## City of Richmond

## Report to Development Permit Panel

To: Development Permit Panel<br>Date: January 6, 2016<br>From: \(\begin{array}{ll}Wayne Craig<br>Director of Development \& File: DP 13-647517\end{array}\)<br>Re: Application by Eric Law Architects Inc. for a Development Permit at 9728 Alberta Road (formerly 9720, 9740 and 9760 Alberta Road)

## Staff Recommendation

That a Development Permit be issued which would:

1. Permit the construction of six (6) two-storey and fourteen (14) three-storey townhouse dwellings on 9728 Alberta Road (formerly 9720, 9740 and 9760 Alberta Road) and zoned "Medium Density Townhouses (RTM3)";
2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
a. To allow site coverage increase from $40 \%$ to $42 \%$.
b. To allow an increase in tandem residential parking spaces from $50 \%$ to $70 \%$ (i.e. 28 of 40 spaces).


Att.

## Staff Report

## Origin

Eric Law Architects Inc. has applied to the City of Richmond for permission to develop six (6) two-storey and fourteen (14) three-storey townhouse dwellings on 9728 Alberta Road (formerly 9720, 9740 and 9760 Alberta Road) and zoned "Medium Density Townhouses (RTM3)".

To accommodate this development a work order will be required at Building Permit stage to close off old driveway accesses, establish a new driveway access to the site and address any utility service adjustments for the project.

## Development Information

The site contained three single-family homes which have recently been demolished.
The site is being rezoned from "Single Detached (RS1/F)" to "Medium Density Townhouses (RTM3)" for this project under pending Bylaw 9014 (RZ 12-615601 - third reading received on May 21, 2013).

Please refer to attached Development Application Data Sheet (Attachment 1) for a comparison of the proposed development data with the relevant Bylaw requirements.

## Surrounding Development

Development surrounding the subject site is as follows:
To the North: Across Alberta Road:

- A single detached dwelling on land zoned "Single Detached (RS1/F)" at 9671 Alberta Road;
- A 24 unit, three-storey townhouse development currently under construction at 9691 Alberta Road, on land zoned "Low Density Townhouses (RTL4)";
- A single detached dwelling on land zoned "Single Detached (RS1/F)" at 9731 Alberta Road; and
- A 98 unit, two-storey townhouse development zoned "Town Housing (ZT32) - North McLennan (City Centre)" at 6300 Birch Street.


## To the East: A vacant property at 9780 Alberta Road, zoned "Single Detached (RS1/F)". Under an active development application for a six unit, three-storey townhouse project (RZ 11-566870). Bylaw 8812 to rezone the site received third reading on March 19, 2012. The Development Permit (DP 11-584805) was endorsed by Development Permit Panel in December, 2015. <br> To the South: A parking lot associated with McNeil Secondary School zoned "School and Institutional Use (SI)".

To the West: A Single Detached Dwelling on land zoned "Single Detached (RS1/F)" at 9700 Alberta Road.

## Related Policies and Studies

## Official Community Plan (OCP)

The subject properties are designated as "Neighbourhood Residential" in the Official Community Plan. The development proposal is complies with the OCP designated use.

## McLennan North Sub-Area Plan

The site is also located within the City Centre Area, McLennan North Sub-Area Plan, Schedule 2.10C. The McLennan North Sub-Area Plan designates the subject properties as "Residential Area 3. Two Family Dwelling / 2 \& 3-storey Townhouses". This designation permits a 0.65 base FAR with increased density to 0.70 with a contribution to affordable housing. The applicant's proposal is consistent with the Sub-Area Plan designation as it provides for a density of 0.70 FAR and a contribution to affordable housing. The affordable housing contribution was secured via Rezoning RZ 12-615601.

## Rezoning and Public Hearing Results

During the rezoning process, staff identified the following design issues to be resolved at the Development Permit stage. The italicized text indicates the design response to each of these issues:
a) Design of the outdoor amenity area, including the design of a children's play area. Provided as shown on the landscape plan. The amenity space was reviewed and accepted by both the Advisory Design Panel and staff. Details of the amenity space components are outlined in the "Design Response" section of this report.
b) Submit a site plan to show the manoeuvrability of larger vehicles (i.e. SU-9) within the site to the satisfaction of the Director of Transportation. SU-9 radii are shown on the site plans. Both Transportation staff and Garbage and Recycling staff have reviewed and signed off on the site plan.
c) Submit a site plan to show pedestrian access to the interior townhouse units. Patterned pavers provide a pedestrian path leading to the interior of the site as shown on the landscape plan.
d) Verification of parking stall clearances when abutted against a solid wall greater than 0.3 meters high. The required clearances are shown on the site plan. The spaces conform to the Zoning Bylaw requirements.
e) Identify and design for units that can be easily converted to universal access. $A$ single accessible unit is provided in unit type C1.
f) An Acoustic Engineer's report, to identify noise mitigation measures to be taken to lessen aircraft noise (doors and windows closed), to the following criteria:

| Portions of Dwelling Units | Noise Levels in decibels (dB) |
| :--- | :---: |
| Bedrooms | 35 dB |
| Living, dining, and recreation rooms | 40 dB |
| Kitchen, bath, hallways and utility rooms | 45 dB |

Brown Strachan Associates Acoustical Evaluation Report dated July 24, 2014 has confirmed that the criteria will be achieved.
g) A thermal report to ensure indoor comfort levels are maintained to ensure the above noise criteria is met using the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard and any subsequent updates as they occur. An Enersolv Design \& Build Ltd. Occupancy Thermal Comfort Analysis \& Simulation Results report dated Sept. 3, 2015, indicates that indoor comfort levels can be maintained subject to certain measure as outlined in the Analysis section of this staff report.

The Public Hearing for the rezoning of this site was held on May 21, 2013. No concerns were identified at the Public Hearing.

## Zoning Compliance

The proposed scheme attached to this report has satisfactorily addressed the significant urban design issues and other staff comments identified as part of the review of the subject Development Permit application. In addition, it complies with the intent of the applicable sections of the Official Community Plan and is generally in compliance with the "Medium Density Townhouses (RTM3)" zone except for the zoning variances noted below.

The applicant requests to vary the provisions of Richmond Zoning Bylaw 8500 to:

1) To allow site coverage increase from $40 \%$ to $42 \%$;
(Staff supports the proposed variance as the applicant has undertaken a number of measures to improve the appearance and function of the site in response to the Advisory Design Panel and staff requests. These measures include:

- Reducing the height of six units from three-storeys to two-storeys;
- Pulling the two-storey units further north and away from the interface with the school;
- Reducing the site grading and fencing height along the southern property boundary to lessen the visual impact from the school;
- Reducing the amount of impermeable surface to $60 \%$ (The RTM3 zone only requires $65 \%$ ); and
- Taken measures to reduce fill along a portion of the site's western boundary to preserve trees on a neighbouring property.)

2) To allow an increase in tandem residential parking spaces from $50 \%$ to $70 \%$ (i.e. 28 of 40 spaces).
(The variance to increase the number of tandem residential parking spaces was identified in the Rezoning report (RZ 12-615601 - report from the Director of Development dated April 4, 2013). No concerns were identified through the May 21 ${ }^{\text {st }} 2013$ Public Hearing. Staff note that the proponent has agreed that all spaces in a tandem configuration will be standard sized spaces. It is further noted that the rezoning application was received prior

## to the 2013 Zoning Bylaw amendment which established the maximum 50\% tandem parking ratio.)

## Urban Design Response

## Advisory Design Panel Comments

The Advisory Design Panel was supportive of the application. A copy of the relevant excerpt from the Advisory Design Panel Minutes from May 21, 2015 is attached for reference (Attachment 2).

Several issues identified by the Advisory Design Panel included the following:

- Reducing the recession of the entry doors to the two-storey units (CEPTD and a visual concern);
- Expanding the area of the fish scale shingles used on some of the units;
- Provision of private outdoor spaces for Units 12 and 13;
- Enhancing the outdoor amenity area with additional landscaping;
- Adjusting the interior design of the convertible unit for possible addition of an elevator.

The applicant has responded to each of the Panel's comments and made modifications to the design where possible to address the concerns. The applicant's responses are included in 'bold italics' immediately following the specific Design Panel comments in Attachment 2.

## Conditions of Adjacency

- Dwelling units fronting onto Alberta Road will be constructed with their front entrance doors oriented to the street thereby contributing to a more pedestrian friendly streetscape.
- The development should interface well with the site immediately to the east as it is currently in the design stages for a similar type of townhouse development. Grade levels between the two (2) projects will be approximately the same.
- Along most of the southern edge of the site the grade will be reduced to keep the height of the retaining wall to a maximum of $0.6 \mathrm{~m}(2 \mathrm{ft}$.). Fencing on top of the retaining wall will be no greater than $1.2 \mathrm{~m}(4 \mathrm{ft}$.) so that it does not appear as an overwhelming wall when viewed from the school site to the south. The only area of exception will be at the end of the drive aisle and where the vehicle spaces are located - the grade in these areas will be higher to match the grade of the internal drive aisle.
- Through the Rezoning application a Statutory Right of Way is to be registered to ensure that any future multi-family redevelopment on the lots to the west (9640, 9660 and 9770 Alberta Road) will access through the subject site.
- Wood fencing will be employed between adjacent properties maintaining backyard privacy between properties.


## Public Realm

- Frontage improvements have already been completed along the subject site. Only minor access adjustments and utility connections will be needed to service the site.


## Site and Functional Planning

- The internal road layout provides for SU-9 turning movements on-site and will accommodate garbage collection vehicles.
- A new fire hydrant will be located on the property allowing fire vehicles to establish a staging area should it be needed.
- Garbage collection facilities are centrally located affording easy access for residents and pickup services.
- A $120.4 \mathrm{~m}^{2}\left(1,296 \mathrm{ft}^{2}\right)$ outdoor amenity space is centrally located within easy access by all the dwelling unit residents. This space fully meets the Zoning Bylaw requirements.
- Outside bicycle racks are located in the central amenity space within easy walking distance from all the dwelling units.
- Indoor amenity space is addressed through cash-in-lieu as part of the site's rezoning.


## Landscape Form and Character

- The Development Permit Considerations include a requirement for proof of a contract with a registered Arborist to be present for works in the vicinity of five trees (1 Grand fir, 2 Hemlock, 1 Douglas fir and 1 Cherry tree) to be retained on an adjacent property near the south west corner of the subject site.
- Fill adjacent to the retained trees on the adjacent property will be set back and tapered down under the supervision of an Arborist to ensure survival.
- Landscaping along the interior of the site has been enhanced in response to the Advisory Design Panel's comments providing a softer appearance to the internal drive aisles.
- The mail kiosk in the amenity space will include an overhead roof feature providing shelter to residents in inclement weather as they access their mail.
- A variety of trees and shrubs are located around the periphery of the site to both soften and enhance the edges of the site.
- A total of 27 trees are proposed for the site - more than compensating for the two trees that have to be removed from the lot. Tree selections include Fraser Fir, Japanese Maple, Autumn Purple Ash, Japanese Snowbell, etc. The proposed tree replacements fully satisfy the Official Community Plan (OCP) 2 for 1 replacement requirements.
- The landscaping plan includes a reasonable selection of shrubs, vines, perennials, ground covers and grasses which are to be distributed around the site.
- A pedestrian pathway is delineated from the site's entrance way to the interior of the development using coloured concrete paving stones.
- The children's play equipment includes an "arch rock climber", "walking the plank" and four (4) mini pod toad stools. Recycled plastic seating structures are also included in proximity to the play area.
- Non-porous surfaces have been reduced to $60 \%$ through a combination of vegetated planting areas, grass surfaces and permeable pavers. This is better than the $65 \%$ required under the RTM3 zoning schedule.
- Submission of a landscape security in the amount of $\$ 69,823.05$ is included in the Development Permit considerations.


## Architectural Form and Character

- The massing of six units along the southern property boundary are proposed to be reduced to two-storeys in height creating more variety and allowing greater sun penetration into the development's interior space.
- Variations in the roof forms incorporating gables help to provide visual interest to the structures.
- Special attention has been paid to the southern exposure toward the adjacent school grounds to avoid the appearance of a blank wall.
- The building mass of the two-storey units was pulled back from the rear property boundary to provide more private open space and avoid the appearance of a building mass along the southern exposure of the lot.
- The project has been designed with 8 different design types with 7 of these accommodating 3 bedrooms each and the remaining type accommodating 2 bedrooms each. Dwelling units sizes range from approximately $92.5 \mathrm{~m}^{2}$ to $130.6 \mathrm{~m}^{2}\left(996 \mathrm{ft}^{2}\right.$ to $\left.1,406 \mathrm{ft}^{2}\right)$.
- Each unit includes private outdoor amenity space typically in back yards or balconies.
- Color will be used to accentuate the building facades (the color palette is shown on Plan \#11A and includes Bitter Chocolate, Night Owl, Cordovan, Ecru and white colors based on Sherwin Williams paints.
- Roofing material is proposed to be asphalt shingles.
- Siding material is proposed to be hardi siding near grade and vinyl siding for upper floors.
- Fish scale pattern shingle siding with trims and accent colors are proposed for the walls just under the gable ends.
- Stone veneers will be added to column supports for the units with front doors toward Alberta Road.


## Accessible Housing

- The proposed development includes one convertible unit that is designed with the potential to be easily renovated to accommodate a future resident in a wheelchair. The potential conversion of these units will require the installation of an elevator or a stair lift. Adjustments to counter heights may be required however all the plumbing and gas pipes will be located clear of under counter spaces.
- All of the proposed units incorporate aging in place features to accommodate mobility constraints associated with aging. These features include:
- stairwell hand rails;
- lever-type handles for plumbing fixtures and door handles; and
- solid blocking in washroom walls to facilitate future grab bar installation beside toilets, bathtubs and showers.


## Crime Prevention through Environmental Design (CPTED)

- In response to the Advisory Panel's comments recessed entry doors have been pulled forward making them more visible to the internal drive aisle and reducing any potential CPTED concerns related to concealed doorways.
- The children's play space and the mail box kiosk have been centrally located providing high visibility from neighbouring units and the drive aisle.


## Sustainability

- A Thermal Comfort Analysis report prepared by Enersolv Design \& Build Ltd. (Occupancy Thermal Comfort Analysis \& Simulation Results report dated Sept. 3, 2015) has been submitted by the applicant for compliance with the EnerGuide 82 and aircraft noise requirements. The report outlines a series of elements that will need to be incorporated into the final design for the project to achieve year round thermal comfort. These elements include:
- Low glazing to wall ratio of $20 \%$ minimize solar heat gain and improve thermal comfort
- Installation of air conditioning (heat pump) to aid thermal comfort during summer periods.
- Gas furnace forced air system controlled via wall mounted thermostats.
- Ventilation via three washroom exhaust fans.
- Operable windows in each unit to allow occupants to adjust air flow rates.
- The development will also meet the requirements for EnerGuide 82 and pre-ducting for solar hot water heating. The applicant has submitted an EnerGuide 82 analysis report prepared by Capture Energy (report dated November 2, 2015) indicating the conditions to be incorporated into the design to ensure that the EnerGuide 82 criteria are met. The report notes that the design will achieve EnerGuide 82 provided the following conditions are met:

Home complies with all provisions of the 2012 BC Building Code, the BC Energy Efficiency Act, and other applicable codes;

- Insulation below slab: R-12
- Main Walls: 2x6@6: OC R-20 batt
- Exposed floor: 2x10@16 OC R28
- Attics: R-40 blown loose fill fiber glass
- Windows: Double-glazed, Low-E, Argon fill, insulated spacers USI 1.8
- Air tightness: $7 \mathrm{ACH} @ 50 \mathrm{~Pa}$
- Ventilation: exhaust fan, forced air system as principal ventilation
- Heat: Air Source Heat Pump with NG, Force air Furnace - minimum 92\% as a backup.
- How Water: Natural Gas, direct vent tank

The Development Permit Consideration (see Attachment 3) includes requirements that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating prior to permit issuance.

