



City of Richmond
 Planning and Development Department

Report to Committee

To: Planning Committee **Date:** January 14, 2010
From: Brian J. Jackson, MCIP **File:** RZ 07-361639
 Director of Development
Re: Application by Denis Turco Architect Inc. for Rezoning at
 22331 Westminster Highway from Agriculture (AG1) to Town Housing (ZT61) –
 Hamilton

Staff Recommendation

That Bylaw No. 8575, to amend “Town Housing (ZT61) – Hamilton” and to rezone 22331 Westminster Highway from “Agriculture (AG1)” to “Town Housing (ZT61) – Hamilton”, be introduced and given first reading.

Brian J. Jackson, MCIP
 Director of Development

CL:blg
 Att.

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

Staff Report

Origin

Denis Turco Architect Inc has applied to the City of Richmond for permission to rezone 22331 Westminster Highway from "Agriculture (AG1)" to "Town Housing (ZT61) – Hamilton" to permit the development of six (6) townhouses (**Attachment 1**). The property is not within the Agricultural Land Reserve (ALR).

Project Description

The proposal is to develop six (6) townhouse units on an orphan lot of approximately 1,185 m² in area, situated between newly developed sites on the north side of Westminster Highway in the Hamilton Area. To accommodate the proposed development, staff proposes to amend the "Town Housing (ZT61)" zoning to: include the subject site, permit tandem parking, and to add a minimum rear yard setback requirement for this portion of the zone. Site planning is tightly constrained by the small site size.

The layout of the units consists of two (2) triplexes, positioned north and south of an east-west drive aisle that bisects the site. The units are all three-storeys in height, consisting of two (2) residential levels above a ground floor parking level. Pedestrian unit entries for the south block front Westminster Highway, while pedestrian unit entries for the north block front the rear of the development site facing the adjacent property at 22380 Sharpe Avenue.

Vehicle access to the site is proposed from Sharpe Avenue via a north-south internal drive aisle through the adjacent property to the west, on which a cross-access easement was secured through rezoning (22380 Sharpe Avenue; RZ 04-271668/DP 04286809).

A preliminary site plan, landscape plan, and architectural elevations are contained in **Attachment 2**.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 3**).

Surrounding Development

The subject site is located within the Lower Westminster Sub-Area of the Hamilton Planning Area, generally bounded by Sharpe Avenue, Muir Drive, Westminster Highway, and Highway 91 (**Attachment 4**).

- To the north, west, and east, are newly constructed low-density townhouses at 22380 and 22386 Sharpe Avenue, both zoned "Townhousing (ZT61) – Hamilton"; and
- To the south, is the north arm of Westminster Highway, as well as Highway 91 beyond that.

Related Policies & Studies

Official Community Plan

The Hamilton Area Plan permits a range of low-density residential uses in this portion of the Sub-Area, including "Townhouse Residential". The proposed development is consistent with this land use designation.

The Lower Westminster Sub-Area (**Attachment 4**) permits density ranging from 11 to 25 units per acre up to a maximum of 700 dwelling units. It is estimated that there are currently about 550 units developed or proposed in the Sub-Area. Therefore, there is remaining capacity to accommodate the six (6) units proposed in this application.

The Hamilton Area Plan calls for projects to incorporate some units that are designed to be both affordable and accessible to disabled persons wherever possible. The subject proposal addresses affordability through small unit sizes and includes one (1) unit that has been designed to be convertible for a disabled person.

Affordable Housing Strategy

Richmond's Affordable Housing Strategy was approved on May 28, 2007, and applies to all rezoning applications received after July 1, 2007. The current strategy is not applicable to this rezoning application, which was received February 7, 2007.

The applicant has proposed a voluntary cash-in-lieu contribution in the amount of \$0.60 per buildable square foot to the City's Affordable Housing Reserve Fund consistent with the previous Interim Affordable Housing Strategy.

Indoor Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of \$6,000, consistent with the Official Community Plan (OCP) and Council Policy 5041.

Outdoor Amenity Space

Outdoor amenity space will be provided on-site and is adequately sized, located, and designed to satisfy OCP guidelines. Landscape details will be refined as part of the Development Permit application.

Public Art

The Public Art Program Policy does not apply to residential development projects containing less than 20 units.

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

Trees Replacement & Landscaping

A Tree Survey submitted by the applicant indicates the location of four (4) bylaw-sized trees on-site (**Attachment 5**).

A Certified Arborist's Report, submitted by the applicant, identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report recommends removal of all bylaw-sized trees from the subject site on the basis of poor condition and conflict with proposed development. The City's Tree Preservation Coordinator has reviewed the Arborist's Report and concurs with these recommendations.

During a recent visit to the subject site, Planning staff noted that two (2) bylaw-sized trees were removed without the required Tree Removal Permits prior to rezoning approval, in violation of the Tree Protection Bylaw. Planning staff referred the issue to Tree Bylaw staff for enforcement. A municipal ticket was issued for each offence, and fines totalling \$2,000 (\$1,000 per ticket) were paid by the property owner.

Based on the 2:1 tree replacement ratio goal stated in the OCP, a total of eight (8) replacement trees are required to be planted and maintained on-site. The applicant has submitted a preliminary landscape plan showing a mix of 13 deciduous and coniferous replacement trees, as well as a variety of evergreen shrubs and other vegetation, will be planted on-site (**Attachment 2**).

In addition, a landscaped area is proposed on-site along the Westminster Hwy frontage to provide a buffer to potential noise impacts from Highway 91 to the south. Required off-site frontage improvements along the Westminster Hwy frontage, including a sidewalk and treed/grassed boulevard, also provide an increased setback to Highway 91 and assist in providing a buffer to potential noise impacts. As a condition of rezoning, a restrictive covenant is required to be registered on Title to ensure that the on-site landscaped buffer will be planted, maintained, and not removed.

