



City of Richmond

Report to Committee

To: Planning Committee

Date: October 20, 2021

From: Wayne Craig
Director, Development

File: ZT 21-938101

Re: Application by Tamas Ajtony for a Zoning Text Amendment at
2351 Simpson Road

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10304, for a Zoning Text Amendment to the "Industrial Business Park (IB1)" zone to allow one residential security/operator unit at 2351 Simpson Road, be introduced and given First Reading.

Wayne Craig
Director, Development
(604-247-4654)

WC/JR:blg
Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Policy Planning	<input checked="" type="checkbox"/>	

Staff Report

Origin

Tamas Ajtony has applied on behalf of the owner, Wu J. Yu, for a Zoning Text Amendment to the “Industrial Business Park (IB1)” zone to allow one residential security/operator unit at 2351 Simpson Road. A location map and aerial photo are provided in Attachment 1.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 2.

The subject site contains a two-storey light industrial building and is zoned “Industrial Business Park (IB1)”. The building is divided into six strata lots, with the exterior parking and loading being common property. The applicant represents one of the strata owners and has the support of the strata in pursuing this application. The applicant and strata have indicated that the residential security/operator unit is necessary to address issues of theft and trespassing and this would be the only residential security/operator unit on the property.

There is an existing non-conforming residential security/operator unit in Strata Lot 6, which is occupied by the owner. Residential security/operator units are permitted in the “Industrial Business Park (IB1)” zone, except in aircraft noise sensitive development areas that prohibit residential uses. The City discovered the residential use in 2018, notified the owner that the residential unit was not permitted, and advised the owner that they would need to take appropriate action to legitimize the residential use. The owner applied for a Building Permit to legalize the suite in 2019, which is on hold pending Council’s review of the subject Zoning Text Amendment application. The proposed Zoning Text Amendment would address the zoning non-compliance and ensure that the Building Permit includes measures to address noise mitigation.

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North, South, and West: Two-storey light industrial buildings on properties zoned “Industrial Business Park (IB1)”.
- To the East: Across Simpson Road, two-storey light industrial buildings on properties zoned “Light Industrial (IL)”.

Related Policies & Studies

Official Community Plan/Bridgeport Area Plan

The subject site is located in the Bridgeport planning area and is designated “Industrial” in the Official Community Plan (OCP) and in the Bridgeport Area Plan (Attachment 3). The proposed Zoning Text Amendment is consistent with the land use designations contained in both plans.

Aircraft Noise Sensitive Development Policy

The subject site is located in an area impacted by high levels of aircraft noise. The Aircraft Noise Sensitive Development (ANSD) Policy designates the site “Area 1A”. This designation does not permit any new aircraft noise sensitive uses, including a residential security/operator unit. Richmond Zoning Bylaw 8500 permits a residential security/operator unit as a secondary use on properties zoned “Industrial Business Park (IB1)”, except in aircraft noise sensitive areas.

Staff support the proposal provided the residential security/operator unit is designed and constructed with noise mitigation to achieve the interior noise levels described in the ANSD Policy. Information about the proposed Zoning Text Amendment and the associated conditions was forwarded to the Vancouver Airport Authority for review and comment. Vancouver Airport Authority staff have provided a letter in support of the proposed approach to this Zoning Text Amendment application (Attachment 4).

Prior to final adoption of the Amendment Bylaw, the applicant will be required to:

- Register a legal agreement on title addressing aircraft noise mitigation.
- Register a legal agreement on title ensuring that information about the aircraft noise impact on the property is included in any lease agreement for the residential security/operator unit.
- Submit an acoustic report and recommendations prepared by an appropriate registered professional, which demonstrates that the interior noise levels and noise mitigation standards comply with the City’s requirements.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on title is required prior to final adoption of the Amendment Bylaw.

Public Consultation

A development information sign has been installed on the subject property. Staff have not received any comments from the public about the application in response to the placement of the information sign on the property.

Should the Planning Committee endorse this application and Council grant First Reading to the Zoning Amendment Bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

Proposed Zoning Text Amendment

“Residential security/operator unit” is a permitted use in the “Industrial Business Park (IB1)” zone, but must be secondary to another permitted use. The definition of a residential security/operator unit in Section 3 of Richmond Zoning Bylaw 8500 states that the use is “limited to one unit on a property and not permitted in aircraft noise sensitive areas that prohibit residential uses.”

A Zoning Text Amendment is proposed which would add a new regulation to the “Industrial Business Park (IB1)” zone allowing one residential security/operator unit on the subject site despite being in an aircraft noise sensitive area. The proposed amendment would apply only to the subject site and would not impact other properties with the same zoning.

