

Report to **Development Permit Panel**

To:

Re:

Development Permit Panel

Date:

April 20, 2010

From:

Brian J. Jackson, MCIP

File:

DP 09-486487

Director of Development

Application by Fortuna Development Inc. for a Development Permit at

4071, 4091, 4111 and 4131 No. 4 Road

Staff Recommendation

That a Development Permit be issued which would:

- 1. Permit the construction of 26 three-storey townhouse units at 4071, 4091, 4111 and 4131 No. 4 Road on a site zoned "Town Housing (ZT67)"; and
- 2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) Reduce the minimum lot size from 0.5 ha. (1.24 ac.) to 0.45 ha. (1.11 ac.); and
 - b) Reduce the minimum south side yard setback from 3.0 m to 1.62 m to allow a freestanding garbage and recycling enclosure to encroach into the side yard setback.

& Brian J. Jackson, MCIP Director of Development

> ÉL:blg Att.

Staff Report

Origin

Fortuna Development Inc. has applied to the City of Richmond for permission to develop 26 three-storey townhouse units at 4071, 4091, 4111 and 4131 No. 4 Road. The site is being rezoned from Single Detached (RS1/F) to Town Housing (ZT67) for this project under Bylaw 8497 (RZ 07-381074). The zoning district names have changed as the rezoning application was submitted under the former Zoning & Development Bylaw No. 5300 to rezone the site from "Single-Family Housing District, Subdivision Area F (R1/F)" to "Comprehensive Development District (CD/185)".

The site is currently vacant. Road and infrastructure improvements were secured through the rezoning and will be constructed through the separate required Servicing Agreement (SA 09-502425). Works including but not limited to sanitary sewer from Odlin Road to the subject site along the proposed Right of Way on the Tomsett School property, water and storm improvements, road widening (2.83 m road dedication along No. 4 Road), and frontage improvements along the entire No. 4 Road frontage.

Development Information

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

Background

The site is located within the Alexandra Neighbourhood of the West Cambie Area Plan, Schedule 2.11A of the Official Community Plan (OCP). The Alexandra Neighbourhood Land Use Map designates this area as "Character Area 5 – Low Density Housing" for "2 & 3-storey Townhouses." Development surrounding the subject site is as follows:

To the North: A single-family home fronting No. 4 Road and a neighbourhood commercial

building at the corner of No. 4 Road and Cambie Road, in an area designated

Convenience Commercial;

To the East: Across No. 4 Road, existing single-family homes in the Odlinwood

neighbourhood;

To the South: Existing single-family homes fronting No. 4 Road in an area designated for

Townhouses; and

To the West: Tomsett Elementary School.

Rezoning and Public Hearing Results

The Public Hearing for the rezoning of this site was held on July 20, 2009. No concerns regarding the rezoning were expressed at the Public Hearing.

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 Town Housing (ZT67) except for the zoning variances noted below.

Zoning Compliance/Variances (staff comments in bold)

The applicant requests to vary the provisions of Richmond Zoning Bylaw 8500 to:

- 1) Reduce the minimum lot size from 0.5 ha. (1.24 ac.) to 0.45 ha. (1.11 ac.);
 - (Staff supports the proposed variance as the proposed development will not restrict development of lands to the south of the subject site. In keeping with the Area Plan livability and urban design objectives, a development concept for the neighbouring development parcels has been prepared and reviewed by staff, and is on file. Although the proposed parcel size does not meet the minimum requirement, the applicant has demonstrated that this block could be developed in a unified approach).
- 2) Reduce the minimum south side yard setback from 3.0 m to 1.62 m to allow freestanding garbage and recycling enclosure.
 - (Staff supports the proposed variance, as it is a minor variance, which allows for a single-storey freestanding garbage and recycling enclosure to encroach into the south side yard setback. The enclosure has solid roof cover, but building is left open for ventilation as well as visibility for security purposes. It will be screened to adjacent property by landscaping and a fence at the property line. Project signage is also incorporated at the east elevation of the enclosure as an entry feature).

Advisory Design Panel Comments

The Advisory Design Panel supported the project and changes have been incorporated in line with comments made by Panel members. A copy of the relevant excerpt from the Advisory Design Panel Minutes from Wednesday, October 7, 2009 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

- This project is the first townhouse development on the block. The proposed height, siting and orientation of the buildings respect the massing of the surrounding establishments. The proposed three-storey height of units is appropriate within this sub-area to achieve intended urban character envisioned for this area.
- Cross-access drive aisle and townhouse unit back yard conditions are provided at the interface to the existing single-family lots to the north and south. The increased setbacks (4.5 m) minimizes overlook and overshadowing to the adjacent existing single-family homes, and potential future townhouse developments.

- The applicant has addressed privacy for the adjacent single-family homes to the north and south through the provision of 1.8 m height solid wood privacy fencing and the planting of new trees and hedging.
- Direct access to the adjacent school site is provided through a private locked pedestrian gate at the east end of the internal walkway between Buildings #5 and #6, linked to the amenity area onsite.
- The applicant is proposing to raise the site grade. The adjacent older single-family lots will also likely raise their sites through redevelopment anticipated in the area plan. Perimeter drainage will be installed as part of the Building Permit to ensure the proposed grade change does not adversely impact the surrounding sites.

Urban Design and Site Planning

- The proposed site layout provides for an attractive pedestrian-oriented streetscape of townhouses fronting No. 4 Road, complete with a landscaped edge, a low retaining wall, low wood fencing, and gates to individual townhouse unit front doors.
- All units along No. 4 Road have direct access from the sidewalk to the first habitable level (2nd floor) of the units.
- Vehicle access is proposed at the south end of the development site on No. 4 Road. This driveway will facilitate future vehicle access to the adjacent lots to the south. A Public Rights-of-Passage (PROP) Right-of-Way (ROW) agreement, allowing access to/from the future residential development sites to the south is secured at rezoning.
- A separate pedestrian entrance to the development site is proposed between Buildings #2 and #3.
- The site layout includes 26 three-storey townhouse units. The townhouses are provided in seven (7) buildings containing three (3) or four (4) units each.
- With the provision of a two-car (tandem parking) garage in each townhouse unit, resident parking exceeds the bylaw requirement. A total of 52 resident parking spaces are provided. Registration of a legal agreement prohibiting conversion of parking area into habitable area is required.
- The provision of visitor parking meets the bylaw requirement with six (6) spaces provided, including one (1) accessible parking space. The visitor parking has been broken up in individual single car parking spaces and located throughout the site.
- The size and location of the outdoor amenity space, within the central portion of the site, is appropriate in providing open landscape and amenity convenient to all of the units. Mailboxes and short-term bicycle parking spaces are also located at a central location next to the outdoor amenity area.