Site Servicing & Frontage Improvements

An independent review of servicing requirements has concluded that there are no concerns with this rezoning application as the property can be serviced with all the relevant utilities.

Prior to final adoption of the rezoning bylaw, the developer will be required to enter into a Servicing Agreement for the design and construction of frontage improvements along Westminster Highway, including but not limited to: concrete curb/gutter, treed and grassed boulevard, concrete sidewalk and street lighting. The design is to include the service connections (i.e. storm, water and sanitary) for the project.

The applicant has applied for a Servicing Agreement and the design drawings have been given City approval.

Access & Parking

As mentioned previously, there is an access easement located over a portion of the adjacent property to the west (22380 Sharpe Avenue), which runs parallel to the west property line of the subject site to provide access from Sharpe Avenue. The proposed development has an internal drive aisle that runs west to east from the point of cross-access, which provides vehicle and secondary pedestrian access to individual units.

12 resident vehicle parking spaces are provided in a tandem arrangement (2 spaces per unit). In addition, two (2) visitor parking spaces are also provided. A restrictive covenant preventing the conversion of tandem parking area into storage or habitable space is required to be registered on Title as a condition of rezoning.

12 bicycle parking spaces are provided within the garage of each unit (2 spaces per unit), as is a visitor's bicycle rack located near the entrance to the subject site providing space for three (3) bicycles.

Impacts from Highway 91

The site is in close proximity to Highway 91 to the south. Similar to the adjacent developments, to protect the future dwelling units on the subject site from potential noise impacts, restrictive covenants will be required to be registered on Title as a condition of rezoning to ensure that:

- The landscaping proposed along the Westminster Highway frontage to form a noise buffer will be planted, maintained, and not removed; and
- Noise attenuation will be required to be incorporated into dwelling unit design and construction.

Flood Protection

The proposed development complies with the Flood plain Designation and Protection Bylaw by raising living areas up to the second and third floors. A Flood Plain Covenant is required to be registered on Title as a condition of rezoning to prevent any areas below the required flood plain construction level (minimum 3.5 m geodetic) to be converted to storage or habitable space.

Analysis

The proposed development is generally consistent with the Development Permit guidelines for multi-family projects contained in the Official Community Plan (OCP) and the Hamilton Area Plan, and has been carefully and sensitively designed to integrate with its existing multi-family surroundings despite the constraints posed by the small site size.

The proposed development generally complies with the Zoning Bylaw, with the exception of the variances requested below. A more detailed analysis to determine bylaw compliance and consistency with design guidelines will be undertaken as part of the Development Permit application.

Variances Requested

Based on the review of the current site plan for the project, the following variances are being requested:

- A reduction to the minimum side yard setback on the west side of the site from 3 m to 2.5 m. This variance can be considered on the basis that the interface with the townhouse units on the adjacent property to the west includes a 9 m-wide buffer consisting of an internal drive aisle, emergency access route, landscaping, and fencing that runs north south. In addition, design improvements have been made to the west architectural elevations through added gables and varied cladding materials that provide visual interest and break up the massing. Architectural elevations will be further refined as part of the Development Permit application.
- Locating the garbage/recycling enclosure within the front yard setback. This variance can be considered on the basis that it is located immediately next to the garbage/recycling enclosure on the adjacent site to the west, and that private and City collection of garbage/recycling will occur at a pullout off Westminster Highway located between the two (2) sites (**Attachment 2**). In addition, proposed frontage improvements, including a sidewalk and treed/grassed boulevard (feathering out to the paved pullout area) provide an increased setback to the road.

Design Review and Future Development Permit Considerations

A Development Permit application is required for the subject proposal to ensure design consistency with the existing neighbourhood context. The rezoning conditions will not be considered satisfied until a Development Permit application is processed to a satisfactory level. Further refinements to site planning, landscape planning, and architectural character will be made during the Development Permit application review process. The following issues will be further examined:

- A detailed review of architectural form and character, and landscape design, including opportunities for further refinements to exterior cladding materials; and
- A detailed review of compliance with the Floodplain Designation and Protection Bylaw and Zoning Bylaw in terms of proposed grading and building height.

Financial Impact

None.

Conclusion

This proposal is for a six-unit, three-storey townhouse development fronting Westminster Highway on an orphan lot located between two (2) newly developed sites in the Hamilton planning area. The proposal complies with applicable policies and land use designations contained with the OCP, and is consistent with the form and character of development in the surrounding area.

Overall, the project is attractive and a good fit with the neighbourhood. Further review of the project design is required to ensure a high quality project, and will be completed as part of the Development Permit application process.

The list of rezoning conditions is included as **Attachment 6**, which has been agreed to by the applicant (signed concurrence on file).