The applicant proposes a single residential security/operator unit on the second floor of one of the light industrial units as shown in Attachment 5, which would occupy existing floor area originally constructed as office/storage space. The proposed residential unit would have two bedrooms and a total floor area of 76 m² (818 ft²), accounting for approximately 3% of the total building floor area. The applicant has indicated that the residential security/operator unit is necessary to address issues of theft and trespassing on the property, and this would be the only residential security/operator unit on the property.

The proposed residential suite would be part of existing Strata Lot 6. Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on title prohibiting further stratification of the residential suite. A full list of considerations is provided in Attachment 6.

Transportation and Site Access

Vehicle access to the subject site is via two driveway crossings to Simpson Road. Surface parking is available in front of the building, and the proposed residential security/operator unit would have two assigned parking spaces. The proposed parking is consistent with the requirements of Richmond Zoning Bylaw 8500.

Site Servicing and Frontage Improvements

The building is adequately served by existing Municipal utilities and no upgrades or improvements are required to support the proposed residential security/operator unit.

Financial Impact

None.

Conclusion

The purpose of this application is to amend the “Industrial Business Park (IB1)” zone to allow one residential security/operator unit at 2351 Simpson Road. The proposal is generally consistent with the applicable plans and policies affecting the subject site.

The list of amendment considerations is provided in Attachment 6, which have been reviewed and agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10304 be introduced and given First Reading.

A handwritten signature in black ink, appearing to read "J. Rockerbie".

Jordan Rockerbie
Planner 1
(604-276-4092)

