



City of Richmond

Report to Council

To: Richmond City Council **Date:** September 8, 2010
From: Joe Erceg, MCIP **File:** 0100-20-DPER1
Chair, Development Permit Panel
Re: **Development Permit Panel Meetings Held on August 25, 2010,
August 11, 2010, July 28, 2010, July 14, 2010, June 30, 2010, May 12, 2010,
and March 24, 2010**

Panel Recommendation

1. That the recommendations of the Panel to authorize the issuance of:
 - i) a Development Variance Permit (DV 10-535569) for the property at 10780 Cambie Road;
 - ii) a Development Permit (DP 07-402062) for the property at 7500 Alderbridge Way;
 - iii) a Development Permit (DP 10-520511) for the property at 6951 Elmbridge Way;
 - iv) a Development Permit (DP 10-525175) for the property at 3200 Sweden Way, 13091, 13131, 13080, 13120 Bathgate Place and the northern 1.66 hectares (4.1 acres) of 3810 Jacombs Road (addressed as 3760 and 3820 Jacombs Road), the existing Bathgate Place surplus City Road Right-of-Way, and portions of the existing Jacombs Road surplus City Road Right-of-Way;
 - v) a Development Variance Permit (DV 10-529985) for the property at 5631 Parkwood Way;
 - vi) a Development Permit (DP 07-359083) for the property at 5891, 5931 No. 3 Road, 5900 Minoru Boulevard and a Surplus Portion of No. 3 Road;
 - vii) a Development Permit (DP 10-519994) for the property at 7300, 7340, 7360, 7380, and 7420 Blundell Road;
 - viii) a Development Permit (DP 09-506577) for the property at 9560, 9620 Westminster Highway and 9571, 9611 Ferndale Road;
 - ix) a Development Permit (DP 10-517750) for the property at 9560 and 9580 Alberta Road;
 - x) a Development Permit (DP 09-486487) for the property at 4071, 4091, 4111 and 4131 No. 4 Road; and
 - xi) a Development Permit (DP 09-504501) for the property at 8051, 8091, 8111 Williams Road;
- be endorsed, and the Permits so issued.

2. That the changes to the parking layout and building elevations of the high-rise tower residential development at 8228 Westminster Highway be deemed to be in general compliance with the Development Permit (DP 05-297678) issued for that property.



Joe Erceg, MCIP
Chair, Development Permit Panel

SB:blg

Panel Report

The Development Permit Panel considered the following items at its meetings held on August 25, August 11, July 28, July 14, June 30, May 12, and March 24, 2010.

DV 10-535569 – ABBARCH ARCHITECTURE INC. – 10780 CAMBIE ROAD
(August 25, 2010)

The Panel considered an application to vary the provisions of Richmond Zoning Bylaw 8500 for increased accessory structure height and reduced side yard setback to permit the construction of a recycling facility and a wind turbine tower on a site zoned “Auto-Oriented Commercial (CA)”.

Architect, Michael Burton-Brown, Abbarch Architecture Inc., provided information, including:

- The sustainability approach included a recycling facility, vertical axis wind turbine tower, green roof and water leader pipes to aid in irrigation of on-site landscaping;
- The turbine noise level was lower than the adjacent highway or aircraft ambient noise and the vertical axis avoids potential problems of fan blades changing direction; and
- The proposed tower was not tall enough for mounting cell phone satellites.

Staff supports the application, and the variances, and cited the innovation of the proposal. Staff noted that the proposed recycling facility reduced reliance on other recycling resources.

In response to queries, staff advised that:

- The acoustic report indicated an approximately 20 decibel noise level: barely above audible;
- Richmond Health indicated that the turbine noise level might reach 32 decibels at a distance of 9 ft.; and below 45 decibels is acceptable under the Public Health Protection Bylaw; and
- The variance for the tower referred only to the height, not to the location on the property. The 3 m setback complies with the Zoning Bylaw.

Public correspondence was received from Mr. Andrew Maas, General Manager, Holiday Inn Vancouver Airport, who also addressed the panel with concerns regarding issue of potential health problems from noise and the issue of view from hotel rooms. Actions to promote environmentalism were applauded, but a different location was preferred.

Mr. Burton-Brown stated that the tower, a storage container and loading area are located south of the hotel complex, and that none of the structures are expected to block views.

In response to queries, Pete Sargent, Director of Operations – BMW, advised that the wind turbine cannot be shut down during part of a 24-hour cycle, and surplus power created by the proposed wind turbine tower will be captured by the grid.

Subsequent to the Panel Meeting, staff discussed the potential for noise emissions with Richmond Health staff and wind turbine manufacturer Cleanfield Energy Corp. VP/CTO, Mihail Stern. The vertical axis turbine has a very low noise emission, and placed 20 m away from the adjacent hotel, should not be more significant than the noise from the adjacent Highway 99.

The Panel recommends that the Development Variance Permit be issued.

DP 07-402062 – MINGLIAN HOLDINGS LTD. – 7500 ALDERBRIDGE WAY
(August 11, 2010)

The Panel considered an application to permit the construction of a 12-storey mixed-use development consisting of 92 units (82 market apartment housing units, six (6) affordable housing units, and four (4) Live/Work units), associated amenity space, and 3 1/2 levels of partially submerged parking on a site zoned “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)”. No variances are included in the proposal.

Architect, Wing Leung, W.T. Leung Architects, Inc., provided the following information:

- The proposed development fronts Elmbridge and Alderbridge Ways, and includes four (4) live/work residential units, a four-storey component, a parking podium, and an open frame structure along Alderbridge Way; and
- The design incorporates features equivalent to LEED silver, in the area of sustainability.