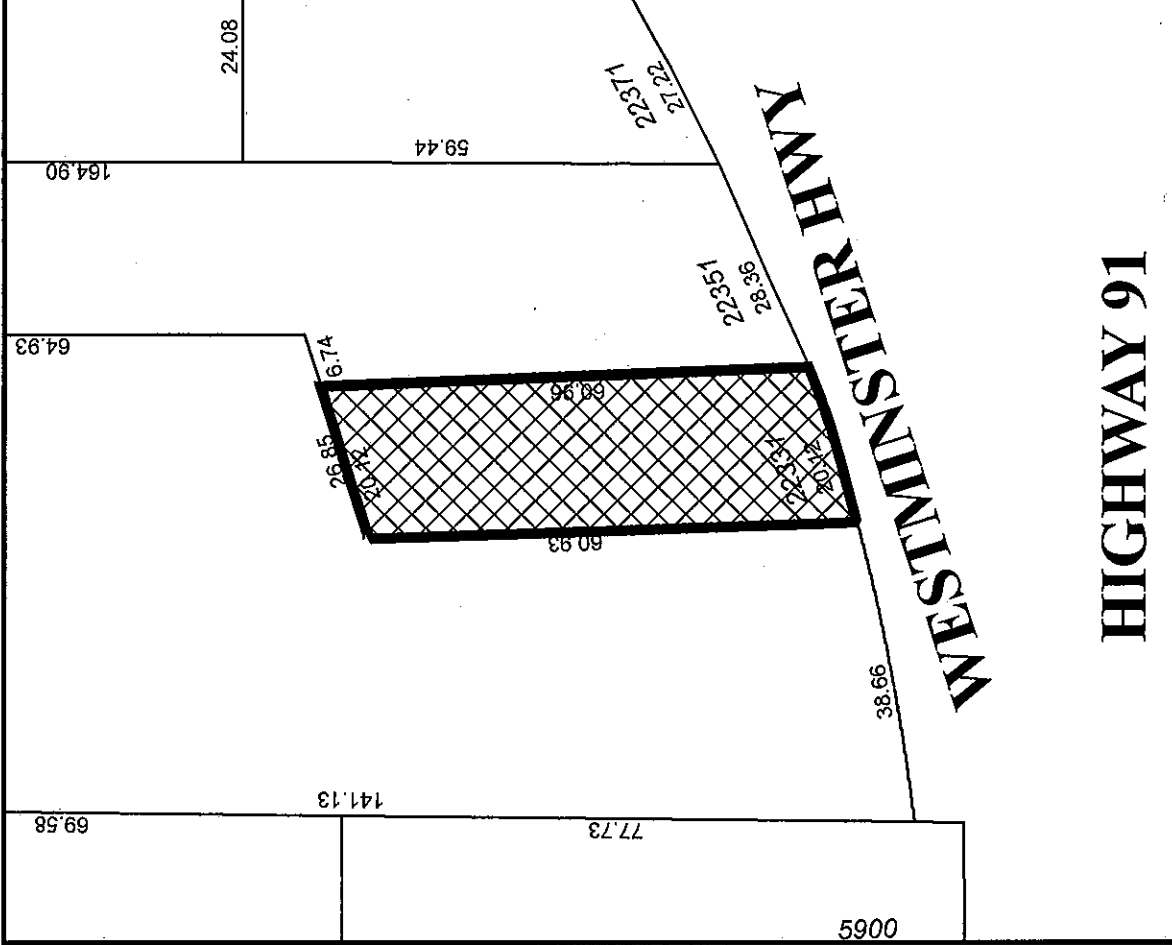
On this basis, staff recommends support for the rezoning application.



Cynthia Lussier
Planning Assistant
(Local 4108)

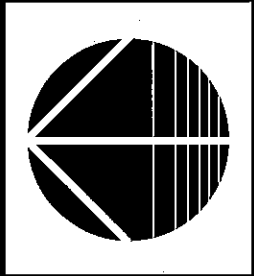
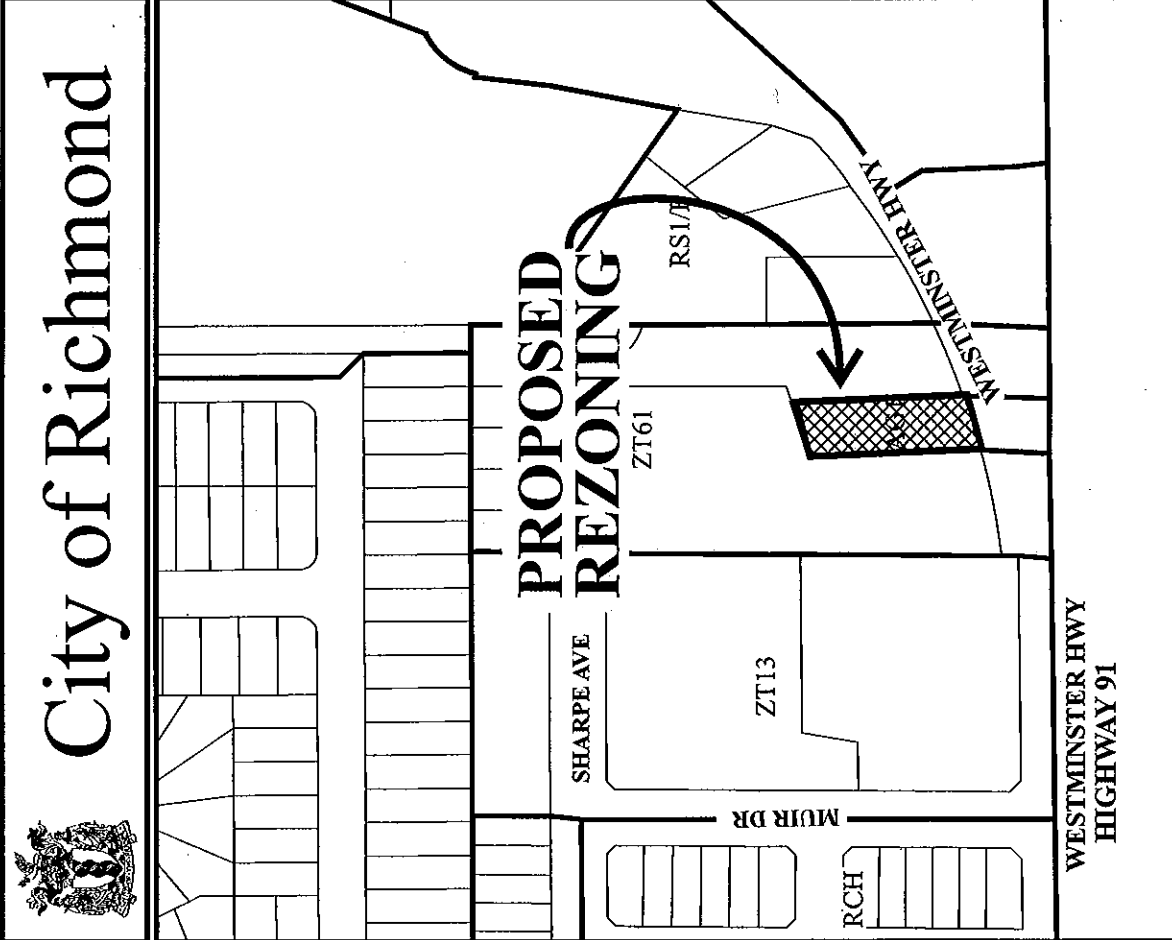
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- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Conceptual Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lower Westminster Sub-Area Map
- Attachment 5: Tree Survey
- Attachment 6: Rezoning Considerations Concurrence



