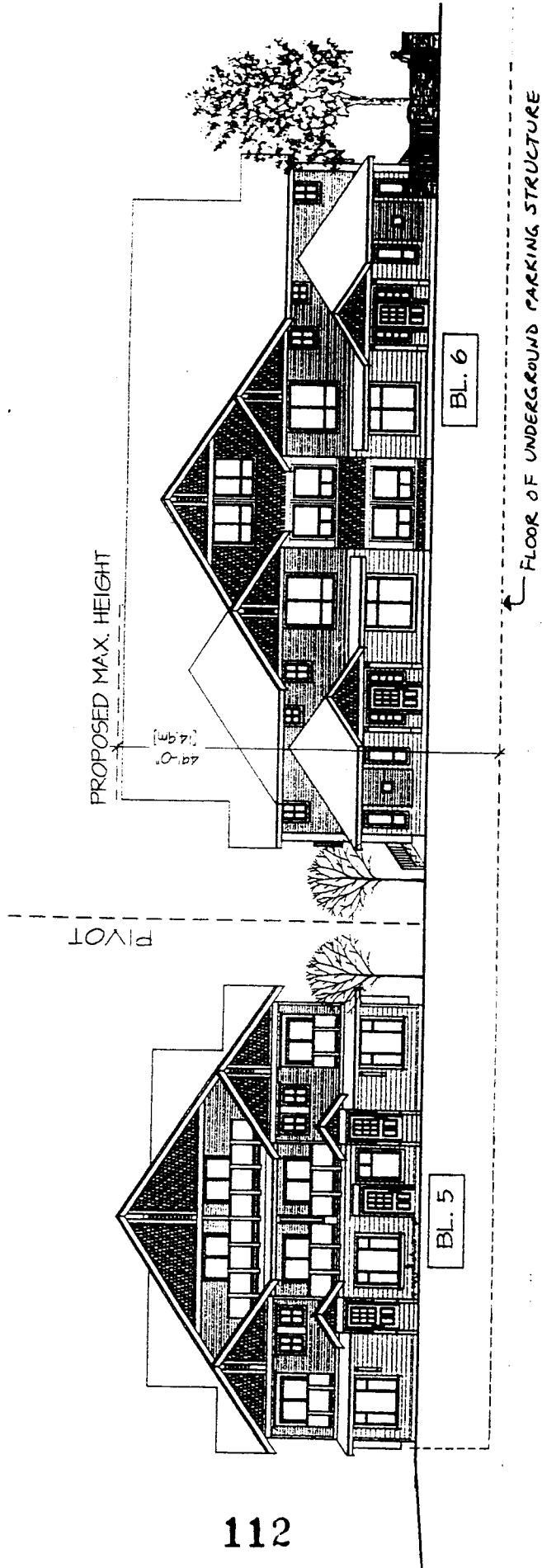


LOCATION OF CURRENT AND PROPOSED PUBLIC RIGHTS-OF-PASSAGE



- OPEN SPACE TO HAVE REGISTERED PUBLIC RIGHTS-OF-PASSAGE
- WALKWAYS PROPOSED TO HAVE REGISTERED PUBLIC RIGHTS-OF-PASSAGE
- AREAS THAT ALREADY HAVE REGISTERED PUBLIC RIGHTS-OF-PASSAGE
(FROM EARLIER REZONING APPLICATION)

BUILDING ELEVATIONS FOR MULTIPLE-FAMILY DWELLING UNIT BUILDINGS



London Lane Industrial Park Ltd.

6471 Dyke Road
 Richmond B.C. V7E 3R3
 Phone & Fax (604) 277-9553

City of Richmond – Planning Committee

6911 No. 3 Road

Richmond B.C. V6Y 2C1

FOR SUBMISSION TO PLANNING COMMITTEE - WHEN THIS APPLICATION IS REVIEWED.
 WITHOUT PREJUDICE

Saturday, June 28, 2003

Re: Rezoning Application RZ03-229096 - Oris Development/Dana Westermark-Princess Lane Area

Dear COMMITTEE CHAIR PERSON

This letter is a re-statement of the essence of more than 300 items of correspondence directed to you, Council and your committee over the past five years.

On the surface it would appear that something is wrongfully amiss and that many actions taken by Staff and Council are the result of deliberate manipulation by the developer Dana Westermark, or some other influences that are not understood or appreciated by me. Previous and proposed property exchanges are especially disconcerting.

In my opinion the number and extent to which bylaws and rules have been amended for the benefit of this developer are appalling. Although I am reasonably assured that nothing obviously illegal has transpired, the level of honest and fair treatment in many of the decisions and recommendations made, is clearly unacceptable, namely:

Princess Lane initial dedications:

When I dedicated the first extension to the East end of Princess Lane, in the early 1970's, it was a 12.0 m wide road designed to provide access to my as yet un-built industrial buildings.

At the same time plans were prepared that indicated that, the then existing narrower 6m wide portion of Princess Lane, would be widened by requiring road dedications from property owners on both the North and South sides of the lane when they developed. *See drawing attached.*

In the early 1980's I dedicated a North-South leg addition to Princess Lane, which was extended farther South in 1997, and was 6.0 m wide, on the understanding that this constituted my one-half of a future continuation of the 12.0 m wide road, now referenced as McKinney Walk.

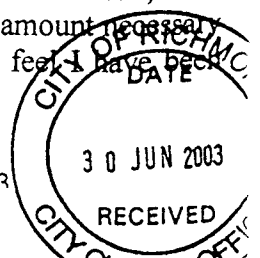
Prior to any applications, in this area, by Dana Westermark I had applied for a subdivision of the vacant portion of my property into single-family lots facing what is now shown as McKinney Walk, South of Princess Lane.

It had been confirmed by you, Mr. Burke, that if I were to proceed prior to any rezoning or development of the adjacent property, I would be required to increase the width of my dedicated portion of roadway by 4.0 m to meet road width requirements.

It was suggested that I should withdraw my application until the adjoining property developed at which time the rezoning and development of the adjacent property would afford the City the opportunity to acquire the necessary land to fulfill the road width requirements. I agreed to withdraw my application for these reasons, based on your letter.

Developer was not required to provide any land for road widening:

When the developer Dana Westermark submitted his application for re-zoning and development of the adjoining property, only his requirements were considered in the design and width requirements of the road, even though I had already dedicated 6.0 m of road, Westermark was asked to only contribute the 1.5 m amount necessary to satisfy Westermark's requirements. No consideration of our requirements was forthcoming. I feel I have been cheated.



Loop Road

An extensive evaluation of the need for a loop road was done. In the report to Council recommending the loop road, it clearly stated in the first mention of the location of the loop road that it be "within the developer's property".

Since this loop road only exists as a direct result of the new housing developments in the area, it would be reasonable to assume that, land for the required loop road would be provided by the developer on his land.