The main construction elements identified through the Energuide 82 report, the aircraft noise response and the thermal comfort analysis will be secured through a legal agreement to be registered on title.

## Conclusions

The Developer and the design team have made significant modifications to their project in order to address the comments made by the Advisory Design Panel and staff improving both the functionality and liveability of the design and making adjustments to the interface with the adjacent properties. Staff recommend support for this development proposal.


David Brownie
Planner 2
DCB:rg

## List of Attachments

Attachment 1: Development Application Data Sheet
Attachment 2: Advisory Design Panel Meeting Minutes May 21, 2015 (Excerpt Only)
Attachment 3: Development Permit Considerations

## Development Application Data Sheet

Development Applications Division

DP 13-647517
Attachment 1
Address: 9728 Alberta Road (formerly 9720, 9740 and 9760 Alberta Road)
Applicant: Eric Law Architects Owner: Sian Group Investments
Planning Area(s): City Centre - McLennan North Sub-Area (Schedule 2.10C)
Floor Area: $\quad 2,123.8 \mathrm{~m}^{2}\left(22,860 \mathrm{ft}^{2}\right)$

|  | Existing | Proposed |
| :--- | :--- | :--- |
| Site Area: | $3,034 \mathrm{~m}^{2}\left(32,657 \mathrm{ft}^{2}\right)$ | No Change |
| Land Uses: | Single Family Residential | Multiple Family Residential |
| OCP Designation: | Residential Area 3 <br> 0.65 base F.A.R. Two-Family Dwelling / <br> $2 \& 3$-storey Townhouses | No Change |
| Zoning: | Residential Single Detached, <br> Subdivision F <br> (RS1/F) | Medium Density Townhouses <br> (RTM3) <br> Townhouses at 0.70 F.A.R. <br> with a contribution to the <br> Affordable Housing Reserve <br> Fund |
| Number of Units: | 3 SFD (1 per lot) | 20 Townhouse Units on a <br> consolidated lot. |


|  | Bylaw Requirement | Proposed | Variance |
| :--- | :---: | :---: | :---: |
| Floor Area Ratio: | 0.65 base, 0.70 with <br> contribution to affordable <br> housing <br> Site Area $=3,034.00 \mathrm{~m}^{2}$ <br> $(0.70)=2,123.80 \mathrm{~m}^{2}$ Max. | 0.70 | none permitted |
| Lot Coverage: | Max. $40 \%$ | $42 \%$ | Variance <br> Required |
| Setback - Front Yard: | Min. 6.0 m | 6.02 m | None |
| Setback - East Side Yard: | Min. 3.0 m | 4.52 m | None |
| Setback - West Side Yard: | Min. 3.0 m | 3.14 m | None |
| Setback - Rear Yard: | Min. 3.0 m | 3.28 m | None |
| Height (m): | Max. 12 m and no more <br> than 3 stories | 11.91 m | None |
| Lot Size: | No Requirements | $3,034 \mathrm{~m}^{2}$ | None |


| Off-street Parking Spaces Regular/Visitor: | 40 R and 4 V <br> Rate: 2.0 R and 0.2 V | 40 R and 4 V | None |
| :---: | :---: | :---: | :---: |
| Off-street Parking Spaces Accessible: | 1 | 1 | None |
| Total off-street Spaces: | 44 | 44 | None |
| Tandem Parking Spaces | Max. $50 \%$ of units for townhouses | $70 \%$ of units to provide tandem parking | Variance required to permit 8 additional spaces in tandem. (i.e. 28 of 40 total spaces) |
| Amenity Space - Indoor: | Min. $70 \mathrm{~m}^{2}$ | Cash-in-lieu payment totalling \$21,000.00 addressed via RZ 12615601 | None |
| Amenity Space - Outdoor: | $\begin{aligned} & 6 \mathrm{~m}^{2} \text { minimum per unit } \mathrm{x} \\ & 20 \text { units }=120 \mathrm{~m}^{2} \end{aligned}$ | $120.4 \mathrm{~m}^{2}\left(1,296 \mathrm{ft}^{2}\right)$ | None |
| Non-Porous Surface Area | 65\% | 60\% | None |

# Excerpt from the Minutes from <br> The Design Panel Meeting 

Thursday, May 21, 2015-4:00 p.m.
Rm. M. 1.003
Richmond City Hall

## 2. DP 13-647517-20-UNIT TWO AND THREE STOREY TOWNHOUSES

APPLICANT: Eric Law Architect

PROPERTY LOCATION: $9720-9760$ Alberta Road

## Applicant's Presentation

Eric Law, Eric Law Architect, and Denitsa Dimitrova, PMG Landscape Architects, presented the project and answered queries from the Panel on behalf of the applicant.

Panel Discussion

## Comments from the Panel were as follows:

- support the project; appreciate the applicant's efforts to ensure that the proposed project is compatible with its site context; Noted
- suggest that the applicant identify public art opportunities at this stage in the project and consult with the City's public art planner; Public Art will be pay-in-lieu
- provide private outdoor spaces for Units 12 and 13 as per the City's requirement; Balcony and deck are provided to Units 12 and 13
- recessed front entrances for two-storey units at the back as well as for threestorey units along Alberta Road are excessive; applicant should consider alternative approaches to meet the required floor area ratio as the recessed front entrances are not visually appealing and pose a safety issue; also, the applicant needs to look at the recessed overhangs on the third floor of townhouse units along Alberta Road; The front door of 2 storeys units are moved out towards the drive aisle. The 2/F layout and roof are adjusted so that the overhangs are reduced on the third floor
- consider design development to the side elevations with double roof line as it amplifies rather than breaks up the flat façade; We consider to retain the double roof line on the side elevations as an architectural feature for this project
- fish scale pattern shingle siding is interesting but used only in small and inconspicuous areas; consider using this material in more prominent and bigger areas to generate more interest; Additional fish scale pattern shingle are proposed on the entrance porch gable roof along Alberta Road. This is more prominent from the street view
- huge three-storey building faces along the internal drive aisle need articulation; We consider that the three-storey building facing the internal drive aisle is in fact articulated with roof and recess. The facade will also be finished with different material and colour
- private backyards of townhouse units along the east side of the development can only be accessed through the parking garage; look at the possibility of connecting the upper floor to the outdoor space; Access to the private backyard will be provided through the garage
- consider relocating garbage and recycling from the centre of the development to a less prominent area; We consider the garbage and recycling is centrally located and serve the dwelling units efficiently.
- agree with comments regarding the access to the private backyard through the parking garage; Access to the private backyard will be provided through the garage
- also agree with comments regarding the recessed front entrances of two-storey units; consider design development and adjust the spaces; The recessed front entrances are pulled out closer to the drive aisle
- not concerned with the scale and massing of the proposed development; Noted
- the size and location of the outdoor amenity space between two three-storey blocks may allow only limited sunlight exposure even during peak summer periods; enhance the landscaping through additional planting; Additional planting is provided to the outdoor amenity space
- appreciate the provision for future internal elevator in the convertible unit; note that a storage closet is initially proposed in the allotted space at the ground level; also consider a similar use at the upper level adjacent to the washroom; $\boldsymbol{A}$ space is allowed at $2 / F$ and the structure will be designed to allow for future conversion of elevator.
- consider introducing a pocket door to the wall of the future elevator shaft to provide more manoeuvring space to the washroom on the second floor; Pocket door is provided to the washroom
- consider introducing adequate weather protection to the mailbox area to address the needs of people with disabilities; A mail box roof cover is provided.
- note that the project is moving in the right direction from a sustainability point of view; appreciate the sustainability features of the project; Noted
- not too concerned with the grade change on the south side of the proposed development adjacent to the school; Noted
- note that only a few units have planting adjacent to the internal drive aisle; consider introducing planting along the internal drive aisle for all units; Additional planting is provided along the internal drive aisle
- shared walkway for adjacent units is problematic; consider design development; The paver pattern has highlighted the walkway path.
- consider introducing vines on the trellis structures; Vines are provided to the south and outdoor amenity trellis
- consider enhancing the planting on the building foundation side in the internal driveway; and more planting are added along the internal driveway
- consider moving the hydro kiosks away from the entrance to the proposed development. Hydro kiosks are relocated to the east and west side of the property line.


## Panel Decision

It was moved and seconded
That DP 13-647517 be supported to move forward to the Development Permit Panel subject to the applicant giving consideration to the comments of the Panel and ensuring that the following specific concerns of the Panel are addressed by the applicant: (i) recessed overhangs on the third floor, (ii) depth of the entry doors at ground level, (iii) provision of additional plant materials adjacent to the internal drive aisle, and (iv) simplification of some of the rooflines.

CARRIED

# Development Permit Considerations 

Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 9728 Alberta Road
File No.: DP 13-647517 (formerly 9720-9760 Alberta Road)

## Prior to approval of the Development Permit, the developer is required to complete the following:

1. Final adoption of the Zoning Amendment Bylaw 9014.
2. Receipt of a Letter of Credit for landscaping in the amount of $\$ 69,823.05$ (based on the costs estimate provided by a CSLA registered landscape Architect including $10 \%$ contingency).
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained or on adjacent properties that could be impacted by the project. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Registration of a legal agreement on title identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating.
5. Registration of a legal agreement on title identifying that the proposed development must be designed and constructed in a manner that mitigates potential aircraft noise within the proposed dwelling units. Dwelling units must be designed and constructed to achieve:
a) CMHC guidelimes for interior noise levels as indicated in the chart below:

| Portions of Dwelling Units | Noise Levels (decibels) |
| :--- | :---: |
| Bedrooms | 35 decibels |
| Living, dining, recreation rooms | 40 decibels |
| Kitchen, bathrooms, hallways, and utility rooms | 45 decibels |

b) the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard for interior living spaces.

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

1. Incorporation of accessibility measures in Building Permit (BP) plans* as determined via the Rezoning and/or Development Permit processes.

## 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.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial Wildlife Act and Federal Migratory Birds Convention Act, which contains prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.


## [Signed original on file]

## To the Holder:

Property Address:

Address:

Eric Law Architect Inc.
9728 Alberta Road
(formerly 9720, 9740 and 9760 Alberta Road)
\#216-288 West 8th Avenue, Vancouver BC V5Y1N5

1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
3. The "Richmond Zoning Bylaw 8500 " is hereby varied to:
a) To allow site coverage increase from $40 \%$ to $42 \%$, and;
b) To allow an increase in tandem residential parking spaces from $50 \%$ to $70 \%$ (i.e. 28 of 40 spaces).
4. Subject to Section 692 of the Local Government Act, R.S.B.C.: buildings and structures; off-street parking and loading facilities; roads and parking areas; and landscaping and screening shall be constructed generally in accordance with Plans \#1 to \#15 attached hereto.
5. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
6. As a condition of the issuance of this Permit, the City is holding the security in the amount of $\$ 69,823.05$ to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder. Should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived.
7. If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse and the security shall be returned in full.

## Development Permit

No. DP 13-647517

| To the Holder: | Eric Law Architect Inc. |
| :--- | :--- |
| Property Address: | 9728 Alberta Road <br> (formerly 9720,9740 and 9760 Alberta Road) |
| Address: | \#216-288 West 8th Avenue, <br> Vancouver BC V5Y1N5 |

8. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

This Permit is not a Building Permit.

AUTHORIZING RESOLUTION NO. ISSUED BY THE COUNCIL THE DAY OF

DELIVERED THIS DAY OF

MAYOR


City of
Richmond




## DP 13-647517 SCHEDULE "A"

Original Date: 10/16/13
Revision Date: 12/12/15

Note: Dimensions are in METRES

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Plan \#5

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## I EXTERIOR LIGHT 0

（3）BUILDING ELEVATION（TYPE A INTERNAL AISLE）

SEE A11 FOR MALL DETAILS





2 BUILDING ELEVATION（INTERNAL AISLE）
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