Original Date: 02/22/07
 Revision Date: 01/15/10
 Note: Dimensions are in METRES

RZ 07-361639





**SUBJECT
PROPERTY**

SHARPE AVE

MUIR DR

WESTMINSTER HWY

HIGHWAY 91

WESTMINSTER HWY

South Arm Fraser River



RZ 07-361639

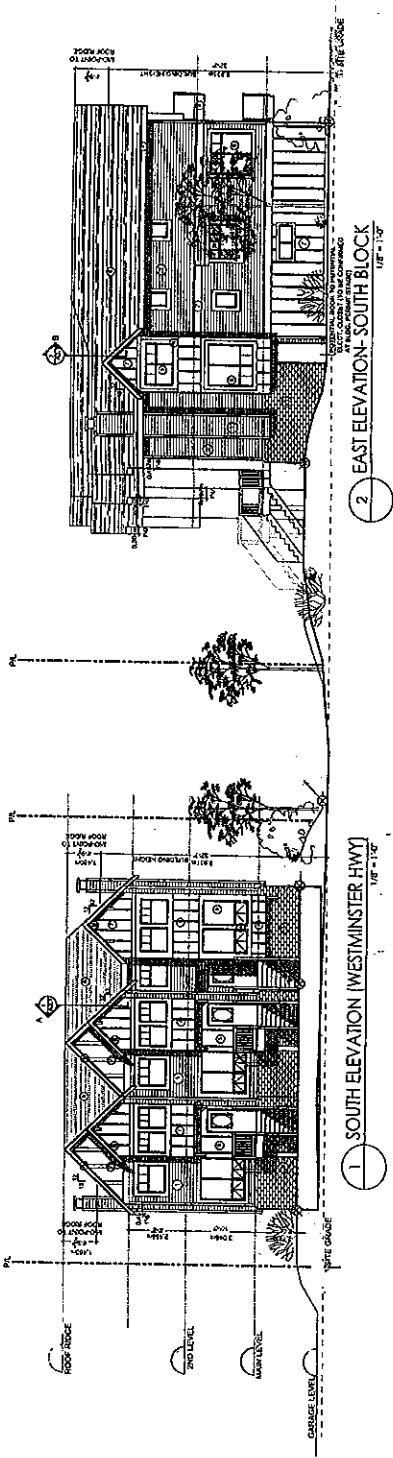
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Amended Date:

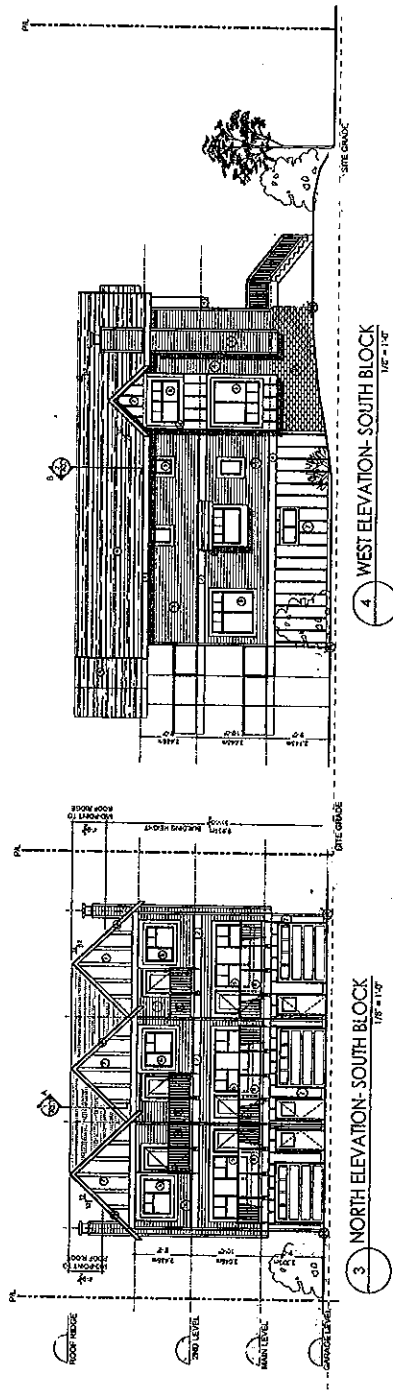
Note: Dimensions are in METRES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
 2. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT.
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
 5. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
 7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
 8. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
 9. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT.
 10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
 12. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 13. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
 14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.