Legally it is also only reasonable to expect that the written statement, in the initial report, that said "the loop road was to be located on the developer's land" overruled the conceptual drawing of the location of the loop road.

For the developer to shift a portion of the loop road onto my property, so that he might increase the number of houses on his property, and then attempt to download the provision of land for this road and download the costs of this road on to me, is not acceptable. If the developer wants my land for his loop road he must pay for it.

Preparation of an "Area Concept Plan".

Since the very first development of 20 homes referred to as "London Landing Riverfront" it has been a requirement that the developer provide an acceptable overall "Area Concept Plan" demonstrating the overall development plan, the proposed trail and the road network. An acceptable plan has never been provided.

Plans that have been provided have been consistently based on false information. Consistently absent from every plan presented are the existing industrial buildings, the required industrial and ALR buffer zones and adequate access to the existing industrial buildings.

Dyke Road connection to McKinney Walk.

Many of the development proposals put forward have suggested, that as part of the proposals, a trail and road extension would be made to the South end of McKinney Walk, over the existing Utilities right-of-way. No agreement has ever been made that permits any road extension, trail, or emergency vehicle access through our property.

For those of you who may not be aware, an action has been commenced in BC Supreme Court to verify that the existing Utilities right-of-way agreements were never initiated to include any use of this utilities right-of-way as a road, pedestrian or emergency vehicle access. Contrary to what the City or the developer may wish to contend.

Neither an acceptable property exchange, sale and purchase of land, nor any expropriation of the right-of-way has ever been concluded. We are not opposed to any of these propositions, however at this time this land remains our private property.

Residential to Industrial Buffer Zone.

There is a City requirement that the Developer provide for a buffer zone between existing industrial property and any proposed residential development. The "Area Concept Plan" presented does not provide for any such buffer zone. Suggestions that simply increasing the thickness of the Gypsum Wall Board from 1/2" to 5/8" and eliminating windows on the housing units adjacent to the industrial park, will not provide the required visual or sound barrier.

Any suggestion to the idea that the industrial buildings are temporary is not true. They will remain in place for many years, probably at least Thirty years, given their high standard of construction and the commensurate design and affordability. The proposed road design will render the property effectively worthless, except as industrial use.

We have provided what we feel is an appropriate and acceptable buffer design. *See drawing attached.* It is the "Plan Approving Officer's" responsibility to insure that an adequate buffer is provided by the developer on his property that will insure a compatible co-existence.

Access for Industrial Park Tenants

It is imperative that we maintain adequate access for trucks to our industrial buildings and storage yard. For the developer to propose that he will install ramps into our property, to accommodate the increase in elevation of his proposed road, that will compromise or prohibit adequate access, drainage and parking is unacceptable. Although site

meetings were held with some City staff, we have never been presented with any acceptable solutions to these serious problems.

Future road shown under our existing building.

The future portion of the loop road that is shown under our building is for the sole benefit of this current residential development and has nothing to do with any existing or proposed future development of our industrial property.

Drawings by the developer that show our existing industrial building property subdivided into single-family lots are wrong and not substantiated by anything.

The developer's idea of what he thinks should be developed on our property in the future, so that he can justify his placement of the road on our property, under our existing building, is clearly not acceptable.

Any attempt to pursue this plan, of placing this road on our property, will be met with similar B C Supreme Court action for compensation or outright invalidation of the Official Community Plan.

Any attempt to postpone application of the dedication, downloading or construction of this road under our building, onto the future development of our property, will be met with similar court action.

Subdivision of the vacant South portion of our property

We have submitted to you an application to subdivide our vacant land into 5 single-family residential lots. This application has been in your hands for more than three years. That subdivision is conditional on the application of some of the points mentioned above. We suggest you revisit the proposals in our current subdivision application, which may diminish or eliminate the need for the lengthy and costly litigation that we are now engaged in.

Summary

I have already dedicated more than my share of land for roads, installed the main sanitary sewer extension and constructed a vehicle and pedestrian crossing to the dyke. All I asked was to be able to sell my vacant land over time and be left alone to operate my industrial buildings. I will not provide land or pay for roads required by others.

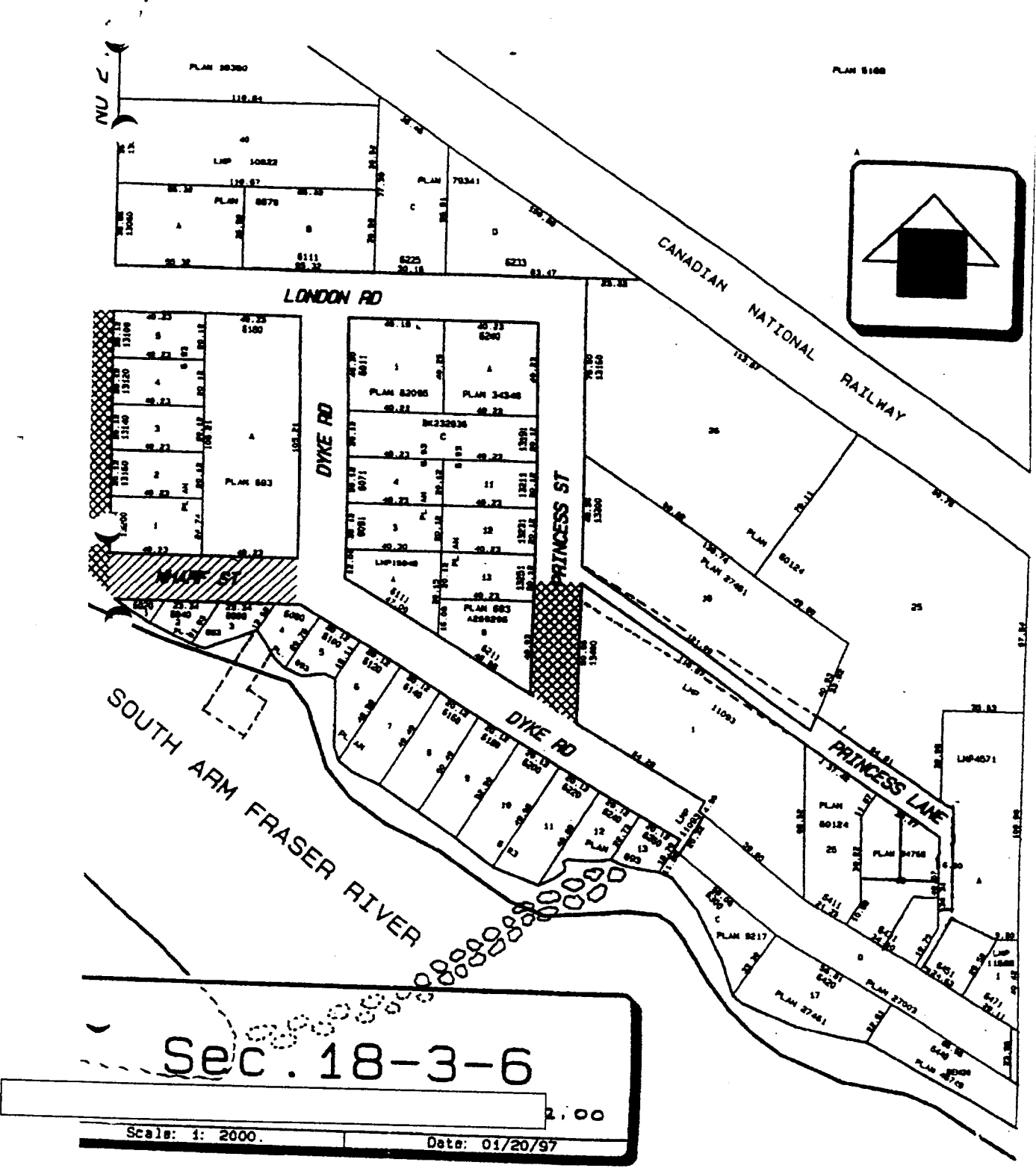
I strongly recommend you refrain from adopting this Rezoning until these items are fully resolved.

