



Development Permit Panel

Thursday, November 12, 2009

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Andrew Nazareth, General Manager, Business and Financial Services
Victor Wei, Director, Transportation

The meeting was called to order at 3:33 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, October 28, 2009, be adopted.

CARRIED

2. Development Variance 04-275356 (File Ref. No.: DV 04-275356) (REDMS No. 2724417)

APPLICANT: Urban Design Group Architects Ltd.

PROPERTY LOCATION: 6911 Graybar Road

INTENT OF PERMIT:

To vary the provisions of Land Use Contract 127 (LUC127) to reduce the required setback from 7.5 m (24.606 ft.) to 0.0 m (0.0 ft.) along the Graybar Road frontage to permit a covered patio on a site located at 6911 Graybar Road.

Applicant's Comments

Paul Chiu, architect, stated that when a covered patio was built on the east side of Tugboat Annie's Pub and Restaurant, no building permit had been sought. He noted that the covered patio was situated: (i) within the Graybar Road setback, and (ii) on top of the Statutory Right-of-Way (SROW) along the Graybar Road frontage.

**Development Permit Panel
Thursday, November 12, 2009**

Mr. Chiu advised that the applicant, in an effort to retain the covered patio structure, has (i) applied to the City for a Development Variance Permit, and (ii) agreed to the terms of the encroachment agreement as a condition to the issuance of the Development Variance Permit.

One of the conditions is registration of an encroachment agreement on title, to allow the covered patio to be located on the SROW. Mr. Chiu remarked that the applicant would cover the cost of any minor modifications, such as cutting a wood wall at the north end of the covered patio back to the property line.

In response to a query from the Chair, Mr. Chiu advised that the issuance of a Development Variance Permit would allow the covered patio structure to be legalized, and that the applicant would meet all the conditions set out by the City.

In response to a further query from the Chair, with regard to how the covered patio originated, without a Building Permit being issued, Mr. Chiu explained that in the late 1990s the pub owners erected an open trellis, as a landscape element, and, over the ensuing years, the trellis feature evolved incrementally into a covered patio to address weather conditions and the City's smoking requirements outlined in the Public Health Protection Bylaw.

Mr. Chiu added that the applicant and City staff had conversed, since 2007, regarding safety codes, and that all safety measures have been met.

Staff Comments

Brian J. Jackson, Director of Development advised that staff supports the application for a Development Variance Permit, with the conditions set out in the staff report, dated October 7, 2009. One condition is that the applicant provide a new manhole, to be located to the north of the covered patio, with a new sanitary sewer connection.

In response to a query from the Chair, Mr. Jackson further stated that in order to provide adequate on-site parking, a Reciprocal Parking Easement has been registered on the title of the property to the north. This parking agreement ensures over 100 parking stalls available for the use of the pub, between the subject property and the property to the north.

Correspondence

None.

Gallery Comments

None.

Development Permit Panel
Thursday, November 12, 2009

Panel Discussion

In response to a query regarding the sanitary sewer line that runs beneath the covered patio, Mr. Chiu advised that the addition of a new manhole to the north of the covered patio removes the need to gain access to the sanitary sewer line under the patio. He added that the applicant is committed to covering the cost of a new sanitary sewer connection.

The Chair stated his satisfaction with the explanation of how the covered patio had evolved from a trellis landscape element. He noted that staff was supportive of the Development Variance Permit application, and he was satisfied with the management of the technical issues involved.

Panel Decision

It was moved and seconded

To vary the provisions of Land Use Contract 127 (LUC127) to reduce the required setback from 7.5 m (24.606 ft.) to 0.0 m (0.0 ft.) along the Graybar Road frontage to permit a covered patio on a site located at 6911 Graybar Road.

CARRIED

3. New Business

4. Date Of Next Meeting: Wednesday, November 25, 2009

5. Adjournment

It was moved and seconded

That the meeting be adjourned at 3:43 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Thursday, November 12, 2009.

Joe Erceg
Chair

Sheila Johnston
Committee Clerk