Architectural Form and Character

- The architecture is a change from the numerous craftsman-revival townhouses seen in the City and in the Alexandra Neighbourhood, and as such, may help to set the tone for this block, which is on an major arterial road and is located adjacent to the existing/future commercial uses at No. 4 and Cambie Roads.
- Individual units are well articulated and buildings facing onto No. 4 Road appear to be 2-1/2 storeys to encourage interaction with the pedestrian realm.

- Visual interest has been incorporated with a variety of roof elements, projecting bays, and a range of materials and colour finishes.
- The proposed exterior finish materials (narrow exposure (4 inch) horizontal vinyl siding, wide exposure (6 inch) horizontal Hardie plank siding, Hardie panel, painted wood trim and fascia, and asphalt roof shingles) are generally consistent with the OCP Guidelines.
- The impact of blank garage doors has been mitigated with narrow width (all garages are tandem), transom windows, overhanging decks, planting islands, and pedestrian entries.
- One (1) convertible unit has been incorporated into the design. An alternate floor plan demonstrating simple conversion potential to accommodate a person in a wheelchair is provided (see alternative floor plan for the "Ba" unit where an elevator may be installed; the base and framing of the opening for installation of an hydraulic elevator is provided in this unit).
- Accessibility features that allow for aging in place have been incorporated into this
 development (i.e., blocking in all bathrooms for grab-bars, level handle for all doors, and
 lever faucet in all bathrooms and powder rooms).

Landscape Design and Open Space Design

- The applicant is proposing to remove all of the 43 bylaw-sized trees and a row of hedge on-site identified for removal at the rezoning stage; 86 replacement trees are required.
- The applicant is proposing to plant 65 replacement trees on-site and provide cash-in-lieu (\$10,500) for off-site planting of the balance of the replacement trees (21 trees) prior to issuance of the Development Permit.
- The applicant has applied for a Tree Cutting Permit after the rezoning application for the
 development proposal achieves Third Reading. A Tree Cutting Permit was issued for the
 removal of four (4) trees (out of the 43 trees identified for removal) due to impeding of
 demolition. All other bylaw-sized trees are retained and protected on-site. The balance
 of bylaw-sized trees on-site identified for removal (39 trees) will be retained on-site until
 the Development Permit is issued.
- Six (6) bylaw-sized trees on the adjacent properties to the south (4151 No. 4 Road) along the common property line were identified for removal at the rezoning stage in order to allow for the construction of the entrance driveway. The applicant has made an effort in retaining these trees by setting the proposed entry driveway 1.0 m away from the south property line and shifting the front buildings north accordingly.
- The applicant has committed to the protection of one (1) tree located on the adjacent property to the north at 4051 No. 4 Road, one (1) tree located on the adjacent property to the west at 9780 Cambie Road, and 21 trees on the adjacent property to the south at 4151 No. 4 Road. Tree protection fencing on-site around the driplines of all trees to be retained on the neighbouring properties will be required prior to any construction activities, including building demolition, occurring on-site. A contract with a certified arborist to oversee site preparation activities on-site, oversee and inspect tree protection fencing, and supervise any tree removals and tree well constructions is required.
- The landscape design includes the planting of trees (including large calliper and ornamental species) and a variety of shrubs and ground covers, which meets the Official Community Plan (OCP) guidelines for tree replacement and landscaping. The proposed lot coverage for landscaping with live plant materials is 24.7%.

- Outdoor amenity space is proposed within the site at a central location, and satisfies the OCP requirements for size, location, visual surveillance and access. It includes an area to be designed for active children's play (a children's play equipment is proposed on rubberized surface) and an area for passive recreation.
- Permeable pavers are proposed at the vehicle entry, on the internal north-south drive aisle, pedestrian walkway to No. 4 Road, visitor parking areas, and private patio areas to improve the permeability of the site. The proposed lot coverage for permeable surface is 21.05%; the total lot coverage for porous surfaces is therefore increased to 45.75%.
- The proposed Allan Block retaining wall, capstones stairs, 36" high wood fence with gates, as well as 11 Magnolia trees along the No. 4 Road frontage are located within a new 3.0m right-of-way (ROW). An encroachment agreement is required prior to Building Permit issuance.
- Cash-in-lieu (\$33,000) for indoor amenity has been provided as a condition of rezoning approval (RZ 07-381074).

Crime Prevention Through Environmental Design

- Natural surveillance opportunities are provided for the central outdoor amenity space and visitor parking spaces.
- Natural surveillance opportunities are provided for the front entries which face the internal drive aisles and No. 4 Road.
- Low planting is proposed along edges of buildings to keep the entry area open and visible.
- Effective lighting of buildings, open spaces, and along the pedestrian walkways and drive aisles are proposed.

Sustainability

- The applicant advises that the project includes the following sustainability features:
 - > energy efficient low E windows to improve building envelope performance;
 - > energy efficient Energy Star certified appliances and low flow fixtures;
 - drought tolerant and native planting;
 - > enhanced site permeability;
 - dedicated walkways to adjacent school site and No. 4 Road to encourage pedestrian activity; and
 - > smaller unit types to increase the affordability of these units to young families/seniors.

Aircraft Noise Sensitive Land Use Policy

- In consideration for rezoning, the developer has agreed to sign a Restrictive Covenant, agreeing to have the building designed to incorporate adequate sound measures against aircraft noise before obtaining a rezoning.
- The developer has submitted a report on recommended acoustic sound insulation measures prepared by a registered professional qualified in acoustics.

- The developer has submitted a report identifying measures to incorporate central air conditioning in the construction of the building in order to maintain the acoustic integrity of the building envelope, essential to maintain a highly livable interior environment when windows are shut, particularly during warm summer months.
- The developer has agreed to retain a registered professional to certify that any required noise insulation measures have been installed according to the report recommendations, before obtaining the Occupancy Permit.

Conclusions

The applicant has satisfactorily addressed issues that were identified through the rezoning process, as well as staff's comments regarding conditions of adjacency, urban design and site planning, architectural form and character, landscape and open space design, and crime prevention through environmental design. The subject proposal complies with City-wide and Alexandra Neighbourhood Sub-Area objectives for development and population growth. On this basis, staff supports the proposal and recommends that the Development Permit be issued.

Edwin Lee Planning Technician – Design (Local 4121)

EL:blg

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

- Receipt of a Letter-of-Credit for landscaping in the amount of \$82,818.00 (based on total floor area of 41,409 ft²).
- Registration of a covenant prohibiting the conversion of parking area into habitable space.
- City acceptance of the developer's offer to voluntarily contribute \$10,500 to the City's Tree Compensation Fund in-lieu of planting 21 replacement trees on-site.
- Submission of a contract with a certified arborist to oversee on-site works conducted on the subject site close to the protected trees on the adjacent properties. The contract should include provisions for completion of a post-impact assessment report (if applicable) to be reviewed by the City.

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

- Registration of an encroachment agreement to allow the proposed Allan Block retaining wall, capstones stairs, 36 in. high wood fence with gates, and 11 Magnolia trees be located within a new 3.0 m right-of-way (ROW) along the No. 4 Road frontage.
- Payment of City-wide Development Cost Charges (DCCs) and Supplementary Local Area DCCs for the Alexandra Neighbourhood.
- Payment of this site's portion of the Alexandra Neighbourhood Development Agreement, at the Townhouse rate of \$3,307.47/unit. The application indicates there are 26 dwellings units proposed, so the amount owing will be \$85,994.22.
- Certification by a registered professional that the Building Permit includes any required noise attenuation measures in accordance with the required acoustic engineering report.
- The applicant is required to obtain a Building Permit for any construction hoarding associated with the proposed development. If construction hoarding is required to temporarily occupy a street, or any part thereof, or occupy the air space above a street or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For further information on the Building Permit, please contact Building Approvals Division at 604-276-4285.
- Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Division (http://www.richmond.ca/services/ttp/special.htm).



Development Application Data Sheet Development Applications Division

DP 09-486487 Attachment 1

Address: 4071, 4091, 4111 and 4131 No. 4 Road

Applicant: Fortuna Development Inc. Owner: Fortuna Development Inc.

Planning Area(s): West Cambie Area Plan (Schedule 2.11A)

Floor Area Gross: 3,846.9 m² (41,409.0 ft²) Floor Area Net: 2641.8 m² (28,436.6 ft²)

	Existing	Proposed
Site Area:	4,290 m²	4,058 m²
Land Uses:	Single-Family Residential	Multiple-Family Residential
Area Plan Designation:	Residential Area 2 - 0.65 base FAR (maximum 0.75 FAR with density bonusing for affordable housing). 2 & 3-storey Townhouses	No Change
Zoning:	Single Detached (RS1/F)	Town Housing (ZT67)
Number of Units:	4 single-family dwellings	26 townhouse units

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.65	0.65	none permitted
Lot Coverage:	Max. 40%	34.1%	none
Setback – Front Yard:	Min. 5.0 m	6.11 m	none
Setback Side Yard (north):	Min. 3.0 m	3.85 m	none
Setback – Side Yard (south):	Min. 3.0 m	1.62 m	variance requested
Setback – Rear Yard:	Min. 3.0 m	3.0 m	none
Height (m):	Max. 12.0 m	11.87 m	none
Lot Size:	5,000 m ²	4,058 m²	variance requested
Off-street Parking Spaces – Resident/Visitor:	39 and 6	52 and 6	none
Off-street Parking Spaces – Accessible:	1	1	none
Total off-street Spaces:	45	58	none
Tandem Parking Spaces	permitted	52	none
Bicycle Parking – Class 1/2	33 / 6	33 / 6	none
Amenity Space – Indoor:	Min. 70 m ² or Cash-in-lieu	\$37,000 cash-in-lieu	none
Amenity Space – Outdoor:	Min. 6 m ² x 26 units = 156 m ²	158 m²	none

Excerpt from the Minutes from The Design Panel Meeting

Wednesday, October 7 – 4:00 p.m. Rm. M.1.003 Richmond City Hall

The design response from the applicant has been included immediately following the specific Design Panel comments and is identified in 'bold italics'.

The comments of the Panel were as follows:

- Consider further design development of the garbage and recycling area;
 Garbage/recycling area revised, signage incorporated and design changed to reflect design of complex.
- 2. Consider further investigation of the technical aspects of the flat roofs; Flat roofs revised to inward shed roofs.
- Consider providing direct access to the patios from the living spaces;
 Floodplain requirements prohibit direct access from patios to living spaces.
- 4. Consider providing direct access to the school site;

 Access proposed at end of pedestrian walkway between buildings 5 and 6.
- 5. Consider further articulation of the west elevation facing the school ground; Additional windows added on west elevations to enhance appearance of development from school ground.
- 6. Consider increasing massing along No. 4 Road frontage to allow for larger internal outdoor amenity space;
 - Preference for units in the interior of the project due to livability. Outdoor amenity space satisfies bylaw requirements.
- 7. Consider an apron of feature paving around the amenity area; and *Revised per comment*.
- 8. Consider providing a focal point with landscaping features at the end of the pedestrian entry walkway.
 - Trellis added to end of the pedestrian entry walkway.



Development Permit

No. DP 09-486487

To the Holder:

FORTUNA DEVELOPMENT INC.

Property Address:

4071, 4091, 4111 AND 4131 NO. 4 ROAD

Address:

C/O KAREN MA 2386 OAK STREET

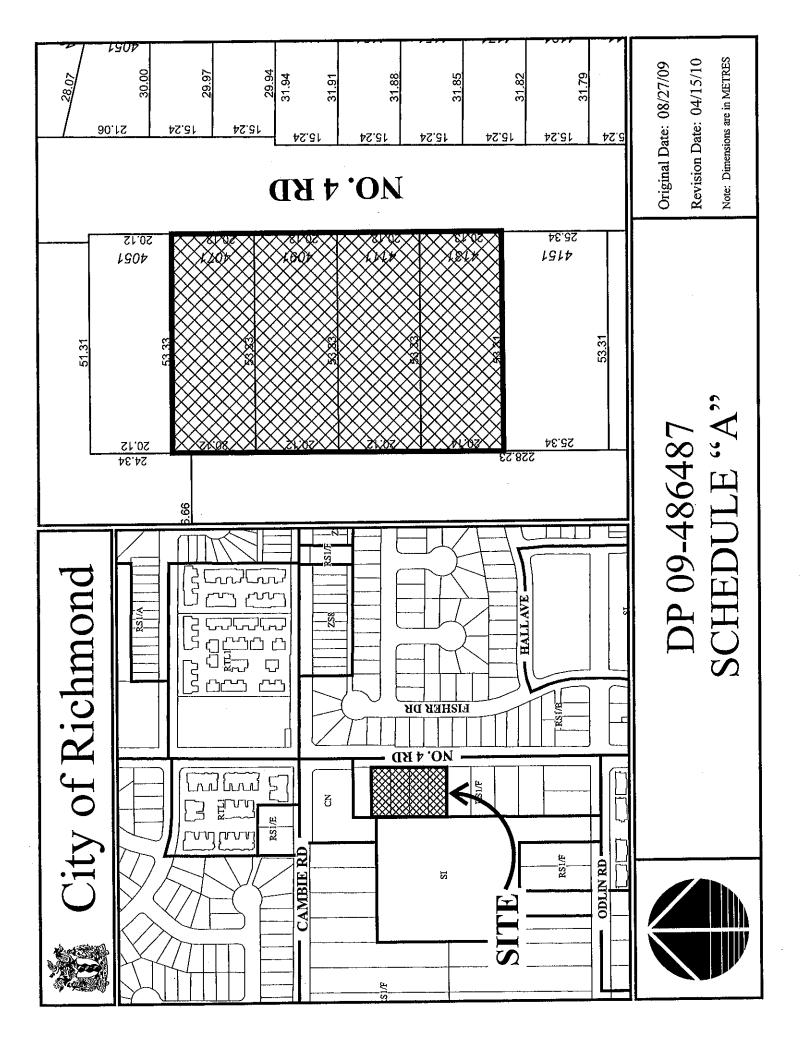
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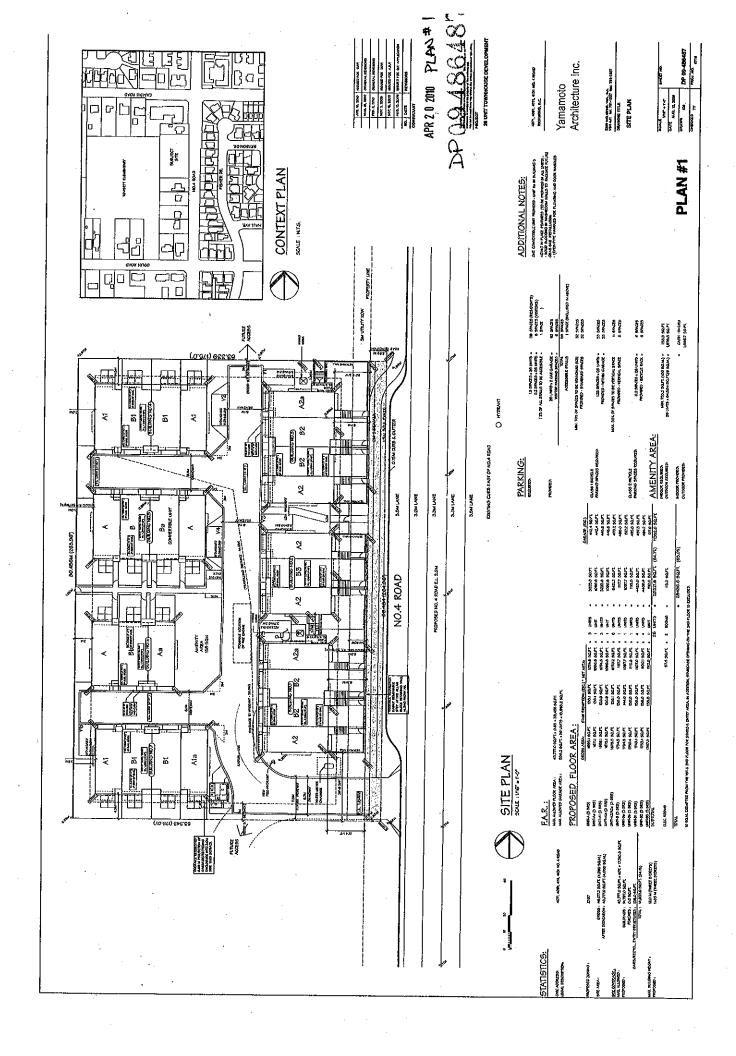
- 1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. The "Richmond Zoning Bylaw 8500" is hereby varied to:
 - a) reduce the minimum lot size from 0.5 ha. (1.24 ac.) to 0.45 ha. (1.11 ac.); and
 - b) reduce the minimum south side yard setback from 3.0 m to 1.62 m to allow a freestanding garbage and recycling enclosure to encroach into the side yard setback.
- 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 #4 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 \$82,818.00 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.
- 7. 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.

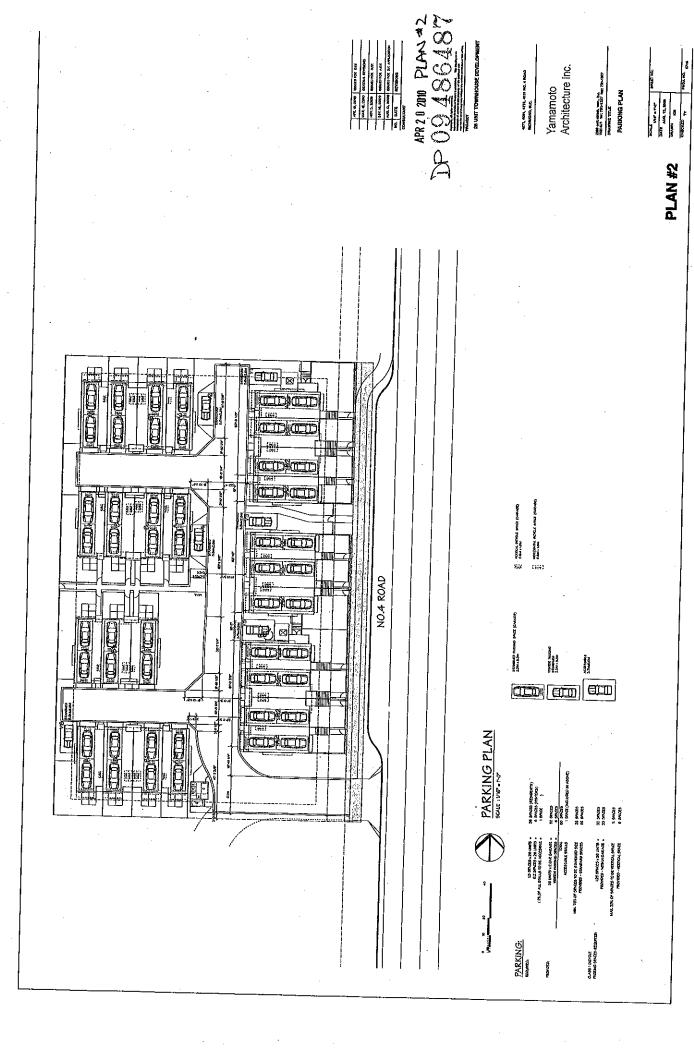
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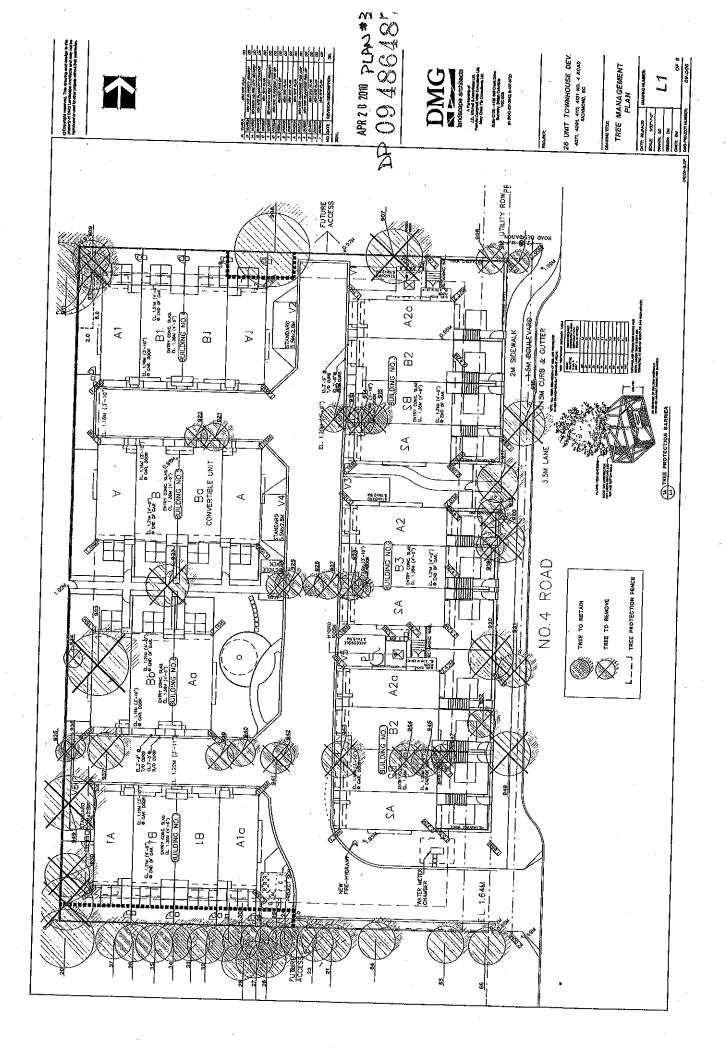
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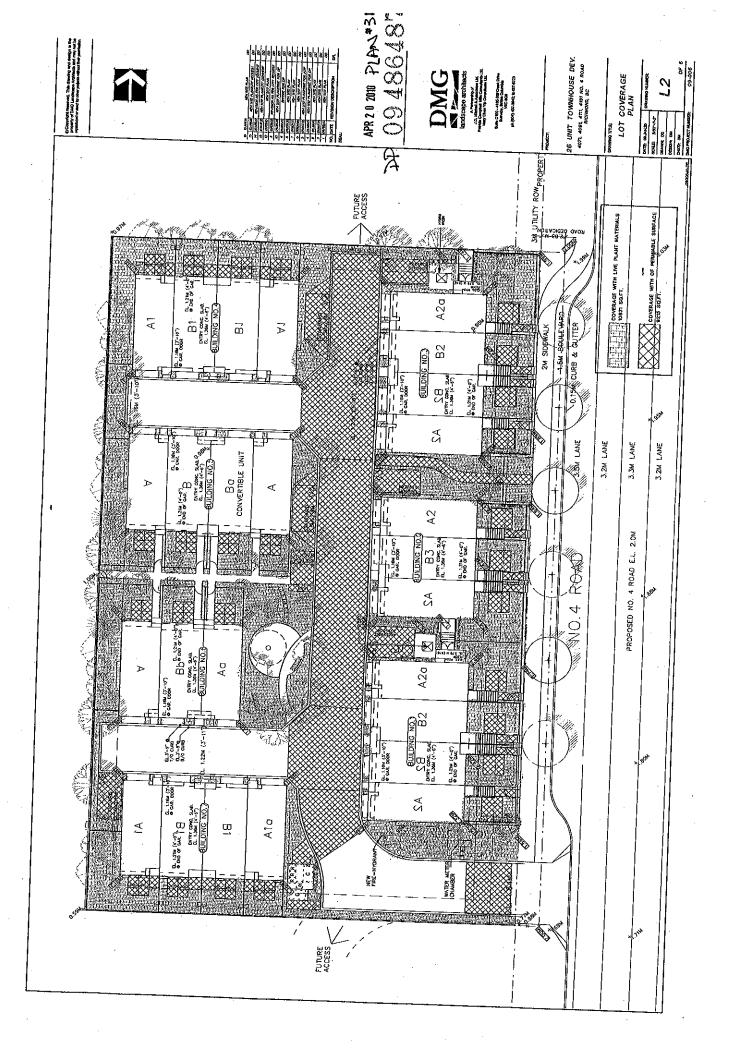
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To the Holder:	FORTUNA DE	EVELOPMENT INC.
Property Address:	4071, 4091, 41	111 AND 4131 NO. 4 ROAD
Address:	C/O KAREN M 2386 OAK STF VANCOUVER,	REET
8. The land described conditions and prov	isions of this Permit a	oped generally in accordance with the terms and and any plans and specifications attached to this
This Permit is not a	Building Permit.	
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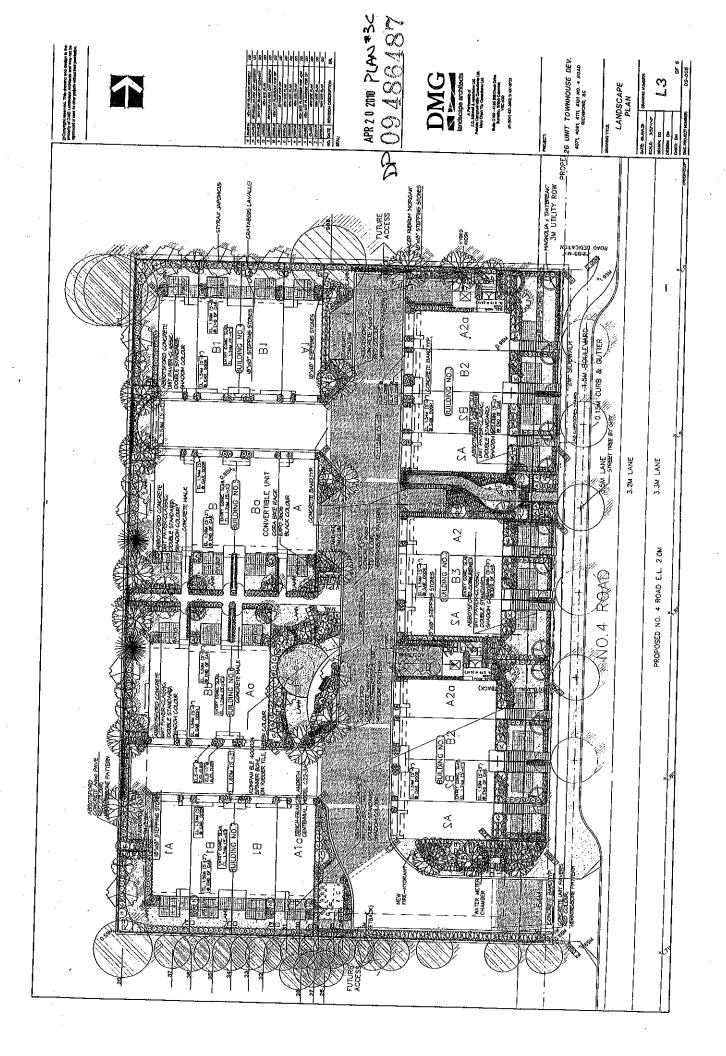


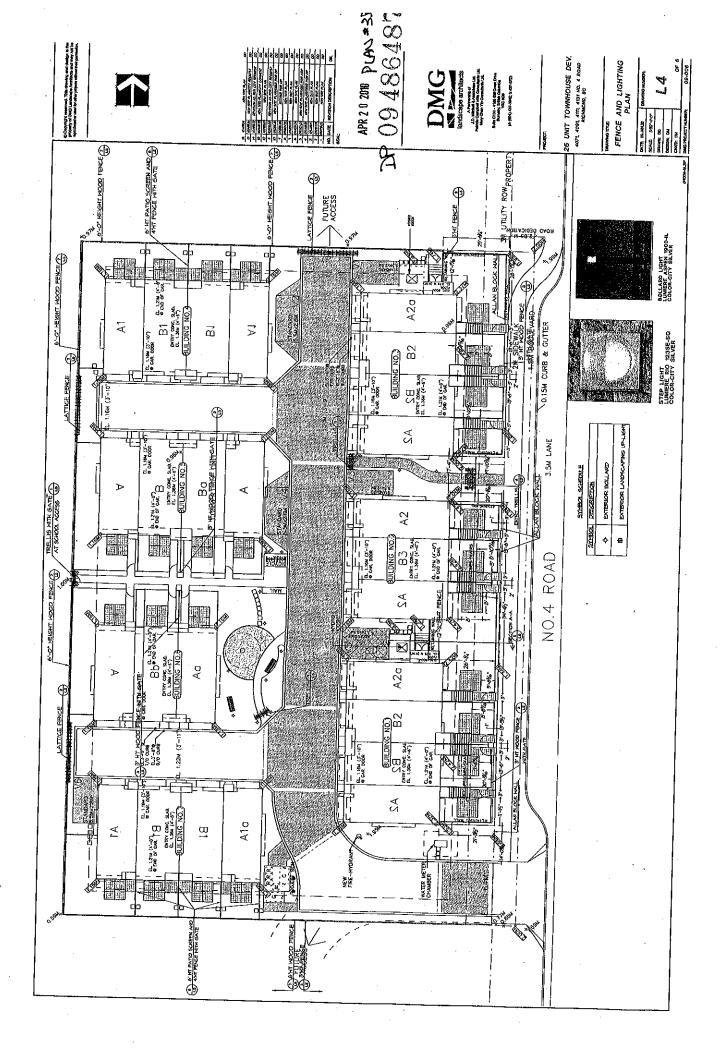


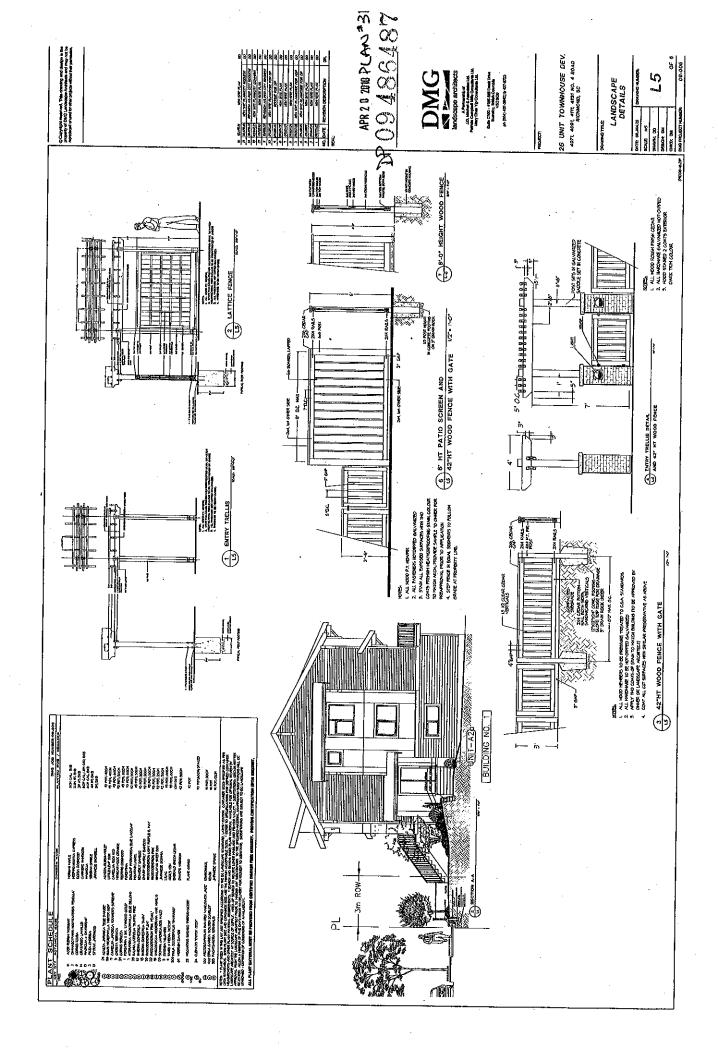






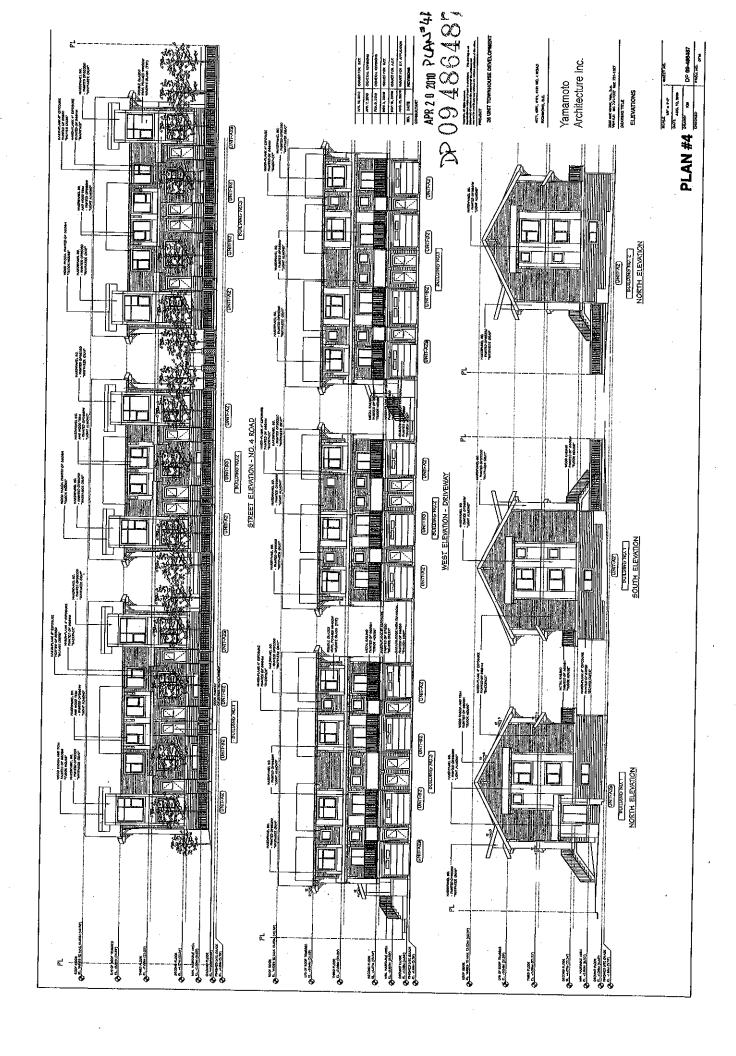


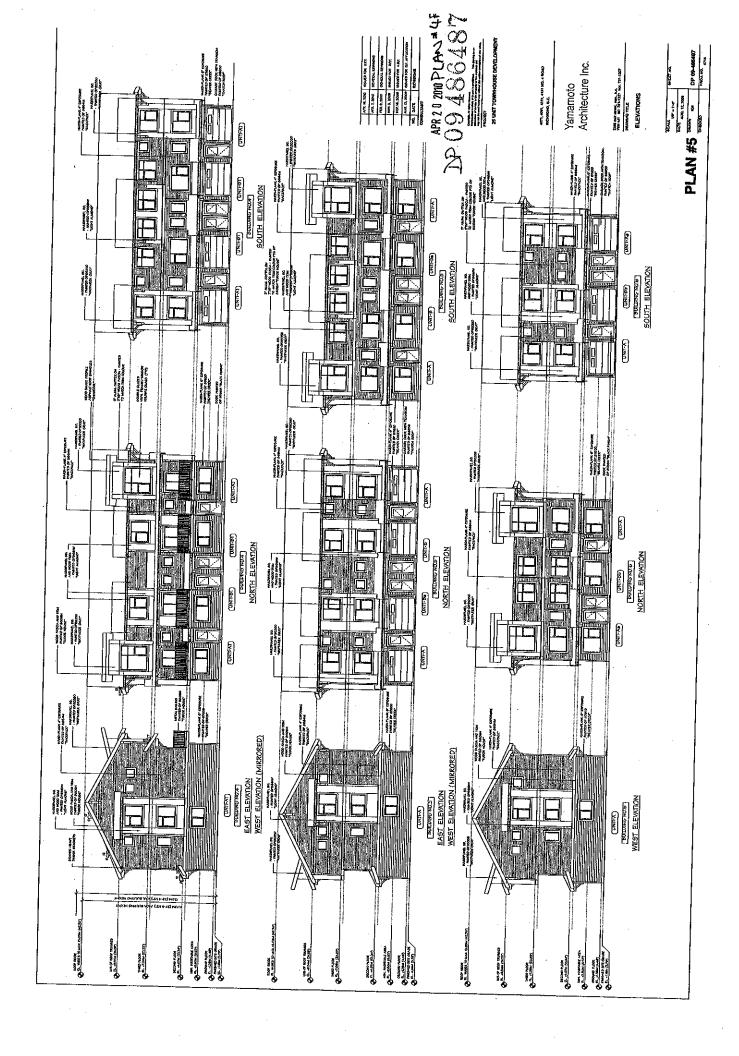


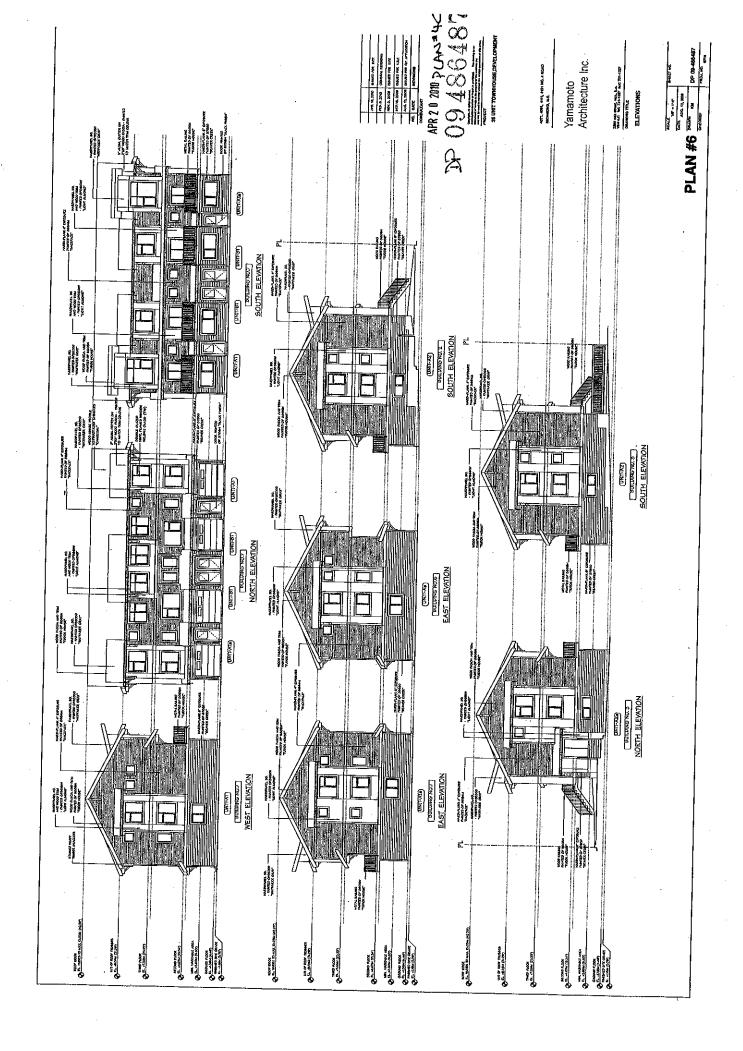


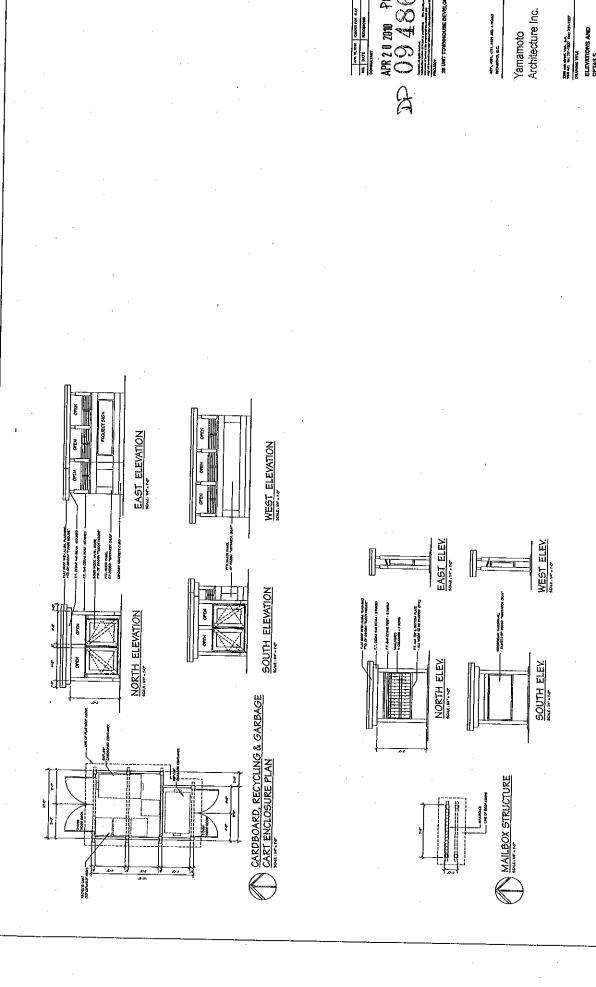
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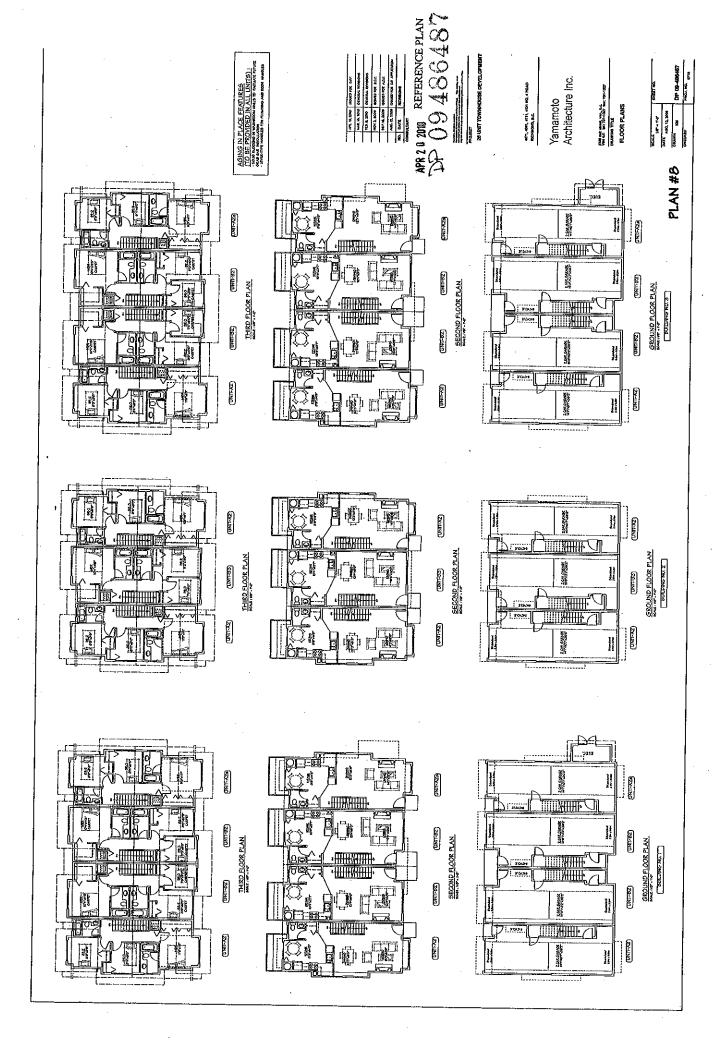


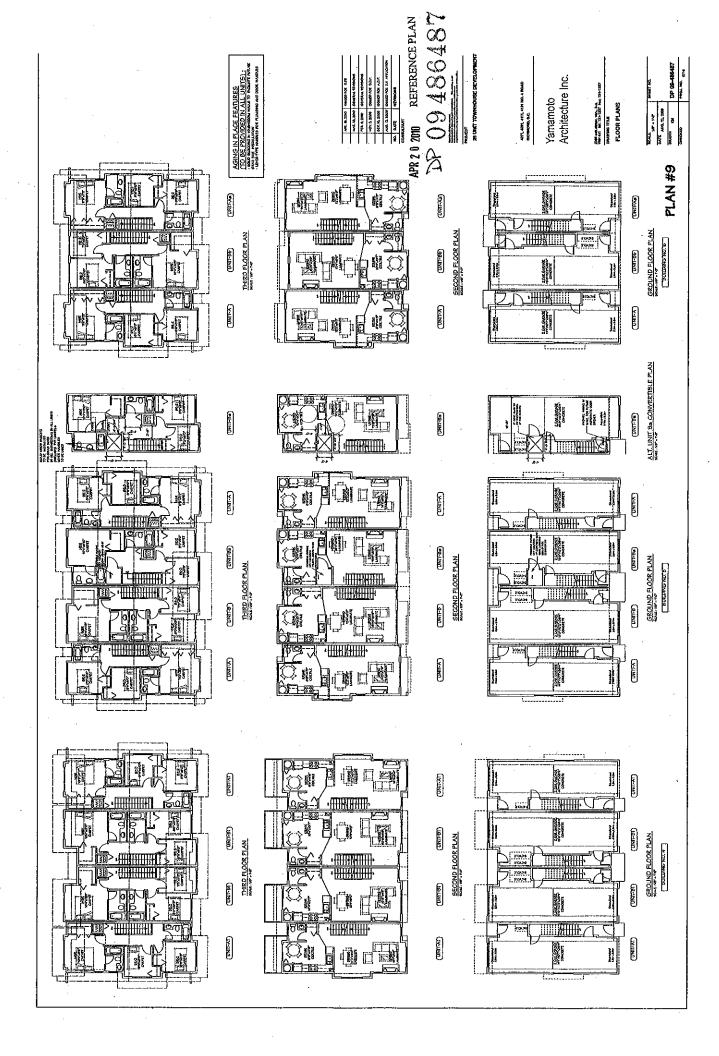


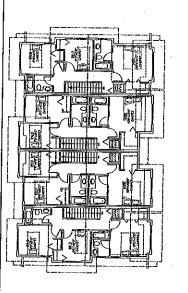




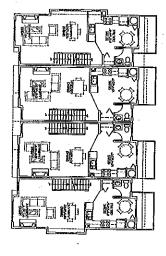
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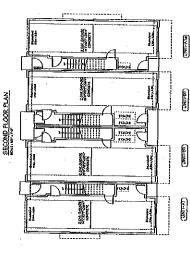












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