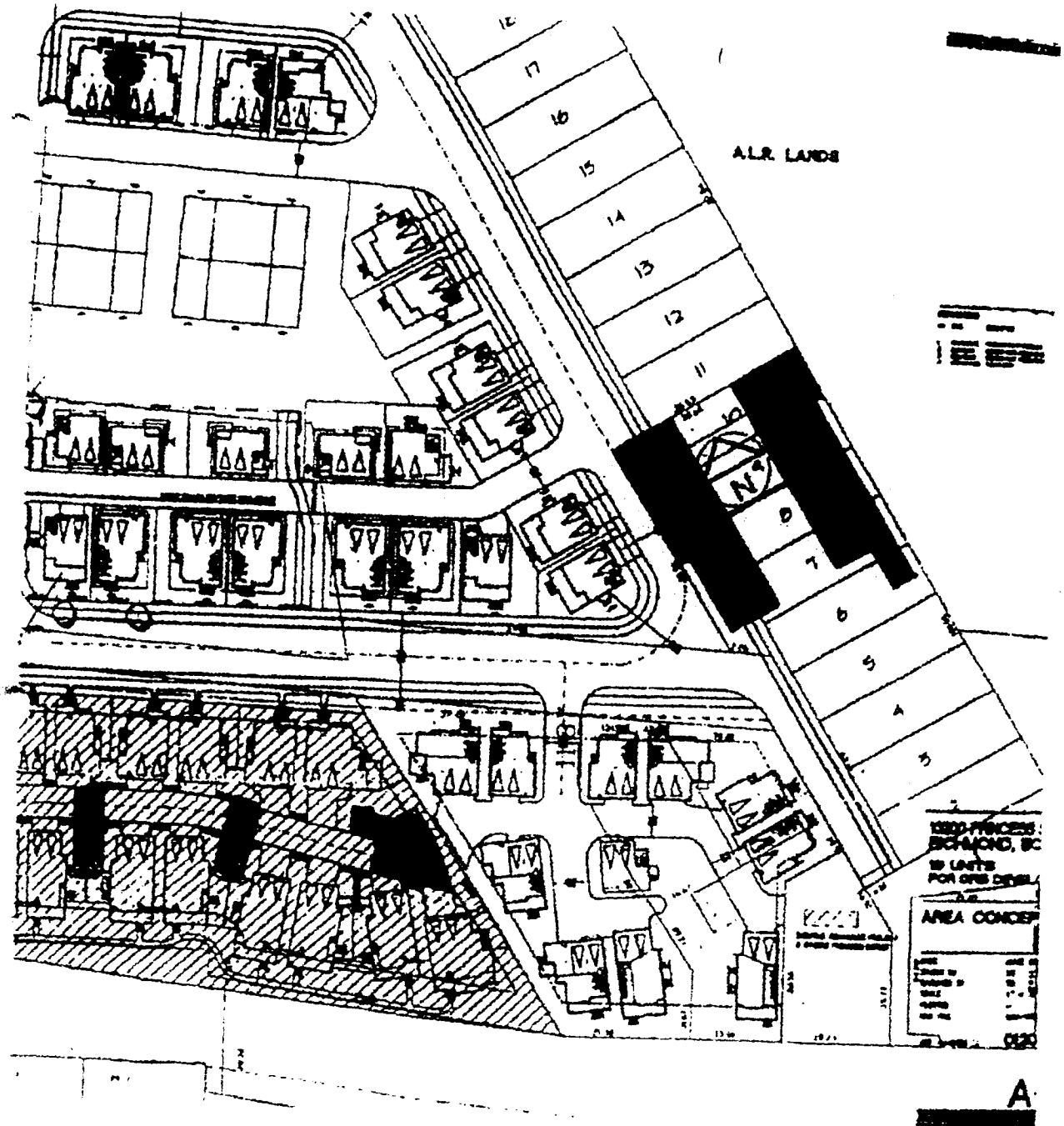
LONDON LANE INDUSTRIAL PARK LTD.



