



City of Richmond

Report to Council

To: Richmond City Council
From: Joe Erceg
Chair, Development Permit Panel
Date: December 2, 2020
File: DP 18-829204
DP 18-837117
Re: **Development Permit Panel Meetings Held on April 29, 2020, July 29, 2020 and September 30, 2020**

Staff Recommendation

1. That the recommendation of the Panel to authorize the issuance of:
 - a) a Development Permit (DP 18-829204) for the property at 9391, 9393 and 9411 No. 2 Road; and
 - b) a Development Permit (DP 18-837117) for the property at 6333 Mah Bing Street;
- be endorsed and the Permits so issued.

Joe Erceg
Chair, Development Permit Panel
(604-276-4083)

WC/SB:blg

Panel Report

The Development Permit Panel considered the following items at its meetings held on April 29, 2020, July 29, 2020 and September 30, 2020.

DP 18-829204 – FOUGERE ARCHITECTURE INC. – 9391, 9393 AND 9411 NO. 2 ROAD
(April 29, 2020)

The Panel considered a Development Permit (DP) application to permit the construction of 11 townhouse units on a site zoned “Medium Density Townhouses (RTM2). Variances are included in the proposal for reduced front yard setback and for small car parking spaces.

Architect, Wayne Fougere, of Fougere Architecture Inc., provided a brief presentation, including:

- The proposed development includes 11 family-oriented townhouse units and one secondary unit.
- Three-storey units front onto No. 2 Road, with the exception of the northernmost unit which is two storeys, and two-storey duplexes are sited at the rear (west side), adjacent to single-family homes.
- Significant trees along the north property line and smaller trees along the west property line are proposed to be retained.
- The proposed architectural styles for the project include a “brownstone” rowhouse concept with “modern farmhouse” finish.
- Proposed primary exterior building materials include, among others, brick cladding and board and batten.
- Permeable paving treatment is proposed for prominent areas on the site and parking stalls.
- Internal pedestrian pathways are proposed.
- The common outdoor amenity area includes, among others, a children’s play area, bicycle racks and seating.

In reply to Panel queries, Wayne Fougere acknowledged that: (i) the rear yards of the rear townhouse units will be raised by 2 ft.; (ii) the proposed front yard setback variance will result in a larger rear yard setback; (iii) future developments to the north will be allowed access through the site; and (iv) significant measures are being adopted to protect the roots of retained trees along the north property line during construction.

Staff noted that: (i) there is a Servicing Agreement for frontage works and bus stop upgrades; (ii) the proposed front yard setback variance is consistent with Official Community Plan (OCP) guidelines which support a reduced front yard setback where a larger rear yard setback is provided; (iii) an acoustical report was provided by the applicant which indicates that interior noise standards in the OCP will be achieved; and (iv) the proposed small car parking variance will allow more side-by-side arrangements in parking garages.

No correspondence was submitted to the Development Permit Panel regarding the application.

The Panel recommends the Permit be issued.

DP 18-837117 – W.T. LEUNG ARCHITECTS INC. – 6333 MAH BING STREET
(July 29, 2020 and September 30, 2020)

The Panel considered a Development Permit (DP) application to permit the construction of a multiple-family residential development with two 15-storey high-rise buildings and a nine-storey mid-rise building, consisting of approximately 232 dwelling units and 364 parking spaces on a site zoned “High Rise Apartment (ZHR4) – Brighthouse Village (City Centre)”. The proposal includes a variance for reduced minimum lot area from 13,000 m² (139,930 ft²) to 8,227 m² (88,554 ft²).

The application was considered at both the July 29, 2020 and September 30, 2020 meetings.

At the July 29, 2020 meeting, Architect, Wing Leung, of W.T. Leung Architects, Inc., and Landscape Architect, Richard O’Connor, of Durante Kreuk Landscape Architects, provided a brief presentation, including:

- The subject Development Permit application is for Phase 2 of the Parks Residences development, which consists of two 15-storey towers and one nine-storey building designated as Towers C, D, and E.
- The rezoning application for the overall project started in 2004 prior to the adoption of the City Centre Area Plan (CCAP).
- The Development Permit for Phase 1 was issued in 2013 and construction was completed in 2016.
- Council required a 1:1 replacement of the existing rental units located on the Phase 2 area as part of the Phase 1 Development Permit.
- 132 rental units were provided in Tower A of Phase 1 for the 128 existing rental units on-site.
- A central public greenway will be constructed through the middle of the subject site which will be aligned with Murdoch Avenue to provide connection between Minoru Park and Minoru Boulevard.
- The five buildings in Phases 1 and 2 have been sited to maximize the distance between towers.
- Massing and orientation of towers on the subject site will provide view corridors towards the park for future developments to the east of the subject site.
- Truck access and a three-point turn are provided to maintain garbage and recycling collection for the adjacent residential development to the south.
- The proposed Public Art piece for the project has gone through the City’s Public Art process and has been approved by the Richmond Public Art Advisory Committee.
- Separate indoor amenity spaces are provided for each tower.
- Pedestrian entrances to Towers C and D are located off the public greenway.
- The intent of the landscape design is to ensure that current views from Minoru Boulevard all the way through Minoru Park are kept clear.
- The Public Art piece on the public plaza located on the greenway is the focal point of the landscape design.
- Lawn areas along the greenway help provide connection to the park.
- Pedestrian walkways will be installed along both sides of the greenway.

- The western walkway will connect to the existing walkway on the adjacent development to the north.
- The outdoor amenity spaces on the podium roofs are landscaped and have been programmed for active and passive uses.

In reply to a Panel query, the project design team noted that the proposed treatment for the subject development's south wall consists of brick cladding and vertical vine planting systems.

Staff noted that: (i) there is a significant Servicing Agreement associated with the proposal, including improvements to Mah Bing Street, construction of a central greenway between the two buildings, site services, and a greenway along the Minoru Park frontage; (ii) the subject development has been designed to achieve the City's Aircraft Noise Sensitive design requirements, connect to the City's District Energy Utility (DEU), and meet Step 2 of the Energy Step Code and LEED Silver equivalency; (iii) the proposed lot size variance is a technical variance as at the time of rezoning, the lot was part of a larger lot which included Phase 1, (iv) the applicant is required to provide a geotechnical analysis and a Construction Traffic and Management Plan prior to Building Permit issuance should the application move forward; (v) a detailed traffic impact assessment was provided by the applicant and was reviewed and approved by the City's Transportation Department; and (vi) the traffic study indicated that parking is sufficient on the subject property and existing road networks and proposed road improvements are able to accommodate additional traffic generated by the proposed development.

In reply to Panel queries, staff further noted that: (i) the Public Hearing on the rezoning application for the subject property was held in 2006; (ii) the proposed development meets the City's current energy and sustainability requirements; (iii) the City's Affordable Housing Strategy came in after the project's rezoning application was approved; (iv) Phase 1 of the project at the time of rezoning provided a 1:1 replacement for rental units which included market rental and seniors housing units; (v) the project complies with the City's current Tenant Relocation Plan requirements; and (vi) the Servicing Agreement includes significant infrastructure works in Minoru Park.

Ricardo Vong, of 7399 Murdoch Avenue, addressed the Panel regarding the application, expressing concern regarding increased traffic and noise levels in the area during and after construction of the new building.

In reply to Ricardo Vong's concerns, Mr. Craig noted that the City's Noise Regulation Bylaw regulates when construction hours can take place, which are between 7 a.m. and 8 p.m. Monday through Friday, between 10 a.m. and 8 p.m. Saturday, and no construction is permitted during Sundays and statutory holidays. In addition, he stated that the applicant is required to submit a Construction Traffic and Parking Management Plan prior to issuance of Building Permit.

In reply to a Panel query, staff confirmed that a traffic study was provided by the applicant at rezoning and an updated version was submitted for the subject Development Permit application.

Peter Demchuk, of 6611 Minoru Boulevard, Unit 1614, addressed the Panel regarding the application, expressing concern regarding: (i) the potential increase in noise and traffic that will be generated by construction activities in the subject site which would particularly impact seniors living in the area; (ii) the capacity of the existing Mah Bing Street to accommodate increased traffic; (iii) the potential impact of the proposed development on existing vehicle access to 6611 Minoru Boulevard including access to the property's buildings and parking and loading areas; and (iv) the potential removal of two parking stalls on the property.

In reply to Peter Demchuk's concern regarding construction noise and traffic, the Chair noted that the City's Noise Regulation Bylaw will be enforced during construction and the applicant is required to provide a Construction Traffic and Management Plan to address potential traffic congestion and maintain access to existing residential developments in the area.

