



City of Richmond

Report to Council

*To Council - April 14, 2009
To Planning - APR 7, 2009*

To: Richmond City Council
From: Brian J. Jackson,
Director of Development

Date: March 27, 2009

RZ 07-372179

File: 12-3060-20-8482

Re: Application by Sonus Developments Ferndale for Rezoning at 9560 and 9620 Westminster Highway and 9571 Ferndale Road from "Single Family Housing District (R1/F)" to "Comprehensive Development District (CD/145)"

Staff Recommendation

That Bylaw No. 8482, for the rezoning of 9620, 9560 Westminster Highway and 9571 Ferndale Road from "Single-Family Housing District (R1/F)" to "Comprehensive Development District (CD/145)", be introduced and given first reading.

Brian J. Jackson, MCIP
Director of Development
(4138)

Att.

FOR ORIGINATING DEPARTMENT USE ONLY

ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Real Estate Services.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Sonus Developments Ferndale Ltd. has applied to the City of Richmond for permission to rezone 9560 and 9620 Westminster Highway and 9571 Ferndale Road Single-Family Housing District (R1/F), to Comprehensive Development District (CD/145) (**Attachment 1**) to permit the development of a 29 unit townhouse complex on the site (**Attachment 2**).

Background

The subject site currently consists of three separate lots, each containing a Single Family Home. At present, the homes along Westminster Highway appear vacant and have construction fencing around the perimeter. The home on Ferndale Road appears vacant.

Findings Of Fact

A Development Permit Application Data Sheet is attached outlining the details of the proposed development and the proposed Bylaw requirements (**Attachment 4**).

Surrounding Development

The subject site is located on the south side of Westminster Highway and to the north of Ferndale road, between Garden City Road to the west and No. 4 Road to the east (**Attachment 1**).

Adjacent Properties

To the West: A 58 unit Townhouse complex at 9551 Ferndale Road by Palladium Ferndale Project Ltd. as part of DP 05-294607.

To the South: Across Ferndale Road, a 72 unit Townhouse complex at 6233 Birch Street by Ah Ten Holdings Ltd. as part of DP 02-200027.

To the East: Two Single-Family lots at 9640 Westminster Highway and 9611 Ferndale Road. Beyond is a 59 Unit Townhouse complex as part of DP 05-290431.

To the North: Across Westminster Highway, the undeveloped Garden City Lands.

Related Policies

Official Community Plan

OCP designation: City Centre Area, McLennan North Sub-Area Plan, Schedule 2.10C

McLennan North Sub-Area Plan

Residential Area 3 Base density of 0.65 F.A.R.

Two-Family Dwelling / 2 & 3-storey Townhouses. (**Attachment 4**)

The density the applicant is proposing is 0.74 FAR, which is above the base density of 0.65 FAR as indicated in the OCP. To qualify for the additional density, the applicant is proposing to construct its portion of Birch Street as well as contribute to the Affordable Housing reserve.

The submitted information for this development complies with the Sub-Area Plan. A detailed review of the project's form and character, including the site's landscaping will be conducted as part of the Development Permit process when more detail will be provided.

Floodplain Management Implementation Strategy

In accordance with the City's Flood Management Strategy, the minimum allowable elevation for habitable space is 2.9 meters GSC or 0.3 above the crown of the adjacent road. A Flood Indemnity Covenant is to be registered on title prior to final adoption of this application.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

The site is located within policy area 4 of the ANSD map, which allows consideration of all new aircraft noise sensitive uses, including townhouses (**Attachment 3**). An Aircraft Noise Sensitive Use Restrictive Covenant must be registered on title prior to final adoption of this application.

Public Input

A notice board is posted on the subject property to notify the public of the proposed development and no public comments have been received to date. Should this application receive first reading, a public hearing will be scheduled.

Staff Comments

Transportation and Site Access

1. Vehicular access to and from the site is off either Birch Street or Ferndale Road.
2. The applicant is providing a 10 meter road dedication for the continuing development of Birch Street.
3. A 2.5 meter wide Public Rights of Passage Rights-of-Way (PROP ROW) is required to be registered for the entire Westminster Hwy frontage at 9560 and 9620 Westminster Highway as well as a 4 meter by 4 meter cut land dedication at the corner of Westminster Highway and Birch Street.
4. A PROP ROW is required to be registered along the proposed drive aisle within the property to act as a temporary extension of Birch Street. The PROP can be discharged when a connection of Birch Street is completed and will connect Westminster Highway and Ferndale Road.
5. The contribution requirements toward the McLennan North Road improvements are \$316,338.00.
6. Notwithstanding the contribution listed in (5) above, the land credit the developer is entitled to for the land dedication to the development of Birch Street is \$325,025.00. The applicant will be provided the difference between the contribution value and credit when sufficient funds are available.
7. On-site parking is provided by a garage for each unit in a tandem configuration. Six (6) visitor stalls are proposed on site as well. The number of stalls meet the requirements of the Zoning and Development Bylaw 5300.

Proposed Site Assembly

The applicant made attempts to acquire 9611 Ferndale Road to further extend the development proposal but the owner was not willing to sell at the price they felt would be beneficial to their needs. The result is an application for the three lots that surround and isolate 9611 Ferndale Road. While it would have been preferable for the developer to acquire the additional lot, the applicant has provided a development concept for this lot showing it can develop this parcel in keeping with the OCP. The OCP allows for undersized single lots to be developed if the applicant can show the lot can be developed and not jeopardise its potential. The result is shown on the submitted conceptual site plan (**Attachment 2**) by displaying a number of units that show its potential. To ensure access to the site is retained to the orphaned site, a cross access agreement will need to be registered to the benefit of 9611 Ferndale Road so future access is possible using the road connection proposed with this application.

Trees – An Arborist report was submitted to assess nine (9) existing trees for possible retention. The report outlines that all nine trees have either been topped off or are in poor condition and cannot be retained. Upon a site inspection by the City, staff concur that all nine are not in good condition and should not be retained (**Attachment 7**).

A tree replacement plan will be reviewed at the Development Permit stage when more detailed landscaping information is available. There should be no trouble achieving the 2:1 replacement ratio due to the available space on the site.

Amenity Space – Outdoor amenity space is provided along the western side of the site (**Attachment 6**). The space is intended for a children's play area but no details are provided at this time. A more detailed review will be conducted at the Development Permit stage when landscaping drawings will be submitted with more detail. No indoor space is being proposed, but a cash-in-lieu payment of \$39,000.00 will be required prior to final adoption of this application.

Analysis

Proposed Rezoning to CD/145

The proposed rezoning from R1/F to CD/145 represents an increase to density by allowing more primary units to the site. It is in conformance with the McLennan North Sub-Area Plan in that it continues the transformation of the area from single-family to a more urban area for apartment and townhouse development. No amendment is required to the OCP or the Land Use Map as the subject site is listed as 'Residential Area 3' (**Attachment 5**).

Design

The 29 unit townhouse proposal is configured on three lots in the North McLennan area fronting Westminster Highway to the north and Ferndale Road to the south (**Attachment 6**). The developer has made attempts to acquire more property adjacent to the site but was not able to purchase it. The applicant has provided an outline on the two outstanding sites to indicate that similar densities are possible on these lots.