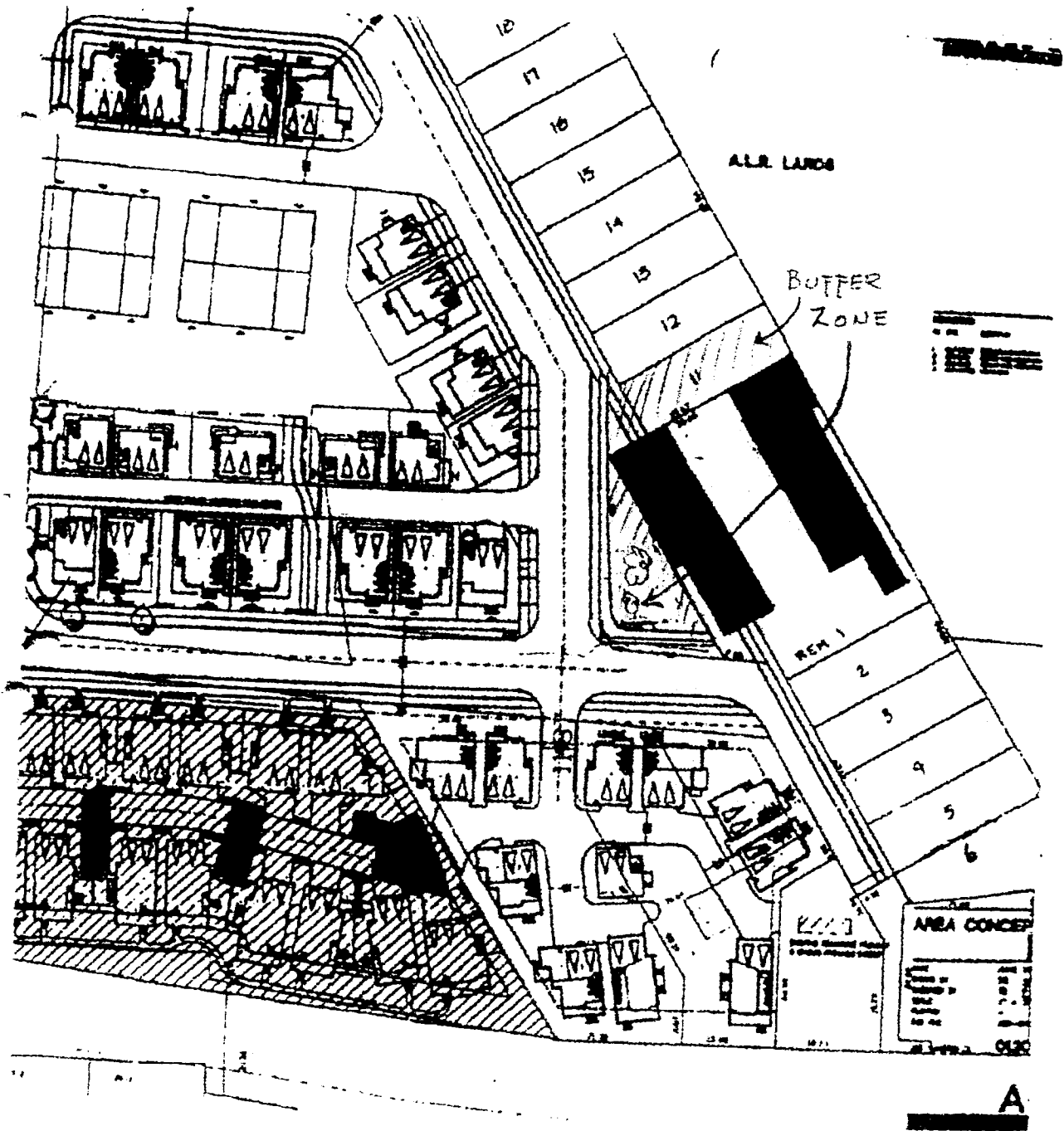
Curtis C. Eyestone – President

- CC: Allan Clarke-Manager of Zoning
- Jim Hnatiuk-Transportation Engineer
- Donna Chan-Transportation Engineer
- Rick Stene-Chief Fire Prevention Officer
- David Brownlee-Urban Planner
- Janet Lee-Area Planner
- Ernie Nishi-Supervisor – Permits
- Al Schmidt-Supervisor-Urban Development (Utilities)
- Yvonne Stitch-Park Planner
- Clarence Sihoe-Park Planner
- Jane Fernyhough-Manager Heritage and Cultural Services
- Terry Crowe-Manager Policy Planning
- Brian Guzzi-Planner





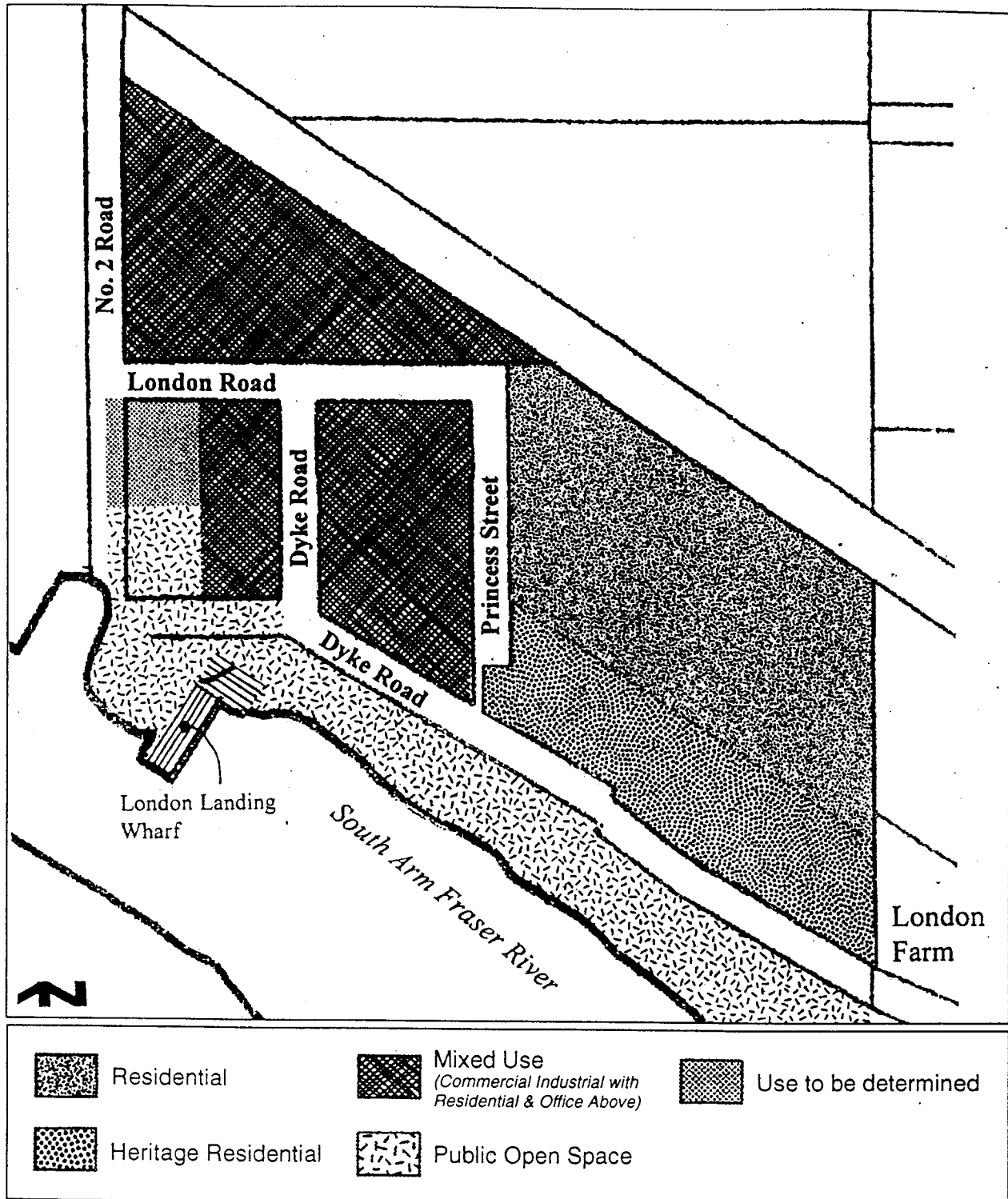
RZ 01-229096
 Developer's proposed roads at
**EXISTING INDUSTRIAL
 BUILDINGS**



**RESIDENTIAL-INDUSTRIAL
BUFFER ZONE SUGGESTION**

City of Richmond

London/Princess Land Use Map





**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7568 (RZ 03-229096)
13160 PRINCESS STREET AND 6431 PRINCESS LANE**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning and Development Bylaw 5300 is amended by replacing Section 291.115 with the following:

“291.115 COMPREHENSIVE DEVELOPMENT DISTRICT (CD/115)

The intent of this zoning district is to accommodate single-family and multiple-family residential development.