- MATERIAL LEGEND:**
- WHITE STAIN-O-COLOR™
 - BRICK
 - BRICK PAVING
 - CONCRETE
 - ASPHALT/FLY ASH CONCRETE
 - ASPHALT/FLY ASH CONCRETE
 - ASPHALT/FLY ASH CONCRETE
 - ASPHALT/FLY ASH CONCRETE
 - ASPHALT/FLY ASH CONCRETE
 - ASPHALT/FLY ASH CONCRETE



2 EAST ELEVATION - SOUTH BLOCK 1/8" = 1'-0"



4 WEST ELEVATION - SOUTH BLOCK 1/8" = 1'-0"

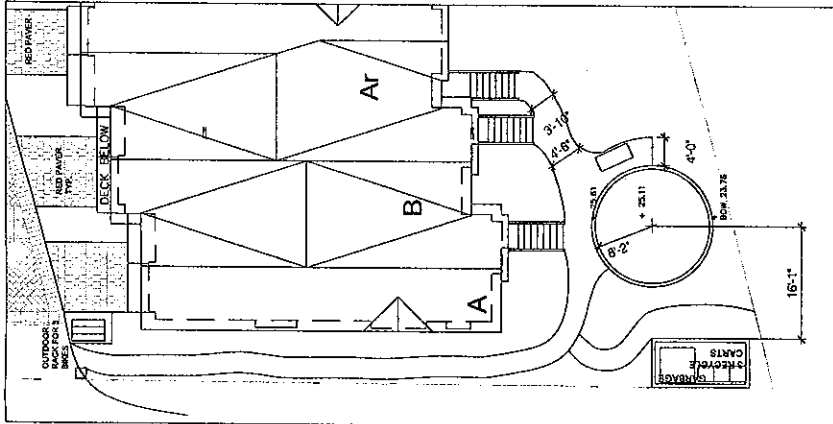
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DIA
 DENIS TURCO ARCHITECT INC.
 200 WESTMINSTER HWY
 WESTMINSTER, CO 80056
 TEL: 303.441.1111
 FAX: 303.441.1112
 WWW.DIAARCHITECT.COM

PROJECT TITLE:
 WESTMINSTER HWY
 PROPOSED TOWNHOUSES
 SHEET NO.

SHEET TITLE:
 ELEVATIONS

FILE NO.: 06155
 DATE: NOV 2006
 SCALE: AS NOTED
 DRAWN BY: TFE/C
 CHECKED BY: DT
 SHEET NO.: A 2.1



LAYOUT PLAN

DRAWING NO. **L-2**

PROJECT TITLE
PROPOSED TOWNHOUSE DEVELOPMENT
 22501 Westminster Highway, Richmond, BC

SCALE
 1/8"=1'-0"

