

Report to **Development Permit Panel**

To:

Development Permit Panel

Date:

August 21, 2007

From:

Wayne Craig

File:

DP 07-363084

Re:

Acting Director of Development

Application by Tussy Berg, Markus Berg and Viktor Berg of

H.A. Berg Investments Ltd. for a Development Permit at 11991 No. 1 Road

(formerly 11991 No. 1 Road and 3911/3931 Chatham Street)

Staff Recommendation

That a Development Permit be issued which would:

- 1. Permit the construction of a three-storey mixed-use building consisting of approximately 156 m² (1,674 ft²) of commercial space and 10 dwelling units at 11991 No. 1 Road (formerly 11991 No. 1 Road and 3911/3931 Chatham Street) on a site zoned "Steveston Commercial (Three-Storey) District (C5)"; and
- 2. Vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) Increase the building maximum height from 12 m to 12.9 m for roof accesses;
 - b) Decrease the minimum manoeuvring aisle width from 7.5 m to 6.7 m; and
 - c) Permit 21% small car sized off-street parking spaces (6 spaces).

Wayne Craig

Acting Director of Development

SB:blg

Att.

Staff Report

Origin

Tussy Berg, Markus Berg, Viktor Berg of H.A. Berg Investments Ltd. has applied to the City of Richmond for permission to develop a three-storey mixed-use building at 11991 No. 1 Road (formerly 11991 No. 1 Road and 3911/3931 Chatham Street) on a site zoned "Steveston Commercial (Three-Storey) District (C5)". The building consists of approximately 156 m² (1,674 ft²) of commercial space on the ground floor and 10 dwelling units on the second and third floors. Stairs are incorporated from the third floor to provide access to the roof decks. The site formerly contained a service garage.

A portion of the consolidated site is being rezoned from "Service Station District (G2)" to "Steveston Commercial (Three-Storey) District (C5)" for this project under Bylaw No. 8115 (RZ 05-296591). The proposed development site which has already been consolidated was formerly comprised of three (3) parcels. 3911 Chatham Street (the western most parcel) was already zoned "Steveston Commercial (Three-Storey) District (C5)".

Development Information

Please refer to attached Development Application Data Sheet (Attachment 1) for a comparison of the proposed development data with the relevant Bylaw requirements.

Background

Development surrounding the subject site is as follows:

- To the north, across the rear lane are single-family homes fronting onto Broadway Street, zoned "Single-Family Housing District, Subdivision Area A (R1/A)";
- To the east, across No. 1 Road is the Army and Navy Air Force Veterans Unit 284 (Steveston), zoned "Steveston Commercial (Two-Storey) District (C4)";
- To the south, across Chatham Street are commercial buildings, zoned "Steveston Commercial (Two-Storey) District (C4)"; and
- To the west is an existing two-storey mixed-use (commercial/residential) development fronting onto Chatham Street, zoned "Steveston Commercial (Three-Storey) District (C5)".

Rezoning and Public Hearing Results

During the rezoning process, staff identified the following design issues to be addressed prior to the Development Permit being referred to Development Permit Panel. The applicant's design response has been included in 'bold italics'.

Urban Design Comments

 More traditional awning design in accordance with the Heritage Commission recommendation. The applicant to apply for an Encroachment Agreement through the Engineering Department to permit the awnings to project onto City property – Incorporated and presented at Public Hearing. The applicant is aware of the requirement for an encroachment agreement. The Engineering Department is aware of the forthcoming application and does not object.

- Design development to the No. 1 Road façade at grade to provide continuous frontage including the mechanical and storage areas in accordance with the Heritage Commission recommendation *Incorporated*.
- Eliminate windows on the west elevation due to proximity to property line and Building Code issues of limiting distance *Incorporated. Openings at grade are to exterior passageway.*

Landscaping & Open Space Design Comments:

 Provide physical separation between the residential entrance "breezeway" and parking area – Incorporated.

Crime Prevention Through Environmental Design Comments:

• Incorporate lighting at residential entrance "breezeway" and parking area to ensure safety at night – *Incorporated*.

Accessibility Comments:

- One unit includes a residential elevator. Design Development to the bathroom of the accessible unit to accommodate a wheelchair unit is being purposely designed and built to meet the individual needs of intended resident in a wheelchair.
- Incorporate universal accessibility measures (e.g. lever handles, backing blocks, wider pathways, etc.) to facilitate aging in place and people with limited mobility *Incorporated*.

The proposal was presented to Planning Committee on November 21, 2006, with a brick façade and associated details. The application was referred back to staff to revise the exterior to reflect more heritage character and to incorporate a community garden on the roof deck.

The revised design with horizontal siding, fabric awnings and associated details was presented at the Public Hearing for the rezoning of this site held on December 18, 2006. At the Public Hearing, no concerns about rezoning the property were expressed by the public.

Staff Comments

The proposed scheme attached to this report has satisfactorily addressed the significant urban design issues and other staff comments identified as part of the review of the subject Development Permit application. In addition, it complies with the intent of the applicable sections of the Official Community Plan (OCP) and is generally in compliance with the "Steveston Commercial (Three-Storey) District (C5)" except for the zoning variances noted below.

Zoning Compliance/Variances (staff comments in bold)

The applicant requests to vary the provisions of the Zoning and Development Bylaw No. 5300 to:

1) Increase the building maximum height from 12 m to 12.9 m for roof accesses.