291.115.1 PERMITTED USES

RESIDENTIAL, limited to **One-Family Dwelling**, **Townhouses**, and **Multiple-Family Dwellings** but not including apartments;
BOARDING & LODGING, limited to two persons per **dwelling unit**;
HOME OCCUPATION;
COMMUNITY USE;
AGRICULTURE, limited to the growing of crops;
ACCESSORY USES, but excluding **secondary suites**.

291.115.2 PERMITTED DENSITY

.01 **Maximum Floor Area Ratio:**

- (a) For **One-Family Dwellings**: 0.55; together with an additional 50 m² (538.21 ft²) for use as **accessory buildings** and off-street parking.
- (b) For **Townhouses**: 0.57; together with an additional 50 m² (538.21 ft²) per **dwelling unit** (either for the exclusive use of individual units or for the total development) for use as **accessory buildings** and off-street parking; AND FURTHER an additional 0.1 **floor area ratio** provided that it is entirely **used** to accommodate **Amenity Space**.
- (c) For **Multiple-Family Dwellings** over a common underground parking structure: 0.87 (exclusive of parts of the **building** that are **used** for off-street parking purposes);

- (d) 10% of the total floor area calculated above for the lot in question, which area must be used exclusively for covered areas of the principal building which are open on one or more sides.

291.115.3 MAXIMUM LOT COVERAGE:

For **One-Family Dwellings:** 40%

For **Townhouses:** 30%

For **Multiple-Family Dwellings:** 35%

291.115.4 MINIMUM SETBACKS FROM PROPERTY LINES

.01 For **Townhouses, buildings** may not be sited outside of the building envelope identified in Diagrams 1, 2 and 3, Section 291.115.4.02.

