



CITY OF RICHMOND

REPORT TO COUNCIL

TO: Richmond City Council

DATE: September 21, 2000

FROM: David McLellan
Chair, Development Permit Panel

FILE: 0100-20-DPER1

RE: Development Permit Panel Meeting Held on September 13, 2000

PANEL RECOMMENDATION

1. That the recommendations of the Panel to authorize the issuance of:
 - i) a Development Permit (DP 00-174676) for the property at 7351 and 7371 Moffatt Road;
 - ii) a Development Variance Permit (DV 00-174568) for the property at 13611 Smallwood Place;
 - iii) a Development Variance Permit (DV 00-174878) for the property at 13220 Smallwood Place;be endorsed, and the Permits so issued.

2. That a Development Variance Permit (DV 00-174210) for the property at 12033 Riverside Way be denied.

A handwritten signature in cursive script that reads "David McLellan".

David McLellan
Chair, Development Permit Panel

PANEL REPORT

The Development Permit Panel considered five applications at its meeting held on September 13, 2000.

DV 00-174210 – OPUS BUILDING CORPORATION – 12033 RIVERSIDE WAY

This application proposes to vary the number of parking spaces required for a new three-storey restaurant/office building in the Riverside Industrial Park and to allow 40% small car parking spaces. Although the applicant had a traffic consultant justify the parking variances, the majority of the Panel was not convinced that a relaxation from the 177 parking spaces required to the 136 parking spaces proposed was in the public interest. Specifically, concern was expressed that there was no parking allowed on No. 5 Road and that this area is already very busy during the daytime. Furthermore, Panel members were concerned that this variance could set a precedent and was inconsistent with what had been required elsewhere (i.e. Ironwood Mall; Riverside Industrial Park; etc.).

Although the applicant did agree to revise the landscape plans to provide better screening along Riverside Way, No. 5 Road and Featherstone Way, the motion to approve this Development Variance Permit was defeated by the majority of the Panel. Should Council disagree with the Panel, it is suggested that the Permit be referred to a Public Hearing since there was no public comment on the application at the Panel meeting.

DP 00-174676 – AM-PRI CONSTRUCTION LTD. – 7351 AND 7371 MOFFATT ROAD

This proposal is to construct ten townhouse units on a site zoned for both townhouse and apartment use. Because the latter use is usually built on this zoning, the Townhouse and Apartment District (R3) has a 6 m (19.685 ft) setback requirement. The applicant requested that this be varied to the setback found in the Townhouse District (R2) and used for most similar townhouse developments. There were 7 letters from the neighbourhood and one delegation at the Panel meeting. Most of the concerns related to the proposed variance to allow a 3 m (9.843 ft) side yard setback (i.e. reduced sunlight, construction impacts and proximity to the adjacent development at 7311 Moffatt Road). In response, the Panel was advised by staff that the proposed townhouse development would have less of an impact than should a three or four-storey apartment be built on the site. The applicant also indicated there would be no preload on the site and that a soil engineer has indicated that there should not be construction impacts on the adjacent complex to the north. The Panel was satisfied with the design of this infill project and recommended that the delegation advise the owners of the adjacent complex to take an inventory of their units should there be a need for any civil action arising from the construction of this proposal.

The Panel recommends that the permit be issued.

DV 00-174568 – TERANCE J. MAGER – 13611 SMALLWOOD PLACEDV 00-174878 – TERANCE J. MAGER – 13220 SMALLWOOD PLACE

Both of these variance applications are located in the Richmond Automall and are similar in nature. The first involves Cowell Volkswagan and the second Infiniti Nissan. A slight road setback variance is requested to accommodate recent improvements to both dealerships. There was no public comment and the Panel was pleased with the appearance of the buildings.

The Panel recommends that both Permits be issued.

HB:hb



MINUTES

DEVELOPMENT PERMIT PANEL

Wednesday, September 13, 2000

Time: 3:30 p.m.

Place: Council Chambers
Richmond City Hall

Present: David McLellan, General Manager, Urban Development, Chair
Jim Bruce, General Manager, Finance and Corporate Services
Jeff Day, Director, Engineering

The meeting was called to order at 3:30 p.m.

The Chair introduced the members of the Development Permit Panel to the audience and explained the procedures.

1. MINUTES

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, August 30, 2000 be adopted.

CARRIED

2. DEVELOPMENT VARIANCE PERMIT DV 00-174210

(Report: August 8/00, file No.: DV00-174219) (REDMS: 164266) (Referred from Development Permit Panel meeting of August 30th, 2000)

APPLICANT: Opus Building Corporation

PROPERTY LOCATION: 12033 Riverside Way

INTENT OF PERMIT: To vary the parking requirements from 177 to 136 parking spaces and allow for a maximum of 40% of these spaces as small stalls for a proposed three-storey restaurant and office development.

APPLICANT'S COMMENTS

Mr. Dale Saip spoke on behalf of Opus Building Corporation stating that he was present to answer questions. He also stated that a comprehensive landscaping plan would be included with the application for the building permit.