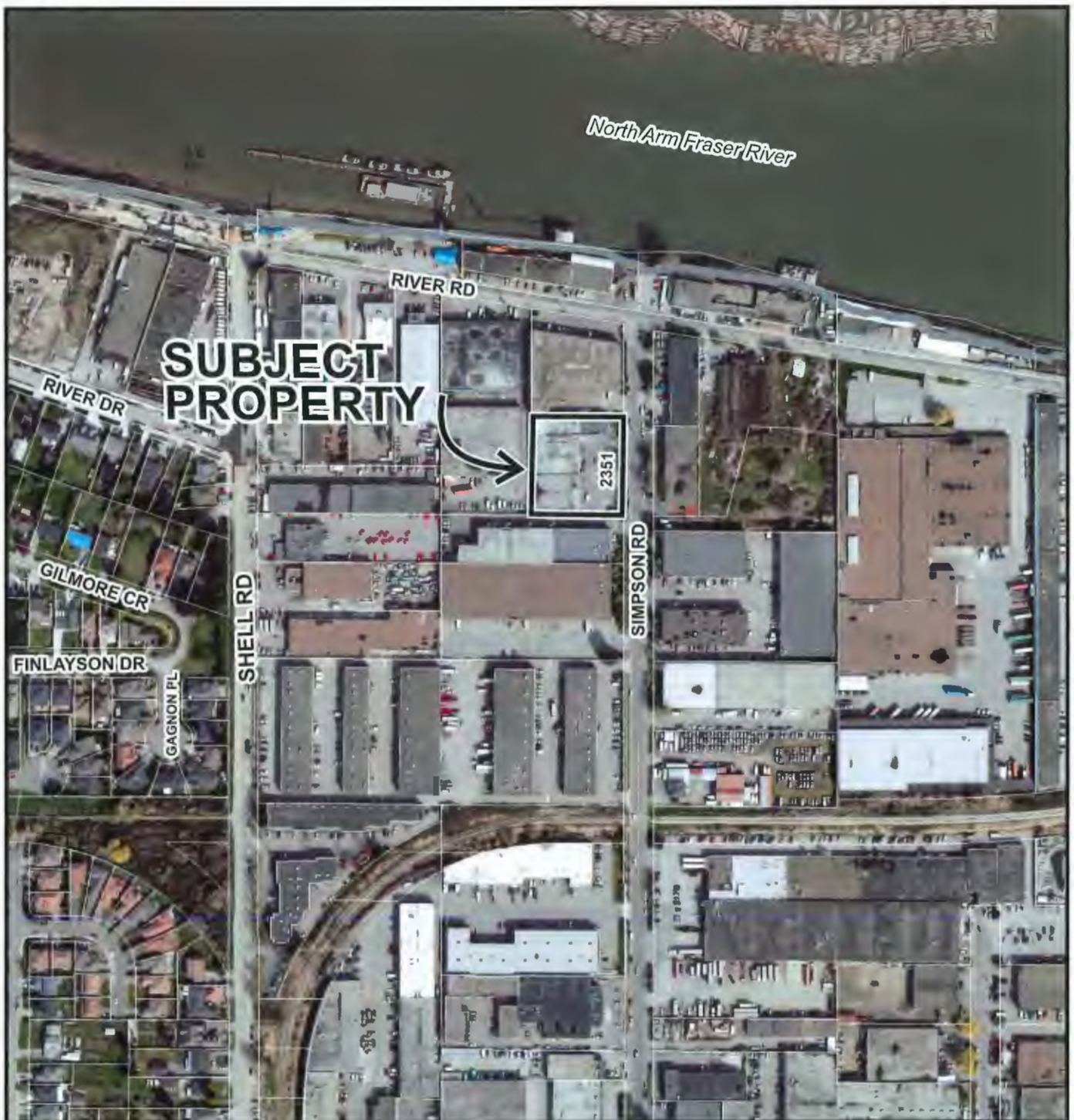
JR:blg

Attachments:

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Bridgeport Area Plan Land Use Map
- Attachment 4: Letter to the Vancouver Airport Authority
- Attachment 5: Proposed Building Plans
- Attachment 6: Zoning Text Amendment Considerations



City of
Richmond



RZ 21-938101

Original Date: 08/23/21

Revision Date:

Note: Dimensions are in METRES



ZT 21-938101

Attachment 2

Address: 2351 Simpson Road

Applicant: Tamas Ajtony

Planning Area(s): Bridgeport

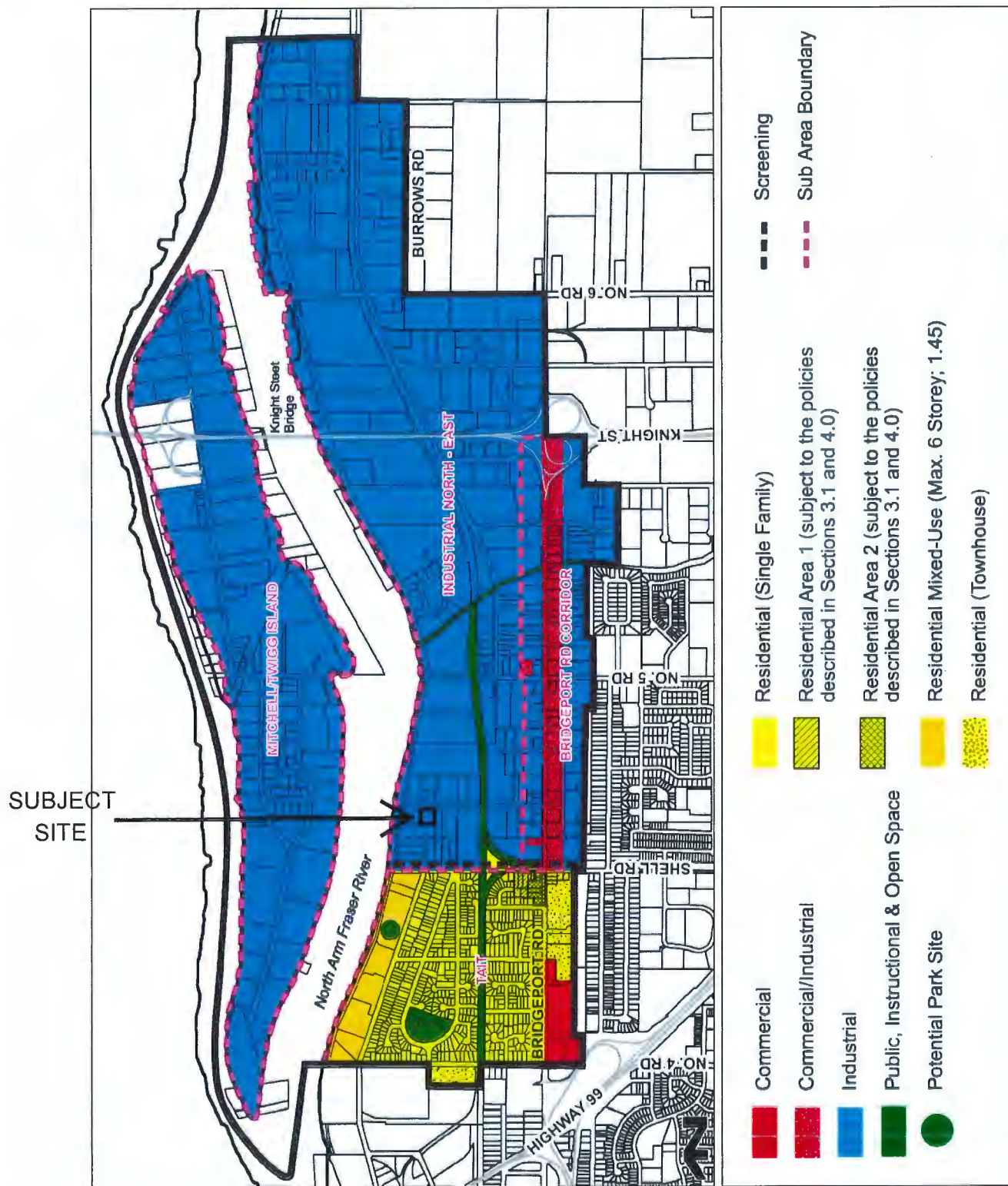
	Existing	Proposed
Owner:	Owners of Strata Plan LMS720	No change
Site Size (m ²):	4,111.7 m ² (44,254 ft ²)	No change
Land Uses:	Light Industrial	No change
OCP Designation:	Industrial	No change
Area Plan Designation:	Industrial	No change
Zoning:	Industrial Business Park (IB1)	No change
Number of Units:	0	1