In reply to Peter Demchuk's concerns regarding increased traffic in the area and vehicle access to 6611 Minoru Boulevard, staff noted that: (i) the existing lane fronting the subject site will be expanded into a City street to be called Mah Bing Street, which is similar to the street north of Murdoch Avenue; (ii) the proposed street improvement will run from the Murdoch Avenue intersection until the south property line of the subject development; and (iii) the proposed development will not impact vehicle access to buildings as well as loading and parking areas on the property at 6611 Minoru Boulevard.

With regard to the potential removal of two parking stalls at 6611 Minoru Boulevard, staff clarified that their removal was proposed as one of the two options being investigated to maintain access to the property's garbage and recycling loading area; however, there was no agreement on this proposal, therefore an alternative arrangement was proposed that would provide a statutory right-of-way (SRW) on the southwest corner of the proposed development adjacent to Minoru Park to allow the garbage and recycling truck to turn around and exit.

In reply to a Panel query, staff confirmed that the garbage and recycling truck servicing 6611 Minoru Boulevard is currently accessing the site by driving across the subject development without a formal easement.

Bill Sorenson, of 6611 Minoru Boulevard, addressed the Panel regarding the application, speaking against the proposed alternate truck route to access the property's garbage and recycling loading area, noting that it is circuitous and would impact vehicular traffic as well as pedestrian safety, particularly of seniors, on the lane fronting the northern building at 6611 Minoru Boulevard. He added that he would prefer the installation of a dedicated lane for truck access which provides a more direct route to the property's garbage and recycling loading area through the two parking stalls on the property. In closing, he noted that he does not agree with the strata management and Council of 6611 Minoru Boulevard not responding to the applicant's communications regarding garbage and recycling truck access to the property.

In reply to Bill Sorenson's concern, Wing Leung stated that he had communicated several times with the strata management of 6611 Minoru Boulevard through the property manager regarding the applicant's first option for truck access into the property which provides a more direct route through the two parking stalls. He added that he offered to pay compensation for the two parking stalls; however, the strata management did not respond and as a result, the applicant is proposing an alternate truck route to access and exit the property's garbage and recycling loading area.

Nuno Porto, 6611 Minoru Boulevard, addressed the Panel regarding the application, expressing concern regarding: (i) the siting of buildings on the proposed development which impact pedestrian experience on Minoru Park; and (ii) the proposed development's interface with adjacent residential developments, particularly with the property at 6611 Minoru Boulevard. He noted that the towers and townhouses on the proposed development are sited closer to the park than the existing two three-storey buildings on-site. Also, he suggested that the treatment for the three-storey podium wall along the south side of the subject development facing the existing tower to the south be reviewed in order to improve its interface with the park and the adjacent development to the south.

Meena Bangash, of 6491 Minoru Boulevard, addressed the Panel regarding the application, expressing concern about the situation of low-income tenants in the existing rental buildings on-site who are going to be displaced when the buildings are demolished. She noted that their situation is made more difficult by the pandemic as some tenants are experiencing job loss and will have difficulty finding rental units that they can afford.

Juliet Mendoza, of 6491 Minoru Boulevard, addressed the Panel regarding the application, stating that she has lived in the rental building for 13 years and queried: (i) the age requirement for seniors who are existing tenants in order to qualify for accommodation in the Phase 1 of the development; and (ii) the assistance offered under the applicant's Tenant Relocation Plan.

In reply to Juliet Mendoza's query regarding the age requirement for seniors, Wing Leung noted that seniors in existing rental buildings on-site should be 65 years or older to qualify for accommodation in affordable rental units in Phase 1; however, all rental units are currently occupied.

In reply to Juliet Mendoza's query regarding the Tenant Relocation Plan, staff reviewed the various components of the Tenant Relocation Plan which include notification, right of first refusal, relocation assistance, compensation and communication with tenants. In addition, he noted that with regard to relocation assistance, the developer is required to hire a Tenant Relocation Coordinator to assist tenants free of charge in finding similar accommodations within the City or in another location at the tenant's discretion.

In reply to Panel queries, staff advised that: (i) the minimum four month's notice to end tenancy would be served upon issuance of a Demolition Permit for the subject development; (ii) issuance of the Demolition Permit is subject to the developer meeting certain conditions; (iii) a Tenant Relocation Coordinator has been hired by the developer to provide relocation assistance to tenants; and (iv) the minimum compensation for existing tenants is three months free rent or lump sum equivalent and is increased depending on the number of years the tenant has resided in the building.