STAFF COMMENTS

The Manager, Development Applications, Joe Erceg, summarized the staff report noting the submission of the comprehensive parking study. He said the original request was for a reduction to 119 parking spaces but that staff determined 136 to be the minimal number.

GALLERY COMMENTS

None

CORRESPONDENCE

None

PANEL DISCUSSION

The Chair then questioned the rationale of the study as he didn't agree that peak hours for the office and restaurant would be different. Mr. McLellan was also concerned about the issue of equity and the cumulative effect parking variances have on available parking in this area of Richmond. He also noted the one-way access route to this location, and the fact that no parking is allowed on No. 5 Road.

Mr. Saip then explained that the top floor of the building will be empty until 5:00 p.m. and that there are no leases involved in this building, it is owner use.

Mr. Steven Gardner, Ward Consulting Group, then introduced himself in response to a question from Mr. Day asking for clarification of the numbers/percentages given in the report and the reduction of the handicapped spaces.

Mr. Bruce expressed concern over the landscape plan, noting that improvement is needed on the corner of Riverside and No. 5 Roads and along Featherstone. It was agreed that two lines of trees would provide better screening of the parking lot.

PANEL DECISION

It was moved and seconded

That, with revised landscape plans that incorporate more greening, a Development Variance permit be issued for 12033 Riverside Way which would vary the parking requirements from 177 to 136 parking spaces and allow for a maximum of 40% of these spaces as small stalls for a proposed three-storey restaurant and office development.

DEFEATED

OPPOSED: David McLellan
Jeff Day

3. **DEVELOPMENT PERMIT DP 99-170128**
(Report: Aug. 22/00, REDMS: 179493)

APPLICANT: Shion Enterprises Ltd.

PROPERTY LOCATION: 6000 No. 5 Road and 12040 Westminster Hwy.

INTENT OF PERMIT:

1. To allow the construction of a new gas station and 185.8m² (2,000 ft²) convenience store; and
2. To vary the road setback for an above-ground storage tank in Comprehensive Development District (CD/98) of Zoning and Development Bylaw No. 5300 from 4.5 m (14.763 ft.) to 2.8 m (9.186 ft.) in lieu of the requirement for a corner cut at the intersection of the proposed new Frontage Road at Westminster Highway.

APPLICANT'S COMMENTS

Mr. Horner, Horner Developments spoke briefly on the proposal. He stated that the landscape treatment of the south and east property lines have been discussed with the adjacent land owners.

STAFF COMMENTS

The Manager, Development Applications, told the panel that, with the exception of the setback for the storage tank, the project does comply with CD zone requirements. He also said that the Development Permit would be held until the rezoning issue is ready to go to Council for adoption.

GALLERY COMMENTS

None

CORRESPONDENCE

None

PANEL DISCUSSION

Mr. McLellan questioned the size of the propane tank and then its location.

In response, Mr. Horner told the panel that, due to the location of several underground utilities and the proximity of the neighboring residences, this is the only way the site can function. He noted that it would be a very pleasant and extremely attractive site.

PANEL DECISION

It was moved and seconded

That a Development Permit be issued for 6000 No. 5 Road and 12040 Westminster Highway which would:

1. ***Allow the construction of a new gas station and 185.8 m² (2,000 ft²) convenience store; and***
2. ***Vary the road setback for an above-ground storage tank in Comprehensive Development District (CD/98) of Zoning and Development Bylaw No. 5300 from 4.5 m (14.763 ft.) to 2.8 m (9.186 ft.) in lieu of the requirement for a corner cut at the intersection of the proposed new Frontage Road at Westminster Highway.***

CARRIED

4. **DEVELOPMENT PERMIT (DP 00-174676)**

- APPLICANT: Am-Pri Construction Ltd.
- PROPERTY LOCATION: 7351 and 7371 Moffatt Road
- INTENT OF PERMIT:
1. To permit the construction of ten townhouse units on a site zoned Townhouse and Apartment District (R3); and
 2. To vary the regulations in the *Zoning and Development Bylaw* to reduce the minimum building setback from 6 m (19.685 ft.) to:
 - 3 m (9 ft.-10 1/8 in.) on the side yards;
 - 5 m (16 ft.-4 7/8 in.) on the rear yard; and
 - allow box/bay windows and porches with columns to project up to 2 m (6.561 ft.) into the front yard setback.

APPLICANT'S COMMENTS

With the aid of architectural drawings and renderings, photographs and a model, Mr. Tom Yamamoto, Architect, reviewed the proposal. He noted that Moffatt Road has been developed primarily townhouse and apartments. The proposal calls for 10 units in 4 buildings. Revisions have been made in light of staff comments. The site is more deep than wide making entry to side units tight, therefore the request for the setback variance. Mr. Yamamoto requested an R2 setback. He also stated that a soil engineer has been consulted with regard to the concerns of the adjacent property owners to the north, and all is reported to be acceptable.

STAFF COMMENTS

Mr. Erceg stated that staff consider the requests reasonable. He also noted the height of this project (36 ft.), which is less than that permissible for this location. For an apartment building on the site maximum height allowable would be 15m (50 ft.).