(Staff supports the proposed variance as it accommodates comfortable stair access to the individual roof decks. The roof decks provide opportunities for roof top gardening and private outdoor space for each residential unit. Without the variance, access to the roof would be limited to maintenance only. The roof accesses should not present shade impacts to the neighbouring properties as the accesses are limited in size and recessed from the edges of the building).

2) Decrease the minimum width from 7.5 m to 6.7 m of a portion of the manoeuvring aisle.

(Staff supports the proposed variance as the reduction of the manoeuvring aisle is a consequence of accommodating the 2 m wide road dedication along No. 1 Road which was secured through the rezoning. The drive aisle is wider at the lane entry and roughly the northern half of the parking area. It narrows from 7.1 m to 6.7 m for roughly the southern half of the manoeuvring aisle where longer standard parking spaces are proposed. The Transportation Department has been consulted and does not object to the variance. The variance was identified during rezoning and no concerns were expressed).

3) Permit 21% small car sized off-street parking spaces (6 spaces).

(Staff supports the proposed variance as the reduction of the manoeuvring aisle and the reduced parking space depth are consequences of accommodating the 2 m wide road dedication along No. 1 Road which was secured through the rezoning. The variance has been lowered to 21% (6 spaces) from the 74% (14 spaces) presented at Public Hearing. Transportation Department has been consulted and does not object to the variance. The incorporation of small car spaces was identified during rezoning and no concerns were expressed).

Richmond Heritage Commission Comments

As discussed in the rezoning staff report, the proposed development was presented to the Heritage Commission twice on October 27, 2005 and May 18, 2006. The Heritage Commission generally supported the proposed rezoning and endorsed the revised design. The Commission requested improvements to the No. 1 Road service room's frontage and a more traditional awning design as part of the Development Application – *These comments from the Richmond Heritage Commission have been incorporated*.

Advisory Design Panel Comments

The Advisory Design Panel was supportive. A copy of the relevant excerpt from the Advisory Design Panel Minutes from April 18, 2007 is attached for reference (Attachment 2). The design response from the applicant has been included immediately following the specific Design Panel comments and is identified in 'bold italics'.

Analysis

Conditions of Adjacency

- The form and massing of the mixed-use three-storey development generally complies with Official Community Plan (OCP) guidelines;
- An almost continuous commercial streetscape is provided with storefront windows along the entire street frontages with stacked townhouse units in the upper two floors;
- The proposed height, location and orientation of the building respects the massing of the existing adjacent two-storey mixed-use development and single-family homes across the rear lane. The massing is pulled forward to address the street;
- The applicant has addressed the interface with the adjacent mixed-use development, which is set back from the street with the planting of continuous hedging; and
- The applicant is proposing to meet the grade of adjacent lots.

Urban Design and Site Planning

- The No. 1 Road and Chatham streetscape are animated with pedestrian-oriented commercial covered by cantilevered awnings and communal residential entries;
- Vehicular access is provided from the lane off No. 1 Road;
- The provision of commercial parking meets the bylaw requirement with five (5) spaces provided. The applicant is providing cash-in-lieu of one (1) residential parking space as permitted in the Zoning & Development Bylaw No. 5300. As identified in the rezoning staff report, Transportation Division supports payment in lieu of one (1) parking space and has agreed to permit loading on the street instead of on the site to facilitate this small-scale mixed-use development. Every residential unit will have at least one (1) designated parking space. Six (6) units will have one (1) designated parking space each and the remaining four (4) units will have two (2) designated parking spaces each. One (1) accessible parking space is provided;
- The site has been designed to accommodate fire-fighting requirements. A gated wood structure has been provided on the lane for recycling carts and garbage dumpsters;
- One (1) out of the 10 units proposed will be wheelchair accessible. A residential elevator will be incorporated into the corner unit to accommodate wheelchair access;
- Universal accessibility measures have also been incorporated into the other residential units
 to promote aging in place (such as lever handles and taps, backing board behind the bath,
 etc.); and
- A Servicing Agreement is required prior to the issuance of future Building Permit. Works
 will include, but are not limited to, traffic signal modifications, bike racks and frontage
 improvements (Chatham Street, No. 1 Road and the lane).

Architectural Form and Character

- The building form is inspired by simple traditional form and detailing encouraged by the Official Community Plan (OCP). The building is articulated with a combination of shallow projecting bays, cantilevered awning and cornice. This is in keeping with the character area guidelines in the OCP Steveston Area Plan, which seeks for new development to complement the style of the village's historic buildings which are described as humble structures;
- The owner will need to enter into encroachment agreements through the future Building Permit process for the comice and awnings, which project out from the building over the Chatham and No. 1 Road City boulevards;

- The proposed building materials (horizontal Hardi-plank siding, vinyl window frames partially covered with wood trim, wood trim and cornice, metal railings and 'Juliet balconies' and wood picket fencing and gate) are generally consistent with the Official Community Plan (OCP) Guidelines; and
- Surface parking has been located behind the building on the rear lane, with no visual impact to the streetscape.

Tree Retention and Replacement Strategy

- As noted in the rezoning report, there are no trees on the development site. An arborist report was submitted to the City and attached to the rezoning staff report as was a copy of a private agreement with the owner of the adjacent site (3891 Chatham Street) for the removal of an existing Norway Maple in close proximity to the property and under stress; and
- Two (2) new trees are proposed on-site framing the vehicle entry from the lane. In addition, two (2) additional new trees are proposed on the neighbouring site to replace the one (1) tree which is required to be removed to accommodate this development as outlined in the rezoning staff report. The neighbour has granted written permission for the removal and replacement of their tree. The cash contribution of \$1,000 (\$500 each for two (2) replacement trees) secured through the rezoning in accordance with the City of Richmond Tree Bylaw is no longer required.