DATE
 Jan., 10

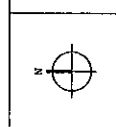
DRAWN BY
 JHL

CHECKED BY
 JHL

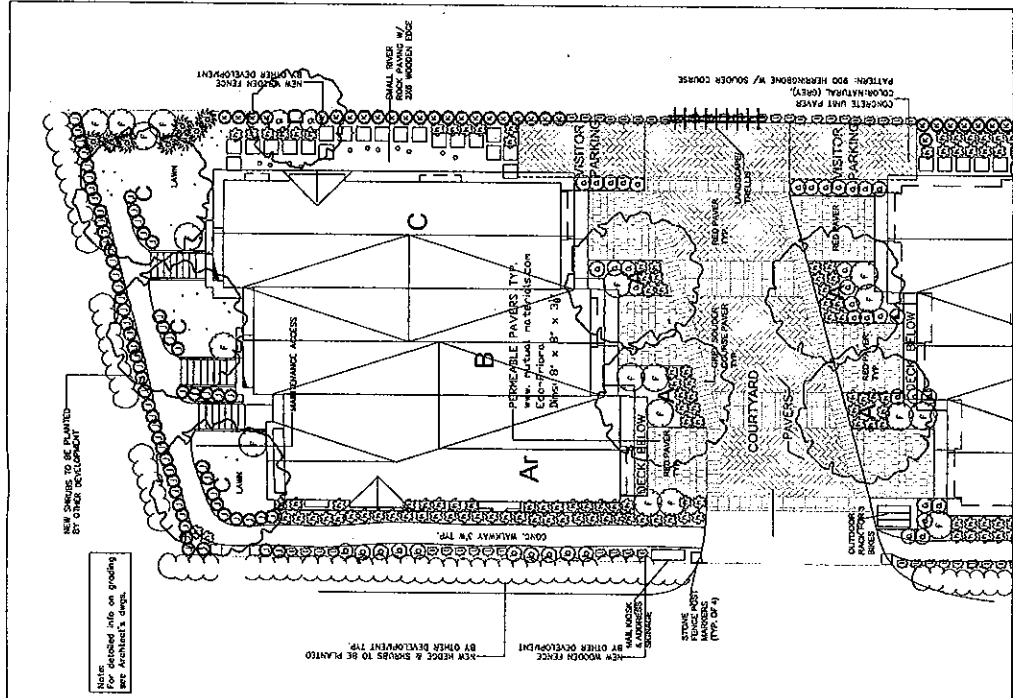
DATE
 2/27/10

PROJECT TITLE
LANDSCAPE PLAN PLANTING PLAN LAYOUT PLAN

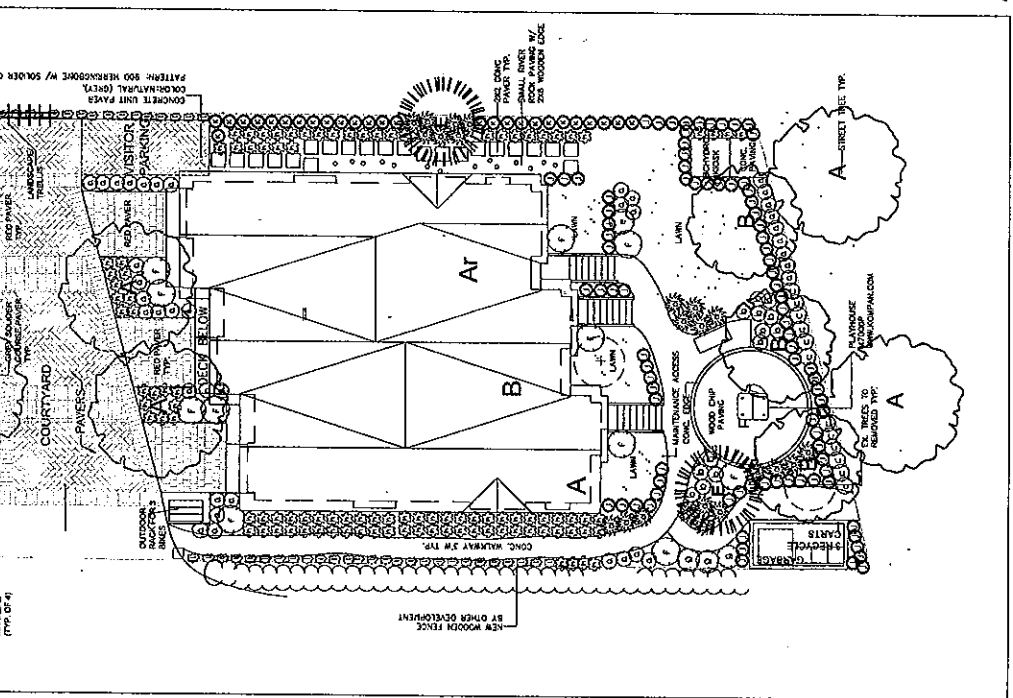
JHL Design Group Inc.
 Landscape Architecture + Urban Design
 4370, West Side, Vancouver, BC
 Tel: 604-263-8613
 Fax: 604-263-8713
 Email: info@jhl.com



NORTH SECTION



SOUTH SECTION



DATE	REVISIONS

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NTS



City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

Development Application Data Sheet

RZ 07-361639 **Attachment 3**

Address: 22331 Westminster Highway

Applicant: Denis Turco Architect Inc. Owner: AA Poonia Construction Ltd.

Planning Area(s): Hamilton (Lower Westminster Sub-Area)

	Existing	Proposed
Site Size (m²):	1,185.77 m ² (12,763 ft ²)	No change
Land Uses:	Single-family dwelling (demolished)	Town housing
OCP Designation:	Generalized Land Use Map Designation – Neighbourhood Residential	No change
Area Plan Designation:	Townhouse Residential	No change
