



City of Richmond

Report to Council

To: Richmond City Council

Date: November 1, 2023

From: Cecilia Achiam
Chair, Development Permit Panel

File: DP 19-870332

Re: **Development Permit Panel Meeting Held on January 27, 2021**

Staff Recommendation

That the recommendation of the Panel to authorize the issuance of a Development Permit (DP 19-870332) for the property at 7391 Moffatt Road, be endorsed and the Permit so issued.

Cecilia Achiam
Chair, Development Permit Panel
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Panel Report

The Development Permit Panel considered the following item at its meeting held on January 27, 2021.

DP 19-870332 – MATTHEW CHENG ARCHITECT INC. – 7391 MOFFATT ROAD
(January 27, 2021)

The Panel considered a Development Permit (DP) application to permit the construction of six townhouse units on a site zoned “High Density Townhouses (RTH1)” with vehicle access from 7411 Moffatt Road. No variances included in the proposal.

The applicant and architect, Matthew Cheng, of Matthew Cheng Architect Inc., provided a brief visual presentation including:

- The front and rear units of the six-unit townhouse development are all three-storeys.
- There is a Statutory Right-of-Way (SRW) registered on the drive aisle on the adjacent property to the south at 7411 Moffatt Road to allow vehicle access to the subject site from Moffatt Road.
- Details regarding the maintenance agreement for the shared drive aisle are still being discussed by the owner of the proposed development and the Strata Council of 7411 Moffatt Road.
- Parking provided for the development meets the City’s Zoning Bylaw requirements.
- One convertible unit is proposed for the development.
- The project will achieve BC Energy Code Step 3 and sustainability features include, among others, the use of air source heat pumps and installation of Class 2 electric vehicle (EV) charging for all indoor residential parking spaces.
- The quality of materials for the rear units are consistent with the front units.

Denitsa Dimitrova, PMG Landscape Architects, provided an overview of the landscaping for the project, noting that:

- a private yard is proposed for each unit
- a six-foot high wood perimeter fence provides privacy for adjacent developments
- a low transparent fence and landscaping are proposed along Moffatt Road
- no trees are proposed to be planted along the right-of-way (ROW) corridor along the west property line
- the outdoor amenity area includes, among others, a children’s play area with play equipment.

In reply to queries from the Panel, Matthew Cheng and Denitsa Dimitrova acknowledged that (i) the outdoor amenity areas on the subject site and the adjacent development to the south will not be shared, (ii) a paved pathway is provided adjacent to the garbage and recycling area to allow the movement of bins to the drive aisle for pickup should the adjacent visitor parking area be occupied, (iii) the existing grade within the tree protection zone for the retained tree will be maintained and perimeter drainage will be provided, and (iv) wood chips are proposed for the children’s play area surface and will be contained within the area.

Staff noted that (i) there is a Servicing Agreement associated with the project, including the provision of a new sidewalk and landscaped boulevard, (ii) access to the subject site is provided through the Statutory Right-of-Way registered on the drive aisle on the adjacent property to the south at 7411 Moffatt Road, (iii) the applicant is working with the adjacent development on a draft maintenance agreement on the shared driveway, (iv) one convertible unit is proposed, (v) all units include aging-in-place features, (vi) the proposed development will achieve BC Energy Step Code 3, (vii) Level 2 electric vehicle (EV) charging station will be provided for each garage, and (viii) permeable paving treatment is proposed for the entire drive aisle and visitor parking spaces.

In reply to queries from the Panel, Staff advised that (i) the proposed convertible unit includes an elevator to provide accessibility between Levels 1 and 2 and a stairlift to service Level 3, (ii) the washrooms on Level 3 of the convertible unit are not designed to be accessible, (iii) the subject site is within the City Centre Area, (iv) the proposed number of residential parking spaces to be provided for the project meets the City's Zoning Bylaw requirement, and (v) parking for the project has been reviewed and supported by the City's Transportation Department.

Correspondence regarding the application was submitted to the Panel by Zhi (George) Quai at 7411 Moffatt Road.

Staff noted concern was expressed with the draft maintenance agreement for the shared driveway access, shared outdoor amenity spaces, potential construction noise and impact of the proposed development on the existing visitor parking stall and garbage and recycling enclosure on their property.

In reply to the residents' concerns, Staff commented that (i) the existing visitor parking stall and the garbage and recycling enclosure on the adjacent development to the south will not be impacted by the proposed development and the shared driveway access, (ii) the use of outdoor amenity areas on the subject site and the adjacent development to the south will not be shared between the two developments due to lack of agreement, (iii) the applicant will be required to submit a Construction and Traffic Management Plan prior to Building Permit issuance that would address construction related concerns, including potential use of visitor parking stalls on the adjacent development to the south, and (iv) an acoustical report by a registered professional is required to be submitted by the applicant prior to Development Permit issuance to ensure that potential noise impacts of any equipment to adjacent developments will be addressed.

Discussion ensued regarding the lack of agreement between the owner of the subject property and the Strata Council of 7411 Moffatt Road regarding the maintenance of the shared driveway access.

In reply to a query from the Panel, Staff noted that the Statutory-Right-of-Way (SRW) registered on the drive aisle on 7411 Moffatt Road provides the legal basis for the shared use of the driveway access; however, staff would like to see the two parties agree on shared driveway maintenance prior to Development Permit issuance.

In reply to a query from the Panel, Matthew Cheng acknowledged that cost-sharing for the maintenance of the shared driveway access is still an outstanding issue.

In reply to a query from the Panel, Staff advised that in order for the application move forward to Council, the maintenance agreement on the shared driveway access would be considered a condition for Development Permit issuance; however, such maintenance agreement is not a formal Development Permit condition agreed to by the City and the applicant in the considerations letter.

The Panel then expressed support for the project, noting that (i) the design of the project fits well with its neighbourhood context, (ii) the applicant's efforts to retain and protect the existing tree is appreciated, and (iii) the provision of on-site parking meets the City's Zoning Bylaw requirement.

Subsequent to the meeting, the applicant has made every reasonable effort to negotiate a cost-sharing and maintenance agreement with the neighbouring strata council for the shared driveway, however an agreement has yet to be reached. The maintenance agreement is not a formal condition of DP issuance, and as such the issuance of the Permit may be considered by Council as the applicant has satisfied all DP conditions. The applicant has committed to continue to work with the neighbouring strata council to reach an agreement post DP issuance.

The Panel recommends the Permit be issued.