In reply to Panel queries, Wing Leung noted that: (i) the developer was required to demolish the existing rental buildings on-site two years after Phase 1 was constructed; however, the developer delayed the demolition to minimize displacement of existing rental tenants; (ii) approximately 118 tenants are currently living in the two rental buildings and five tenants are moving out at the end of the month; (iii) information regarding preferences of tenants in terms of relocation assistance is not currently available; however, letters have been sent out to existing tenants regarding the relocation process; (iv) the applicant will conduct open house sessions with tenants should conditions allow or will personally reach out to them; (v) in 2016, existing tenants were given the right of first refusal for rental units in the Phase 1 development and 19 tenants were accommodated in Phase 1; (vi) beginning in 2018, month-to-month rentals were introduced for new tenants in anticipation of the demolition of existing rental buildings; and (vii) the Tenant Relocation Coordinator is ready to assist in the relocation of tenants and the developer has offered a compensation package as part of the Tenant Relocation Plan.

Yuewen Gong, resident of Carrera Building 2, submitted correspondence to the Development Permit Panel regarding the application.

In reply to Yuewen Gong's concerns, staff noted that: (i) the proposed development complies with the City's building separation guidelines; and (ii) the development's outdoor amenity areas comply with the City's requirements.

Jessy (no last name provided), a resident of 7333 Murdoch Avenue, submitted correspondence to the Development Permit Panel regarding the application.

In reply to geotechnical concerns, among other concerns mentioned in the correspondence, staff advised that a geotechnical report by a certified engineer will be required prior to Building Permit issuance should the application move forward.

Ho Siu M. and Leung Ching M., of 6611 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the concerns expressed in the correspondence regarding potential geotechnical issues as well as noise and dust during construction have been previously discussed.

Shao He He, of 803 - 7368 Gollner Avenue, submitted correspondence to the Development Permit Panel regarding the application.

In reply to concerns cited in the correspondence, staff noted that: (i) there is a shadow analysis provided by the applicant included in the meeting's agenda package; and (ii) the proposal complies with the City's tower separation guidelines.

Charing Chong, of 1306 - 7333 Murdoch Avenue, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the correspondence expressed concerns related to potential traffic generated from the proposed development, potential implications to wildlife and vegetation in the park, and construction noise related to the proposed development.

Lexy Clayburn, resident of Minoru Gardens, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the correspondence expressed concern regarding: (i) tenant displacement during a pandemic; (ii) ability of tenants to find alternative accommodations, particularly affordable housing units in the City of Richmond; (iii) access to information from the Tenant Relocation Coordinator regarding relocation assistance; and (iv) the proposed variance sought in relation to the proposed development. In addition, staff further noted that the proposed variance to reduce the minimum lot area is a technical variance associated with the subdivision of Phase 1.

Kamran Bangash, of 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the correspondence expressed concern regarding tenant displacement and the ability of existing tenants to find alternative accommodations and requested that the property owner conduct a Tenant Needs Survey for all tenants to get more information about their situation.

Rao Zeeshan, of 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that Rao Zeeshan expressed concern regarding tenant displacement and ability to find alternative accommodations within the city.

Ramakanth Gade, of 6391 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the correspondence expressed concern regarding tenant displacement and challenges in finding potential alternative accommodations within the city.

Meena Bangash, of 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Meena Irshad, of 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the two pieces of correspondence expressed concern regarding the displacement of existing tenants of apartment rental buildings on-site and their ability to find alternative housing within the city.

April Denosta, of 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that April Denosta is asking for information regarding the timeline for demolition of the existing rental buildings on-site.

Andrea Roca, of 6611 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Nuno Porto, of 6611 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that the two pieces of correspondence share the same concerns which include: (i) proximity of the proposed development to Minoru Park; (ii) proximity to the adjacent development to the south; (iii) potential impacts related to construction of the proposed development; and (iv) treatment of the south wall of the subject development.

In reply to Panel queries, staff confirmed that: (i) the proposed development is set back 6 m from the park to the townhouse units, while the western edge of the parkade in the adjacent development to the south is located along the west property line; (ii) the proposed development will provide a right-of-way (ROW) on their property for the installation of the north-south walkway fronting the townhouse units in the proposed development.

Mirene Raphael (no complete address indicated) submitted correspondence to the Development Permit Panel, expressing regret for not being able to attend the July 29, 2020 Panel meeting.

Shelvin Chandra, of 301 - 6491 Minoru Boulevard, submitted correspondence to the Development Permit Panel regarding the application.