Staff supported the development and provided the following information:

- Responding to concerns regarding impact on existing view corridors expressed at the September, 2009 Public Hearing, the applicant has refined the tower design, ensuring it is as narrow as possible and provides a view corridor for residents to the south;
- The development includes six convertible units;
- The live/work units are wide, with residential area a few steps above the work space at grade;
- The architecture style and character is different than surrounding developments, and interesting elements, such as the super structure on the west side, adds interest; and
- The City reduced the height for the area north of Elmbridge Way, and the applicant successfully responded to the new height restrictions while maintaining narrowness;

In response to Panel queries, staff advised that:

- The development complied with the CCAP and tower separation guidelines; and
- Road capacity will be improved by widening (i) Alderbridge Way by approximately 0.8 m; (ii) Elmbridge Way by approximately 1.6 m; and (iii) the lane by 1.5 m. In addition, the applicant is required to do frontage improvements;
- Access to the parking podium and loading areas is from the lane, with no impact to roads; and
- There are two (2) separate indoor amenity spaces: (i) one (1) on the main floor; and (ii) a second at the courtyard level with direct access to the outdoor amenity space atop the parking podium.

Public correspondence was received regarding the application from Ada Len and David Tang.

Staff noted that the correspondents are concerned with density, increased traffic, limited access, and small business being driven out of the area by residential developments. As well, Ms. Len referred to “store units”, though no retail units are included in the proposal.

The Chair noted that the Development Permit Panel does not consider zoning or density issues.

In response to the Panel's queries, staff advised that: (i) the proposed road improvements are consistent with the City Centre Area Plan's transportation plan; and (ii) all parking provisions in the proposed development meet the City's standards.

The Chair commented that the design and orientation of the proposed development minimizes the impact on the area's view corridor.

The Panel agreed that the development would have less impact on the neighbourhood than other, earlier developments have had, and that the outdoor amenity space would add a sense of openness.

The Panel recommends that the Permit be issued.

DP 10-520511 – ONNI GROUP OF COMPANIES – 6951 ELMBRIDGE WAY
(July 28, 2010)

The Panel considered an application to permit the construction of a mixed-use project on a site zoned "Residential/Limited Commercial (RCL3)", incorporating three (3) towers of varying heights (i.e. approximately 39 m, 44 m, and 47 m geodetic), 324 dwellings including 70 live/work dwellings and 20 low-end market rental units (secured via a Housing Agreement), approximately 6,200 m² (67,000 ft²) of ground floor retail, large outdoor and indoor amenity spaces at the project's podium roof level, green roofs on a minimum of 50% of the project's total roof area, and three (3) levels of parking (711 spaces). The proposal includes variances for: reduced front yard and exterior side yard setbacks, and increased exterior side yard projections.

Mr. Alex Orr, Onni Group of Companies, and Mr. Jeff Mok, IBI Group, provided brief descriptions of the proposed development and highlighted the following:

- The project has one (1) underground parking and two (2) parking levels above the ground floor retail spaces; parking is wrapped around by live-work units;
- There is a green outdoor area on the podium roof at Level 5; the common outdoor and indoor amenity spaces for all residents are located on this level;
- The podium landscape meets the Leadership in Energy and Environmental Design (LEED) Silver standard; green roofs constitute 50 percent of the project's total roof area;
- The three (3) towers of the development have varying heights of 15, 14 and 12 storeys;
- There is an iconic architectural element designed as an art sculpture at the terminus of Lansdowne Road signifying a gateway to the Oval Village; and
- The primary access to parking is through the new service lane along the existing property line connecting Elmbridge Way to River Road; loading, as well as garbage and recycling facilities are provided along this lane.

In response to queries from the Panel, Mr. Orr and Mr. Mok advised the following:

- A proposed linear park along Hollybridge Way, intended to be a prominent feature in the Oval Village, features the Hollybridge Canal, a Riparian Management Area (RMA), the Hollybridge Way promenade along the street edge, and a 'rain garden' storm water management system; the park also provides viewing and seating areas, and walkways;
- Curved tower 'fins' and the use of blue colour relate to the Oval;

- The live-work units on the lower levels are accessed through their own private elevator, lobby and corridors;
- Approximately 60,000 ft² of commercial spaces wrap around three (3) street frontages; about 30,000 ft² is intended for a large retail store such as a grocery store; and
- The project's sustainability features targeted to meet LEED Silver standards include primarily the green roofs which cover around 50 percent of the development's roof area including some residential components; other sustainability features of the project are: rain water, garden storm water management, possible tie-up to a future District Energy Utility (DEU) system of the City for the retail portion, 50/50 solid wall to glazing ratio, and water management and garbage and recycling systems.

In response to a query regarding the City's properties along Hollybridge Way, staff advised that the Parks Department has been involved in the design process of the Hollybridge Canal Park and its future maintenance has been taken into account.

Staff commended the applicant for responding well to: (i) the challenge posed by the Hollybridge canal; (ii) all four (4) public road and lane conditions and the requirements set out in the City Centre Area Plan; (iii) environmental issues including LEED Silver equivalency; and (iv) the challenge of how to address the Oval. Staff supported the Development Permit application and the variances. Staff stated that: (i) the first variance requested has no impact on project urban design as it occurs at the underground parking; (ii) the variances for the exterior side yard and allowing for projections apply only to the tower at the southeast corner of the development; and (iii) the variance to increase the projection for the architectural feature is supported by staff as the proposed element serves as a focal point in Lansdowne Road.