Zoning:	Agriculture (AG1)	Town Housing (ZT61) - Hamilton
Number of Units:	One (1)	Six (6)

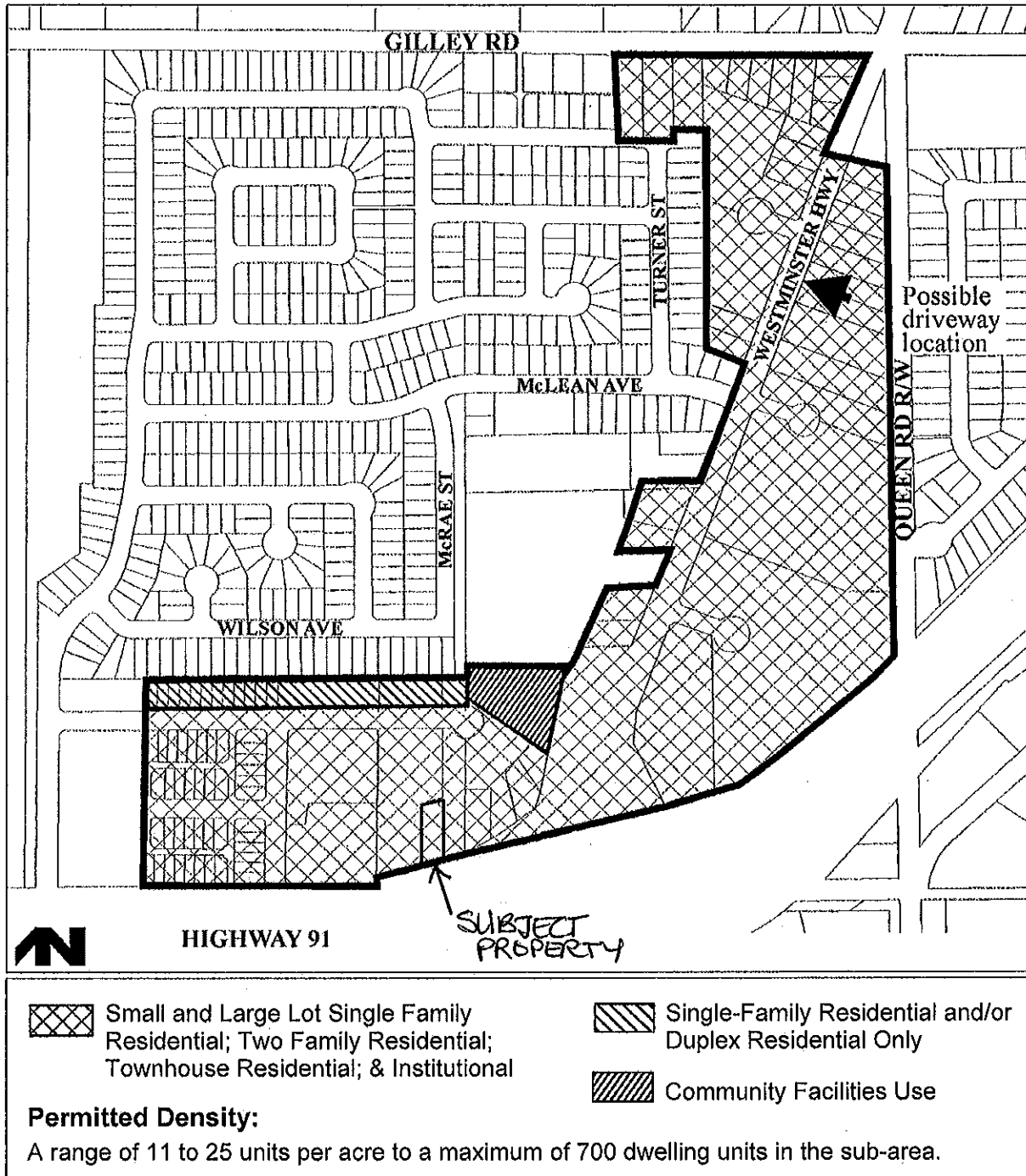
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.7	Max. 0.7	none permitted
Lot Coverage – Building:	Max. 38%	34%	none
Lot Size (min. dimensions):	400 m ²	1,197 m ²	none
Setback – Front Yard:	Min. 6.0 m	9.75 m	none
Setback – West Side Yard:	Min. 3.0 m	2.5 m	2.5 m & garbage/recycling enclosure
Setback – East Side Yard:	Min. 3.0 m	3.0 m	none
Setback – Rear Yard:	Min. 4.5 m	4.5 m	none
Height (m):	12.0 m	Approx 9.9 m	none
Vehicle Parking Spaces (per unit):	Resident - 2 spaces Visitor - 0.2 spaces Total: 12 Resident & 2 Visitor	Resident - 2 spaces Visitor - 0.2 spaces Total: 12 Resident & 2 Visitor	none
Vehicle Parking Spaces – Accessible:	N/A	N/A	none
Tandem Parking Spaces:	permitted	12 spaces	none
Amenity Space – Indoor:	Min. 70 m ²	Cash-in-lieu (\$6,000)	none
Amenity Space – Outdoor:	Min. 36 m ² (6 m ² per unit x 6 units)	Approx. 60 m ²	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.

