



City of Richmond

Report to Committee

To: Planning Committee

Date: November 25, 2010

From: Brian J. Jackson, MCIP
Director of Development

File: 12-8060-20-8684/Vol
01

Re: Housekeeping Amendments to Richmond Zoning Bylaw 8500

Staff Recommendation

That *Richmond Zoning Bylaw 8500, Amendment Bylaw 8684* be introduced and given first reading.

Wayne Co
for Brian J. Jackson, MCIP
Director of Development
(604-276-4138)

Attach: 1

FOR ORIGINATING DEPARTMENT USE ONLY					
ROUTED TO:		CONCURRENCE		CONCURRENCE OF GENERAL MANAGER	
Business Licences		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Customer Service		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Community Bylaws		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Law		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Building Approvals		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
Policy Planning		Y	<input checked="" type="checkbox"/>	N	<input type="checkbox"/>
REVIEWED BY TAG		YES		NO	
		<input checked="" type="checkbox"/>	<i>WJ</i>	<input type="checkbox"/>	
REVIEWED BY CAO		YES		NO	
		<input checked="" type="checkbox"/>	<i>WJ</i>	<input type="checkbox"/>	

Staff Report

Origin

The purpose of this report is to introduce various housekeeping amendments to *Richmond Zoning Bylaw 8500*. These amendments are considered minor and have been requested by different departments at the City.

Findings Of Fact

Attachment 1 provides a summary of each of the housekeeping amendments proposed by *Richmond Zoning Bylaw 8500, Amendment Bylaw 8684*.

Analysis

In order to keep *Richmond Zoning Bylaw 8500* current and up-to-date, it will be necessary to initiate minor housekeeping amendments annually.

Some of the amendments are refinements that are intended to improve the quality and readability of *Bylaw 8500*.

Other amendments correct an error and enable the City to continue past practices and interpretations.

The final set of amendments are omissions – uses that were permitted in the previous *Zoning & Development Bylaw 5300* that were inadvertently missed in the new *Zoning Bylaw* (thereby unintentionally making certain existing businesses legal, non-conforming uses).

Financial Impact

None.

Conclusion

When *Richmond Zoning Bylaw 8500* was adopted, staff envisioned that minor housekeeping amendments would be required.

This was not consistently done with the previous *Zoning Bylaw*, which is why such a comprehensive update was required (i.e., it is better to continually update the *Zoning Bylaw* in small pieces than to let these amendments accumulate into one large review/amendment).

It is recommended that *Bylaw 8684* be introduced and given first reading, and proceed to Public Hearing.



Holger Burke, MCIP
Development Coordinator
(604-276-4164)
HB:cas

REFINEMENTS THAT IMPROVE THE QUALITY AND READABILITY OF BYLAW 8500			
Bylaw 8500 Clause	Zoning Bylaw 8500 Section	Description	Rationale
1.a)	3.4 Use and Term Definitions	Include in the definition of "boarding and lodging" that it does not include "secondary suite" or "coach house"	Clarify that "boarding and lodging" is only permitted in the "single detached housing" (not in a "secondary suite" or "coach house")
1.c)	3.4 Use and Term Definitions	Delete the exclusion of "home-based business" and "home business" from the definition of "live/work dwelling"	Permit "home-based business" and "home business" in a "live/work dwelling" (this is unintentionally not permitted in the new <i>Zoning Bylaw</i>)
1.f)	3.4 Use and Term Definitions	Include tennis courts in the definition of "structure, accessory" (currently "hardsurfacing" is excluded from the definition of "structure")	Want to ensure that tennis courts are regulated by the yard and setback requirements in each zone (e.g., Agriculture (AG1) zone – maximum 50 m distance between a tennis court and the "single detached housing")
1.i)	4. General Development Requirements	Add a new section entitled "Separation Between Uses" to specify that the separation is measured from the property line of the permitted use and the property line of the adjacent zone	Clarify how these distances are measured (e.g., the required separation between a "retail pawnshop" and the "casino" in the Auto-Oriented Commercial (CA) zone)
			Law and Community Safety (Community Bylaws)
			Planning and Development (Building Approvals)
			Planning and Development (Policy Planning)
			Business and Financial Services (Business Licences)

ERRORS THAT ENABLE THE CITY TO CONTINUE PAST PRACTICES AND INTERPRETATIONS				
Housekeeping Amendment				
Bylaw 8684 Clause	Zoning Bylaw 8500 Section	Description	Rationale	
			Source	
1.b)	3.4 Use and Term Definitions	Delete the exclusion of "secondary suite" and "coach house" from the definition of "dwelling or dwelling unit"	Remove the contradiction since a "secondary suite" and "coach house" has always been considered a "dwelling" and is defined as such	Law and Community Safety (Community Bylaws)
1.d)	3.4 Use and Term Definitions	Delete the reference to "personal services" in the definition of "retail, general" ("service, personal" includes barber shops, hairdressers, manicurists, etc.)	"Service, personal" is a distinct, permitted use that should not be included in the definition "retail, general" and which is permitted in a wide variety of zones	Business and Financial Services (Business Licences)
1.e)	3.4 Use and Term Definitions	Include "service, massage" in the definition of "service, personal" (currently it is specifically excluded)	Spas and similar, non-problematic massage services were permitted in the past as "personal services"	Business and Financial Services (Business Licences)
1.k)	10.3 Auto-Oriented Commercial (CA) Permitted Uses	Delete "service, massage" in the only zone that has it as a permitted use since it is proposed to be permitted in the definition of "service, personal"	Massage services (not "body rub studio" or "body painting studio") were permitted in various zones in the past without problems	
1.l)	10.3 Auto-Oriented Commercial (CA) Yards & Setbacks	Delete the reference to "service, massage" in the separation distances between uses	There is no reason for this use to be separated from casino, residential or institutional zones in this one zone	
1.g)	4.4 Calculation of Density in Town Housing Zones	Clarify how staircases and interior entry areas are excluded from floor area ratio calculations in town housing	Reflect the current way the City interprets the Zoning Bylaw by excluding 10.0 sq. m from the density calculation for town housing	Planning and Development (Development Applications)
1.h)	4.5 Calculation of Density in Apartment Housing, Mixed Use, Commercial and Industrial Zones	Clarify that loading facilities do not need to be located within an enclosed parking area to be excluded from the floor area ratio calculations	Consistent with current practice of excluding loading facilities from the calculation of density in residential, commercial and industrial zones	Corporate Services (Customer Service)
1.p)	14.1 Agriculture Yards & Setbacks	Clarify the side yard setback for residential buildings and structures on a corner lot only in the AG1 zone	It was unclear what the requirements were and they are proposed to revert to what was in the previous Zoning Bylaw	Corporate Services (Customer Service)
1.q) 1.r)	18.22 Low Rise Apartment (ZLR22) Alexandra Neighbourhood Other Regulations	Specify that "manufacturing, custom indoor" and "services, personal" are only permitted on 4008 Stolberg Road and are limited in their floor area size	This was the intent of the rezoning application and the developer has asked that this error be corrected	Planning and Development (Policy Planning)

OMISSIONS - USES THAT WERE INADVERTENTLY MISSED THAT WERE PERMITTED IN THE PREVIOUS ZONING BYLAW			
Bylaw 8684 Clause	Zoning Bylaw 8500 Section	Description	Rationale
1.j)	10.3 Auto-Oriented Commercial (CA) Permitted Uses	Add "commercial storage" as a permitted use in these zones (e.g., mini storage)	"Commercial storage" was permitted as "light industry" in the former Automobile-Oriented Commercial District (C6) zone and Limited Industrial Retail District (I4) zone in the past without issues
1.o)	12.4 Industrial Retail (IR1) Permitted Uses	Add "recreation, outdoor" as a permitted use in this zone (e.g., sports fields, boating facilities, etc.)	"Recreation, outdoor" was permitted as "recreation facility" in the previous Athletics and Entertainment District (AE) before and this potential use should continue to be allowed (e.g., on City owned or controlled lands at Riverport)
1.m)	10.4 Entertainment & Athletics (CEA) Permitted Uses	Add "vehicle repair" as a permitted use in this zone (e.g., tire shop, transmission shop, muffler shop, etc.)	"Vehicle repair" was permitted as "light industry" in the previous Business Park Industrial District (I3) zone in the past without problems and is permitted in all of the other standard Industrial zones
1.n)	12.3 Industrial Business Park (IB1) Permitted Uses	Add "amusement centre" as a permitted use in these zones (e.g., five or more table or electronic games)	"Amusement centre" was permitted as "commercial entertainment" in the previous Comprehensive Development Districts (CD/86; CD/1) and Council has approved existing businesses at these locations (Aberdeen Centre and Radisson Hotel)
1.s)	20.9 Residential Mixed Use Commercial (ZMU9) Aberdeen Village (City Centre) Permitted Uses	Add "services, personal" as a permitted use in this zone (e.g. barber shops, hairdressers, manicurists, etc.)	"Services, personal" was permitted as "retail trade & services" in the previous Comprehensive Development District (CD/55) and a number of these businesses are located in this zone (e.g., Pacific Plaza)
1.t)	22.1 Hotel Commercial (ZC1) Aberdeen Village (City Centre) Permitted Uses		
1.u)	23.2 Industrial Limited Retail (Z12) Aberdeen Village (City Centre) Permitted Uses		



**Richmond Zoning Bylaw 8500
Amendment Bylaw 8684
(Housekeeping Amendments)**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500, as amended, is further amended:
 - a) at section 3.4 by deleting the definition of “**boarding and lodging**” and substituting the following:

Boarding and lodging means **sleeping unit** accommodation, without cooking facilities in the **sleeping units**, that is supplied for remuneration for not more than 2 **boarders**, and which may or may not include meal service, but does not include senior citizen lodges, **hotels**, **motels**, **congregate housing**, **bed and breakfasts**, **agri-tourist accommodation**, **minor or major community care facilities**, **secondary suite** or **coach house**.
 - b) at section 3.4 by deleting the definition of “**dwelling or dwelling unit**” and substituting the following:

Dwelling or dwelling unit means accommodation providing sleeping, washrooms and **kitchens** to be used permanently or semi-permanently for a **household**, but which does not include a motor home or a room in a **hotel** or a **motel**.
 - c) at section 3.4 by deleting the definition of “**live/work dwelling**” and substituting the following:

Live/work dwelling means a **dwelling** where the occupant also works in part of the **dwelling** for an **office**, **child care**, **commercial education**, **health service**, **personal service** or **studio** for artists.
 - d) at section 3.4 by deleting the definition of “**retail, general**” and substituting the following:

Retail, general means a premises where goods, merchandise, other materials and services are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store’s operations, which includes but is not limited to grocery, hardware, pharmaceutical, appliance and sporting goods stores, bicycle/scooter sales and rentals, and a farmers’ market, and minor **government services**, such as postal services, but does not include **warehouse sales** and the sale of **building supplies**, gasoline, heavy agricultural and industrial equipment, alcoholic beverages, **retail pawnshop**, **retail secondhand**, **adult retail** or retail stores requiring **outdoor storage**.

- e) at section 3.4 by deleting the definition of “**service, personal**” and substituting the following:
- Service, personal** means services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects, which includes but is not limited to services provided by barber shops, hairdressers, manicurists, acupuncture clinics, tailors, dress makers, shoe repair shops, dry cleaning establishments and laundries, and includes **service, massage** but does not include **body rub studio** or **body painting studio**.
- f) at section 3.4 by deleting the definition of “**structure, accessory**” and substituting the following:
- Structure, accessory** means a **structure** normally detached and customarily **ancillary**, incidental, subordinate and on the same **site** as the **principal building** or **use**, and includes flagpoles, swimming pools, propane tanks, satellite dishes/receivers, **telecommunication antenna**, wind turbines, tennis courts and similar **appurtenances**.
- g) by deleting section 4.4.1.c) in its entirety and substituting the following:
- c) an area of up to 10.0 m² used exclusively for staircase purposes on the first floor of a two **storey town house** or on the first and second floor of a three **storey town house** and the interior entry area if it is located adjacent to the stairs for vertical circulation.
- h) by deleting section 4.5.1.a) in its entirety and substituting the following:
- a) bicycle, garbage and recycling facilities located within an **enclosed parking** area and loading facilities.
- i) at section 4. by adding the following after section 4.16:
- 4.17 Separation Between Uses
- 4.17.1 Where a separation distance is specified for certain permitted **uses**, the distance shall be measured from the **property line** containing that permitted **use** and the **property line** of the other **zone** for which the separation distance is required.
- j) at section 10.3.2 by adding “**commercial storage**” in alphabetical order.
- k) at section 10.3.2 by deleting “**service, massage**”.
- l) by deleting section 10.3.6.7 in its entirety and substituting the following:
7. **Body rub studio, body painting studio** and **adult retail** shall not be located closer than 100.0 m to a **residential zone** or **institutional zone** and 500.0 m to the **site specific zone** that permits a **casino**.
- m) at section 10.4.2 by adding “**recreation, outdoor**” in alphabetical order.
- n) at section 12.3.2 by adding “**vehicle repair**” in alphabetical order.
- o) at section 12.4.2 by adding “**commercial storage**” in alphabetical order.

- p) by deleting section 14.1.6.2.b) and section 14.1.6.2.c) in its entirety and substituting the following:
 - b) on an **interior lot**, 1.2 m on one **interior side yard** and
 - i) 3.0 m on the other **interior side yard** for **lots** less than 0.8 ha; or
 - ii) 6.0 m on the other **interior side yard** for **lots** of 0.8 ha or more.
 - c) on a **corner lot**, 1.2 m on the **interior side yard** and 3.0 m on the **exterior side yard** regardless if the **lot** is less than 0.8 ha or is 0.8 ha or more.
- q) by deleting section 18.22.11.1 in its entirety and substituting the following:
 - 1. The following **uses** are permitted only within the area identified as “B” in Diagram 1, Section 18.22.4.5:
 - a) **manufacturing, custom indoor;**
 - b) **retail, convenience;**
 - c) **retail general;** and
 - d) **services, personal.**
- r) by deleting section 18.22.11.2 in its entirety and substituting the following:
 - 2. The following **uses** are limited to a total maximum **gross leasable floor area** of 200.0 m²:
 - a) **manufacturing, custom indoor;**
 - b) **retail, convenience;**
 - c) **retail general;** and
 - d) **services, personal.**
- s) at section 20.9.2 by adding “**amusement centre**” in alphabetical order.
- t) at section 22.1.3 by adding “**amusement centre**” in alphabetical order.
- u) at section 23.2.2 by adding “**services, personal**” in alphabetical order.

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 8684**”.

FIRST READING

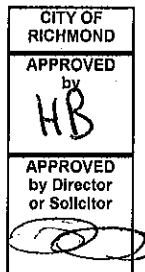
PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

DEC 13 2010



MAYOR

CORPORATE OFFICER