In response to a query, staff advised that the architectural feature at the Lansdowne Road terminus was the applicant's own initiative, and not a Public Art contribution.

No public correspondence was received regarding the application.

Regarding the application, Mr. Ladislav Dolejsi, representing Strata BCS 251 (Capri Building), queried whether there is adequate vehicle and bicycle parking in the proposed development.

Advice was given by staff that the proposed development surpasses the City's Zoning Bylaw requirements for vehicular parking as well as indoor and outdoor bicycle parking.

The Chair advised Mr. Dolejsi to discuss with Mr. Jackson, his concern regarding the absence of bicycle storage facilities in his building.

The Panel noted that the project is well executed and expressed their support.

The Panel recommends that the Permit be issued.

DP 10-525175 – BROOK + ASSOCIATES INC. ON BEHALF OF IKEA PROPERTIES LIMITED – 3200 SWEDEN WAY, 13091, 13131, 13080, 13120 BATHGATE PLACE AND THE NORTHERN 1.66 HECTARES (4.1 ACRES) OF 3810 JACOMBS ROAD (ADDRESSED AS 3760 AND 3820 JACOMBS ROAD), THE EXISTING BATHGATE PLACE SURPLUS CITY ROAD RIGHT-OF-WAY, AND PORTIONS OF THE EXISTING JACOMBS ROAD SURPLUS CITY ROAD RIGHT-OF-WAY.

(July 28, 2010)

The Panel considered an application to permit the construction of a new IKEA Store with a total floor area of 32,036 m² (344,832 ft²) located on a site zoned Industrial Retail (IR1). Variances are included in the proposal for increased building and sign height, increased number and size of signs.

Mr. Chuck Brook, Brook + Associates Inc., provided a brief descriptions of the proposal, including:

- The existing IKEA store will continue to operate during construction of the new facility; and will be demolished and subdivided into a separate lot when construction complete.
- The subject property accommodates a new store, new public road, and a future warehouse facility to achieve operational and environmental efficiency.
- The site will be accessed by southbound lanes on Knight Street through a new right-turn lane and one-way public road; the existing Sweden Way access is redesigned and elongated; there is a dedicated truck exit to Sweden Way, which is not open to regular vehicular traffic.
- A 4 m high green screen along the Knight Street corridor, which is a galvanized steel trellis extending across the loading deck, which allows vegetation to grow up the screen to hide the view of trucking operations from Knight Street.
- Landscaping along Knight Street includes a 4 m high steel trellis with planting, existing trees, and new deciduous and coniferous trees.
- The entrance plaza at the north end of Jacombs Road features permeable paving treatment, enhancing pedestrian experience and forming part of the storm water management strategy.
- Approximately 250 trees in the outdoor parking area provide a canopy over the entire parking lot; paver treatment at the rows of trees helps break up the large areas of asphalt.
- All green landscaping is irrigated with water collected from the roof of the building; 25 existing mature trees will be relocated to the nearby King George Park.

In response to queries from Panel, Mr. Brook and Mr. David O' Sheenan, Abbarch Architecture Inc., provided the following information:

- The future warehouse could be built within five (5) years; when the business volume increases.
- Staff facilities include bicycle parking and storage, change rooms, and showers.
- Shared access for vehicles and trucks will be provided for the future Bridgeport Road lot.
- Trucking operations in the new IKEA facility occur during the store's off-hours.
- The proposed electronic message board will be used to (i) introduce new product lines and promotional items; and (ii) promote sustainability.

- IKEA's comprehensive storm water management features (i) the 'blue roof' which stores 8 to 10 inches of rainwater and reduces around 20 percent of overall storm water discharge; (ii) the plaza area which is significantly porous; and (iii) the pervious strips between the parking aisles in the outdoor parking area.
- The variance to increase the number of free-standing signs allows signage throughout the parking lot providing brightness, vibrance, animation, and are not oriented to the street.
- The height variance for the free-standing navigation sign is based on (i) IKEA's global corporate standard of 40 m, although the applicant has reduced it to 35 m; (ii) the height of IKEA's new store which is 20 m; (iii) IKEA's new access system which necessitates that the southbound traffic along Knight Street be guided to the new public connector road; and (iv) studies conducted on sign visibility which found out that the 35 m height would provide visibility. The sign will include sustainability features of photovoltaic panels and a water storage system at the base.

Staff supports the Development Permit application and the variances. Staff advised that:

- The height variance has no impact on open space or residential developments.
- The signage variance was appropriate considering the size of the building and its site context.
- The applicant had tried to make the site as green as possible by proposing a 'blue roof'. This meets the requirements of Bylaw No. 8385, which allows for alternatives to green roofs.
- The proposal doubles the size of the existing store and presents transportation and access challenges. Proposed improvements are cost-effective and do not impact Bridgeport Road.

No public correspondence was received regarding the application.

The Chair remarked that the staff recommendation is positive and noted that many elements of the project are commendable. He stated that the variance sought for the height of the free-standing navigation sign will assist motorists to safely exit Knight Street.

The Panel recommends that the Permit be issued.

DV 10-529985 – KASIAN ARCHITECTURE INTERIOR DESIGN & PLANNING LTD.
– 5631 PARKWOOD WAY
(July 28, 2010)

The Panel considered an application to vary the provisions of Richmond Zoning Bylaw 8500 to increase maximum building height for the elevator towers.