.02 Diagram 1

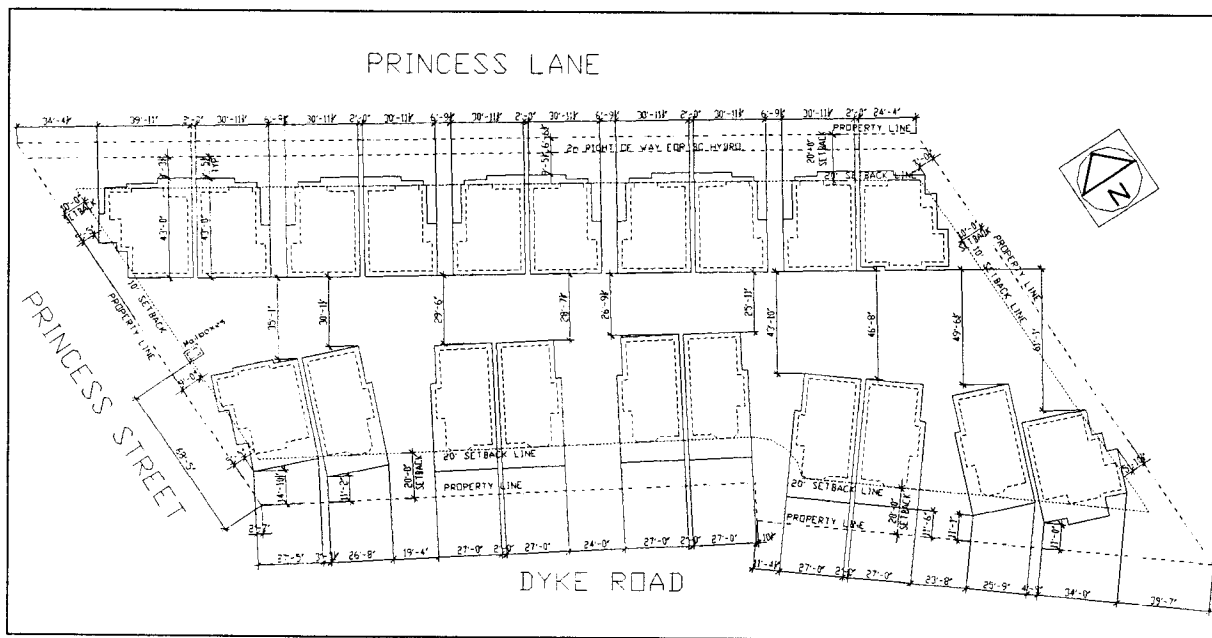


Diagram 2

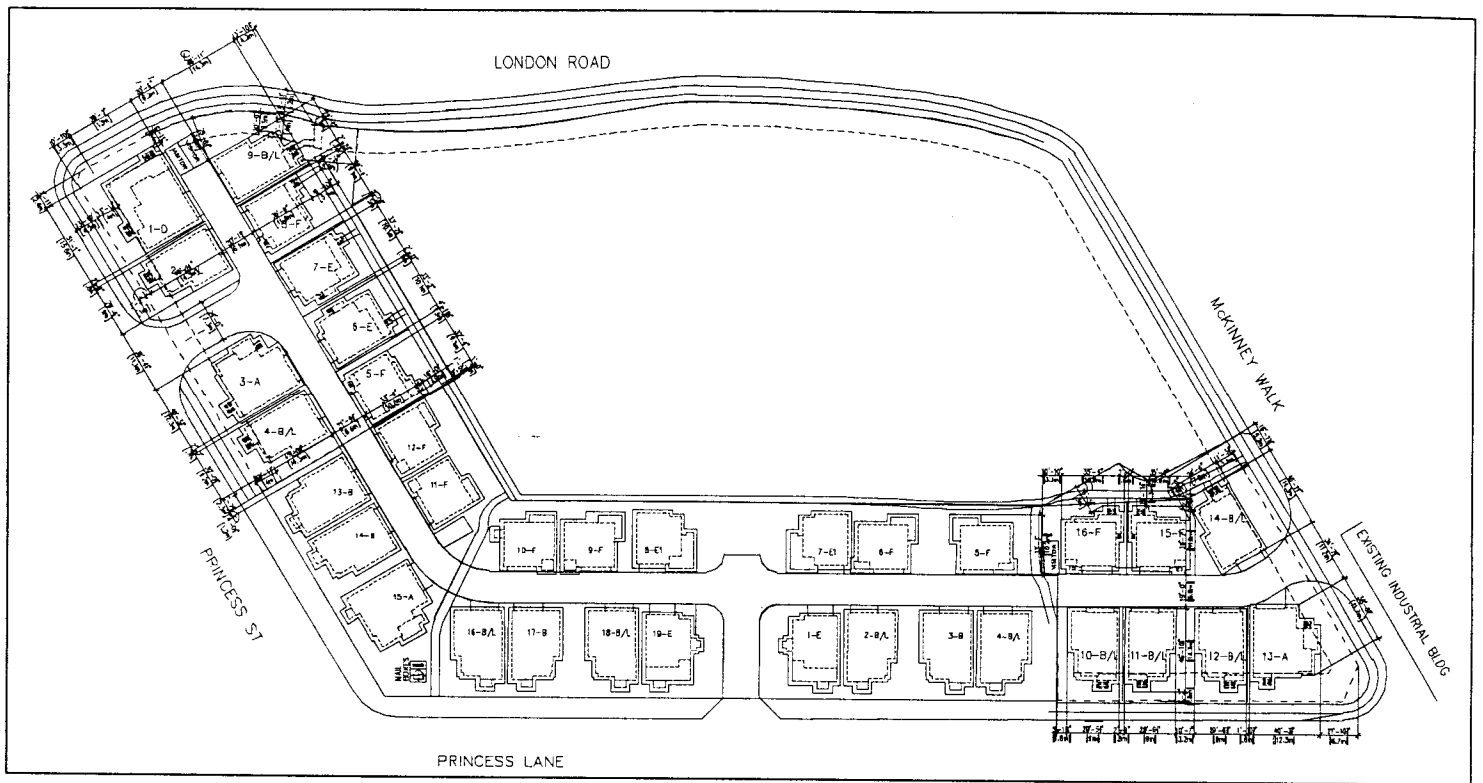
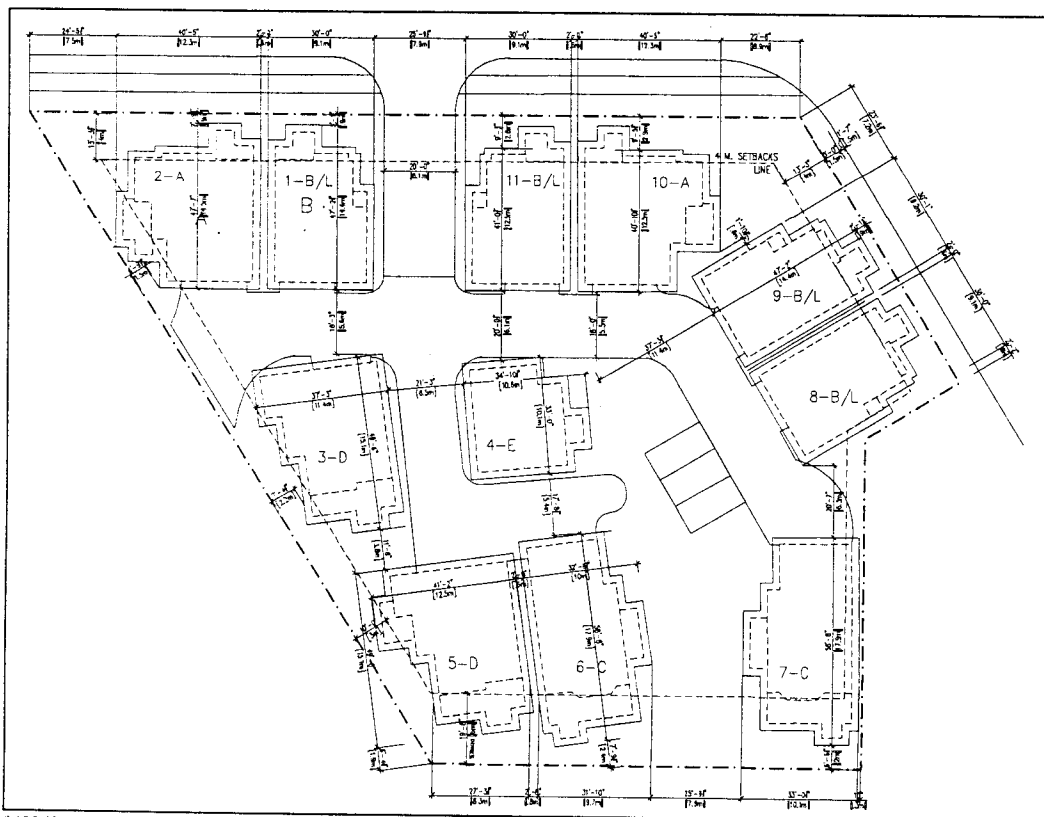


Diagram 3



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.03 For **Multiple-Family Dwellings, buildings** may not be sited outside of the building envelope identified in Diagram 1, Section 291.115.4.04, and the underground parking structure may not be sited outside of the building envelope identified in Diagram 2, Section 291.115.4.04.