The proposed units are grouped into 7 separate buildings consisting of three buildings containing three units, and four buildings containing five units. Access to the site is provided off Ferndale to the south and the forthcoming Birch Street with access to and from Westminster Highway. The new section of Birch Street will be provided by the developer as part of the 10 meter road dedication. Parking for the residents is provided by access to ground level garages in a tandem configuration, along with six (6) visitor parking stalls proposed in accordance to the parking regulations of the Zoning and Development Bylaw 5300. Outdoor amenity space is provided at the western edge of the site across from the access point from Birch Street. No indoor amenity space is proposed, but a cash-in-lieu contribution of \$39,000.00 will be made.

The design of the units are conventional three storey units with the elevations showing a horizontal siding and a board and baton facade configuration (**Attachment 6**). More detail will be provided at the Development Permit stage.

Affordable Housing

No affordable units are proposed on-site, but in accordance with the City's Affordable Housing Strategy with respect to townhouse developments less than 80 units, the applicant is making a voluntary cash contribution of two dollars (\$2.00) per buildable square foot payable to the affordable housing reserve. The payable contribution is \$77,400.00.

Parking

The submitted proposal meets the requirements of the Off-Street Parking and Loading requirements of Zoning and Development Bylaw 5300, with each of the units supplying two (2) tandem parking spaces in each of the 29 units in addition to the six (6) visitor spaces as outlined in the Bylaw requirements. An outline of the conformance requirements is shown in **Attachment 4**.

Utilities and Site Servicing

A review of the servicing of the site has been conducted by the applicant's Engineering consultant and reviewed and accepted by the City's Engineering Department. Upgrades are required for the storm system and will be done by the applicant. Sanitary upgrades will be funded by the applicant by means of a cash contribution of \$23,836.18 as determined by the City's Engineering Department. An existing Right-of-Way Plan (ROW Plan 31872) that runs through the centre of the site is to be discharged at the request of the City's Engineering department.

Servicing Agreement

The applicant is to enter into a servicing agreement to design and construct sections of Westminster Highway, Ferndale Road, the forthcoming Birch Street in accordance to City standards and guidelines. The Agreement will also spell out the temporary connection of Birch Street through the site to allow public access to and from Westminster Highway and Ferndale Road (**Attachment 8**).

The agreement is to reflect an easement to be registered that will allow direct access to 9611 Ferndale Road from 9571 Ferndale Road in accordance to the proposed site plan for 9611 Ferndale Road shown on **Attachment 6**.

Development Permit

A separate Development Permit application would be required with a specific landscaping plan to include the following:

1. Identification of what existing trees are to be removed and what is to be retained.
2. Design of the play area.
3. Overall appropriateness of the landscaping plan.
4. A variance to the northwest side yard of one meter will be needed. Staff supports this variance to enable more room for landscaping at the corner of Westminster Highway and Birch Street.

In addition to the standard Development Permit review.

Financial Impact

None.

Conclusion

The proposed 29 unit townhouse rezoning application meets the requirements of the OCP as well as the zoning requirements set out in Comprehensive Development District (CD/145). Staff contend that the design requirements meet the character of the neighbourhood and are confident the outstanding conditions will be met prior to final adoption. Staff recommends that rezoning application RZ 07-372179 proceed to first reading.

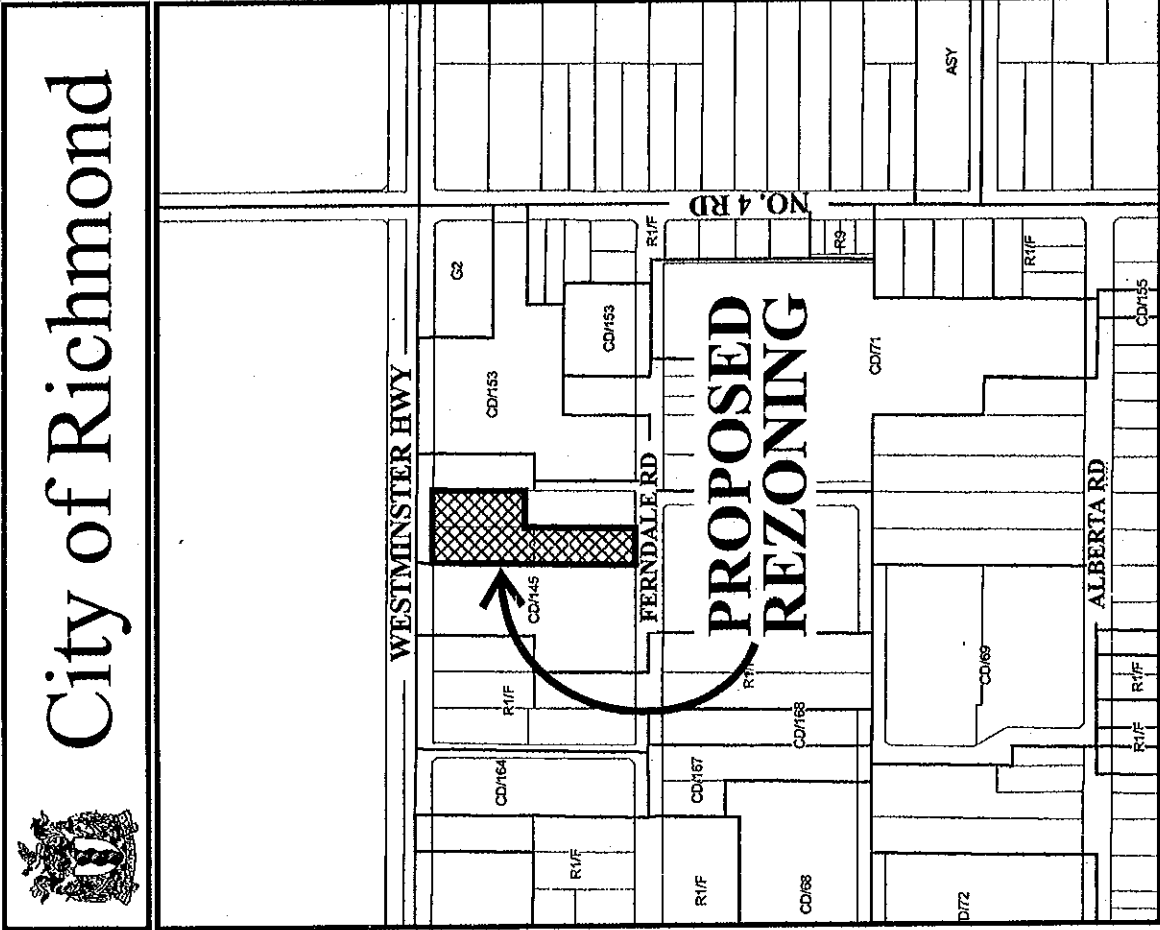
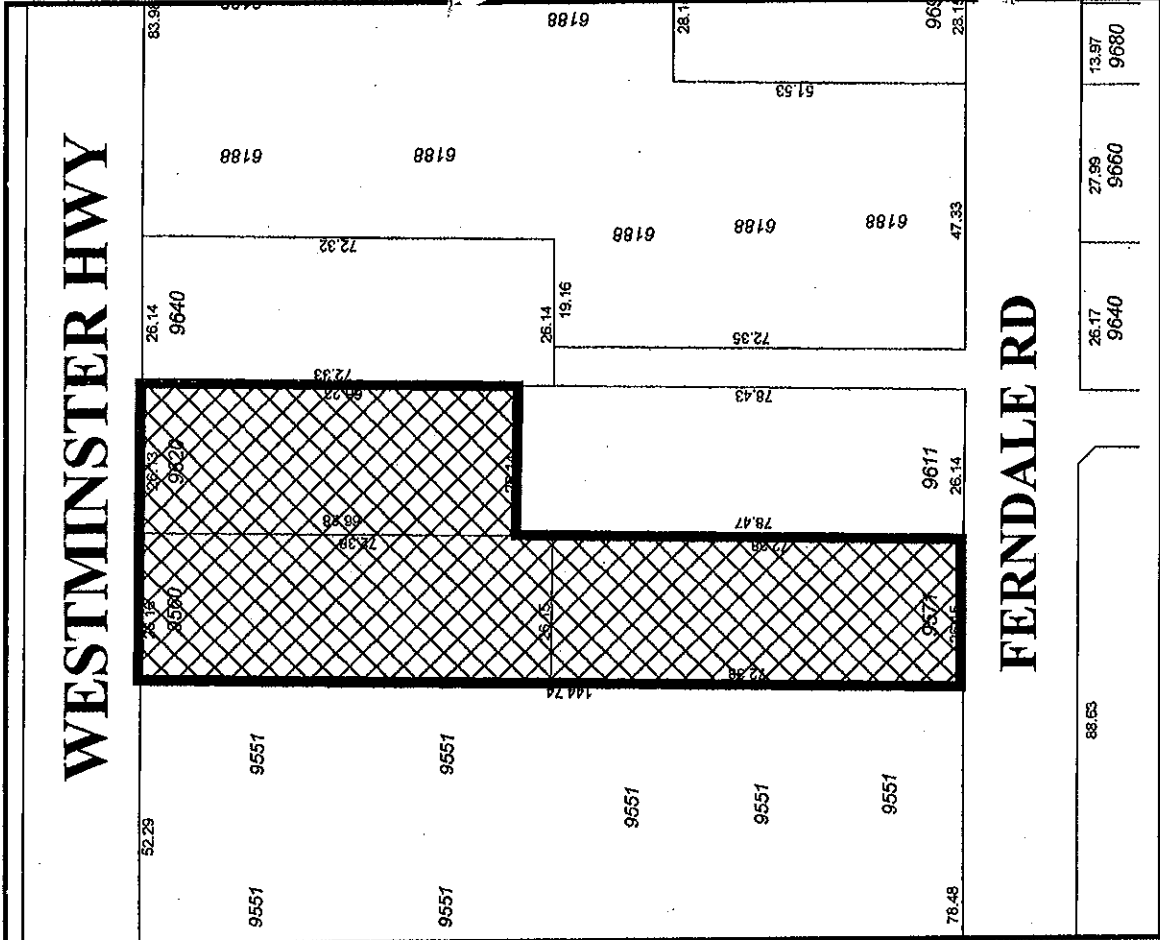