Mr. Douglas Steele, Kasian Architecture Interior Design and Planning, Ltd., provided a brief description of the variance request, including:

- A two-storey Lexus Auto Dealership building with an area of 70,000 ft² was approved in the Richmond Auto Mall.
- The original measurements of the car and passenger elevator shafts were based on the standard specifications of a particular elevator supplier; however, the new supplier, which was awarded the contract, requires a higher overhead space at the top of the elevator tower.
- Compounding this issue, the existing water table is higher than originally expected, requiring the elevators to be located 4.6 ft. deep, instead of 6 ft. deep as originally planned.

- The requested variance applies to both the passenger and car elevators.

Staff supports the Development Variance application.

No public correspondence was received regarding the application.

The Panel recommends that the Development Variance Permit be issued.

DP 07-359083 – PHILEO DEVELOPMENT CORP. – 5891, 5931 NO. 3 ROAD,
5900 MINORU BOULEVARD AND A SURPLUS PORTION OF NO. 3 ROAD
(July 28, 2010)

The Panel considered an application to permit the construction of two (2) 16-storey high-rise buildings with ground floor commercial retail space and townhouses with a total area of approximately 27,362 m² as Phase I of a comprehensive Mixed-Use Residential, Institutional & Community Use development on a site zoned “Downtown Commercial and Community Centre/University (ZMU15) – Lansdowne Village (City Centre)”. Variances are included in the proposal for reduced Firbridge Way setback and reduced class 2 bicycle parking spaces.

Mr. Wing Ting Leung, W.T. Leung Architects, Inc., and Mr. Brian Beresford, Durante Kreuk Landscape Architects, provided brief descriptions of the proposal, including:

- The development application refers to Phase 1 of a two-phased development which is bounded No. 3 Road, Firbridge Way, Minoru Boulevard, and Ackroyd Road.
- Phase 1 has two (2) 16-storey high towers, a north-south lane extending between Firbridge Way and Ackroyd Road; and two (2) townhouse clusters along Firbridge Way and Ackroyd Road.
- Pedestrian interest and activity is provided along Firbridge Way, with the main entrance to Tower B, the secondary entrance to Tower A, and the indoor amenity space. The future university and community centre in Phase 2 will provide pedestrian activity to the Skytrain stations across No. 3 Road.
- Along Ackroyd Road, are townhouses with raised patios, Tower A lobby and a landscaped water feature and a green wall which provide visual interest to pedestrians; the water feature along Ackroyd Road and the use of special materials create a sense of entry and interest.
- The alignment of Tower A and the purchased surplus land resulting from the realignment of No. 3 Road provide for a very open public plaza and a potential site for Public Art.
- The central parking structure is wrapped on the three (3) sides by the residential and commercial components of the development; the roof of the parking structure is extensively landscaped.
- The intention of the No. 3 Road plaza is to create as much green space as possible without interrupting the pedestrian movement in the retail space, including planted areas with metal benches, bicycle racks, and double rows of street trees.
- The podium level is extensively landscaped. There is a pond and waterfall flowing down to the lower levels; there is a series of walkways and a walking loop connecting to future Phase 2. The courtyard introduces small bridges, timber piers, concrete seatwalls, a children’s play area for younger children, and open lawn area and stone slabs for older children.

Staff advised the following:

- The proposed high-density development is one of the first new developments in the middle of City Centre and responds to the guidelines set out in the City Centre Area Plan.
- Staff facilitated a meeting between the owners of Aqua and Capri Buildings and the developer and architect in February, 2009 in response to comments made during the Public Hearing on October 20, 2008. Aqua Building residents had asked that the towers be narrowed and relocated. The applicant responded by reducing the east-west width of Tower A, but this was considered inadequate by the Aqua residents.
- The proposed development meets the City Centre Area Plan guidelines with regard to tower separation between the proposed towers and to adjacent existing towers.
- The Capri Building, located south of the proposed development, will not be directly affected by Phase 1 of the development, but would probably be affected in the future by Phase 2.
- The streetscape is enlivened on three (3) sides of the development – along No. 3 Road, Ackroyd Road and Firbridge Way; servicing is located off of the north-south lane; and the double volume retail space on the No. 3 Road side is suitable for a main street.
- Staff supports the Development Permit application and the variances. The reduced 2 m Firbridge setback variance still allows for significant landscaping on the street. The reduced Class 2 bicycle parking spaces are provided in groups of 10 in five (5) different locations on site.

In response to queries from the Panel, Mr. Leung provided the following information:

- The proposed extension of Ackroyd Road extends to Minoru Boulevard.
- Glazed coloured spandrels allow passive surveillance and provide privacy for people inside.
- There is one (1) residential garbage compactor room and one (1) residential recycling room for each tower; there is also a residential recycling container holding area.
- The double volume retail spaces fronting No. 3 Road has a floor-to-ceiling height of 17.3 ft. and can accommodate various types of merchandising operations.
- Development of Phase 1 is intended to start before the end of this year; development of Phase 2 next year and is expected to be completed by 2013.
- Class 1 bicycle parking spaces are located inside the buildings, while Class 2 bicycle parking spaces are located outside; and the request for the reduction of Class 2 bicycle parking spaces has been made in order to maximize the space for the public plaza and for Public Art.

In response to queries from the Panel, staff advised that (i) the towers are in the same location as they were in the rezoning stage; (ii) the towers have been modified in an effort to balance the competing interests for this particular site; (iii) the City's minimum requirement for separation of buildings is 24 m; and (iv) the actual separation between Tower A of the proposed development and Aqua Building is 31.7 m, exceeding the requirement by 7 m.