Landscape Design and Open Space Design

- A tide clock will be incorporated on-site at the intersection, addressing the important gateway
 to Chatham Street and Steveston's maritime heritage. As noted in the rezoning staff report,
 there is no landscaping proposed at the street level, which is in keeping with the existing
 Steveston Village character. Limited landscaping is proposed in a corner planting bed at the
 intersection;
- Private outdoor space is provided for each of the townhouse units in the form of balconies, decks and roof decks. These will be landscaped by individual residents;
- The mailboxes are located in a locked room off the Chatham Street residential entry court;
- Paving treatment includes a variety of materials to provide visual interest and to differentiate between pedestrian entries and vehicle areas. Stamped concrete paving and permeable pavers have been incorporated in the surface parking area; and
- Payment of cash-in-lieu of indoor amenity space was secured through the rezoning in the amount of \$10,000 in compliance with the Official Community Plan (OCP).

Affordable Housing

• No affordable housing units are proposed in this 10-unit development. A voluntary contribution towards the City's affordable housing fund was secured through the rezoning in the amount of \$6,685 (based on \$.60/buildable ft²) towards the City's Statutory Affordable Housing Fund.

Crime Prevention Through Environmental Design

• The proposed design with stacked townhouse units over ground floor commercial with storefront windows along the entire street frontage encourages natural surveillance on the street and into the parking area.

Servicing and Utilities

• As noted in the staff report on the rezoning, the developer has submitted storm and sanitary sewer capacity analysis as requested by the City's Engineering Department. There were no identified sanitary sewer upgrades required to facilitate the proposed development.

Flood Indemnity Covenant

• Registration of a Flood Indemnity Covenant (minimum 0.9 m GSC) on Title was secured through the rezoning.

Certificate of Compliance

• Site remediation and investigation is now complete. A Certificate of Compliance has been issued by the Ministry of Environment. Due to its former use as a service station, this site was identified by the Ministry of Environment to require a detailed site investigation.

Conclusions

The applicant has satisfactorily addressed issues that were identified through the rezoning process by staff, the Richmond Heritage Commission and Planning Committee. Through the Development Permit application process, the applicant has satisfactorily addressed staff and the Advisory Design Panel's comments regarding conditions of adjacency, site planning and urban design, architectural form and character, and landscape design. Staff recommend support of this Development Permit application.

Sara Badyal, M.Arch.

Jain (b

Planner 1 (Local 4282)

SB:blg

The following is to be met prior to forwarding this application to Council for approval:

Receipt of a Letter-of-Credit for landscaping in the amount of \$27,674.

Prior to future Building Permit issuance, the developer is required to:

- Submit a construction parking and traffic management plan to the satisfaction of the Transportation Department (http://www.richmond.ca/services/ttp/special.htm); and
- Enter into an encroachment agreement to the satisfaction of the City Solicitor.



Development Application Data Sheet

Development Applications Division

DP 07-363084 Attachment 1

Address: 11991 No. 1 Road & 3911/3931 Chatham Street

Tussy Berg, Markus Berg & Viktor Berg of

Applicant: H.A. Berg Investments Ltd. Owner: Nobby's Service Ltd.

Planning Area(s): Steveston Area – Chatham Street Sub-area of Steveston Village Character Area

Floor Area Gross: 1,285.5 m² Floor Area Net: 1,035.9 m²

	Existing	Proposed 1,035 m ²		
Site Area:	Formerly 1,115 m ²			
Land Uses:	Formerly Garage	Mixed-use (Commercial/Residential)		
OCP Designation:	Neighbourhood Service Centre	No change		
Zoning:	Formerly G2 – 11991 & 3931 and C5 – 3911	Steveston Commercial (Three- Storey) District (C5)		
Number of Residential Units:	0	10		

,	Bylaw Requiremer	nt	Propose	d	Variance
Floor Area Ratio:	Max. 1.0		1.0		None permitted
Lot Coverage:	n/a		51%		None
Setback – Chatham Street:	n/a		0.02 m		None
Setback – No. 1 Road:	n/a		0 m		None
Setback Side Yard:	n/a		0.61 m	35.0	None
Setback – Rear Yard:	n/a		0.76 m		None
Height (m):	Max. 12 m and 12 three-storey		12.9 m and three-storey plus roof access		0.9 m increase for roof accesses
Off-street Parking Spaces – Regular/Commercial:	Commercial Resident	5 1 5	Commercial Resident	5 14	Cash-in-lieu of 1 residential space
Off-street Parking Spaces – Accessible:	1	a province se	2		None
Total off-street Spaces:	20		19		See above
Amenity Space – Indoor:	Min. 70 m ²		None		Cash-in-lieu

Annotated Excerpt from the Minutes from The Design Panel Meeting

Wednesday, April 18, 2007 - 4:00 p.m.

APPLICANT: H.A. Berg Investments Ltd.