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0 FAR	0.63 FAR	none permitted
Buildable Floor Area (m ²):*	Max. 4,111.7 m ² (44,254 ft ²)	Industrial: 2,525.2 m ² Residential: 76 m ² Total: 2,601.2 m ²	none permitted
Off-street Parking Spaces	0.75 spaces per 100 m ² gross leasable industrial floor area 1.5 resident spaces per residential unit	0.92 spaces per 100 m ² gross leasable industrial floor area (i.e., 24 spaces) 2 resident spaces per residential unit	none
Off-street Parking Spaces – Total:	Industrial: 19 spaces Residential: 2 spaces	Industrial: 24 spaces Residential: 2 spaces	none

City of Richmond

Land Use Map – Bridgeport

Bylaw 9024
2013/11/18



20 October 2021

Mr. Jordan Rockerbie
Planner I
Planning and Development Division
CITY OF RICHMOND
6911 No. 3 Road
Richmond, BC V6Y 2C1

via Email: JRockerbie@richmond.ca

Dear Mr. Rockerbie

RE: PROPOSED ZONING AMENDMENT AT 2351 SIMPSON ROAD (ZT 21-938101)

Thank you for the opportunity to comment on the proposed zoning amendment for the existing industrial property at 2351 Simpson Road in the City of Richmond to permit a "Residential Security/Operator Unit". We understand this unit is to accommodate a live in caretaker/security person as the applicant is increasingly concerned with theft in the area.

Given that the proposed unit is not for long term permanent residential use, we support the conditions proposed by City staff due to high aircraft noise exposure in this area. These conditions include:

- Limiting the proposal to one unit
- Requiring the unit be insulated to meet CMHC interior noise standards
- Requiring the applicant to provide an acoustical report
- Requiring the registration of an Acoustical Noise Sensitive Use covenant

In addition to these, as the potential occupant of the unit may not be aware of the covenant, we suggest that the City require the applicant to advise potential occupants of aircraft noise exposure in the area so that they can make an informed decision about living in the unit.