With regard to the northern setback it would be 15 feet as requested. Ground level privacy would be protected by a huge tree. The back of the property is well treed, and the east side will have a 6 ft. fence with overlooking trees.

Responding to a question from the Chair, Mr. Yamamoto explained that visitor parking would require 2 turns to avoid having to back out onto Moffatt.

GALLERY COMMENTS

Mr. R.T. Martin represented his unit, #8, at 7311 Moffatt Rd. He is concerned about the layout of the site, setback is 5 —7 metres from his property line, however, wings come to

within 3 metres of the property line, the sight lines and the deficits to his building/unit. He feels setbacks should adhere to the 6m setback requirement even if this means an apartment building as opposed to townhouses. Mr. Martin clarified for the Chair that fluctuation in the water table impacted his unit over the last several years.

CORRESPONDENCE

The following items have been attached as Schedules and form a part of these minutes:

- #7 – 7311 Moffatt Rd. – attached as Schedule A
- #10 – 7311 Moffatt Rd. – attached as Schedule B
- Vivian Chan – 303 –7300 Moffatt Rd. – attached as Schedule C
- Jolly Tomich – 7391 Moffatt Rd. – attached as Schedule D
- Hou, Chun Sheng - #3 – 7311 Moffatt Rd. – attached as Schedule E
- Samson and Penny So - #11 – 7311 Moffatt Rd. – attached as Schedule F
- R.T. Martin – Dorset Realty Group – attached as Schedule G

In response to the question posed in the last paragraph of Schedule D, Mr. McLellan clarified that, although no preload would be required, no permit is required to fill a site. Any action for damages would be a civil action between two parties, therefore, it would be recommended that a complete inventory is taken prior to the start of construction.

PANEL DECISION

It was moved and seconded

That a Development Permit be issued at 7351 and 7371 Moffatt Road that would:

- 1. Permit the construction of ten townhouse units on a site zoned Townhouse and Apartment District (R3); and***
- 2. Vary the regulations in the Zoning and Development Bylaw to reduce the minimum building setback from 6 m (19.685 ft.) to:***
 - ***3 m (9 ft.-10 1/8 in.) on the side yards;***
 - ***5 m (16 ft.-4 7/8 in.) on the rear yard; and***
 - ***allow box/bay windows and porches with columns to project up to 2 m (6.561 ft.) into the front yard setback.***

CARRIED

5. DEVELOPMENT VARIANCE PERMIT (DV 00-174568)

APPLICANT: Terance J. Mager, Architect

PROPERTY LOCATION: 13611 Smallwood Place

INTENT OF PERMIT: To vary the road setback from 6 m (19.685 ft.) to 2.75 m (9.022 ft.) for a portion of the showroom addition (sloped glazing, roof overhang and sunscreen) to Cowell Volkswagen.

APPLICANT'S COMMENTS

Mr. Terance J. Mager, Architect, referred to the section of the preamble to the Zoning and Development Bylaw which deals with overhangs. It has recently been determined that the sloping glass design and the canopy sunshade encroach setbacks.

STAFF COMMENTS

The Manager, Development Applications, Joe Erceg, noting the esthetically pleasing design of the building, confirmed that the encroachment was discovered late in the process, however, the significance was of low impact to the setback.

GALLERY COMMENTS

None

CORRESPONDENCE

None

PANEL DECISION

It was moved and seconded

That a Development Variance Permit be issued for 13611 Smallwood Place that would vary the road setback from 6 m (19.685 ft.) to 2.75 m (9.022 ft.) for a portion of the showroom addition (sloped glazing, roof overhang and sunscreen) to Cowell Volkswagen.

CARRIED

6. **DEVELOPMENT VARIANCE PERMIT (DV 00-174878)**

APPLICANT: Terance J. Mager, Architect
PROPERTY LOCATION: 13220 Smallwood Place
INTENT OF PERMIT: To vary the road setback from 6 m (19.685 ft.) to 5.64 m (18.504 ft.) for the existing building foundation and to 3.27 m (10.728 ft.) for the roof overhang of an addition to the automobile showroom of the Infiniti Nissan.

APPLICANT'S COMMENTS

Mr. Terance J. Mager, Architect, briefly explained the circumstance of the canopy overhang being similar to Item 5.

STAFF COMMENTS

Mr. Erceg reported staff have no concerns on this issue.

GALLERY COMMENTS

None

CORRESPONDENCE

None

PANEL DECISION

It was moved and seconded

That a Development Variance Permit be issued for 13220 Smallwood Place that would vary the road setback from 6 m (19.685 ft.) to 5.64 m (18.504 ft.) for the existing building foundation and to 3.27 m (10.728 ft.) for the roof overhang of an addition to the automobile showroom of the Infiniti Nissan.

CARRIED

5. **ADJOURNMENT**

It was moved and seconded

That the meeting be adjourned at 4:40 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, September 13, 2000.

David McLellan
Chair

Deborah MacLennan
Recording Secretary