Mr. Ladislav Dolejsi, representing Strata BCS 251 (Capri Building), spoke in opposition to the proposed development and expressed his concerns regarding:

- The inadequate responses to the concerns of Capri Building residents such as obstruction of views to the north;
- Additional traffic in a high traffic congested area and through the Capri building parkade;
- Lack of parking spaces in the area; and
- The insufficient guarantee that Phase 2 of the proposed development will proceed.

The Chair stated that decisions on rezoning applications are guided by the Official Community Plan (OCP) and advised Mr. Dolejsi to coordinate with staff regarding (i) the community participation in the rezoning and development application process; (ii) the bicycle parking spaces that were supposed to be installed in Capri Building; and (iii) issues that could be addressed by the Transportation Division.

Mr. Peter Hammond spoke in opposition to the proposal, stating that:

- He shares the concerns raised by Mr. Dolejsi regarding the proposed project;
- There are only two (2) towers affected by the proposal and their concerns should be considered;
- Capri Building will be affected by Phase 1 as it is tied up with the plan of Phase 2 which will block the view of Capri Building to the north;
- Firbridge Way is a busy commercial lane and becomes congested during rush hours; the traffic situation will worsen and be detrimental to existing and future developments; and
- The community centre is not needed as the Minoru Community Centre is used by residents.

Ms. Mehran Khosravinejad, representing Strata Council BCS 2252 (Aqua Building), submitted correspondence outlined the concerns of Aqua Building residents:

- Increase the gap between Tower A and the townhouses along Ackroyd Road for better views from the lower floors of Aqua Building;
- Increase planting in the gap between Tower A and the townhouses on the 5th floor courtyard to preserve the privacy of the residents of the lower three (3) floors of Aqua Building;
- Pre-construction activities caused dirt and dust in the ventilation system, affecting the respiratory health of residents and altering the maintenance schedules for the building;
- Increased noise level; and
- Possible damage to the foundation of Aqua building and townhouses;

The Chair remarked that damage to properties caused by construction activities is a civil matter; however, he recommended that the Aqua residents (i) contact the geotechnical engineer; and (ii) keep a record of damages.

In response to the comments of Ms. Khosravinejad, staff explained that (i) eliminating some of the townhouse units along Ackroyd Road will reveal a blank parkade wall which will not result in better views for Aqua residents; and (ii) the courtyard at the 5th level is already adequately planted with mature trees in addition to the hedging materials that are proposed.

The Chair expressed his support for the proposed development and remarked that the Panel is tasked to review the project's form and character and that from this perspective he finds that (i) the project is well-designed and much attention has been given to address concerns on privacy, tower separation and landscaping; (ii) it has undergone some refinements to accommodate as much as possible, the concerns of neighbouring developments given the constraints; and (iii) it complies with the City Centre Area Plan guidelines and even exceeds the minimum requirement for the separation of towers.

Advice was also given to the Panel that the required extension of Ackroyd Road would improve vehicular and pedestrian circulation in the area.

The Panel recommends that the Permit be issued.

DP 10-519994 – SONATINA RESIDENCE LTD. (FORMERLY HI-QUALITY PROPERTIES LTD.)
– 7300, 7340, 7360, 7380 AND 7420 BLUNDELL ROAD
(July 14, 2010)

The Panel considered an application to permit the construction of 26 two-storey townhouses on a site zoned “Low Density Townhouses (RTL3)”. Variances are included in the proposal for front yard and west yard setback reductions.

Architect, Taizo Yamamoto, Yamamoto Architecture Inc., and Landscape Architect, Masa Ito, Ito and Associates Landscape Architects, provided brief presentations, including:

- The design of the proposed project transitions well from the Blundell Road frontage to the single-family homes on Sunnymede Crescent;
- The front yard setback reduction accommodates the existing large hedge at the rear;
- The west side yard setback reduction allows depth in the unit façade;
- Seven (7) trees and the existing hedge along the rear south property line are being retained;
- The original scheme of 27 units on two (2) separate sites has been revised to 26 units on a consolidated site to improve the entry and retain one (1) tree;
- A variety of gable designs that distinguish the townhouse units from one another;
- No vinyl siding is used, and the proposed building materials include Cedar shingle siding, hardie panel, hardie-plank siding, split-face granite stone finish wrapped around the entire building, and on the chimney elements;
- Sustainability features include: (i) areas of permeable pavers along the driveway; (ii) permeable concrete pavers are proposed for the patios; and (iii) superior insulation in exterior walls, roof, and under the concrete slab;
- The outdoor amenity area includes lawn area, children’s play equipment for the 3 to 5 year age group, and a good specimen Oak tree; a large play area is provided at Ferris Elementary School to the south of the subject site; and
- The landscape design along Blundell Road includes the planting of trees and a variety of shrubs and ground covers, to provide colour, and seasonal changes.

In response to queries, Mr. Yamamoto and Mr. Ito provided the following advice:

- The front yard setback variance resulted from the required grading for hedge retention; and
- Each of the requested variances are with respect to specific proposed townhouse units.

Staff supported the Development Permit application and the variances. Staff stated that the 5.2 m rear yard setback exceeds the Bylaw minimum to: (i) be sensitive to the privacy of the adjacent single-family residence, and (ii) effectively respond to the hedge conditions. Staff noted that the applicant had worked to preserve as many trees as possible. Staff remarked that all parking spaces side-by-side, bicycle storage is provided; and two (2) convertible units are included.

No public correspondence was received regarding the application.