David Johnson
Planner
(4193)

DJ:cas

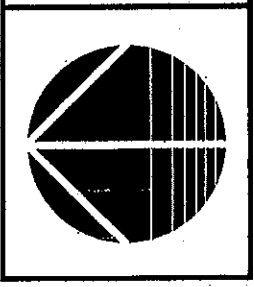
List of Attachments

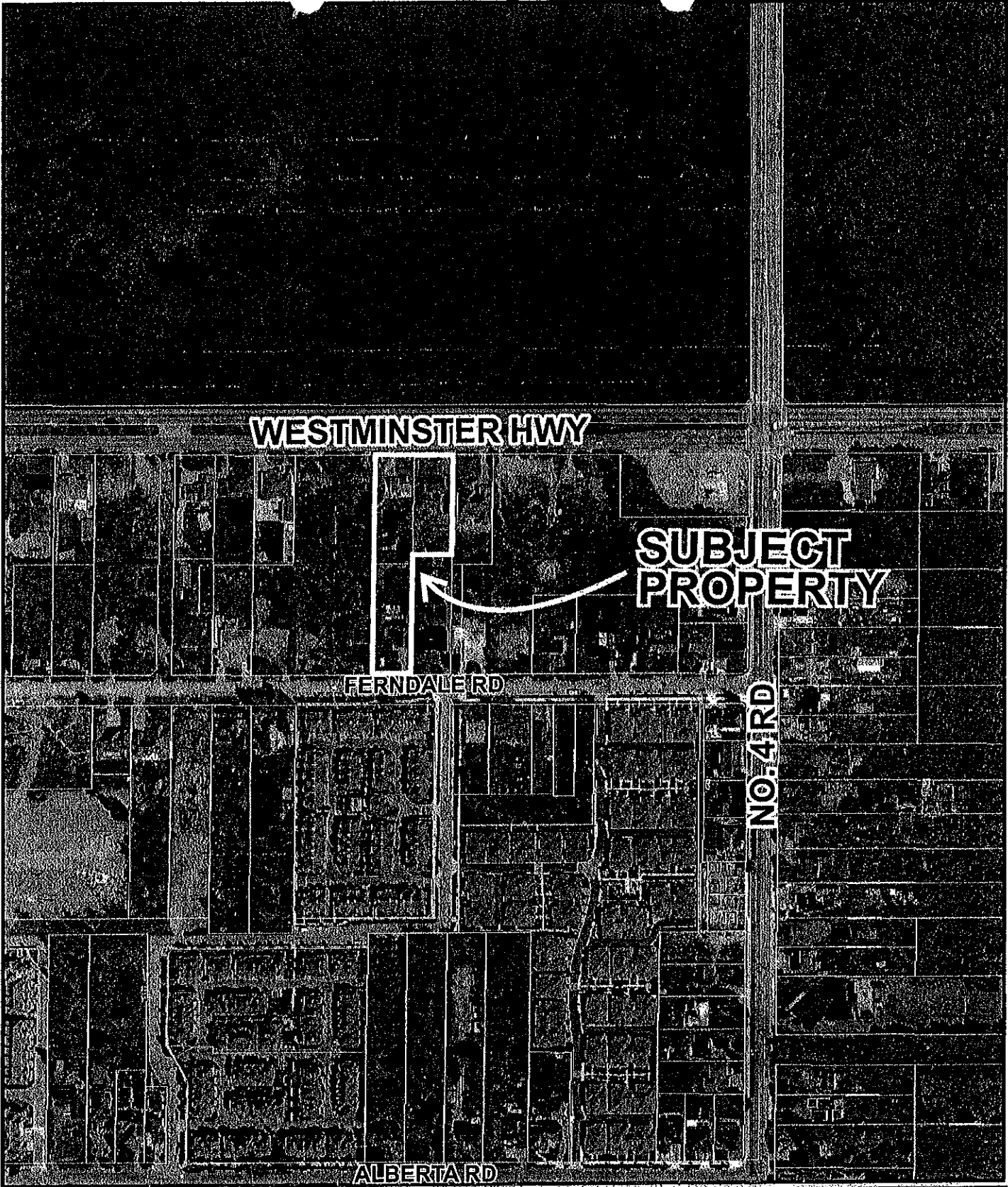
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|--------------|---|
| Attachment 1 | Location Map, Zoning Site Map, Site Context and Aerial View of the Site |
| Attachment 2 | Site plan |
| Attachment 3 | Aircraft Noise Sensitive Development Area Map |
| Attachment 4 | Development Application Data Sheet |
| Attachment 5 | McLennan North Sub-Area Land Use Map |
| Attachment 6 | Preliminary Architectural Drawings (Site plan, Elevations) |
| Attachment 7 | Tree Survey Plan |
| Attachment 8 | Conditional Rezoning Requirements |



Original Date: 06/18/07
 Revision Date:
 Note: Dimensions are in METRES.