.04 Diagram 1

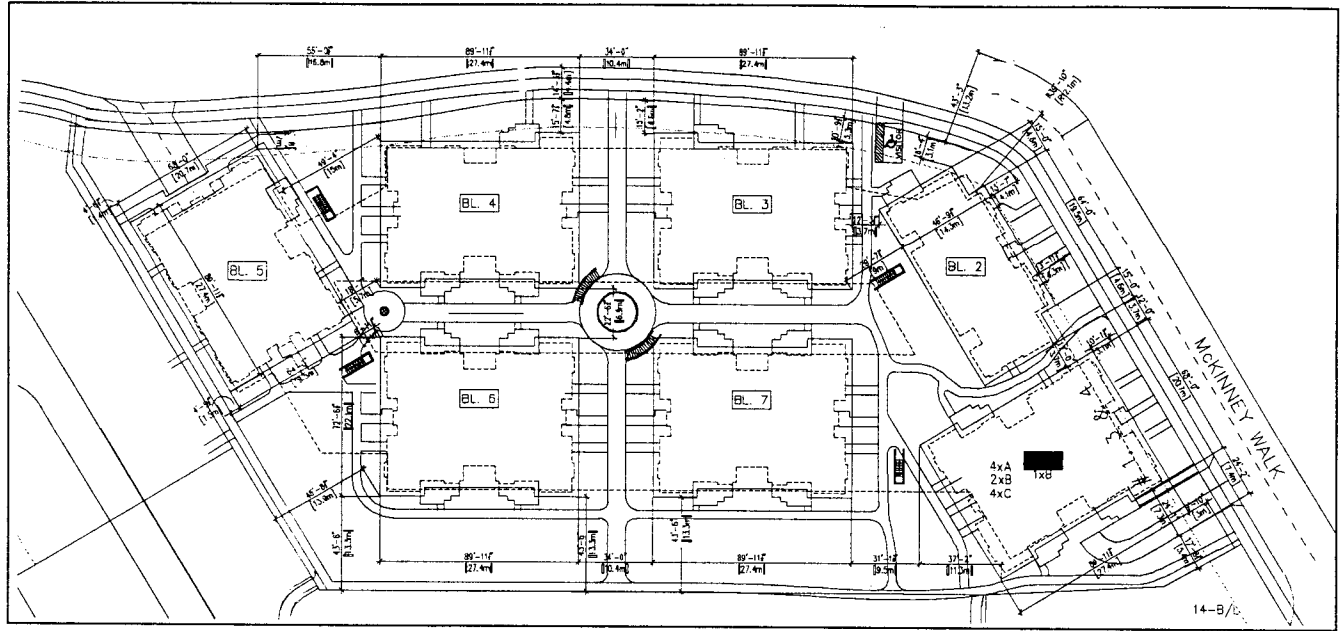
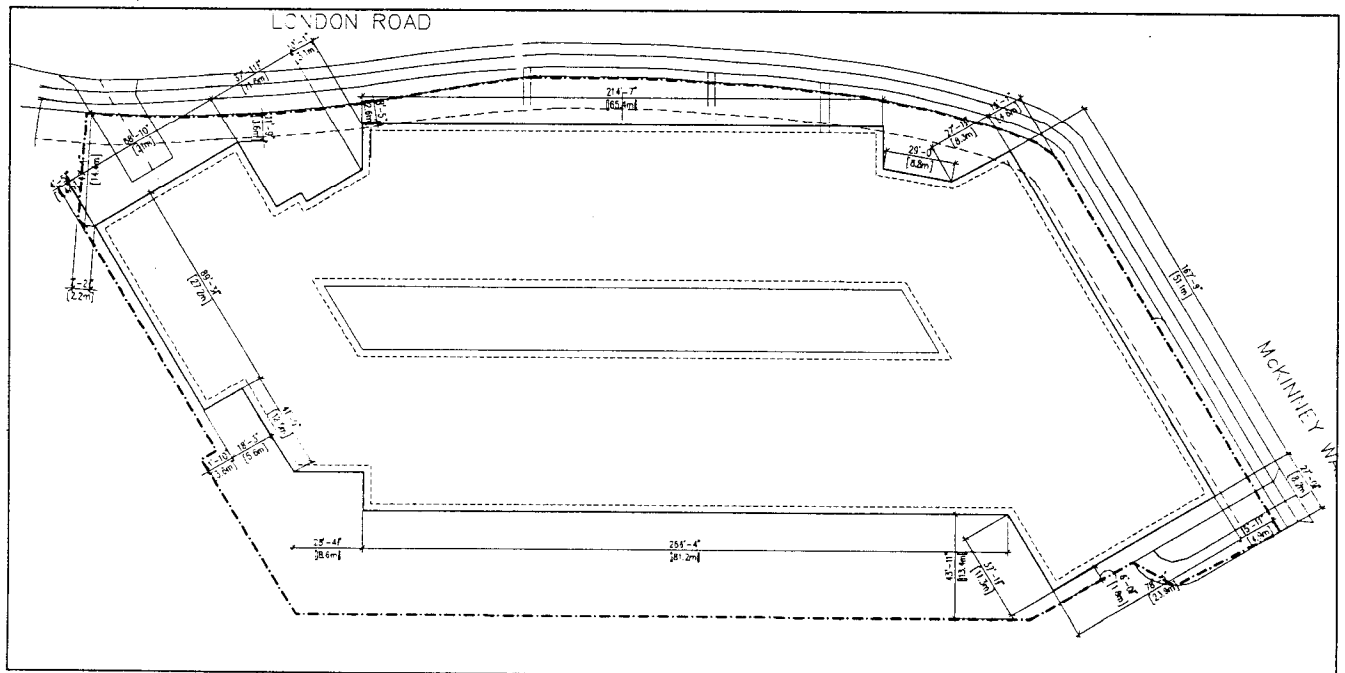


Diagram 2



.05 For **One-Family Dwellings:**

Front Yard: Dyke Road: 6.0 m (19.685 ft.)
 All other roads: 4.0 m (13.123 ft.)

Side Yard: 1.2 m (3.937 ft.), except that where a **side property line** abuts a **public road**, the minimum **side yard** to that property line shall be 3 m (9.843 ft.).

Rear Yard: 6.0 m (19.685 ft.), except that where a **rear property line** abuts lands zoned "Agricultural District (AG1)", the minimum **rear yard** to that property line shall be 12 m (39.37 ft.).

291.115.5 **MAXIMUM HEIGHTS**.01 For **One-Family Dwellings** and **Townhouses:**

(a) For dwellings fronting Princess Lane, Princess Street, other **public roads** and internal driveways maximum heights will be 11.72 m (38.46 ft.), but containing not more than 2½ habitable **storeys**.

(b) For dwellings fronting Dyke Road maximum heights will be 11.22 m (36.80 ft.), but containing not more than 2 habitable **storeys**.

.02 For **Multiple-Family Dwellings:** 15.0 m (49.213 ft.)

.03 **Structures:** 20.0 m (65.617 ft.)

291.115.6 **OFF-STREET PARKING**

.01 Off-street parking shall be provided, developed and maintained in accordance with Division 400 of this Bylaw."

- 2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7568”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

MAYOR

CITY CLERK



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 7569 (RZ 03-229096)
13160 PRINCESS STREET, 6431 PRINCESS LANE AND A PORTION
OF THE FORMER CN RAIL RIGHT-OF-WAY**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **COMPREHENSIVE DEVELOPMENT DISTRICT (CD/115)**.

That area shown hatched on "Schedule A attached to and forming part of Bylaw No. 7569"

2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **SCHOOL AND PUBLIC USE (SPU)**.

That area shown cross-hatched on "Schedule A attached to and forming part of Bylaw No. 7569"

3. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7569"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