City of Richmond

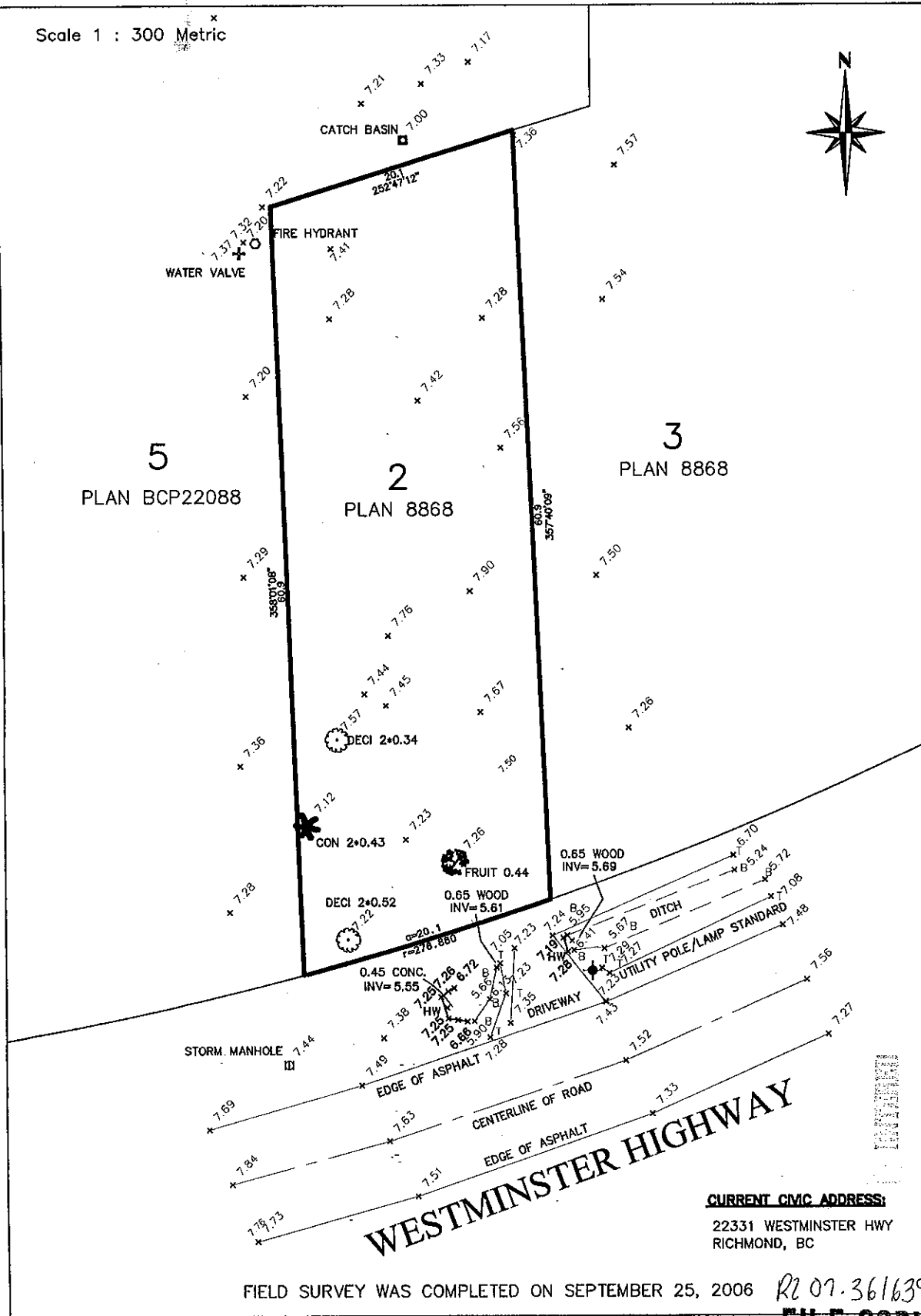
Lower Westminster Sub-Area Land Use Map

Bylaw 7561
2007/06/25



Scale 1 : 300 Metric

ATTACHMENT 5

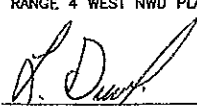


CURRENT CMC ADDRESS:

22331 WESTMINSTER HWY
RICHMOND, BC

FIELD SURVEY WAS COMPLETED ON SEPTEMBER 25, 2006 *R2 07-361639*

FILE COPY

LEGAL DESCRIPTION	ELEVATION DERIVATION	
Topographic Site Plan of LOT 2 SECTION 2 BLOCK 4 NORTH RANGE 4 WEST NWD PLAN 8868  BCLS LAKHJOT S. GREWAL	Elevations derived from TBM ON Lamp Standard In front of House #22311 Sharpe Avenue Elev. = 7.892m	GREWAL & ASSOCIATES Professional Land Surveyors 5825 - 128th STREET SURREY, B.C. V3X 3K4 Tel. 604-597-8567 Fax. 604-597-8568 File: 0608016 Dwg: 0608016TP

Rezoning Considerations
22331 Westminster Highway
RZ 07-361639

Prior to final adoption of Zoning Amendment Bylaw 8575, the following items are required to be completed:

1. Submission of a cash-in-lieu contribution for the provision of dedicated indoor amenity space in the amount of \$6,000 (\$1,000 per unit);
2. City acceptance of the developer's voluntarily contribution of \$0.60 per buildable square foot (e.g. \$5,361) to the City's Affordable Housing Reserve Fund.
3. Provincial Ministry of Transportation & Infrastructure approval;
4. Registration of a flood plain covenant on Title specifying a Flood Construction Level of 3.5 m GSC;
5. Registration of a restrictive covenant ensuring that the only means of access is to Sharpe Avenue via easement off 22380 Sharpe Avenue and that there be no access to Westminster Highway;
6. Registration of a restrictive covenant prohibiting the conversion of any ground floor tandem parking areas to storage or habitable space;
7. Registration of a covenant to ensure that landscaping planted along the Westminster Highway frontage for protection against highway noise is maintained and will not be abandoned or removed;
8. Registration of a covenant to ensure noise mitigation is incorporated into dwelling unit design and construction to achieve the following indoor sound level mitigation criteria (with doors and windows closed):

Portion of Dwelling Unit	Noise Levels (decibels)
Bedrooms	35 dB
Living, dining, and recreation rooms	40 dB
Kitchen, bath, hallways, and utility rooms	45 dB

9. Entrance into a Servicing Agreement for design and construction of off-site frontage improvements along Westminster Highway, including but not limited to: concrete curb/gutter, treed and grassed boulevard, concrete sidewalk and street lighting. The design is to include the service connections (i.e. storm, water and sanitary) for the project.
10. Submission and processing of a Development Permit application completed to a level deemed acceptable by the Director of Development.

Prior to issuance of a Building Permit:

- A Construction Parking and Traffic Management Plan is to be provided to the Transportation Division, to include: location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.

[Signed original on file]

Signed _____

Date _____

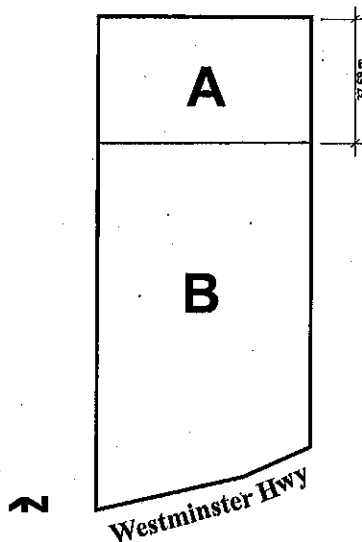


Richmond Zoning Bylaw 8500
Amendment Bylaw 8575 (RZ 07-361639)
22331 WESTMINSTER HIGHWAY

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

- 1. Richmond Zoning Bylaw 8500 is amended by:
 - i. Replacing Diagram 1 in Section 17.61.4.4 with the following:

“Diagram 1



”;

- ii. By inserting the following new subsection directly after Section 17.61.6.5 and renumbering remaining subsections accordingly:

“17.61.6.6 The minimum rear yard for buildings in the area identified as “B” on Diagram 1, Section 17.61.4.4 is 4.5 m.”;

- iii. By replacing Section 17.61.10.1, with the following:

“17.61.10 On-Site Parking and Loading

- 1. On-site vehicle and bicycle parking and loading shall be provided according to the standards set out in Section 7.0, except that where two parking spaces are intended to be used by the residents of a single dwelling unit, they may be provided in a tandem arrangement with one parking space located behind the other and, typically, both spaces set perpendicular to the adjacent manoeuvring aisle.”

- 2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **“TOWN HOUSING (ZT61) – HAMILTON”**.

P.I.D. 011-378-425

Lot 2 Section 2 Block 4 North Range 4 West New Westminster District Plan 8868

- 3. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 8575”**.

FIRST READING

FEB 8 2010

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION
AND INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER