



To:	Richmond City Council	Date:	October 15, 2009
From:	Brian J. Jackson, MCIP Director of Development	File:	RZ 08-450659
Re:	Correction to Bylaw No. 8532, "Comprehensive Development District (CD/210)": Application by Townline Homes for Rezoning a Portion of the Property at 12011 Steveston Highway and 10620, 10640, and 10800 No. 5 Road from "Botanical Garden District 1 (BG1)", "Botanical Garden District 2 (BG2)", and "Service Station District (G2)" to "Comprehensive Development District (CD/210)"		

Staff Recommendation

That Bylaw No. 8532, to create "Comprehensive Development District (CD/210)" and for rezoning of 12011 Steveston Highway from "Service Station District (G2)" and a portion of 10800 No. 5 Road from "Botanical Garden District 1 (BG1)" and "Botanical Garden District 2 (BG2)" to "Comprehensive Development District (CD/210)", be revised prior to second reading by deleting the words "abutting a Steveston Highway" from Section 291.210.4, Minimum Setbacks From Property Lines,.01(b)i.

Brian J. Jackson, MCIP
Director of Development

BJJ:spc
Att.

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CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

On September 28, 2009, Council considered an application by Townline Homes for rezoning at 12011 Steveston Highway and 10620, 10640, and 10800 No. 5 Road to permit a mixed-use development and the establishment of a City-owned "agricultural-park". The application received first reading and is scheduled for Public Hearing on October 19, 2009.

Subsequent to Council's review of Townline's application, staff identified a typographical error in the proposed zoning bylaw with regard to building setbacks along Steveston Highway and No. 5 Road. The purpose of this report is to facilitate the correction of this error.

Analysis

Comprehensive Development District (CD/210) is intended to provide site-specific zoning for the portion of the subject site situated outside the Agricultural Land Reserve, including building requirements along the Steveston Highway and No. 5 Road frontages. The frontage treatment along these two streets is intended to be similar (e.g., greenway, landscaped parking podium), which makes it appropriate that their building setback requirements are the same. However, due to a typographical error in the zoning text, this is not the case.

Correcting this error requires that four words are deleted from CD/210, as indicated in **Attachment 1**.

As proposed, this correction does not alter use, increase density, or decrease density; therefore, no further notice or hearing is required to give effect to the bylaw amendment.

On this basis, staff recommend that the bylaw is amended prior to second reading.

Consultation

The applicant is aware of the proposed correction and has no objection to it.

Financial Impact

None.

Conclusion

The proposed change to CD/210, prior to second reading of the bylaw, will rectify an unintentional error and ensure that the zoning accurately reflects the intentions of both the City and applicant. No further notice or hearing is required.



Suzanne Carter-Huffman
Senior Planner/Urban Design

SPC:cas

Excerpt from Bylaw 8532, Comprehensive Development District (CD/210)

Staff recommend that the four words highlighted below are deleted from the bylaw in order to make clear that the building setback requirements for Steveston Highway and No. 5 Road are the same, as was agreed with the applicant through the rezoning review process.

291.210.4 MINIMUM SETBACKS FROM PROPERTY LINES

.01 **Public Roads Setbacks:** 3.0 m (10 ft.), EXCEPT THAT:

- a) For Highway 99: 15.0 m (49 ft.);
- b) For Steveston Highway and No. 5 Road: 6.0 m (20 ft.), EXCEPT THAT:
 - i. Portions of a **building** which have a **building height** less than 9 m (30 ft.), may project into the **public road setback**, but shall be no closer to a property line **abutting a Steveston Highway** than:
 - (i) For **residential** uses: 4.5 m (15 ft.);
 - (ii) For all other **uses**: 3.0 m (10 ft.);
 - ii. A parking **structure** may project into the **public road setback**, but shall be no closer to a **property line** abutting Steveston Highway or No. 5 Road than 1.5 m (5 ft.), PROVIDED THAT:
 - (i) The height of the parking **structure** does not exceed 1.5 m (5 ft.), above the highest elevation of the crown of the sidewalk abutting the **lot**;
 - (ii) The roof and exterior walls of the parking **structure** must be landscaped or screened by a combination of trees, shrubs, ornamental plants, lawn and/or decorative architectural treatments as specified by a Development Permit approved by the City.