PROPERTY LOCATION: 11991 No. 1 Road and 3911/3931 Chatham Street

Comments from the Panel included:

- The project was well done and suits the neighbourhood. The colours were a little muted. Liked the idea of black windows to differentiate them and to tie in with the railing design.
- There should be some sort of differentiation at the corner, perhaps with a raised parapet to give corner expression. Some sort of detailing was needed for the recessed corner condition.
- Appreciated openings in the end walls and roof gardens.
- Would like to see some additional trees, perhaps with structural soil in the parking area, which was the entry to
 the residential units. There was room along the lane. Some trees would really break it up and would increase
 liveability and saleability.
- The overall heritage character was pretty well resolved. Would like to see it carried through more. There was a standard fascia shown in the model on the stair towers. Would be good to bring some of the lower base details up onto the stair towers. The façade relief works well. Question the use of vinyl windows. The unit doors shown in the presentation boards were more successful than those shown in the drawing package.
- Question charcoal or black colour canopies. Not sure about maintenance. How the canopy intersects with the Juliette balcony needs to be resolved. The roof glass guard railing needs a more traditional look or make supports disappear as well. Corner treatment at base could use further detailing.
- Concerned about the lack of controlled access from parking lot.
- Concerned about the look of the building when approaching Steveston driving on No 1 Road. Lane wall and roof stair towers.
- There should be at least two (2) ramps from the parking area to the corridor, one at each end.
- Concerned about the recessed doorways encouraging loitering. Consider a roll up awning.
- Like the Juliette balconies, which would encourage residents to come to the window and added the appearance
 of eyes on the street.
- Concerned about the back overhang area.
- Low landscaping with a curb was preferred over wheel stops.

Panel Decision

It was moved and seconded That Development Permit DP 07-363084 be moved forward to the Development Permit Panel process taking into consideration the following comments provided by the Advisory Design Panel:

- 1. Consider design development to the negative corner cut to add some definition to the corner area *Tidal clock and ornamental grasses under planting incorporated*.
- 2. Consider adding a black cap on top of the glass at the roof *Incorporated*.
- 3. Consider adding some trees to the north edge of the site along the lane 1.2 m Yew hedging and 2 new trees added.
- 4. Design development to the stair towers to match the detailing of the main building Incorporated.
- 5. Consider the use of wood windows Aluminium framed commercial windows and vinyl framed residential windows were chosen for durability and maintenance.
- 6. Consider the colour choice of the canopies for maintenance Dark colour chosen as recommended by manufacturer.
- 7. Consider the intersection of the canopies and railings Detail provided.
- 8. Consider controlled access for the entry court off of the parking Incorporated.
- 9. Consider design development for the north lane elevation visible from No. 1 Road *Incorporated*.
- 10. Consider having at least three (3) ramps for wheelchair access from the parking area Considered, but unable to incorporate due to conflict with required parking spaces.
- 11. Consider using retractable awnings to remove the opportunity for loitering overnight Considered, but not incorporated as they are not deemed to be reliable nor durable. Loitering is discouraged by limited width of awnings and exposure to intersection.

CARRIED



Development Permit

No. DP 07-363084

To the Holder:

TUSSY BERG, MARKUS BERG AND VIKTOR BERG

OF H.A. BERG INVESTMENTS LTD.

Property Address:

11991 NO. 1 ROAD (FORMERLY 11991 NO. 1 ROAD AND

3911/3931 CHATHAM STREET)

Address:

C/O TUSSY BERG

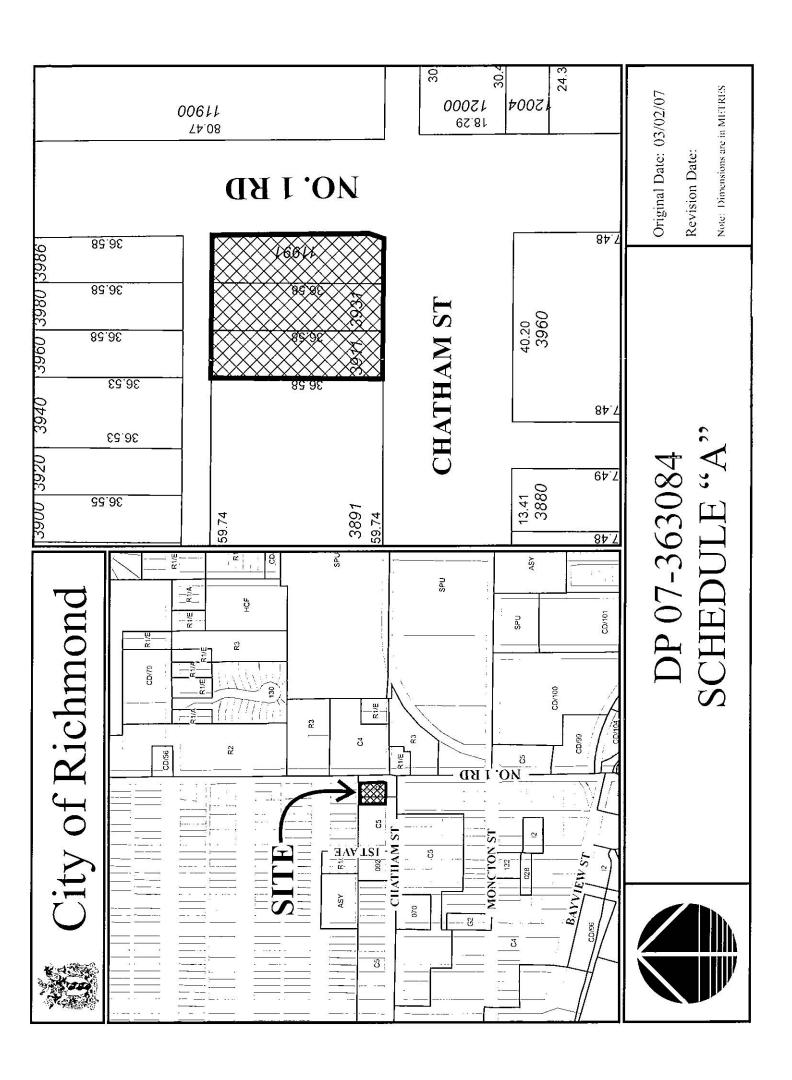
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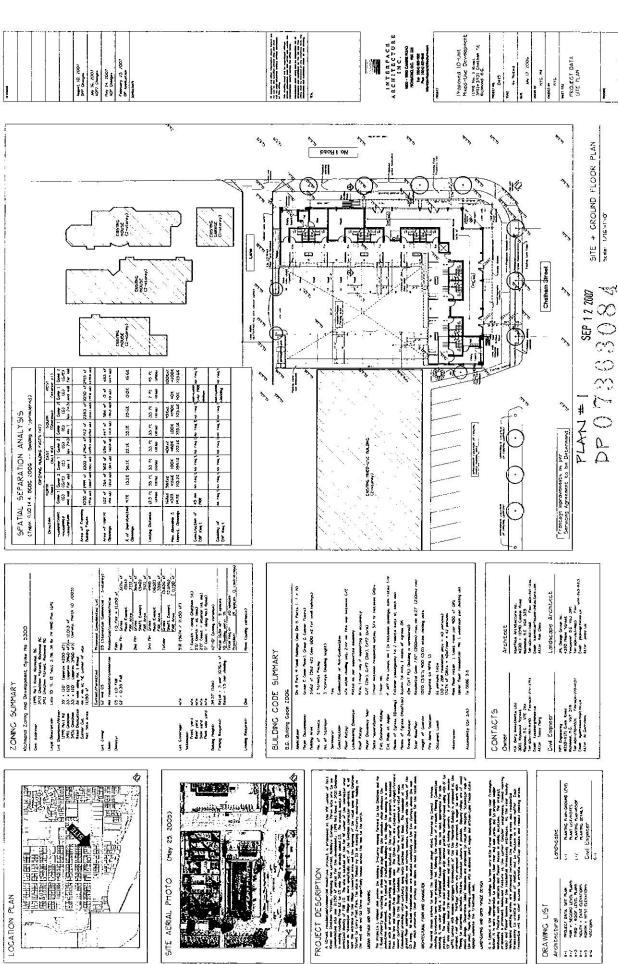
- 1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. The "Richmond Zoning and Development Bylaw No. 5300" is hereby varied to:
 - a) Increase the building maximum height from 12 m to 12.9 m for roof accesses;
 - b) Decrease the minimum manoeuvring aisle width from 7.5 m to 6.7 m; and
 - c) Permit 21% small car sized off-street parking spaces (6 spaces).
- 4. Subject to Section 692 of the Local Government Act, R.S.B.C.: buildings and structures; off-street parking and loading facilities; roads and parking areas; and landscaping and screening shall be constructed generally in accordance with Plans #1 to #6 attached hereto.
- 5. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
- 6. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$27,674. to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder. Should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived.

Development Permit

				No. DP 07-363084			
To the	e Holder:	older: TUSSY BERG, MARKUS BERG AND VIKTOR BERG OF H.A. BERG INVESTMENTS LTD.					
Prope	rty Address:	Address: 11991 NO. 1 ROAD (FORMERLY 11991 NO. 1 ROAD AND 3911/3931 CHATHAM STREET)					
Addre	ss:	C/O TUSSY BERG 3011 RICHMOND STREET RICHMOND, BC V7E 2V4					
	If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse and the security shall be returned in full.						
co	The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.						
Th	nis Permit is not a Build	ing Permit.					
AUTHORIZING RESOLUTION NO. ISSUED BY THE COUNCIL THE DAY OF , .							
DELIV	VERED THIS D	AY OF ,	i.				

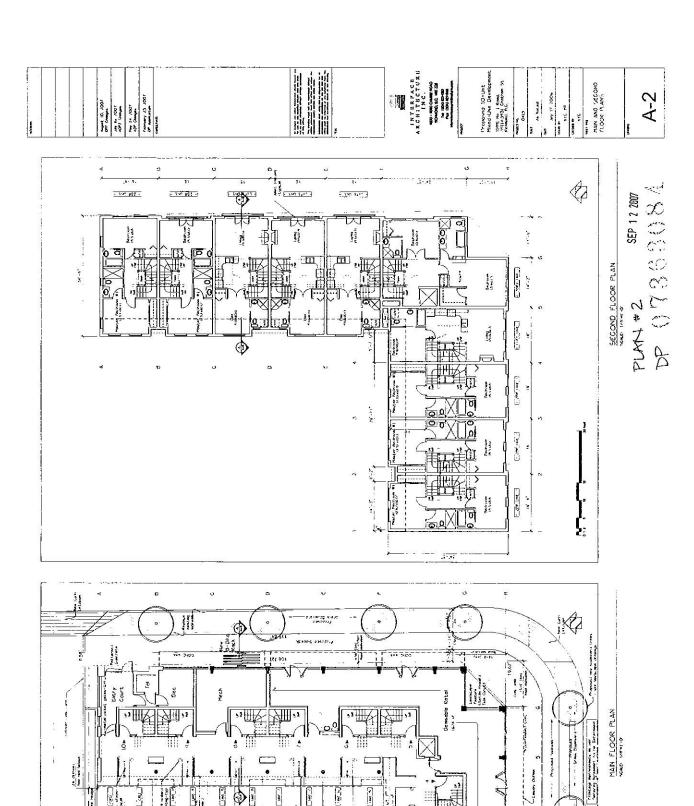
MAYOR





Development Permit - 11991 No.1 Road, 3911 & 3931 Chatham Street, Richmond, BC.