Staff noted that staff had responded to the correspondent's query regarding the availability of and access to the minutes for the July 29, 2020 Development Permit Panel meeting.

The Panel deferred to the Development Permit Panel meeting scheduled for Wednesday, September 30, 2020, at 3:30 p.m. at the Council Chambers, Richmond City Hall, for the purpose of the applicant working with staff to address the following issues:

1. Review the proposed truck access to allow garbage and recycling collection for 6611 Minoru Boulevard (adjacent development to the south of the subject site) and investigate opportunities for a more direct route.
2. Review the proposed treatment to the south wall of Tower D/E podium to improve the project's interface with the side of the existing tower to the south.

3. Ensure the attendance of the project's Tenant Relocation Coordinator at the Panel's September 30, 2020 meeting to provide a report on the following:
 - (i) The project's Tenant Relocation Plan and the Coordinator's communication with tenants of existing rental buildings on-site (6391 and 6491 Minoru Road) regarding the Plan.
 - (ii) The tenants' preferences in terms of types of needed relocation assistance.
 - (iii) Information regarding the number of tenants needing relocation assistance and proposed measures to assist in relocating the tenants.

At the September 30, 2020 Panel meeting, Wing Leung provided a summary of the applicant's response to the Panel's referral motion, highlighting the following:

- The architectural and landscaping treatment of the south wall of Tower D/E podium has been revised and includes reducing the mechanical grilles from seven to five, introducing new landscape planting on the second floor podium roof, introducing glass block walls on the lower floors of the exposed parkade walls, maintaining vine planting and widening of the recess on the ground level of the parkade to allow for additional landscaping, and painting of the wall recess to match the colour of the wall panels of the townhouses.
- The applicant has met with representatives of the Strata Council of the Regency Park Towers (the adjacent residential development to the south of the subject site at 6611 Minoru Boulevard) and was advised that the Strata Council had approved the proposal to remove the two visitor parking stalls on the Regency Park Towers to provide a more direct truck access route to allow garbage and recycling collection for 6611 Minoru Boulevard.
- The Strata Council's approval has been scheduled for ratification by all strata owners at their Annual General Assembly in November, 2020.
- Two surveys were conducted for tenants of existing rental buildings at 6391 and 6491 Minoru Boulevard regarding the types and levels of relocation assistance needed.
- 98 out of the 128 existing tenants have responded to the surveys and the results indicated that 92 requested assistance in finding alternate accommodations, six did not request any assistance, and two indicated that they would like to move to the City of Vancouver.

In reply to Panel queries, Wing Leung acknowledged that: (i) the project's Tenant Relocation Coordinator was involved in the surveys and is attending the Panel's current meeting; (ii) the applicant has had previous experiences in dealing with tenant relocation issues in other projects, including holding open houses; however, these are not feasible in the current health situation; (iii) the garbage and recycling truck access option that was approved by the Strata Council of 6611 Minoru Boulevard is the preferred option by the applicant as it would benefit both the subject development and the adjacent residential development to the south; and (iv) the other garbage and recycling truck access option proposes the installation of a hammerhead at the southwest corner of the subject property and should this option not proceed, the proposed location for the hammerhead would become a front yard and part of the right-of-way (ROW) to the park.

Staff noted that: (i) there are two options available in providing truck access to the adjacent development to the south at 6611 Minoru Boulevard for garbage and recycling collection; (ii) the project would be able to proceed with either of the two options; (iii) the more direct truck access route requiring the removal of two visitor parking spaces at 6611 Minoru Boulevard was the option that was approved by the Strata Council and scheduled for ratification by all strata owners; (iv) the proposed enhancement of the architectural and landscaping treatment for the south wall of Tower D/E podium responds to the Panel's direction; (v) the proposed Tenant Relocation Plan complies with the City's Official Community Plan (OCP) requirements and will be secured by a legal agreement as a condition of Development Permit issuance; and (vi) the applicant will be required to provide a report to the City regarding the implementation of the Tenant Relocation Plan prior to the demolition of existing buildings on the subject site.

In reply to Panel queries, staff acknowledged that: (i) the City's Policy Planning, Affordable Housing and Development Applications staff will review the report on the implementation of the Tenant Relocation Plan that will be provided by the applicant; and (ii) the City's issuance of the Demolition Permit would be conditioned on the effective implementation of the Tenant Relocation Plan by the applicant.

No correspondence was submitted to the Development Permit Panel regarding the application.

The Panel recommends the Permit be issued.