RZ 07-372179





WESTMINSTER HWY

SUBJECT
PROPERTY

FERNDALE RD

NO. 4 RD

ALBERTA RD

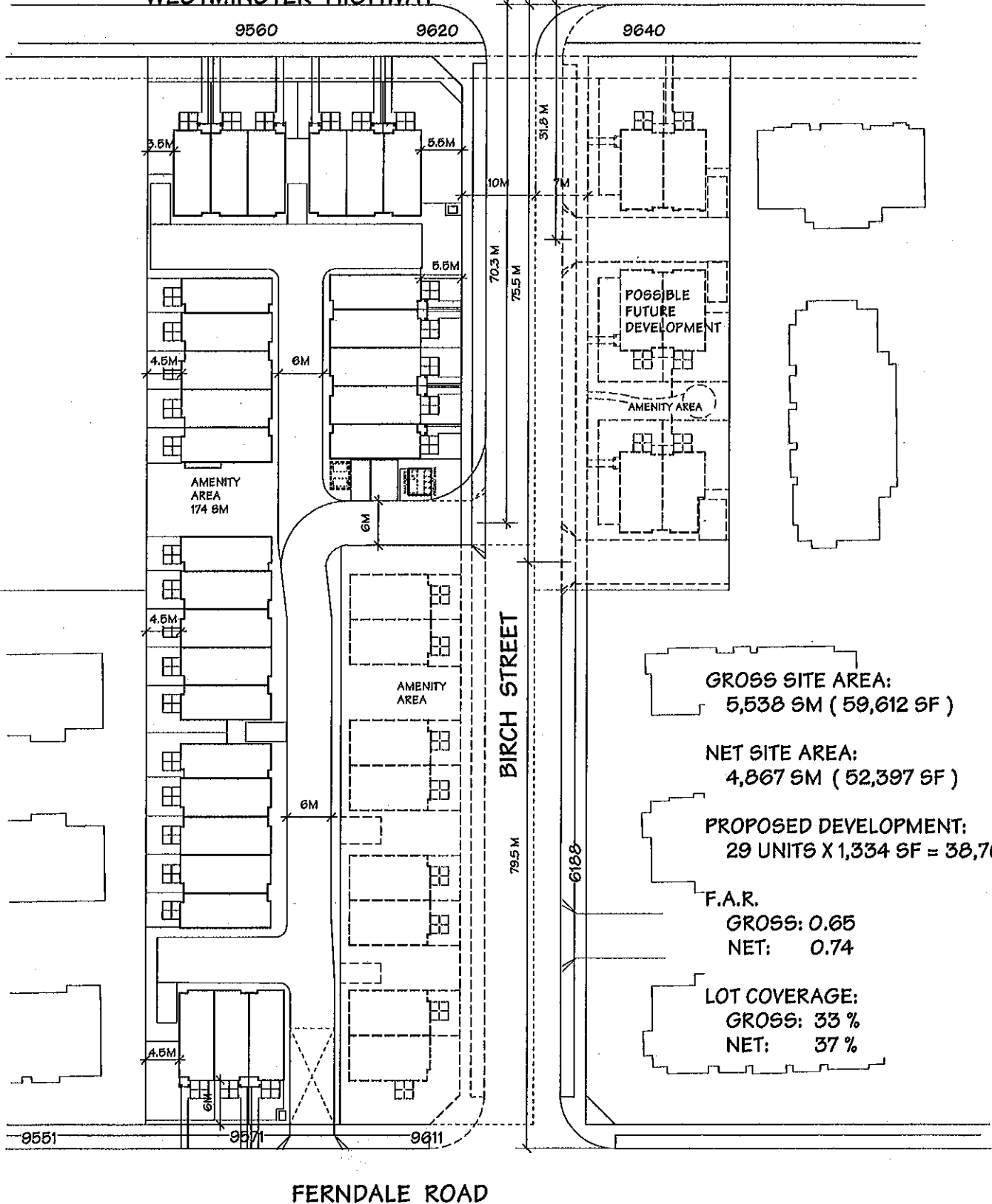


RZ 07-372179

Original Date: 06/18/07

Amended Date:

Note: Dimensions are in METRES



GROSS SITE AREA:
5,538 9M (59,612 SF)

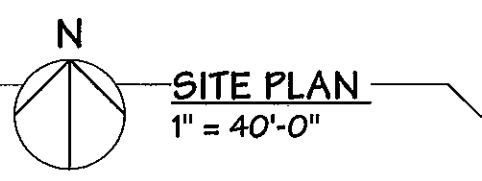
NET SITE AREA:
4,867 9M (52,397 SF)