Ms. Miriam Chang addressed the Panel, with questions regarding whether the front yard setback variance applied to the site, or to all of the City's buildings, and whether there would be a change to the subject site's rear yard setback.

Advice was provided by the Chair and Mr. Jackson, that the variances were limited to the development proposal, the front yard variance resulted from the applicant moving the townhouse units away from the rear hedge, and a rear setback of 5.2 m would be provided.

The Panel commended the applicant's efforts to retain trees on site and to make adjustments to ensure the protection of the hedge.

The Panel recommends that the Permit be issued.

DP 09-506577 - SONUS DEVELOPMENTS FERNDALÉ LTD.
- 9560, 9620 WESTMINSTER HIGHWAY AND 9571, 9611 FERNDALÉ ROAD
(June 30, 2010)

The Panel considered an application to permit the construction of 40, three-storey townhouse units on a site zoned "Town Housing (ZT58) – North McLennan (City Centre)". A variance is included in the proposal for a reduced west side yard setback.

Architect Yoshi Mikamo, Yamamoto Architecture Inc., and Landscape Architect Masa Ito, Ito and Associates Landscape Architects, provided brief presentations, including:

- The applicant is providing 10 m for Birch Street development;
- The design features gable roofs; individual unit entries, and a traditional colour palette; and
- The design includes three (3) convertible units.

In response to queries regarding landscaping, Mr. Ito advised that:

- An arborist report stated that 25 trees on site were not in good condition and should be removed, to be replaced by 76 trees;
- Evergreen plants, and Maple trees assist in screening; and
- Individual unframed garden plots include fertile topsoil.

In response to a query, Mr. Mikamo advised that the variance is necessary as the end buildings are pushing sideways, with all main windows facing away from the adjacent residential units.

Staff advised that staff supports the Development Permit application and the variance. Staff advised that the variance is limited to two (2) of the 16 west facing townhouse units and the dimension had been reduced from the rezoning application. Staff noted three (3) convertible units are included, and permeable paving would cover up to 25% of the hard surfaces on site.

In response to queries from the Panel, staff stated that:

- The Development Permit for the townhouse project to the west includes a setback similar in size to that requested for the subject proposal; and

- The proposed parking meets the bylaw requirement, and a restrictive covenant is required to prohibit conversion of tandem parking area into habitable space.

The Chair noted that when the subject site was originally considered for townhouse development, the applicant had three (3) of the current four (4) sites, and that after the May 19, 2009 Public Hearing for rezoning, the applicant had acquired an additional site for the development. At the May 17, 2010 Public Hearing, the applicant's second rezoning application had received Third Reading from Council, despite some concerns on the part of the neighbours regarding density.

Public correspondence was received regarding the application. In response to the concerns received, staff advised that the neighbouring townhouse development had identical density and had received a setback variance for all edge units, instead of the two (2) units currently requested.

In response to a query, staff advised that the two (2) units have limited windows overlooking the adjacent property, and that additional screening landscaping elements are utilized.

The Chair stated that it is beyond the mandate of the Panel to consider density issues.

The Panel indicated: (i) satisfaction with the requested variance; (ii) that the variance is common with townhouse projects; and (iii) that attention has been paid to the issue of privacy.

The Panel recommends that the Permit be issued.

DP 10-517750 – PATRICK COTTER – 9560 AND 9580 ALBERTA ROAD
(June 30, 2010)

The Panel considered an application to permit the construction of 13, three-storey townhouse units on a site zoned "Medium Density Townhouses (RTM3)". Variances are included in the proposal for reduced front and west side yard setbacks, and tandem parking.

Architect Patrick Cotter, of Patrick Cotter Architect Inc., and Allison Good, of DMG Landscape Architects, provided brief descriptions of the proposal, including:

- The existing grade on the west and south edges are met and stepped up for the raised site;
- A visual connection with rear yards and the adjacent school yards was achieved;
- A solid wood fence provides privacy for the adjacent single-family home;
- Trellises at the drive aisle terminus and amenity space provide soft screening; and
- The variances allowed bay window projections, a recycling structure and tree protection.

In response to discussion between the Panel and Mr. Cotter, advice was provided that:

- The building footprint was shifted to save the biggest tree on site;
- Additional trees, both on and off site are to be retained, including mature trees at the entry;
- The amenity area includes garden plot area;
- Asking for permission for a gate to the adjacent elementary school was considered, but was not pursued for the small development. Staff examined circulation between the proposed development and the adjacent elementary school site, and found it appropriate.

Staff supported the Development Permit application and the variances. Staff stated that the proposed 26 new trees exceed the required number of replacement trees, and 65% of the paved material on site is permeable. A garden plot area was provided instead of a children's play area.

Mr. Dominic Valente addressed the Panel with queries: (i) how the privacy he enjoyed on his property would be maintained; and (ii) whether the sidewalk be upgraded.

At the Chair's request, Mr. Cotter addressed the privacy issue and advised that five (5) new trees would be planted along the shared east property line; a fence would provide solid privacy screening; the setback exceeded the bylaw requirement; and the drive aisle was set back from the property line.

Staff advised that there are no plans to widen the sidewalk, which staff believes is acceptable in its current condition and is wide enough for pedestrians.

No public correspondence was received regarding the application.

A brief discussion ensued with regard to: (i) the lack of play equipment for young children; and (ii) the distance from a playground with age-appropriate play equipment.

The Chair commended the applicant on the site planning work, as well as the architecture details, and noted that for a small site with constraints, the proposal was very well executed.

The Panel recommends that the Permit be issued.