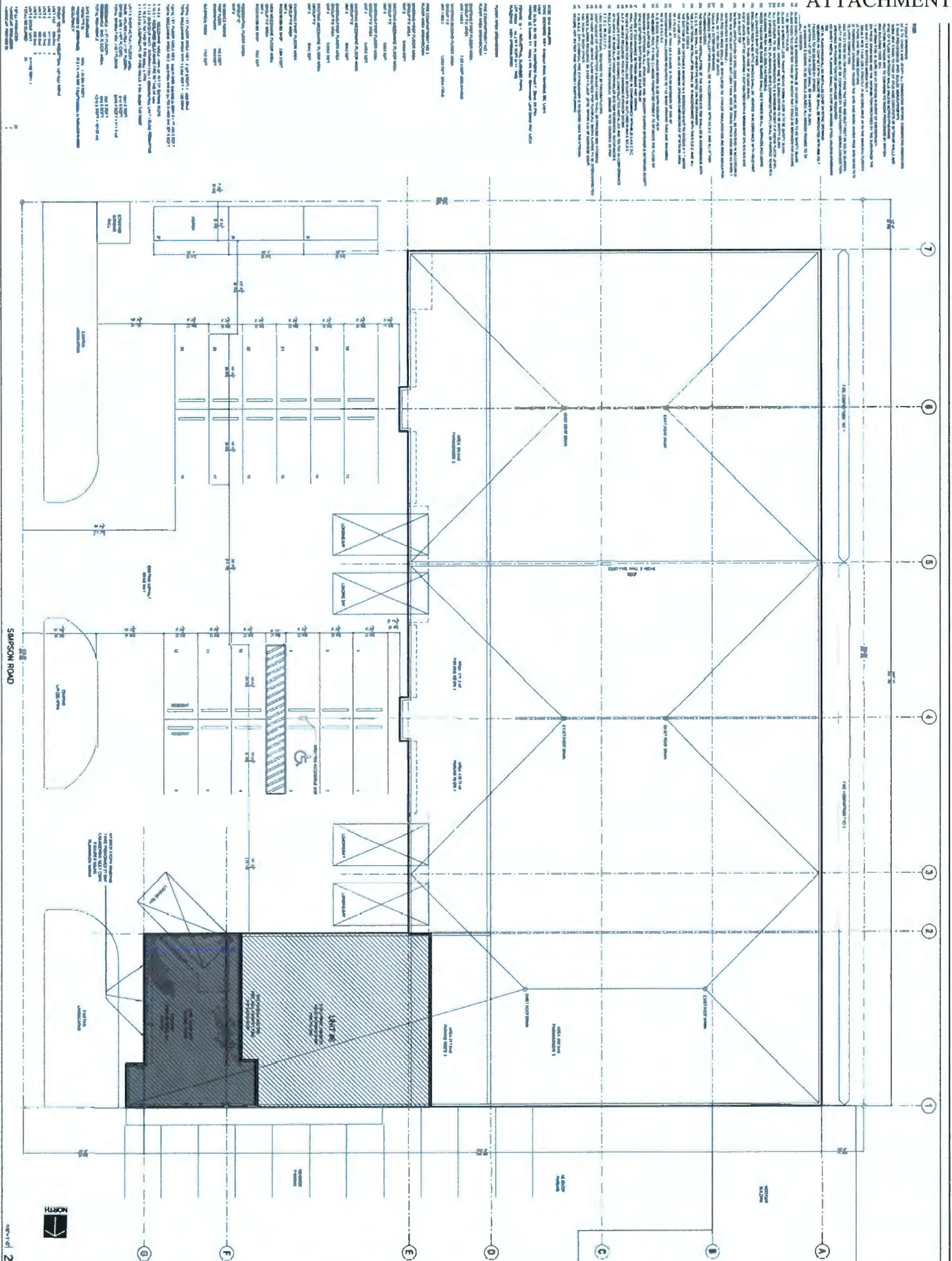
Please feel free to contact me at (604) 276-6366 or mark_cheng@yvr.ca should you require additional information.

Sincerely yours,

Mark C. Cheng

Mark Christopher Cheng, M.Eng. (mech)
Supervisor Noise Abatement & Air Quality
VANCOUVER AIRPORT AUTHORITY