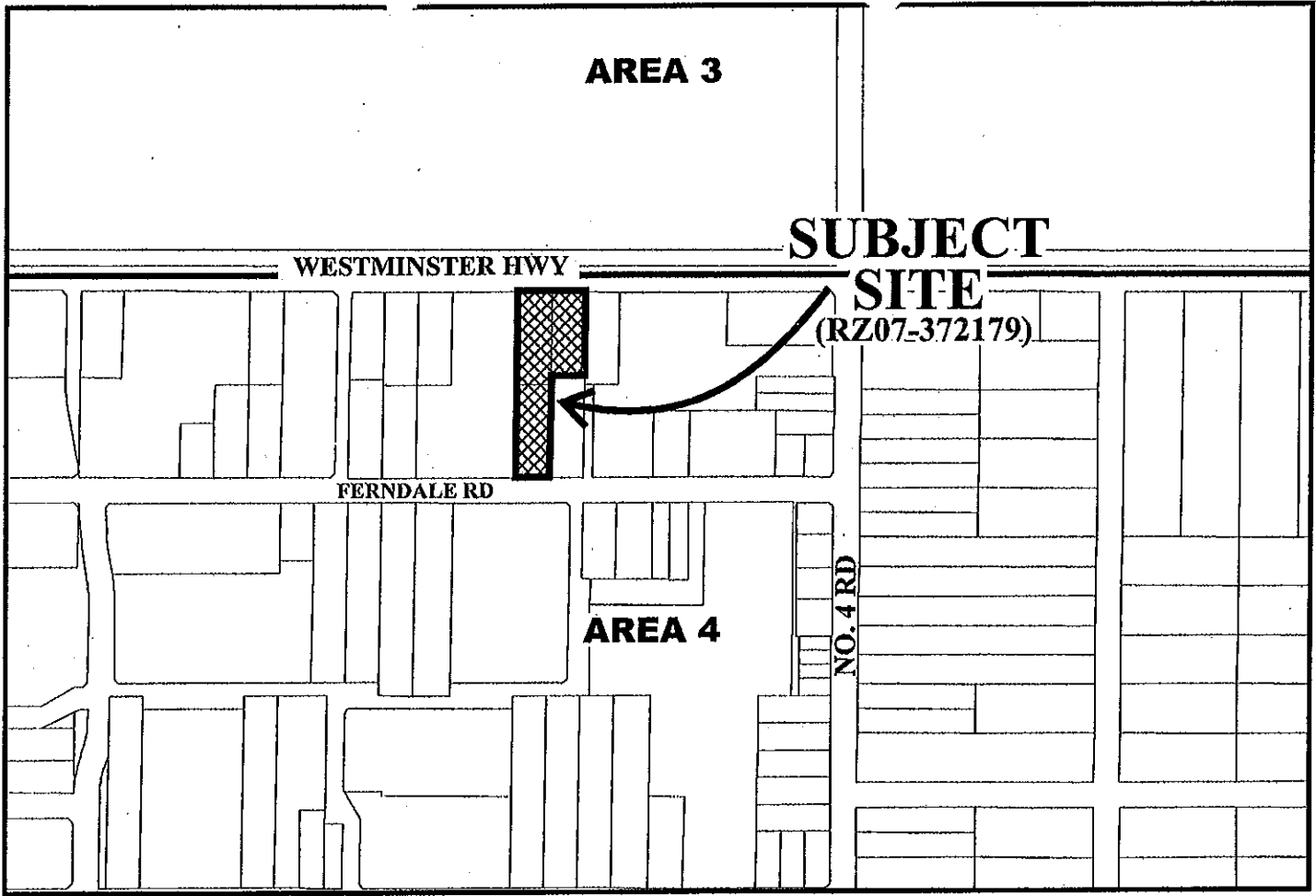
PROPOSED DEVELOPMENT:
29 UNITS X 1,334 SF = 38,700 SF

F.A.R.
GROSS: 0.65
NET: 0.74

LOT COVERAGE:
GROSS: 33 %
NET: 37 %

FERNDAL ROAD





LEGEND

**Aircraft Noise Sensitive Development Policy (ANSD) Areas
(see Aircraft Noise Sensitive Development Policy Table)**

No New Aircraft Noise Sensitive Land Uses:

AREA 1A - New Aircraft Noise Sensitive Land Use Prohibited.

AREA 1B - New Residential Land Uses Prohibited.

Areas Where Aircraft Noise Sensitive Land Uses May be Considered: Subject to Aircraft Noise Mitigation Requirements:

AREA 2 - All Aircraft Noise Sensitive Land Uses (Except New Single Family) May be Considered (see Table for exceptions).

AREA 3 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

AREA 4 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

No Aircraft Noise Mitigation Requirements:

AREA 5 - All Aircraft Noise Sensitive Land Use Types May Be Considered.



Aircraft Noise Sensitive Development Location Map

Original Date: 06/18/07

Amended Date:

Note: Dimensions are in METRES


City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

**Development Application
 Data Sheet**
RZ 06-330589

 Address: 9560, 9620 Westminster Highway and 9571 Ferndale Road

 Applicant: Yamamoto Architect Inc.

Planning

 Area(s): City Centre – McLennan North Sub-Area (Schedule 2.10C)

	Existing	Proposed
Civic Address:	9560 Westminster Highway 9620 Westminster Highway 9571 Ferndale Road	To Be Determined
Owner or Applicant:	Sonus Developments Ferndale	No Change
Site Size (m²):	5,538m ²	4,867m ² after road dedication
Land Uses:	Single-Family on all three lots	Townhouse Residential
OCP Area Plan Designation:	Residential Area 3	No Change
Zoning:	Single-Family Housing District (R1/F)	Comprehensive Development District (CD/145) Permits Townhouses at 0.75 F.A.R.
Number of Units:	1 Single-Family Dwelling per lot	29 Townhouse Units on consolidated lot.
Other Designations:	Airport Noise Sensitive Development Area 4	No Change

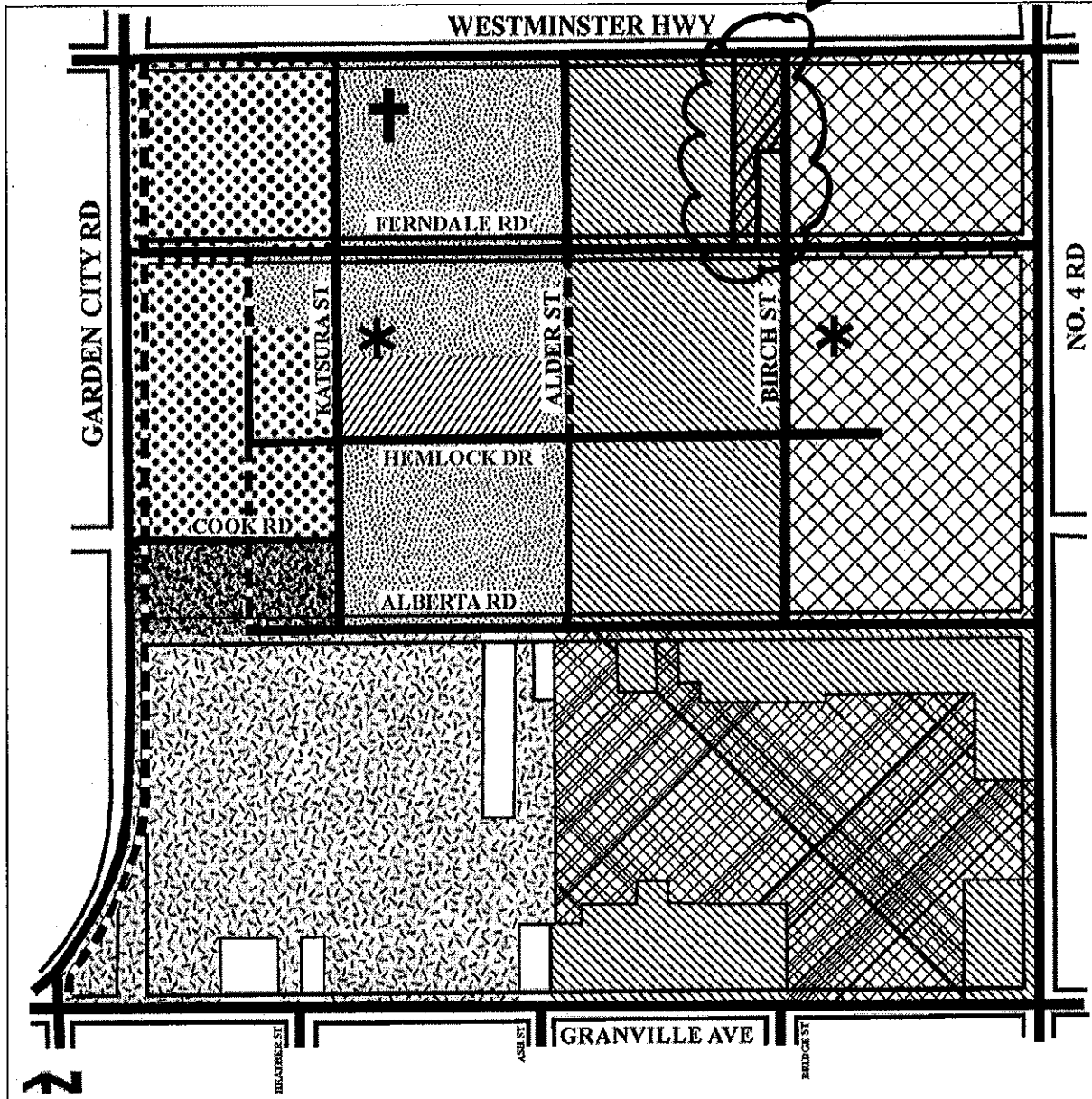
	Bylaw Requirement CD/145	Proposed	Variance
Density (FAR):	Site Area = 4,867m ² (0.75) = 3,650.25m ²	3,601.58m ² (0.74 FAR)	none required
Lot Coverage – Building:	Max. 40%	37%	none
Lot Size:	N/A	5,538m ² 4,867m ² after road dedication.	none
Front Setback – Cambie Rd:	6.0m Min.	6.0m	none
Setback – Side & Rear Yards (m):	Min. 4.5m	3.5m	1.0m at northwest corner of the site to allow for additional landscape area at