DP 09-486487 – FORTUNA DEVELOPMENT INC. – 4071, 4091, 4111 AND 4131 NO. 4 ROAD
(May 12, 2010)

The Panel considered an application to permit the construction of 26 three-storey townhouse units on a site zoned "Town Housing (ZT67)". Variances are included in the proposal for reduced lot size and south side yard setback.

Architect, Taizo Yamamoto, Yamamoto Architecture Inc., and Landscape Architect, Meredith Mitchell, of J.D. Mitchell and Associates Ltd., provided brief presentations, including:

- Keeping close to the existing grade allows an apparent 2½-storey height along No. 4 Road;
- Increased north and south setbacks minimize overlook and shadowing;
- A walkway with a locked gate connects the site to the adjacent Tomsett Elementary School;
- The architectural character is more contemporary than typical craftsman-revival townhouses;
- The project includes: energy efficient low E windows; energy efficient Energy Star certified appliances; and permeable paving for a large volume of storm water management;
- One (1) convertible unit is provided, complete with an alternate floor plan with future elevator;
- A new right-of-way (ROW) along the No. 4 Road frontage requires minimized impact with a wooden picket fence and minimal planting at the individual units; and
- Neighbouring trees along the south property line are to be retained.

In response to queries, Mr Yamamoto and Ms. Mitchell advised that:

- The proposed tree species should thrive and not require replacement for 15 or 20 years;
- Children's play equipment would appeal to children aged under 8, including a "spinner";
- The permeable pavers are red concrete unit pavers;
- There is no retaining wall along No. 4 Road, pedestrians will see a gentle landscaped slope, then a low fence that encircles the individual interior patios of the townhouse units;
- A landscaped buffer will screen Tomsett's school yard;
- The proposed development clad in horizontal Hardie plank siding, not vinyl siding; and
- The walkway between the subject site and the school has not yet been finalized, but the applicant has discussed their intention with the school board.

The Chair requested that the applicant address the issue before proceeding to Council.

Staff supported the Development Permit application and the variances. Staff noted that:

- The contemporary architectural style is different from many recent developments in the City.
- Staff supports the parking plan, which includes six (6) visitor parking spaces, and 52 tandem parking spaces for residents, exceeding the Bylaw requirement.
- Permeable paving surface was maximized for drainage purposes.
- The east/west areas have smooth surfaces where children can play out of the main drive aisle.

No public correspondence was received regarding the application.

The Panel noted that the project, featuring a different style of townhouse units, would be received well by the public.

Subsequent to the Panel Meeting, it was confirmed that a walkway with a locked gate connecting the site to the adjacent Tomsett Elementary School would be provided.

The Panel recommends that the Permit be issued.

DP 09-504501 – YAMAMOTO ARCHITECTURE INC. – 8051, 8091, 8111 WILLIAMS ROAD
(March 24, 2010)

The Panel considered an application to permit the construction of 16 townhouse units on a site zoned "Medium Density Townhouses (RTM3)". Variances are included in the proposal for increased lot coverage, reduced front yard setback, and tandem parking.

Architect, Taizo Yamamoto, Yamamoto Architecture Inc., and Landscape Architect, Pat Campbell, provided brief presentations, including:

- Varying rooflines respond to the neighbourhood; and break up larger facades;
- Trees in the northwest corner on the adjacent lot will be protected, along with a landmark, 25 ft. high Grand Fir tree in the front yard; removed trees will be replaced with 13 new trees;
- Permeable pavers in parking and internal drive aisle areas enhance sustainability;
- Residents are provided with contained yard areas that can be used as family space;
- A 6 ft. fence is proposed along the east property line as a privacy buffer, along with a Cedar hedgerow along part of the east property line as per the neighbour's preference; and

- The applicant believes the home to the west, which is 7 m away, should not be damaged.

Staff supported the Development Permit application and variances. Staff noted that:

- The applicant was commended for saving the Grand Fir tree on site;
- Two (2) of the variances result from the amount of dedication needed along Williams Road; and
- Tandem parking for three (3) units was supported, and a restrictive covenant was required to prevent the conversion of tandem parking area into habitable area.

Discussion ensued and the following advice was given:

- The survivability of conifer trees at the northwest corner of the subject site is enhanced by the pruning of a row of 22 trees overhanging into the subject lot from an adjacent property;
- The Grand Fir tree and one (1) small tree at the southeast would be retained;
- One (1) convertible unit is provided; and
- For on-site garden areas, water hose elements can be incorporated into the Building Permit.

The Chair requested that Mr. Yamamoto comment further on the written concerns of Mr. Michael Chung, regarding (i) proposed maximum lot coverage; (ii) sufficient privacy to the master bedroom; and (iii) the likelihood of damage to his home and property during the construction of the proposed townhouse units. Mr. Yamamoto advised that:

- Proposed lot coverage, and reduced setback result from desire to have more two-storey units; the proposed development complies with the permitted density;
- Privacy is provided with an increased setback and orienting the facades away from the neighbour's master bedroom so that the overlook onto the property to the west is minimized;
- The proposal provides a 7 m setback from Mr. Chung's property, while the earlier development on the opposite side only provided a 3 m setback; and
- Buffering is provided to the single-family home with vegetation, and a fence is proposed.

Public correspondence was received regarding the Development Permit Application from Ms. Liu and Mr. Chung's lawyer, Mr. Ryan.

