# **Report to Committee**

To:

Planning Committee

Date:

October 4, 2010

From:

Brian J. Jackson, MCIP

Director of Development

File:

RZ 08-434086

Re:

Application by Matthew Cheng Architect Inc. for Rezoning at

8471 Williams Road from Single Detached (RS1/E) to Medium Density

Townhouses (RTM1)

#### Staff Recommendation

That Bylaw No. 8661, for the rezoning of 8471 Williams Road from "Single Detached (RS1/E)" to "Medium Density Townhouses (RTM1)", be introduced and given First Reading.

Brian J. Jackson, MCIP Director of Development

EL:blg Att.

FOR ORIGINATING DEPARTMENT USE ONLY			
CONCURRENCE	CONCURRENCE OF GENERAL MANAGER		
YQND	pe Greg		
	Concurrence		

#### **Staff Report**

#### Origin

Matthew Cheng Architect Inc. has applied to the City of Richmond to rezone 8471 Williams Road (**Attachment 1**) from "Single Detached (RS1/E)" to "Medium Density Townhouses (RTM1)" in order to permit a 15-unit townhouse development on the subject site and the adjacent properties at 8391 and 8411 Williams Road (**Attachment 2**).

#### **Background**

The adjacent properties at 8391 and 8411 Williams Road are currently proposed to be rezoned to Medium Density Townhouses (RTM1) (RZ 04-287969) for a 10-unit townhouse development contained in two (2) buildings. This 2004 application was given Third Reading on May 22, 2007. The developers had subsequently acquired the subject property in 2008 and are proposing to consolidate the three (3) properties for a larger townhouse development. The site plan has been redesigned to enhance the eventual development proposal.

Upon review of the submitted information for the 15 unit townhouse proposal, some of the conditions outlined in the conditional approval of RZ 04-287969 for the two lots are no longer applicable. To provide a clear understanding of the changes, **Attachment 5** included in this report will outline the required modifications and how they would affect this recent approval.

#### **Project Description**

The three (3) properties, with a total combined frontage of 68.89 m (226 ft.), are proposed to be consolidated into one (1) development parcel containing a total of 15 townhouse units. The layout of the units consists of 10 units in three (3) buildings fronting Williams Road with a three-storey massing. The remaining five (5) units are contained in two (2) buildings with a two-storey massing at the rear of the development site adjacent to the existing single-family houses. Vehicle access is provided through a temporary driveway access to Williams Road and internal east-west running drive-aisle. Future permanent access to Pigott Road will be through a cross access easement through future development to the west leading to Pigott Road. A preliminary site plan, building elevations, and landscape scheme are contained in **Attachment 2**.

#### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

#### **Surrounding Development**

To the North: Existing single-family dwellings on lots zoned RS1/B and Single-Detached

(RS1/E);

To the East: Existing single-family dwellings on lots zoned Single-Detached (RS1/E); it is

noted that the second and third lots to the east (8511 and 8531 Williams Road) are included in an active rezoning application (RZ 08-414049) to permit development

of 10 townhouse units;

To the South: Existing church zoned "Assembly (ASY)"; and

To the West: Vacant properties (8391 and 8411 Williams Road) to be consolidated with the

subject site for a townhouse development and an single-family dwelling on a

RS1/E zoned lot at the corner of Williams Road and Pigott Drive.

#### **Related Policies & Studies**

#### Arterial Road Redevelopment Policy

The development proposal complies with the terms of the Arterial Road Redevelopment Policy. The subject site is located within proximity of a neighbourhood service centre (Broadmoor Shopping Centre) and a City community centre (South Arm Community Centre). The subject site is identified as suitable for redevelopment according to the Policy.

Independently, the site's frontage (approximately 20 m) is insufficient to comply with the Policy's requirement of at least a 40 m frontage on a local arterial road. The owner of the subject property also owns the western adjacent parcels (8391 and 8411 Williams Road) which are currently proposed to be rezoned (RZ 04-287969). As a condition of rezoning, the subject site is required to be consolidated with 8391 and 8411 Williams Road; thereby achieving the minimum frontage requirement.

The subject proposal is not the first multiple family application on the block; therefore, the applicant was not required to undertake a public consultation process. Between August 2004 to June 2006 staff reviewed the Arterial Road Redevelopment and Lane Establishment Policies. Consultation related to this portion of Williams Road was undertaken at that time and multi-family projects were identified as a suitable land use.

#### Floodplain Management Implementation Strategy

The applicant is required to comply with the Flood Plain Designation and Protection Bylaw (No. 8204). In accordance with the Flood Management Strategy, a Flood Indemnity restrictive covenant, which specifies the minimum flood construction level, is required prior to rezoning bylaw adoption.

#### Affordable Housing Strategy

The applicant proposes to make a cash contribution to the Affordable Housing Reserve Fund in accordance with the City's Affordable Housing Strategy. As the proposal is for townhouses, the applicant is making a cash contribution of \$2.00 per buildable square foot as per the Strategy, making the payable contribution amount to \$13,849.30. This amount is based on the maximum buildable square footage on the subject property only.

#### Public Input

The applicant has forwarded confirmation that a development sign has been posted on the site. Staff did not receive any telephone calls or written correspondence expressing concerns in association with the subject application. However, three (3) written submissions were received by the City Clerk during the Public Hearing process for the rezoning application at the adjacent properties at 8391 and 8411 Williams Road. The following represents a synopsis of the concerns and associated responses follow in italics.

1. Concern associated with the density proposed.

The proposed zoning, "Medium Density Townhouses (RTM1)," permits a density (0.7 F.A.R.) that complies with the site's Low-Density land use designation in the Official Community Plan (OCP). The subject site is within an area identified by the Arterial Road Redevelopment Policy that includes provisions for the consideration of multiple family development within proximity to a Neighbourhood Service Centre and/or a City Community Centre.

2. Concern associated with the additional vehicle traffic anticipated in association with the proposal.

The Transportation Department's review of the development proposal concludes that, based on consideration of the scale of the proposed development, the traffic volume expected to be generated by the site is not significant relative to the through traffic already on Williams Road. Vehicles on Pigott Drive are not expected to experience any increased delays accessing Williams Road.

- 3. Concern that development will impact drainage patterns within the neighbourhood. Development is required to manage on-site drainage to ensure there is no negative impact on adjacent properties.
- 4. Concern that the development will erect tall divisive fencing and that the character of the development will not complement the existing single-family pattern of the block.

Proposed fence along the rear property line is at 1.8 m (6 ft.), which is in compliance with the bylaw. The buildings have been designed with consideration of the adjacent single-family dwellings. The buildings proposed on the northern portion of the site are limited to two (2) storeys; and the building ends of the building located adjacent to Williams steps down to a two-storey elevation to minimize impact on the adjacent single-family dwellings.

#### Staff Comments

#### Trees Retention and Replacement

An Arborist's Report was submitted in support of the application. The report confirms that there are no bylaw-sized trees on the subject site. An under-sized (16 cm dbh) Florida Dogwood tree is found at the southeast corner of the site. The applicant has agreed to relocate this tree to the southwest corner of the overall development site. A proof of a contract with a company specializing in tree relocation to undertake the transplant of this tree is required prior to final adoption.

#### Site Servicing

An independent review of servicing requirements (storm and sanitary) has been conducted by the applicant's Engineering consultant and reviewed by the City's Engineering Department. The Capacity Analysis concludes that upgrades to the existing storm system are required to support the proposed development. No sanitary sewer upgrades are required. As a condition of rezoning, the developer is required to enter into a standard Servicing Agreement for the design

and construction of the upgrades proposed for the city utilities (please see Attachment 4 for details).

#### Vehicle Access

One (1) temporary driveway access to Williams Road is proposed at the east end of the site frontage. The temporary driveway will be closed once 8371 Williams Road is redeveloped and the ultimate driveway access to Pigott Road is provided. The long-term objective is to minimize the number of driveway access to Williams Road. A Restrictive Covenant will be secured as a condition of rezoning to facilitate the closure of the temporary driveway in the future. A cash contribution in the amount of \$5,500 is also required as a condition of rezoning for the removal of this temporary driveway and re-instating continuity of the sidewalk along Williams Road when the ultimate driveway access to Pigott Road is provided.

The driveway access to Pigott Road at the future development on 8371 Williams Road will be utilized by the proposed development at 8391/8411/8471 Williams Road and potentially, the future development at 8491 Williams Road to the east. As a condition to rezoning a cross access easement over the entry driveway as well as the internal drive aisle on the subject development (8391/8411/8471 Williams Road) in favour of 8491 Williams Road is required. The cross access easement shall include language to identify that access is through Williams Road until access is provided via Pigott Drive and that access to Williams Road will no longer be permitted once access to Pigott Road is constructed.

#### Indoor Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space at a rate of \$1,000 per unit, as per the Official Community Plan (OCP) and Council Policy. A contribution of \$10,000 for 10 dwelling units is secured as part of the rezoning of 8391 and 8411 Williams Road (RZ 04- 287969); another \$5,000 for the additional five (5) proposed units will be secured as a condition of the subject rezoning application.

#### Outdoor Amenity Space

Outdoor amenity space will be provided on-site and is adequately sized based on Official Community Plan (OCP) guidelines. The design of the children's play area and landscape details will be refined as part of the Development Permit application.

#### Public Art

The Public Art Program Policy does not apply to residential projects containing less than 20 units.

#### **Analysis**

#### OCP Compliance – Arterial Road Developments

The proposed development (at 8391/8411/8471 Williams Road) is generally consistent with the Development Permit Guidelines for multiple-family projects contained in the Official Community Plan (OCP). The proposed height, siting and orientation of the buildings respect the massing of the existing single-family homes and potential future multiple family developments.

2850510

All units immediately adjacent to the neighbouring houses have been reduced in height to two (2) storeys. The front buildings along Williams Road have been stepped down from three (3) storeys to  $2\frac{1}{2}$  storeys along the side yards and the entry driveway. The back buildings along the rear property line have been limited to two (2) storeys. The two (2) storey massing will be controlled through the Development Permit process.

Under the Development Permit Guidelines for multiple family projects contained in the Official Community Plan (OCP), construction of duplexes along property lines as a transition between townhouse units and single-family homes is preferred. Due to the configuration of the site, the developer is proposing one (1) duplex and one (1) triplex interface with the single-family homes to the north. To minimize the impact from the triplex on the adjacent existing single-family homes to the north, the developer is also proposing an extended rear yard setback (approximately 5.9 m instead of 3.0 m as required in Medium Density Townhouses (RTM1) and 4.5 m as required under the City's Lane Establishment and Arterial Road Redevelopment Policies).

### **Development of Adjacent Properties**

Under the Arterial Road Redevelopment and Lane Establishment Policies, the subject block on the north side of Williams Road between Garden City Road and Pigott Drive is designated for multiple family development.

#### 8371 Williams Road

Staff encouraged the applicant to acquire 8371 Williams Road to extend the development proposal to Pigott Drive. The applicant made attempts to acquire 8371 Williams Road to extend the development proposal, but was unable to come to an agreement with the current owner. In order to proceed with the subject development proposal, a temporary driveway off Williams Road to service the subject site is required. Future development at 8371 Williams Road will have a driveway off Pigott Drive and provide ultimate access to the subject development and future development at 8491 Williams Road. A development concept plan has been prepared (Attachment 6).

It is envisioned that the future triplex at 8371 Williams Road and the proposed Building B of the subject development would read as a pair of buildings while the proposed Buildings C & D would read as another pair. The applicant is envisioning a minimal east side yard setback at 8371 Williams Road and is proposing a reduced west side yard setback at the subject development site to facilitate this concept. Due to the small size of future developable area of 8371 Williams Road, the outdoor amenity space as well as the garbage/recycling facilities at the subject site will be shared by the subject development and future development at 8371 Williams Road. A cross-access easement/agreement will be secured as a condition of rezoning to facilitate this.

#### 8491 Williams Road

It is noted that 8491 Williams Road is located between the subject development and a proposed development of 10 townhouses to the east at 8511 and 8531 Williams Road (RZ 08-414049), which is in the initial stages of review. In order to avoid the creation of an orphan lot situation at 8491 Williams Road, staff requested the applicant to acquire 8491 Williams Road. The applicant made attempts to acquire this property but was unable to come to an agreement with the current owner. A development concept plan has been prepared (Attachment 6).

2850510

As a result of being located between two (2) development proposals, future redevelopment at 8491 Williams Road necessitates access via one (1) of the two (2) adjacent developments to facilitate access and an opportunity to maximize the site's density potential. A cross access easement will be required to allow residents associated with any future redevelopment of 8491 Williams Road to egress and ingress via the subject property and potentially via the future development at 8371 Williams Road.

Although the proposed development may create orphan lot situations on either side of the subject site, staff support the proposed development based of the following:

- The subject proposal complies with all of the location criteria under the Arterial Road Redevelopment and Lane Establishment Policies, including the minimum frontage requirement of 40 m;
- Development concept plans for the adjacent properties to the east and west were submitted in support of this application and confirm that the proposed development will not restrict redevelopment of the adjacent properties; and
- Cross-access easements will be secured and ultimately no driveway access point from this local arterial road will be needed for the subject development and the future development at 8371 and 8491 Williams Road.

#### Requested Variances

The proposed development is generally consistent with the Development Permit Guidelines for multiple-family projects contained in the Official Community Plan (OCP). Based on the review of current site plan for the project, the following variances are being requested:

- Reduce the west side yard setback from 3.0 m to 1.80 m for a 2½ storey townhouse building; and
- Allow a total of 20 tandem parking spaces in 10 townhouse units.

These variances will be reviewed in the context of the overall detailed design of the project, including architectural form, site design and landscaping at the Development Permit stage.

#### Design Review and Future Development Permit Considerations

A Development Permit will be required to ensure that the development at 8391/8411/8471 Williams Road is sensitively integrated with adjacent developments. The rezoning conditions will not be considered satisfied until a Development Permit application is processed to a satisfactory level. In association with the Development Permit, the following issues are to be further examined:

- 1. Guidelines for the issuance of Development Permits for multiple-family projects contained in Section 9.3 (Multiple-Family Guidelines);
- 2. Detailed review of building form and architectural character;
- 3. Review of the location and design of the convertible unit and other accessibility features;
- 4. Review of site grade to ensure the survival of protected trees and to enhance the relationship between the first habitable level and the private outdoor space; and
- 5. Landscaping design and enhancement of the outdoor amenity area to maximize use.

2850510

#### Financial Impact or Economic Impact

None.

#### Conclusion

The subject application is consistent with the Official Community Plan (OCP) regarding developments along major arterial roads. Overall, the project is attractive and a good fit with the neighbourhood. Further review of the project design will be required to ensure a high quality project, and will be completed as part of the future Development Permit process. On this basis, staff recommend that the proposed rezoning be approved.

Edwin Lee

Planning Technician - Design

(Local 4121)

EL:blg

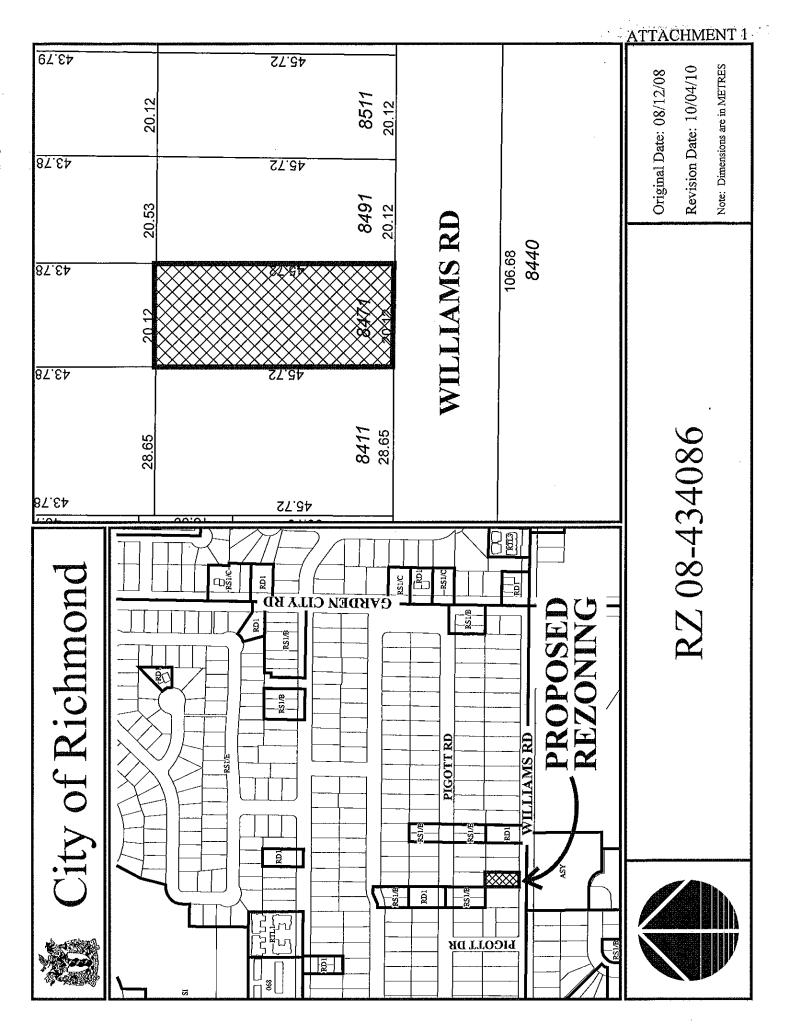
Attachment 1: Location Map

Attachment 2: Conceptual Development Plans

Attachment 3: Development Application Data Sheet Attachment 4: Rezoning Considerations Concurrence

Attachment 5: Applicability of Conditional Rezoning Requirements for RZ 04-287969

Attachment 6: Development Concept Plan for 8371 and 8491 Williams Road







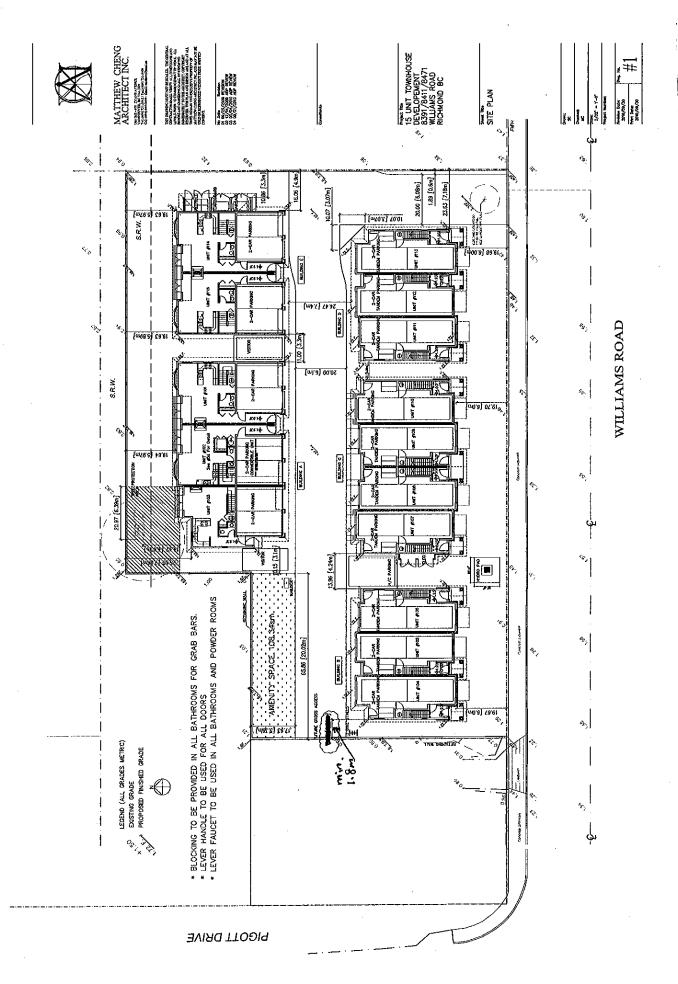


RZ 08-434086

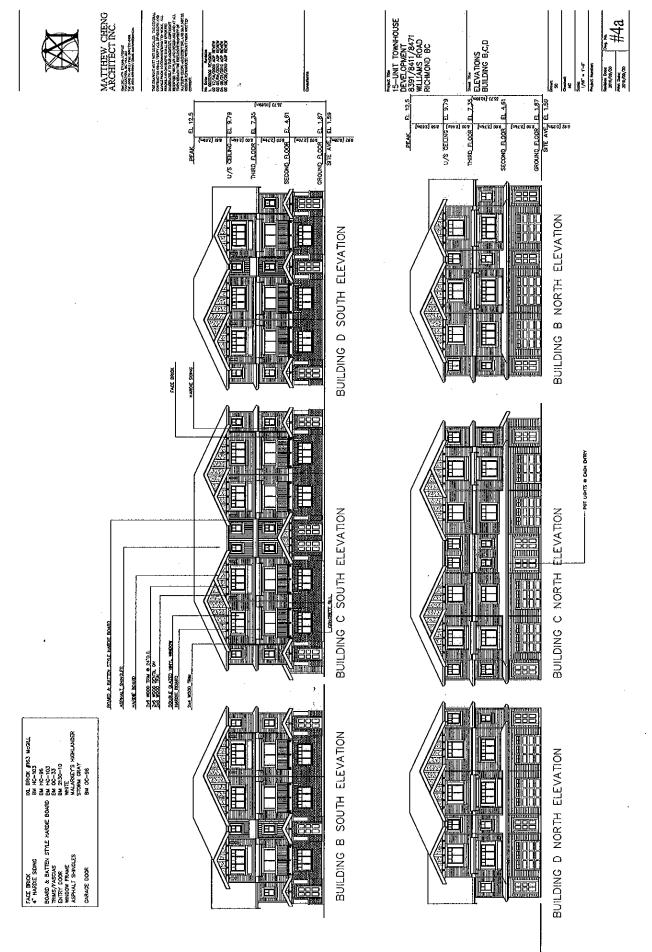
Original Date: 08/12/08

Amended Date: 10/04/10

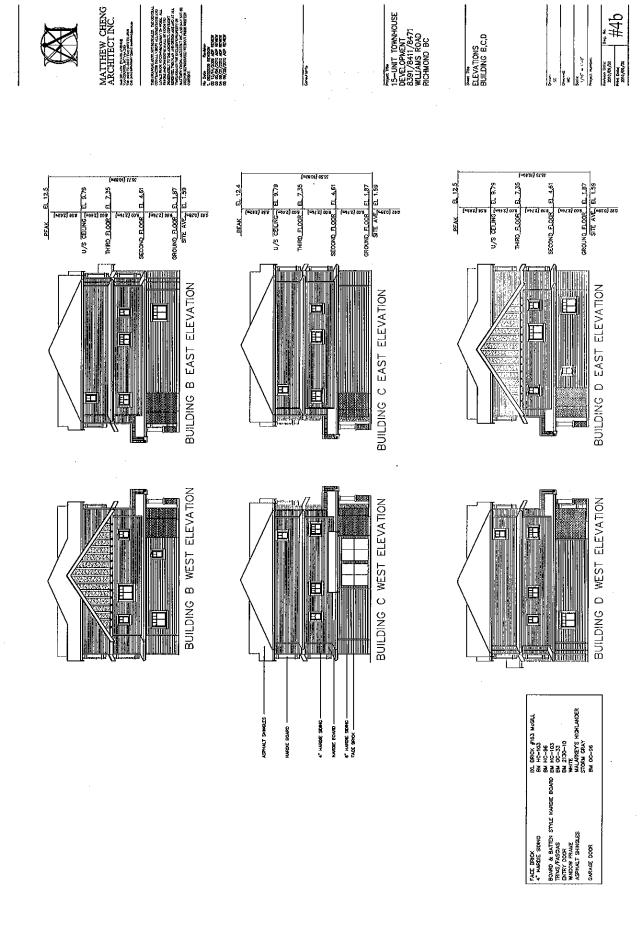
Note: Dimensions are in METRES

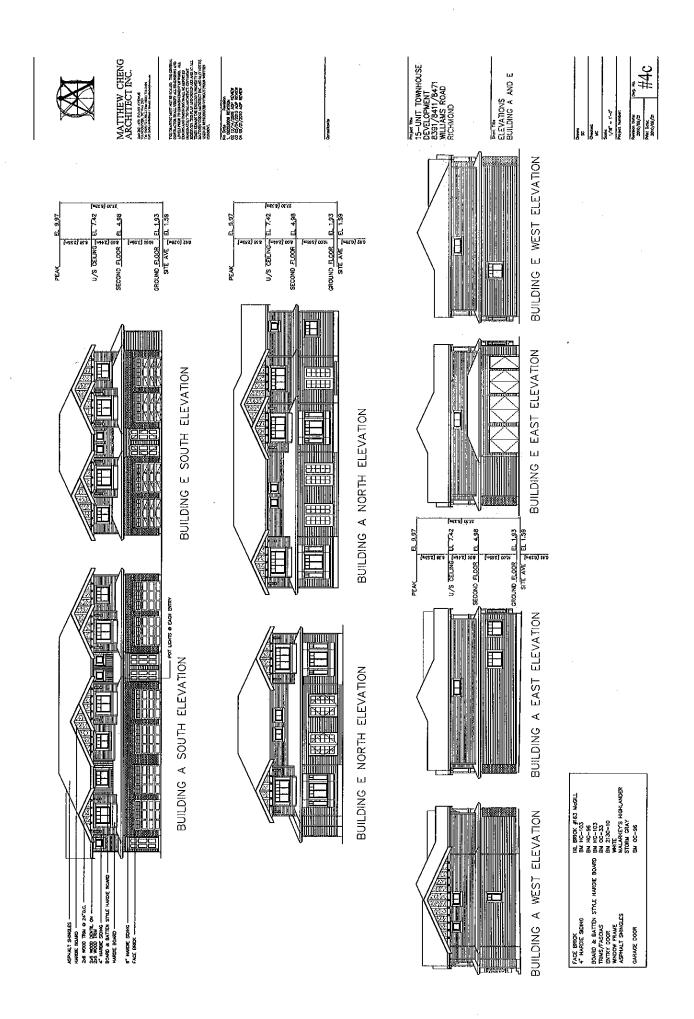


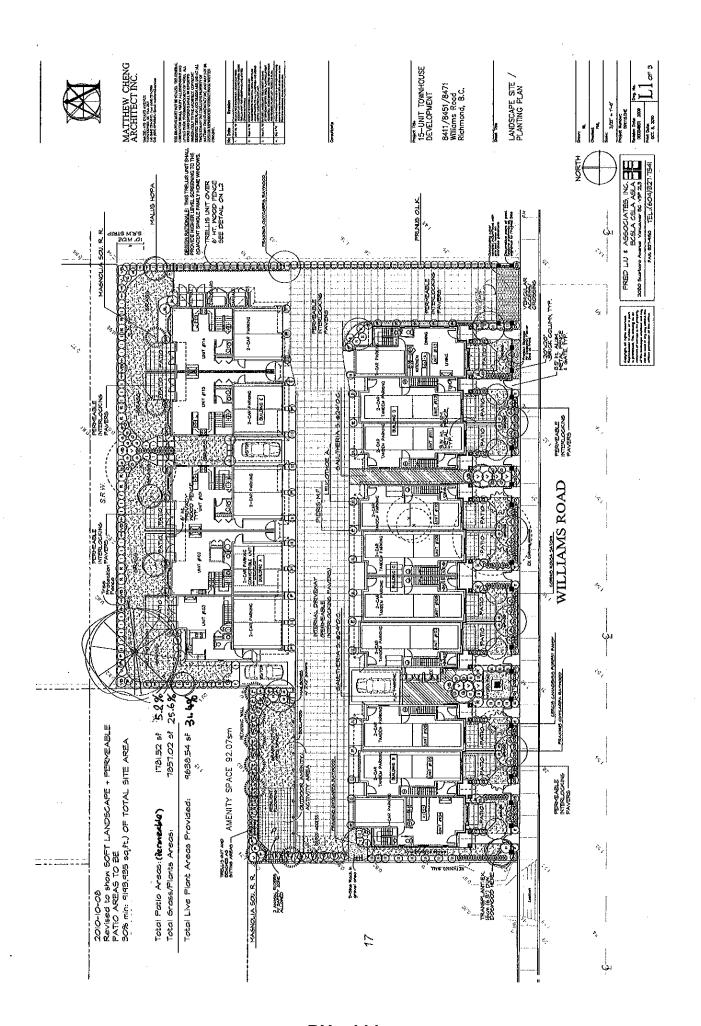
PH - 107



PH - 108







PH - 111



# Development Application Data Sheet

RZ 08-434086 Attachment 3

Address: 8471 Williams Road

Applicant: Matthew Cheng Architect Inc.

	Existing	Proposed
Owner:	W & L Properties Ltd.	To be determined
Site Size (m²):	919 m²	No Change
Land Uses:	single-family residential	townhouse residential
OCP Designation:	Low Density Residential	No change – complies with designation
Zoning:	Single Detached (RS1/E)	Medium Density Townhouses (RTM1)
Number of Units:	1	15 units on 8391, 8411 and 8471 Williams Road

On Future Consolidated Site *	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.7	0.65	none permitted
Lot Coverage – Building:	Max. 40%	40% Max.	none
Lot Coverage – Non-porous surfaces:	Max. 70%	70% Max.	none
Lot Coverage – Landscaping with live plant material:	Min. 30%	30 % Min.	none
Lot Size (min. dimensions):	40 m wide x 35 m deep	68.89 m wide x 45.72 m deep *	none
Setback – Front Yard (m):	Min. 6 m	6 m Min.	none
Setback – East Side Yard (m):	Min. 3 m	3 m Min.	none
Setback – West Side Yard (m):	Min. 3 m	1.8 m Min.	Variance Requested
Setback –Rear Yard (m):	Min. 3 m	5.89 m Min.	none
Height (m):	12 m	10.91 m	none
Off-street Parking Spaces – Resident (R) / Visitor (V):	2 (R) and 0.2 (V) per unit	2 (R) and 0.2 (V) per unit	none
Off-street Parking Spaces - Total:	33	33	none
Tandem Parking Spaces:	none permitted	16	Variance Requested

On Future Consolidated Site *	Bylaw Requirement	Proposed	Variance
Amenity Space – Indoor:	70 m <sup>2</sup> or payment of cash-in-lieu	payment of cash-in-lieu of \$5,000 for 8471 Williams Road (an additional \$10,000 was secured at Rezoning for 8391 & 8411 Williams Road, RZ 04-287969)	none
Amenity Space – Outdoor:	6 m <sup>2</sup> per unit x 15 units = 90 m <sup>2</sup>	108 m²	none

Other: Tree replacement compensation required for removal of Bylaw-sized trees.

<sup>\* 8391, 8411</sup> and 8471 Williams Road are to be consolidated for the proposed townhouse development.

## Rezoning Considerations 8471 Williams Road RZ 08-434086

Prior to final adoption of Zoning Amendment Bylaw 8661, the developer is required to complete the following:

- 1. Consolidation of 8391, 8411 and 8471 Williams Road into one (1) development parcel (which will require the demolition of the existing dwellings).
- 2. Registration of a flood indemnity covenant on Title.
- 3. City acceptance of the developer's offer to voluntarily contribute \$2.00 per buildable square foot (e.g. \$13,698.60) to the City's affordable housing fund.
- 4. Provide a proof of a contract with a company specializing in tree relocation to undertake the transplant of the Florida Dogwood tree on site.
- 5. Enter into a Servicing Agreement\* for the design and construction of storm system upgrades. Works include, but may not be limited to upgrade the existing frontage pipe between manhole STMH 2927 (at the east intersection of Pigott Drive and Williams Road) and manhole STMH 2930 (located approximately 10 m east of the development site) to 600 mm diameter pipe.
- 6. Registration of a legal agreement on title ensuring that the subject site's single temporary vehicle access to Williams Road will be closed once 8371 Williams Road is redeveloped and the ultimate driveway access to Pigott Road is provided.
- 7. Provide a cash contribution in the amount of \$5,500 for the removal of the temporary driveway on Williams Road and re-instating continuity of the sidewalk when the ultimate driveway access to Pigott Road is provided.
- 8. Registration of a cross access easement over the entry driveway and internal drive aisle on the subject development (8391/8411/8471 Williams Road) in favour of 8491 Williams Road. The cross access easement shall include language to identify that access is via Williams Road until access is provided via Pigott Drive; and access to Williams Road will no longer be permitted once access to Pigott Road is constructed.
- 9. Contribution of \$1,000 per dwelling unit (e.g. \$5,000) in-lieu of on-site indoor amenity space.
- 10. Registration of a cross-access easement agreement over the internal drive-aisle (design as per Development Permit DP 07-381317) in favour of 8371 Williams Road allowing access to/from the outdoor amenity space and garbage/recycling, facility at the development site.

- 11. Registration of a legal agreement on Title prohibiting the conversion of the tandem parking area into habitable space.
- 12. The submission and processing of a Development Permit\* completed to a level deemed acceptable by the Director of Development.

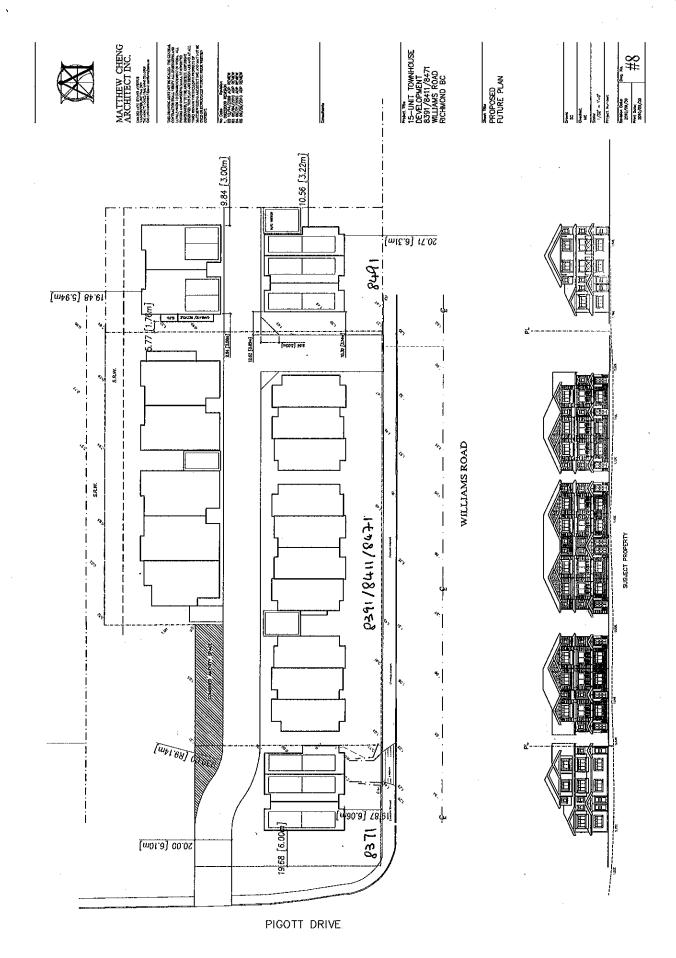
Prior to Building Permit Issuance, the developer must complete the following requirements:

- 1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- 2. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
- 3. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

[Signed original on file]		
Claimaid	 Dete	
Signed	Date	

# Applicability of approved Conditions for RZ 04-287969

1.	Lot consolidation of 8411 and 8391 Williams Road into one development parcel.	٠	Still applies. Consolidation of the subject site (8471 Williams Road) with the two (2) that make up RZ 04-287969 is a requirement of rezoning.
2.	Registration of a cross access easement along the subject sites internal drive-aisle and driveway access to Williams Road enabling access to/from the site for neighbouring properties to the east and west and potentially consolidated lots. Cross access shall be granted in favour of 8371 Williams Road (or any land assembly thereof) and 8471 Williams Road (or any land assembly thereof).	·	No longer applicable. Instead, a cross access easement over the entry driveway and internal drive aisle on the subject development (8391/8411/8471 Williams Road) in favour of 8491 Williams Road is required. Access to 8371 Williams Road will be at Pigott Drive, and this driveway will be the ultimate access point to developments on 8371 to 8491 Williams Road.
3.	Contribution of \$10,000 (\$1,000 per dwelling unit) in lieu of indoor amenity space.		Still applies. A further contribution due to the inclusion of the subject site to construct a 15 unit townhouse is \$5,000.00.
4.	The City's acceptance of the developer's offer to provide voluntary contribution of \$8,254 (\$0.60 per sq.ft. buildable area) towards the City's affordable housing reserve fund.		Still applies. A further contribution due to the inclusion of the subject site to construct a 15 unit townhouse is \$\$13,698.60.
5.	Registration of a Flood Indemnity Covenant (minimum Building Elevation Requirement of 0.9m).		Still applies, however the subject site is required to be included with the Flood Indemnity Covenant registration with the two (2) that make up RZ 04-287969 is a requirement of rezoning.
6.	Completion of a Servicing Agreement for the design and construction of storm sewer upgrades as identified in the completed capacity analysis.		Still applies. A Servicing Agreement for the subject site is to take into consideration the requirements outlined.
7.	The submission and processing of a Development Permit* completed to a level of acceptance by the Director of Development.	7.	Still applies.



PH - 117



# Richmond Zoning Bylaw 8500 Amendment Bylaw 8661 (RZ 08-434086) 8471 WILLIAMS ROAD

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **MEDIUM DENSITY TOWNHOUSES** (RTM1).

P.I.D. 003-490-343

Lot 2 Section 28 Block 4 North Range 6 West New Westminster District Plan 18218

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8661".

FIRST READING	OCT 2.5 2010	C: RIC
A PUBLIC HEARING WAS HELD ON		APF
SECOND READING		APE by
THIRD READING		
OTHER REQUIREMENTS SATISFIED	,	7
ADOPTED		
MAYOR	CORPORATE OFFICER	