	Bylaw Requirement CD/145	Proposed	Variance
			the corner of Westminster Highway and Birch Street.
Height (m):	12.0m no more than 3 stories	10.8m and 3 stories	none
Off-street Parking Requirements:	1.5 spaces per unit (1.5 x 29 = 43.5 → 44) <i>plus</i> 6 spaces for visitor 50 spaces required	2 spaces per unit (2 x 29 = 58) <i>plus</i> 0.2 spaces for visitor (0.2 x 29 = 5.8 → 6) <u>58 + 6</u> 64 spaces proposed	none
Tandem Parking Spaces:	Permitted where two parking spaces provided per single dwelling unit	29 units x 2 = 58 spaces	none
Amenity Space – Indoor:	70 m ² or cash-in-lieu payment	cash-in-lieu payment of \$39,000.00	none
Amenity Space – Outdoor:	6 m ² per unit x 29 units = 174m ²	174m ²	none

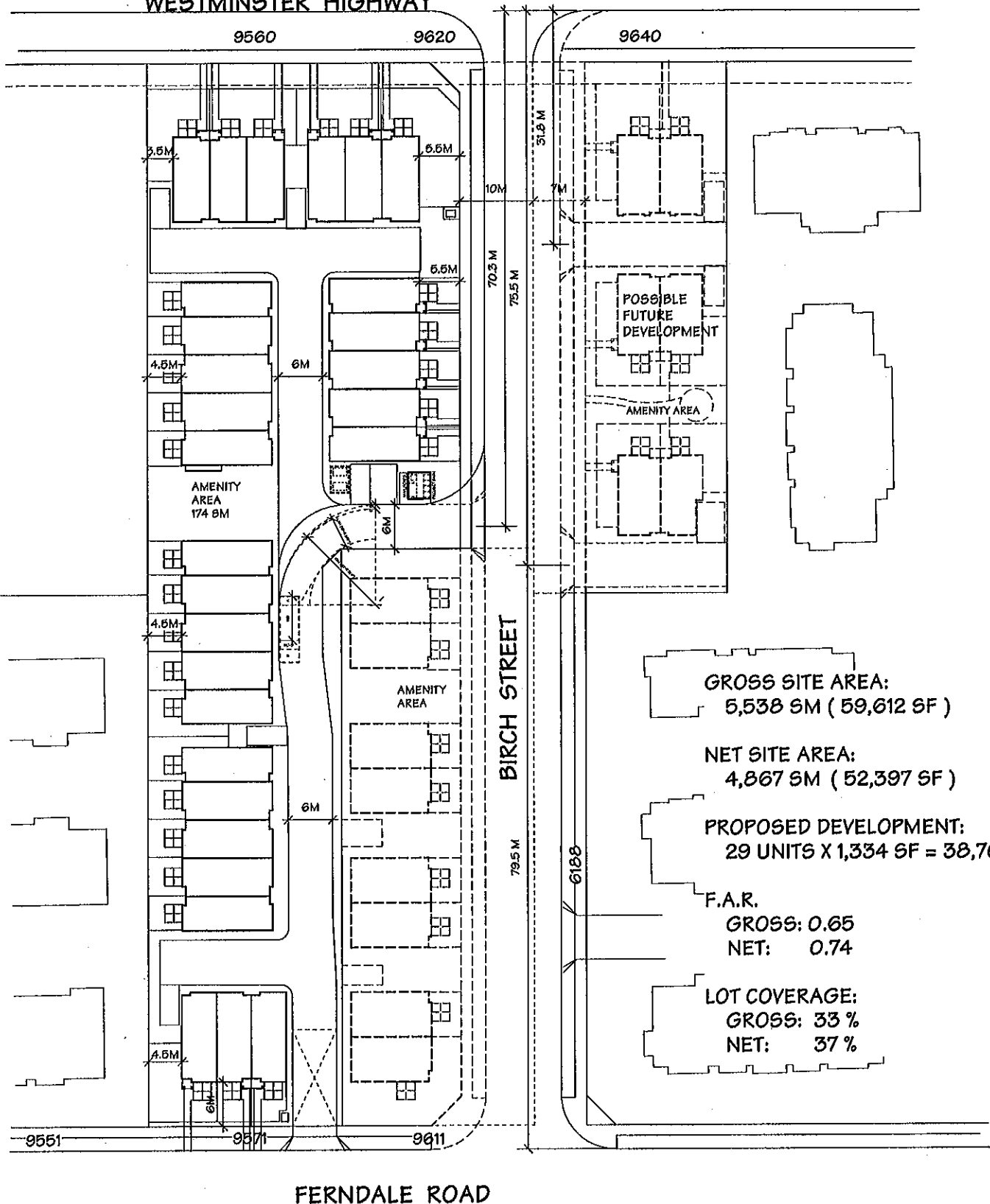
City of Richmond

SUBJECT SITE

Land Use Map Bylaw 7966
2006/01/09



 Residential Area 1 1.6 base F.A.R. 4-storey Th., Low-rise Apts. (4-storeys max.) / Mid-rise Apts. (Up to 8-storeys) / High-rise Apts. (Up to 45 m)	 Residential Area 3 0.65 base F.A.R. Two-Family Dwelling / 2 & 3-storey Townhouses	 Community Park
 Residential Area 2 0.95 base F.A.R. 2, 3 & 4-storey Townhouses, Low-rise Apts. (4-storeys max.)	 Residential Area 4 0.55 base F.A.R. One & Two-Family Dwelling & Townhouses (2 1/2-storeys typical, 3-storeys maximum where a maximum 30% lot coverage is achieved)	 Neighbourhood Parks
 Residential Area 2A 0.95 base F.A.R. 2, 3 & 4 & 5-storey Townhouses, Low-rise Apts. (5-storeys max. Up to 19 m)	 Residential Area 5 0.55 base F.A.R. One-Family Dwelling	 Trail
 Mixed Residential/ Retail/Community Uses	 Principal Roads	 Church



GROSS SITE AREA:
5,538 SM (59,612 SF)

NET SITE AREA:
4,867 SM (52,397 SF)

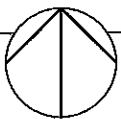
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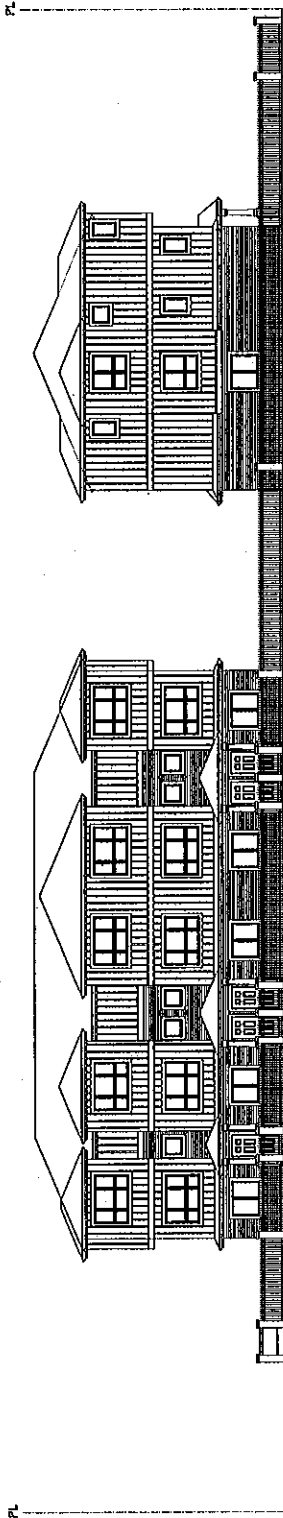
FERNDALE ROAD

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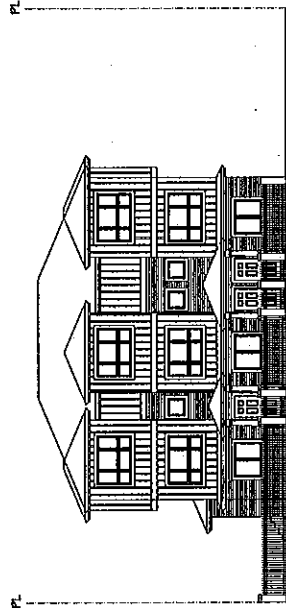
SITE PLAN

1" = 40'-0"



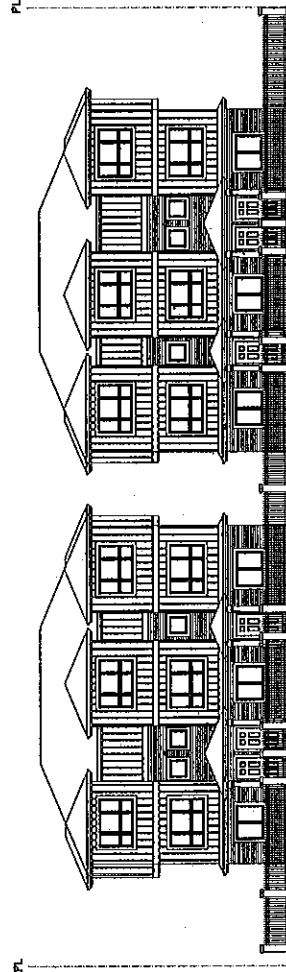
EAST ELEVATION - BIRCH STREET

BUILDING NO. 1



SOUTH ELEVATION - PERSDALE ROAD

BUILDING NO. 7



NORTH ELEVATION - WESTMINSTER HIGHWAY

BUILDING NO. 2

NO.	DATE	REVISIONS

YAMAMOTO ARCHITECTURE INC.
 28 UNIT TOWNHOUSE
 DEVELOPMENT

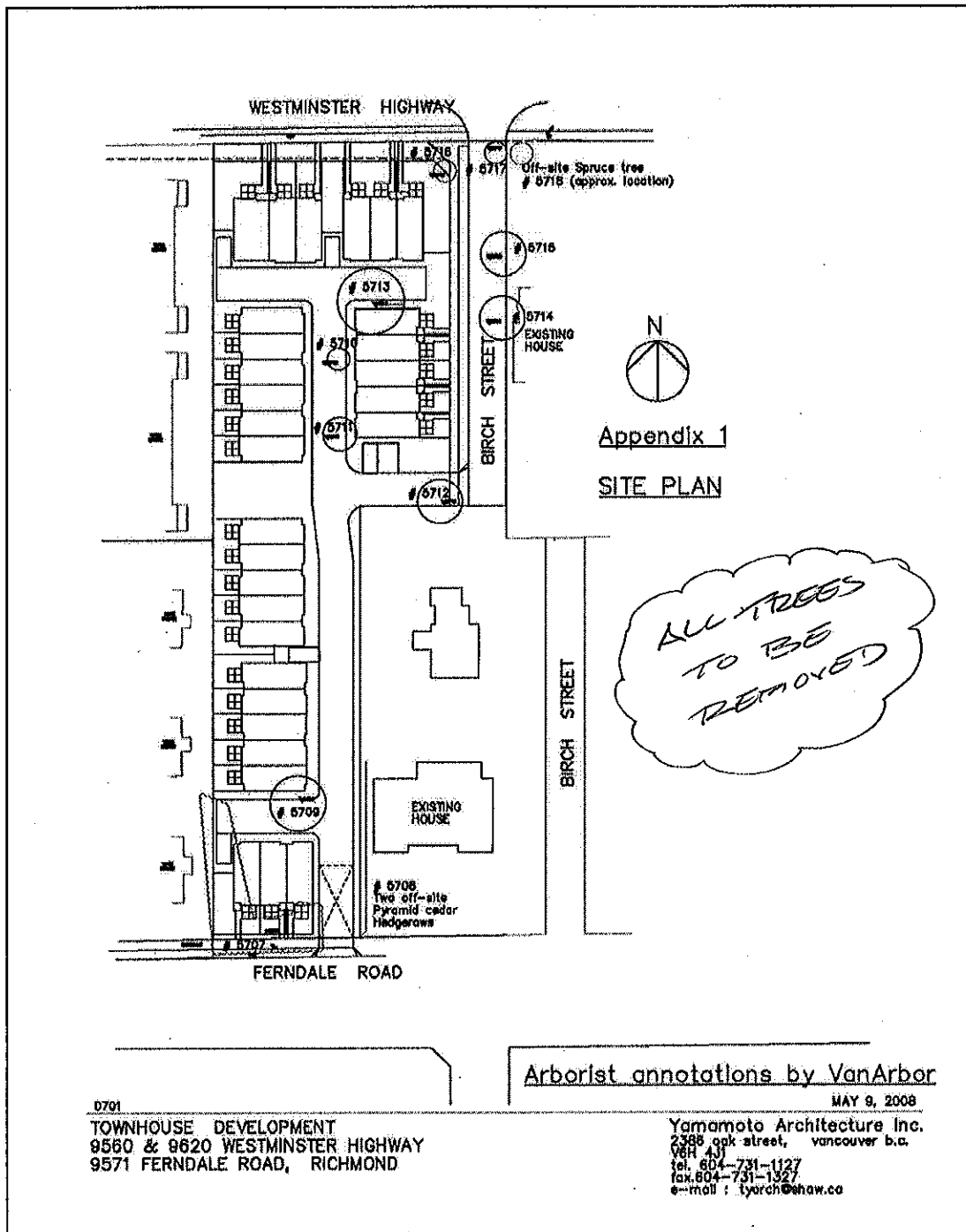
1000 WEST WESTMINSTER HWY'S WEST
 PORTERDALE ROAD, ROCHESTER, N.Y.

Yamamoto
 Architecture Inc.

DATE: 01/25/2007
 DRAWING TITLE: ELEVATIONS

SCALE:	1" = 8'-0"
DATE:	JAN. 25, 2007
DRAWN BY:	
CHECKED BY:	
TITLE:	ELEVATIONS
PROJECT NO.:	A04
TRACED BY:	
DATE:	

Site Plan



- Appendix 1 Tree Survey is available in AutoCAD format on a separate attachment.
- Drawing may not be to scale.

9560, 9620 Westminister Highway, 9571 Ferndale Road, Richmond, BC
VanArbor Vegetation Consulting Ltd. May 16, 2008

**Conditional Zoning Requirements
9560, 9620 Westminster Highway
and 9571 Ferndale Road
RZ 07-372179**

Prior to adoption of Zoning Amendment Bylaw 8482, the developer is required to complete the following requirements to the satisfaction of the Director of Development.

1. Consolidation of lots at 9560, 9620 Westminster Highway and 9571 Ferndale Road.
2. A Flood Indemnity Covenant is to be registered on all properties or on the property after consolidation.
3. Register Aircraft Noise Sensitive Use restrictive covenant on title of all properties or on the property after consolidation.
4. A 2.5 meter wide Public Rights of Passage (PROP) ROW to be registered along the entire frontage of 9560 and 9620 Westminster Highway, complete with a 4m x 4m cut at Birch Street.
5. Registration of a separate PROP ROW from (4) for "interim Birch Street" angling across the south edge of mainly 9620 Westminster from the 10m Dedication, and running along the entire east edge of 9571 Ferndale Road. The absolute minimum width of this PROP ROW is 6m, with 7.5m requested along the north-south leg to Ferndale. The *exact* widths of the entire ROW will be determined via the Engineered design, via the Servicing Agreement taking into account grade differentials and other design issues.
6. Registration of a cross-access easement in favour of the property to the east (9611 Ferndale Road and any consolidation thereof) to allow access to this site from the subject property. The easement area must provide for access along the common property line to allow access/egress directly to and from potential garages.
7. Dedicate a 10 meter section within the eastern edge of 9620 Westminster Highway as road for the purpose of constructing Birch Street.
8. Discharge of existing ROW Plan 31872 (Ref 614793E), which runs east-west through the centre of the site.
9. A contribution of \$23,836.18 is to be made for the required sanitary upgrade prior to final adoption of this application.
10. Payment of \$6.00/sq ft on gross site towards area funding for land & road construction costs for Katsura/Alder/Hemlock between Westminster & Ferndale. The City will reimburse the developer for the cost of land and road construction (at an agreed upon maximum amount) on a priority basis, to the dedicated portions of Birch Street from the funds collected area wide, when sufficient funds have been contributed by others and are available. The cost of Sonus' segment of Birch will be deducted from the assessment (with the City possibly owing Sonus some monies). The exact area and amount required is to be confirmed; and

11. Enter the City's standard Servicing Agreement (SA) to design & construct Westminster, Birch & Ferndale works. Works include, but are not limited to:

Westminster Highway - installation of curb & gutter at the existing asphalt edge (minor road widening may be required), creation a 3m grass and large treed boulevard, with a 2m concrete sidewalk behind that at the new PROP ROW line. From the capacity analysis results noted on Page 1 of this document, the storm sewer is to be upgraded from the west property line of 9560 Westminster Hwy to existing manhole D6, to 600mm diameter.

Birch Street - a 1.50m sidewalk at Property Line with a 1.50 grass and treed boulevard, complete with Zed street lighting, curb and gutter and a minimum 6m of asphalt road surface. The ultimate Birch Street design from Westminster to Ferndale complete with dimensions and curve radius, is to be included in SA design.

Interim Birch Street - this roadway will ultimately be a private drive aisle for this townhouse complex, but the interim design must have it function as a City street. It is to have a roll curb & gutter, 6m wide from back of curb to back of curb. The storm drainage is to be designed such that the system does *not* loop; i.e. the City wants *no* future jurisdiction of the storm system when the PROP ROW can be discharged. For lighting, the entire system must be private; i.e. lighting the travel lane is required, but maintenance of the light standards and power source would be the sole responsibility of the future strata corporation (lighting design should be part of the developers DP design package). Both access points (to permanent Birch St and to Ferndale) will be curb returns. The access to Ferndale is to be closed via "ultimate" Birch construction with both curb returns to be reinstated by the future developer of 9611 Ferndale, as part of that SA process.

Ferndale Road - road widening, installation curb and gutter, creation of a 1.41m grass & treed boulevard with Zed lighting and a 1.75m sidewalk at the Property Line.

Sanitary Sewer - from the capacity analysis results, the last pipe segment to the Ferndale Pump Station, existing manhole S1 to PS as shown on the DS Lee analysis, is undersized. The applicant is to provide a contribution towards the required upgrade in the amount of \$23,836.18.

12. The submission and processing of a Development Permit* completed to a level of acceptance by the Director of Development.
13. Payment of \$39,000.00 cash-in-lieu of on-site indoor amenity space.
14. Voluntary contribution of \$77,400.00 to the City's Affordable Housing reserves.

Prior to issuance of Building Permit*, submission of a Construction Parking and Management Plan.

* Note: This requires a separate application

- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act. All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of

Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

Signed

Date



Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8482 (RZ 07-372179)
9560 AND 9620 WESTMINSTER HIGHWAY
AND 9571 FERNDAL 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 and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it COMPREHENSIVE DEVELOPMENT DISTRICT (CD/145)

P.I.D. 006-637-825

Lot 48 Section 10 Block 4 North Range 6 West New Westminster District Plan 31859

P.I.D. 006-983-740

Lot 1 Except: South 20 feet, Section 10 Block 4 North Range 6 West New Westminster District Plan 21323

P.I.D. 001-662-333

Lot 47 Section 10 Block 4 North Range 6 West New Westminster District Plan 31859

- 2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8482".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

APR 14 2009



MAYOR

CORPORATE OFFICER