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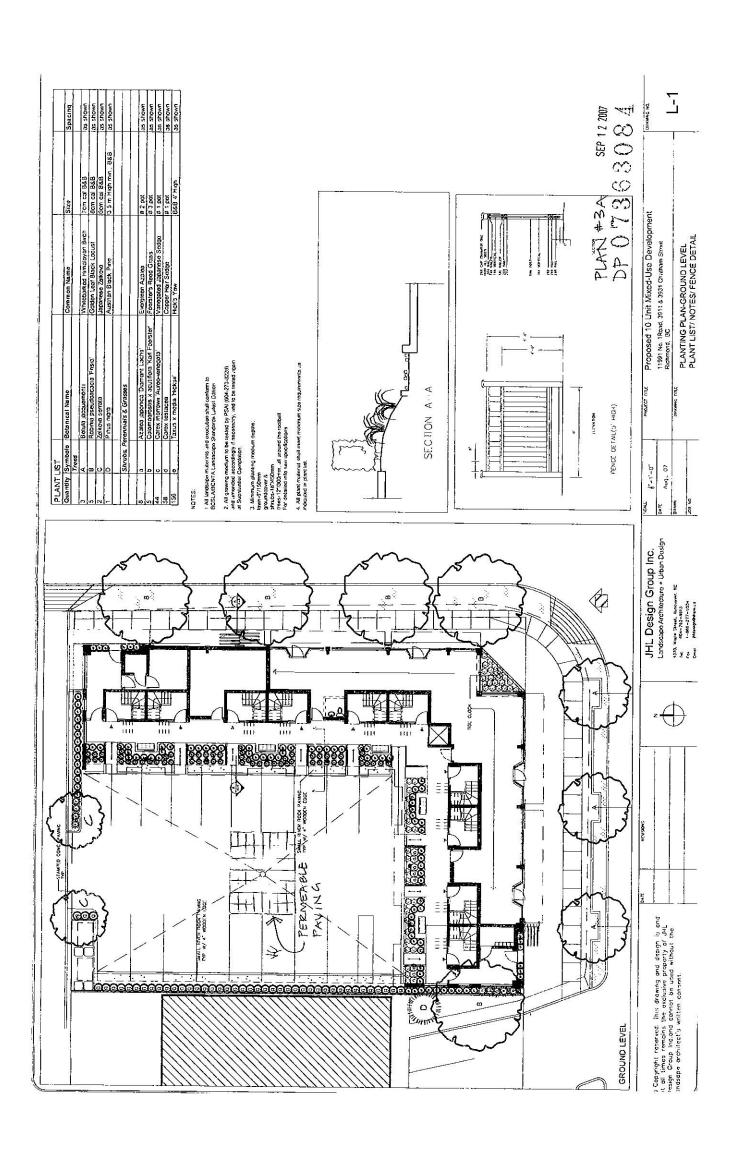
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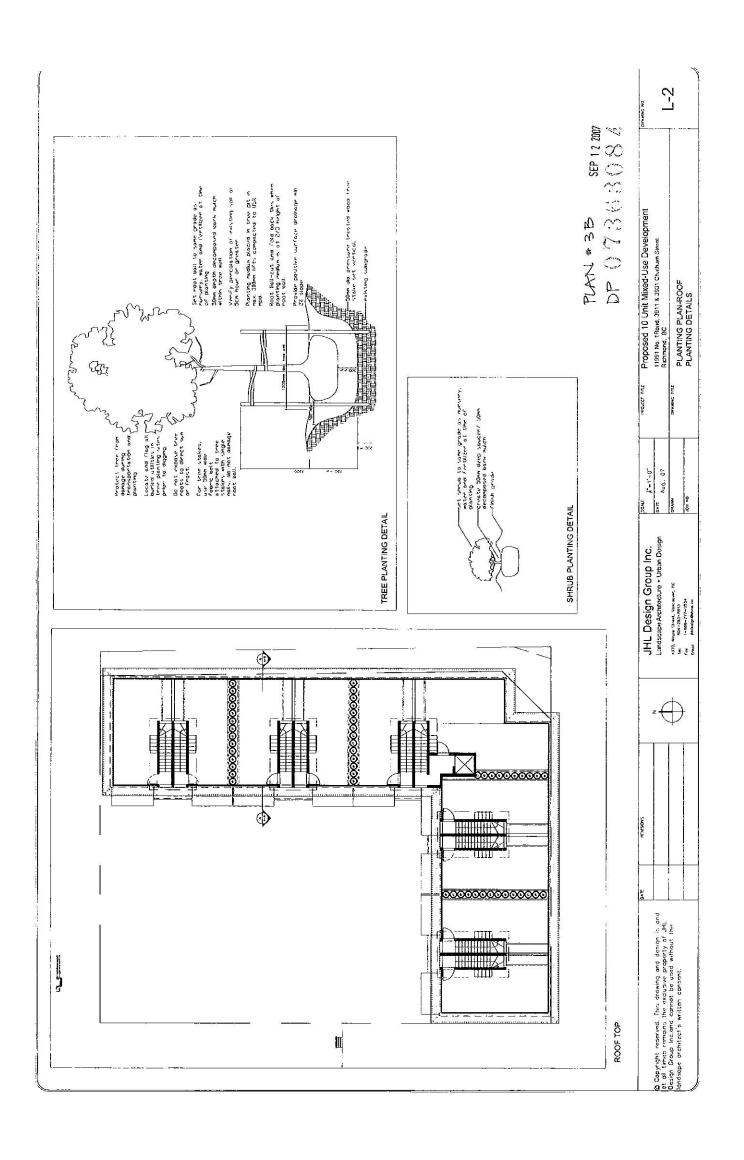
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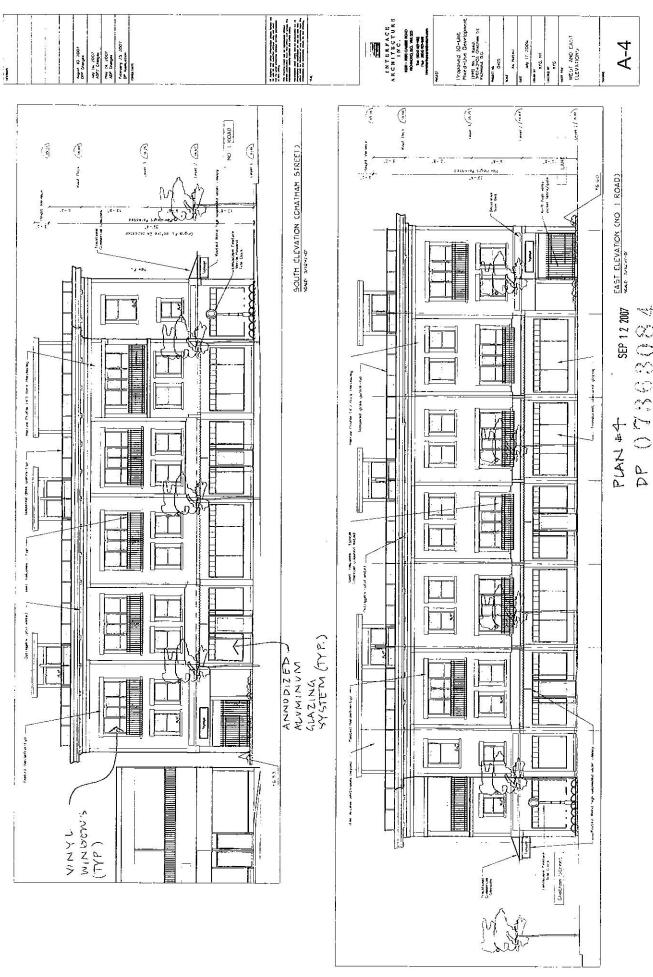
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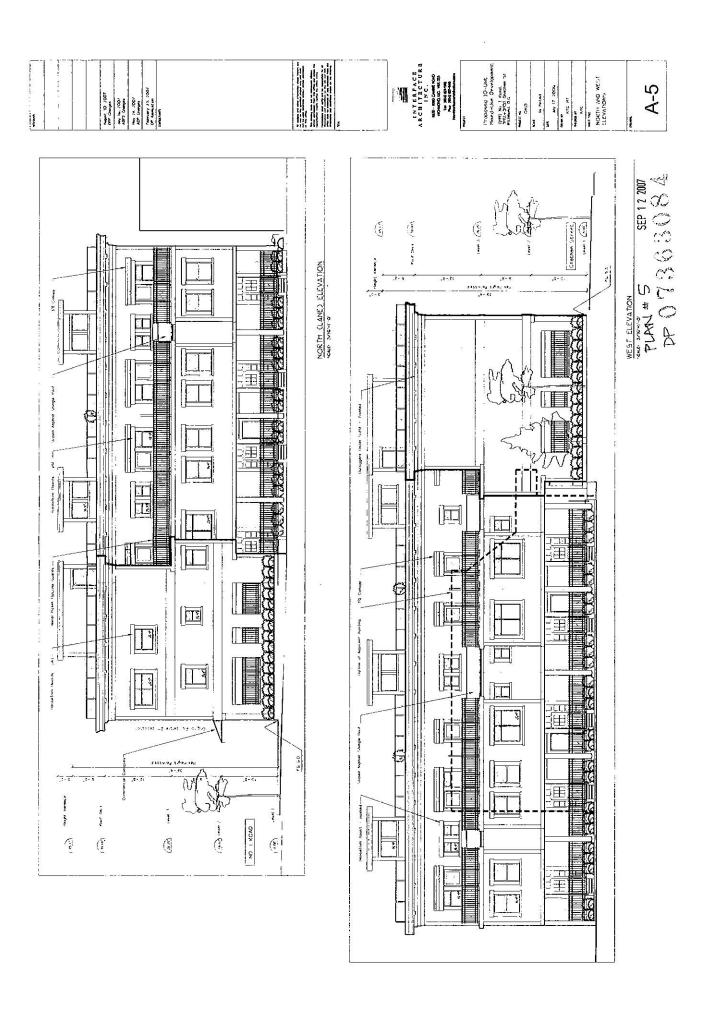
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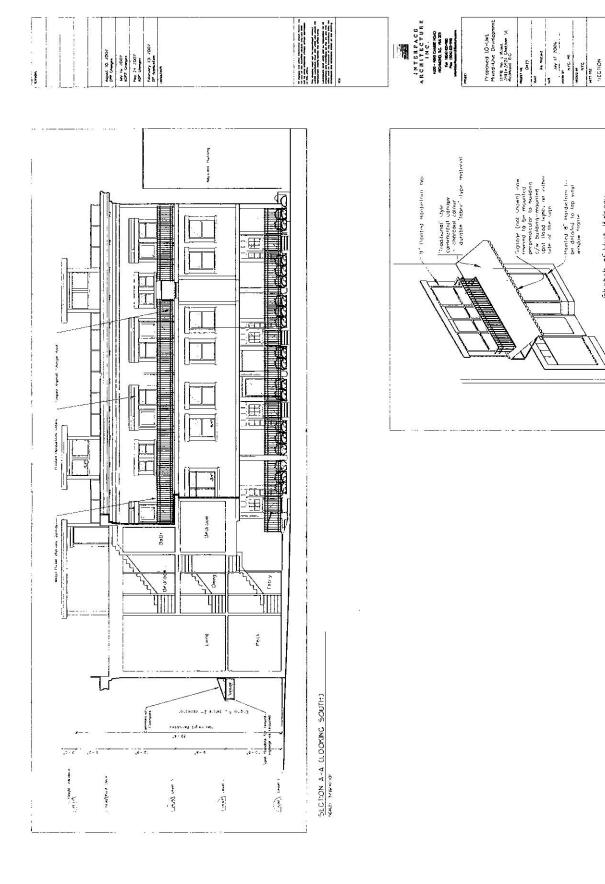