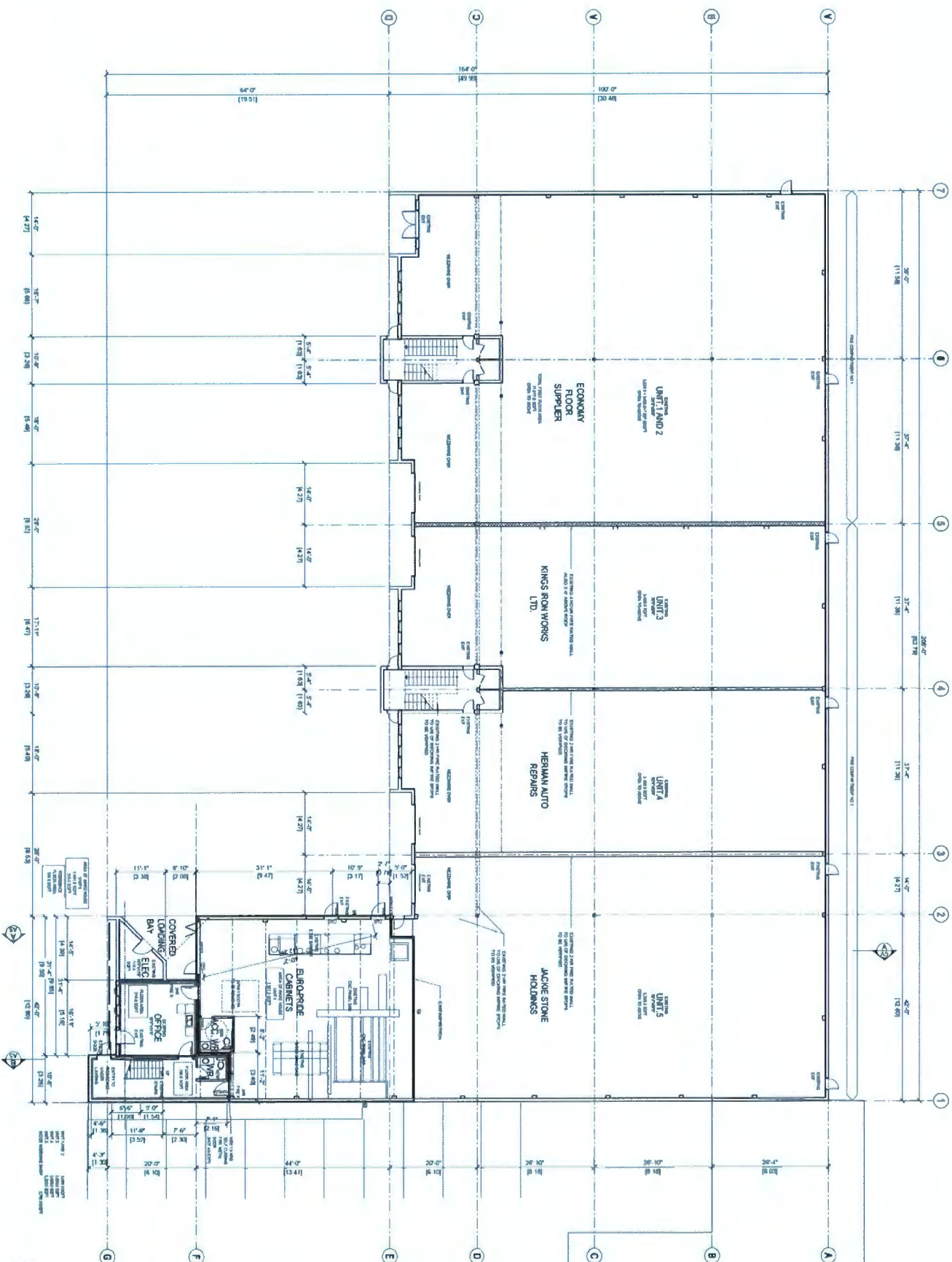




Residential Operation Unit Permit
 2351 Simpson Road, Richmond, BC
 SEC 24 BLK 5N RG 6W PL NWP62232 Parcel F, Block 5N, Plan
 NWP62232, Section 24, Rang e 6W, N.W.L.D., REF 62232

Dimensionz
 Home & Reno Design

A Dimensionz Home and Reno Design
 Tamasz Aljony
 Suite 101 1730 130 Street, Surrey, BC V4A 6A7
 Tel: 778-545-7604, e: tamasz@dimensionz.ca



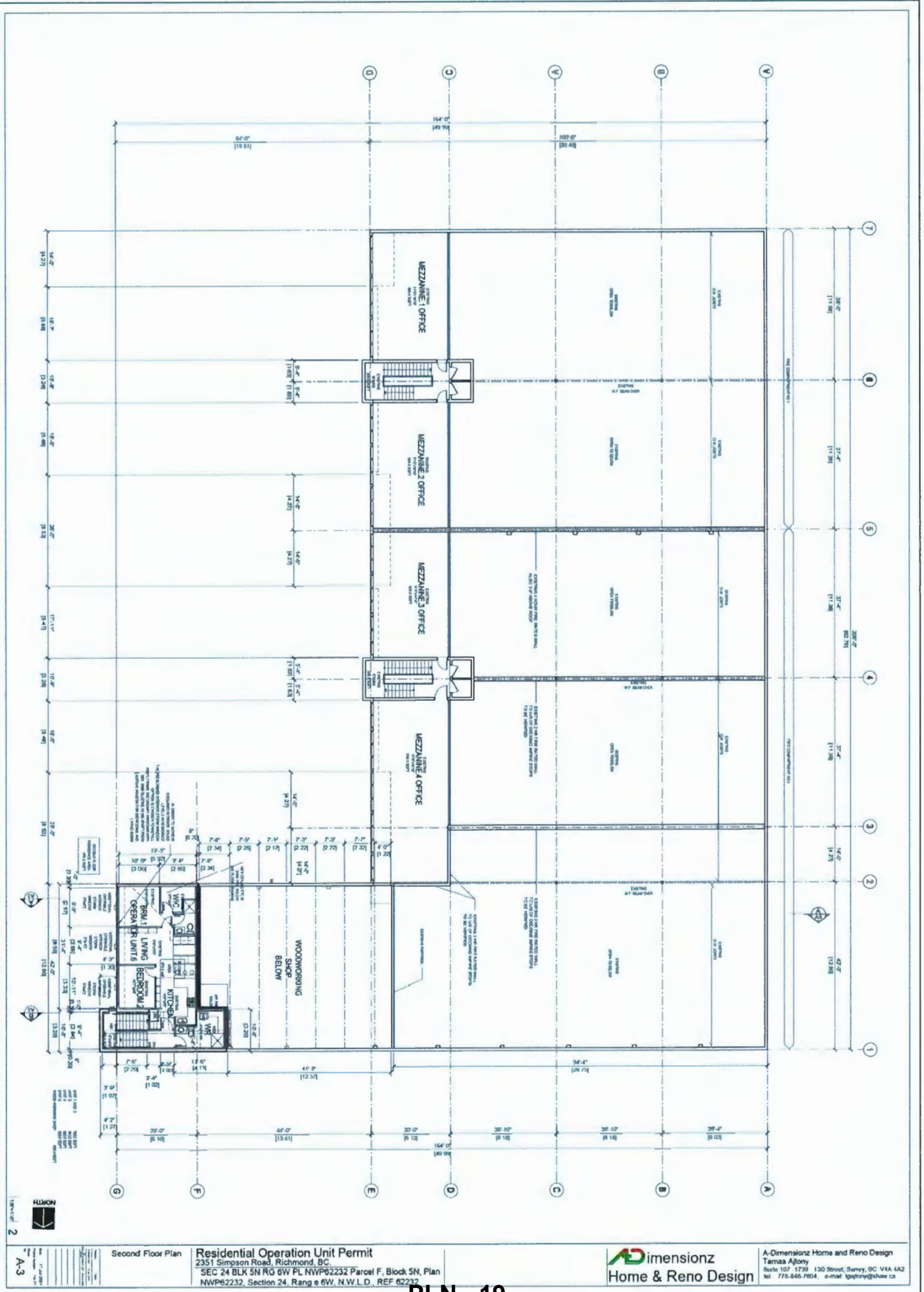
First Floor Plan

Residential Operation Unit Permit
 2351 Simpson Road, Richmond, BC
 SEC 24 BLK 5N RG 6W PL NWP62232 Parcel F, Block 5N, Plan
 NWP62232, Section 24, Range 6W, N.W.L.D., REF 62232

Dimensionz
 Home & Reno Design

A- Dimensionz Home and Reno Design
 Terrace Agency
 Suite 107 1739 130 Street, Surrey, BC V4A 4A2
 Tel. 778-046-7804, e-mail: tjagency@shaw.ca

PLN - 18



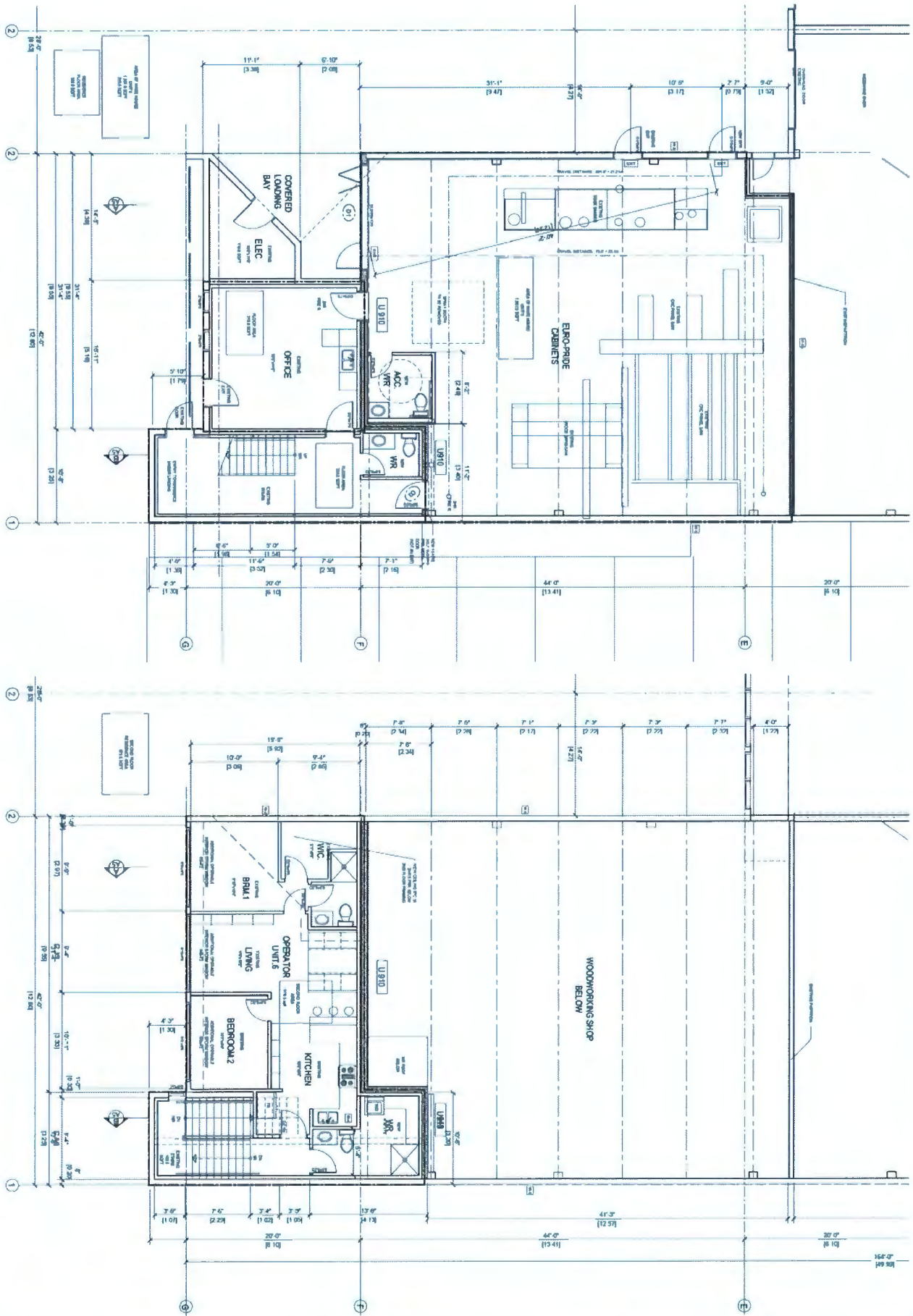
1/8" = 1'-0"
A-3
2

Second Floor Plan

Residential Operation Unit Permit
2351 Simpson Road, Richmond, BC
SEC 24 BLK 5N RG 6W FL NWP62232 Parcel F, Block 5N, Plan
NWP62232, Section 24, Rang e 6W, N.W.L.D. REF 62232

A-Dimensionz
Home & Reno Design

A-Dimensionz Home and Reno Design
Tamas Ajlony
Suite 107, 1790 130 Street, Surrey, BC V4A 6A2
Tel: 778-845-7054, e-mail: tajlony@shaw.ca



North

First and Second
Floor Suite Plan

Residential Operation Unit Permit
2351 Simpson Road, Richmond, BC
SEC 24 BLK 5N RG 6W PL NWP62232 Parcel F, Block 5N, Plan
NWP62232, Section 24, Range 6W, N.W.L.D., REF 62232

PLN - 20

Dimensionz
Home & Reno Design

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Tamas Ajtorny
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Tel: 778-045-7804, e-mail: tajtorny@shaw.ca



Address: 2351 Simpson Road

File No.: ZT 21-938101

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10304, the developer is required to complete the following:

1. Registration of an aircraft noise sensitive use covenant on title (Area 1A).
2. Registration of a legal agreement on title ensuring that information about the aircraft noise impact on the property is included in any lease agreement for the residential security/operator unit.
3. Registration of a flood indemnity covenant on title identifying a minimum habitable elevation of 2.9 m GSC.
4. Registration of a legal agreement on title ensuring that the residential security/operator unit cannot be further stratified from the principle unit or otherwise held under separate Title.
5. Complete an acoustical report and recommendations prepared by an appropriate registered professional, which demonstrates that the interior noise levels and noise mitigation standards comply with the City's Official Community Plan and Noise Bylaw requirements. Maximum interior noise levels (decibels) within the dwelling units must achieve CMHC standards follows:

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

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 Department. 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 (if required)
2. Incorporation of noise mitigation measures as determined by the acoustic and mechanical report. A copy of the report must be provided with the Building Permit submission.
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 Department at 604-276-4285.

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 contain 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 _____

Date _____



**Richmond Zoning Bylaw 8500
Amendment Bylaw 10304 (ZT 21-938101)
2351 Simpson Road**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended at Section 12.3 [Industrial Business Park (IB1)] by inserting the following as new Section 12.3.11.12 and renumbering the remaining sections accordingly:

“12. Notwithstanding that, pursuant to Section 3.4, **residential security/operator units** are not permitted in aircraft noise sensitive areas that prohibit residential **uses**, one **residential security/operator unit** with a maximum **floor area** of 80 m² is permitted on the following **site**:

a) 2351 Simpson Road
Strata Plan LMS720”
2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 10304**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by 
APPROVED by Director or Solicitor 

MAYOR

CORPORATE OFFICER