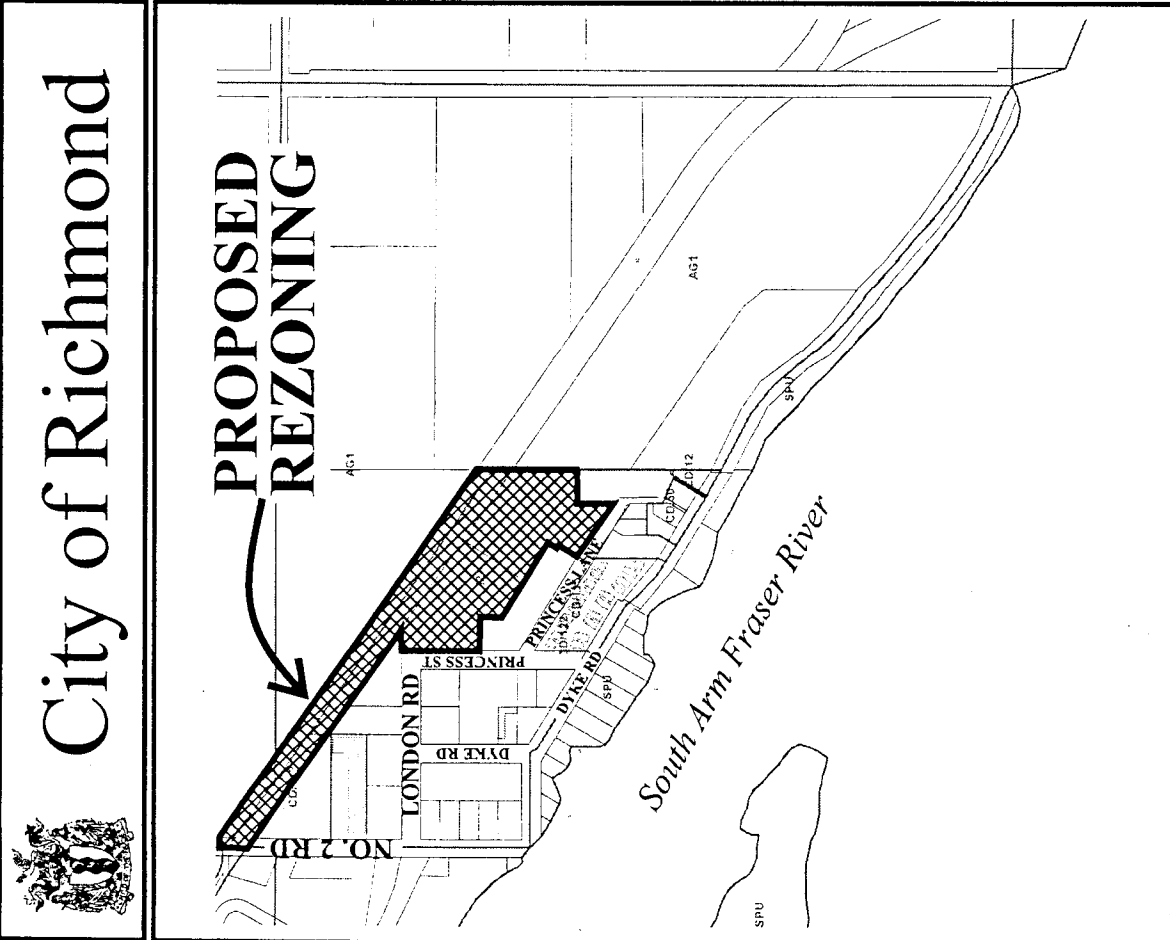
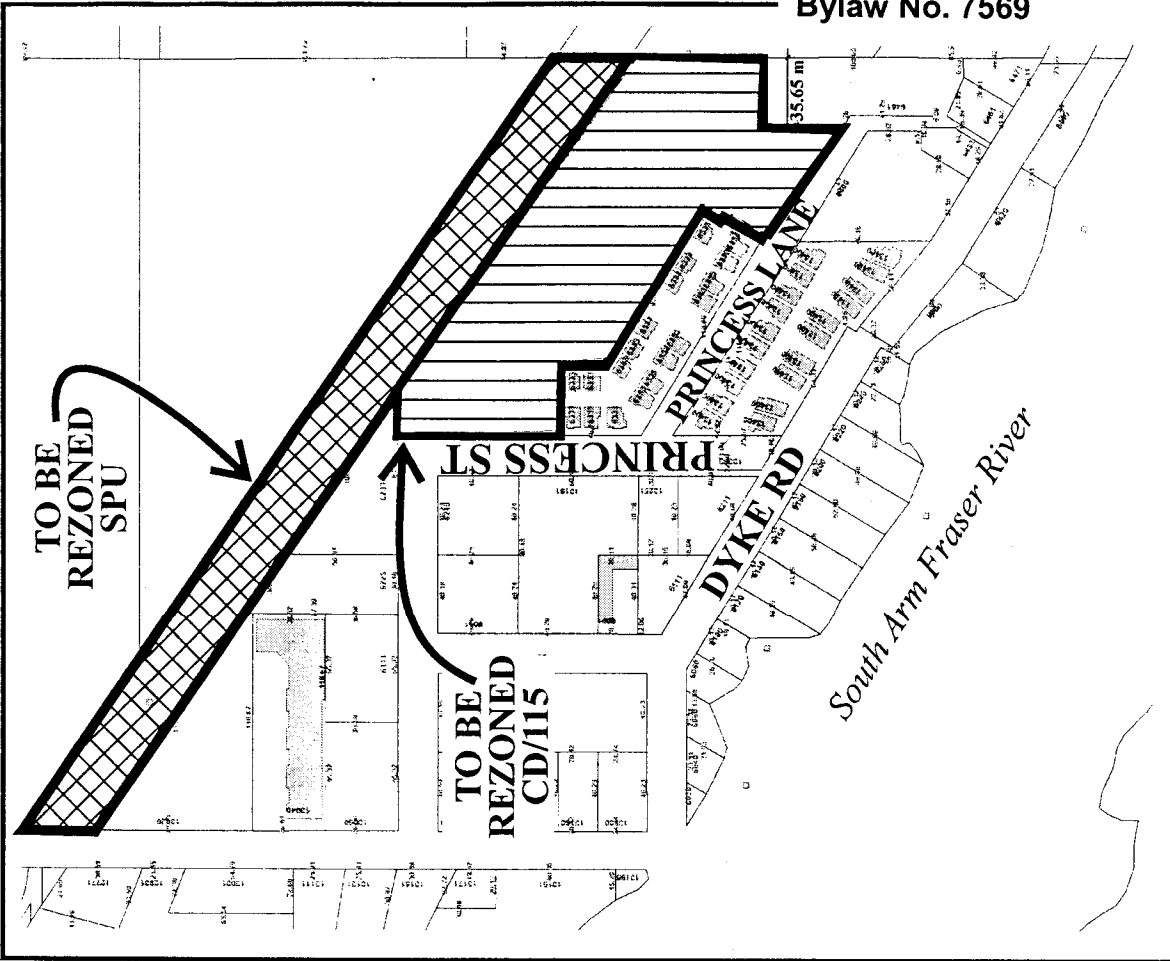
OTHER REQUIREMENTS SATISFIED

ADOPTED

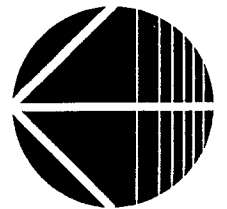
CITY OF RICHMOND
APPROVED for content by originating dept.
<i>MB</i>
APPROVED for legality by Solicitor

MAYOR

CITY CLERK



City of Richmond



RZ 03-229096

Original Date: 03/18/03

Revision Date: 09/05/03

Note: Dimensions are in METRES