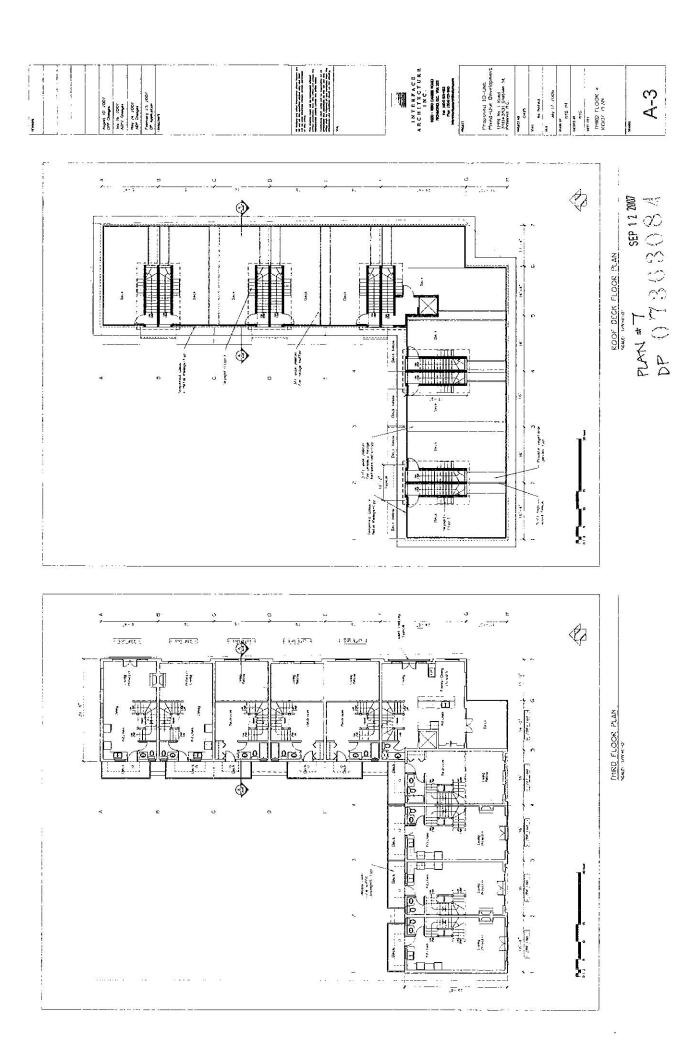
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Sketch of Juliet Balcony and Awning Junction



Tide clock

A tide clock is a specially-designed clock that keeps track of the Moon's apparent motion around the Earth. Along many coastlines the Moon contributes the major part of the combined lunar and solar tides. Many coastal activities are influenced by the tides. Boaters, fisherman, sailors but also nature lovers, strollers, sandcastles or kayaker seek information on the tide status. The tide is easy and provides a fast answer which is precise enough in most cases. Information on where the tide will save lives, keep boaters safe, and provide education to the average person.

Tide clocks keep the average rate between high lunar tides, which occur 12 hours 24 minutes apart. The bottom of the tide clock dial is marked "low tide" and the top of the tide clock dial is marked "high tide." The left side of the dial is marked "hours until high tide" and has a count-down of hours from 5 to 1. There is one hand on the clock face, and along the left side it points to the number of hours "until" the (lunar) high tide. The right hand side of the clock is marked "hours until low tide" and has a count-down of hours from 5 to 1. The number pointed to by the hand gives the time "until" the (lunar) low tide.

Steveston Tide Clock

- · Incorporate a historic design street clock with a tide clock face
- · Commercial and safety quality and inside of property line
- · Steveston Village Est. 1890 will be displayed on top of clock
- Height is an estimated 9 1/2 feet tall with the original landscaped grass plan
- Designed by: (artist name will be accented into bottom base)
- · Strata council of building will maintain tide clock