In response to the Chair's queries regarding received correspondence, staff noted that:

- New hedging was proposed along the east property line; staff did not support a hedge at the future access location because of hedge removal difficulty for future connection;
- The increased lot coverage was small and is supported due to land dedication along Williams Road; west units two-story and set back behind the amenity space; and provides privacy;
- The applicant has a copy of the City's good neighbours brochure and is aware of construction hours. To mitigate potential for damage to adjacent houses, the setbacks exceed the minimum and vibration can be accommodated with demolition techniques;
- The City does not ask for an independent engineering firm to verify compaction compliance;
- Demolition is required to be done in accordance with City bylaws, procedures, policies; and
- The City does not request a bond for potential damage to neighbouring homes.

Mr. Matthew Chung addressed the Panel, referencing the letter sent on his behalf by his lawyer, Mr. Wayne Ryan, and stated that for the past two years he has endured construction of a new development behind his home. He stated that when he moved into his home, an inspector had indicated there were no problems with the home, his home has suffered \$80,000 in damages, and he has been unable to recover damages from his insurance company, nor any other party.

Mr. Jackson advised that the hours of construction and Noise Bylaw were fair and generous.

After the Chair had received assurance from Mr. Yamamoto that Mr. Chung's concerns would be met with sensitivity, the architect and applicant were encouraged to meet with Mr. Chung after the Development Panel Meeting had adjourned.

The Chair remarked that the concerns raised by Mr. Chung had been noted. She added that the proposed planting of trees on the subject site could act as a response to some of his concerns.

The Panel recommends that the Permit be issued.

GENERAL COMPLIANCE TO DP 05-297678 – FORTUNE VENTURE ENTERPRISES LTD. –
8228 WESTMINSTER HIGHWAY (FORMERLY 8200, 8220 WESTMINSTER HIGHWAY
(August 25, 2010)

The Panel considered an application for changes to the parking layout and building elevations to be considered in General Compliance with approved Development Permit (DP 05-297678).

Architect Matthew Cheng, provided information about construction issues, including:

- the northeast street corner canopy was changed to accommodate a traffic light;
- the ground floor loading area was changed to accommodate the gas meter;
- the landscaping design for roof top perimeter shrub planting was changed to provide residents with an unblocked view;
- the number of storefront doors was increased for a higher number of commercial units; and
- he waited for the end of the building phase to present the consolidated changes to the City, seeking the City's approval.

The Chair stated that the recently completed building was not built in accordance with approved plans without informing the City or seeking approval from the City.

Staff provided information, including:

- Subsequent to the Development Permit and Building Permit issuance, the applicant and architect had relocated the loading area, bicycle parking and visitor parking spaces.
- The approved loading space design included a three-point turning movement for truck access. The unapproved loading space that was built included an eleven-point turning movement. Discussions with City staff regarding the as-built condition have resulted in a proposed design with an eight-point turning movement
- Staff supports the general compliance, with extreme reluctance. The building construction is complete and approximately half of the 43 dwelling units are occupied.

- The applicant should understand that any changes must be reviewed by staff, and that a situation like the one under discussion by the Panel should never happen again.

It was noted that the City has received complaints about the current loading area from residents to the south and west of the recently completed building. In response, Mr. Cheng advised that (i) he was unable to provide an answer, and (ii) he had not consulted the neighbouring residents.

In response to a further query, Mr. Cheng responded that there was no way to return to the original, approved design.

In response to the Chair's query regarding the relocation of the loading area, Mr. Jackson advised that the loading area was moved closer to the dead end of the lane, parallel to the resident parking access ramp, thereby making manoeuvring difficult.

The Chair reiterated that the applicant and architect had deviated from the Development Permit, and Building Permit, approved designs without permission, and that this action had negatively impacted the building's functionality. In response to a query, staff advised that there were no outstanding safety issues.

The Chair advised Mr. Cheng that, while the Panel was troubled by the number of times anomalies in his plans were drawn to the Panel's attention, the Panel has never been asked to consider a departure from approved plans. He noted that the architect should have anticipated the challenges inherent in the design of the subject site. In response to his request that Mr. Cheng further explain the unapproved changes, Mr. Cheng advised that the developer relocated the transformer and electrical kiosk to the ground level to avoid the high cost of placing these elements on an upper parking level.

When asked by the Chair whether Mr. Cheng was aware that the construction of the building was inconsistent with the original, approved plans, Mr. Cheng responded that the developer communicated with several City departments during the construction phase, and that when the developer received emails from individual City Department's staff stating that the changes were acceptable, he then made the changes to the construction plans to satisfy the developer.

In response to a Chair query, staff advised that City staff became aware of the design changes to the approved plans only when the "as built" drawings were submitted.

No public correspondence was received regarding the general compliance request.

Mr. Matthew Chen, Fortune Venture Enterprises Ltd., addressed the Panel, stating that:

- the recently completed 12-storey building occupies a small site;
- a contribution of \$160,000 had been made as compensation for the decreased parking;
- the loading area is large enough to for vehicles servicing the commercial spaces;
- creating separate residential and commercial garbage recycling rooms, as well as requirements for the transformer equipment and electrical kiosk, left almost no space; and
- the architect had difficulty designing the parking area.

The Chair noted that the Panel had never before considered such a serious breach of the design approval process. He stated that the developer and architect had an obligation to approach the City and discuss design solutions with staff before undertaking any design changes.

The Chair noted that residents already living in the recently completed residential tower could not receive final occupancy until, or unless, the Panel approved the General Compliance. He added that the developer and architect had failed to fulfil their design duties.

The Chair stated that staff had done what they could and noted that there were no safety issues involved. For these reasons he would support staff's recommendation.

The Panel recommends that the revisions be approved.