## Report to Committee

To: Planning Committee
Date: October 30, 2018
From: Wayne Craig
File: ZT 18-818765 Director, Development
Re: Application by Christopher Bozyk Architects for a Zoning Text Amendment to the "Vehicle Sales (CV)" Zone to Increase the Floor Area Ratio to 0.82 at 13100 Smallwood Place.

## Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9948, for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone to increase the Floor Area Ratio to 0.82 at 13100 Smallwood Place, be introduced and given first reading.


WC:dcb
Att. 6


## Staff Report

## Origin

Christopher Bozyk Architects Ltd. has applied for permission to amend the "Vehicle Sales (CV)" zone to increase the maximum Floor Area Ratio (FAR) to 0.82 at 13100 Smallwood Place.

The intent of the application is to modify the previously approved Toyota automobile dealership development, to accommodate additional gross floor area associated with two additional levels of parking and vehicle inventory storage overtop of the dealership building, which is currently under construction. The subject site is within the Richmond Auto Mall in the East Cambie planning area. A location map and the East Cambie Area Plan map showing the site's location are provided in Attachments 1 and 2 respectively.

Toyota's original development applications (ZT 16-754143 and DP 16-741123) were adopted/issued by Council on October 23, 2017. These applications were to accommodate the construction of a two-storey building with rooftop parking. The approved Zoning Text Amendment increased the maximum FAR from 0.5 to 0.7 . Building permits were issued for this construction and the buildings are currently under construction.

The current application proposes to increase the maximum Floor Area Ratio (FAR) to accommodate the additional two storeys of parking and vehicle inventory storage on top of the approved building; resulting in a four-storey building with rooftop parking, with one of the objectives to eliminate the need for off-site storage elsewhere. The current proposal will result in an additional $2,154.3 \mathrm{~m}^{2}\left(23,188 \mathrm{ft}^{2}\right)$ of floor space to the building over the previous approved proposal (ZT 16-754143 and DP 16-741123). Requested height variances are identified in this Staff Report, but will be addressed through a separate Development Permit application (DP 18818762).

## Findings of Fact

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 3.

## Surrounding Development

The subject property at 13100 Smallwood Place, is located within the Richmond Auto Mall at the northeast corner of the intersection of Westminster Highway and Jacombs Road. The site has been cleared of structures and construction of the approved dealership building is currently ongoing.

Existing land uses and development immediately surrounding the subject site are as follows:

- To the North, immediately across Smallwood Place, is an existing Hyundai dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13171 Smallwood Place. A Zoning Text Amendment (ZT 18-810720) and a Development Permit application (DP 18-810720) have been received from Kasian Architecture Interior Design \& Planning,
with the objective of redeveloping that property to accommodate a new Porsche dealership building. These applications are currently under review by staff.
- To the South, across Westminster Highway and a frontage road further south, are large properties zoned "Agriculture (AG1)" in the Agricultural Land Reserve (ALR), which contain single-family dwellings and accessory buildings.
- To the East, is an existing Nissan dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13220 Smallwood Place.
- To the West, across Jacombs Road, is the "Richmond Nature Park East" on a site zoned "School \& Institutional Use (SI)" at 5991 Jacombs Road. The Nature Park East is designated as an Environmentally Sensitive Area (ESA).


## Related Policies \& Studies

## Official Community Plan/East Cambie Area Plan

The subject site is designated "Commercial" in both the Official Community Plan (OCP) and the East Cambie Area Plan (Attachment 2). As a commercial use, the proposed auto dealership at the subject site is consistent with the OCP and Area Plan land use designations.

## Agricultural Land Reserve (ALR) Buffer Zone

Where there is an intervening road between ALR lands and non-ALR lands, the OCP encourages an appropriate landscaping buffer on the non-ALR lands through the Rezoning and Development Permit processes. This situation was reviewed under the original Zoning Text Amendment application (ZT 16-754143) and it was noted that the applicant's proposal was consistent with the land use considerations in the OCP in that:

- "The Agricultural Land Reserve (ALR) is located to the south of the site and to the west (Richmond Nature Park). The site is separated from the ALR by existing roads (Jacombs Road and Westminster Highway). Formal landscaping plans to adequately buffer the site from the ALR will be a requirement of the forthcoming Development Permit [DP 16-741123] for the proposed auto dealership." (A covenant was registered on Title through the previous zoning application (ZT 16-754143) to ensure that the landscaping within the ALR buffer along the southern property boundary would be retained.)
- "There is an existing 1.8 m high solid fence along the south property line next to Westminster Highway and the applicant proposes a row of new trees, a 3 m setback to on-site surface parking, and a setback of approximately 15 m to the south building façade."
- "The applicant also proposes to retain the existing planting and 1.8 m high solid fence along the west property next to Jacombs Road, replace the existing London Plane trees (which are in poor condition) with a new row of Ginkgo Biloba trees, and to provide a minimum 3 m setback to on-site surface parking and proposed buildings."

The current application will improve upon the above responses by further removing 12 of the previously approved parking spaces along the southern property boundary and replacing them with additional tree and shrub planting. The parking spaces will now be located within the parkade. The additional tree planting in this area will provide additional visual screening of the building from Westminster Highway as the trees eventually grow to mature height.

An additional eight previously approved parking spaces, generally along the western property boundary, are proposed to be relocated from grade to the internal parkade. These spaces will be replaced with new vegetation strips with trees. These changes are shown on the attached conceptual landscaping plans (Attachment 4) but will be addressed in greater detail through the separate Development Permit application (DP 18-818762).

## Floodplain Management Implementation Strategy

The proposed development must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. A flood indemnity covenant was been registered on Title under the previous Zoning Text Amendment application (ZT 16-754143). The proposed addition will have no effect on the registered flood covenant.

## Aircraft Noise Sensitive Development Policy

The OCP's Air Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the "Restricted Area (Area 1B)". The proposed auto dealership at the subject site is consistent with the ANSD Policy as it is not a residential use.

An aircraft noise indemnity covenant has been registered on Title as required under the previous Zoning Text Amendment application (ZT 16-754143). No changes to the existing aircraft noise covenant as a result of the proposed addition.

## Ministry of Transportation and Infrastructure (MOTI) Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, the Zoning Text Amendment proposal was referred to MOTI for review and comment. The Zoning Text Amendment considerations include a requirement for MOTI approval prior to bylaw adoption.

## Ministry of Environment (MOE) Approval

As the Site Profile submitted by the applicant for the current application identified Schedule 2 activities have occurred on-site, the Site Profile was submitted to the Ministry of Environment (MOE) in accordance with the Provincial Contaminated Sites Regulation. MOE has subsequently provided a letter dated May 16,2018 , allowing the City to proceed with approval of the Zoning Text Amendment and Development Permit applications.

## Analysis

## Built Form and Architectural Character

As proposed, the redevelopment will result in a two storey dealership office and sales facility with a four storey parkade. The concept plans for the proposed modifications to auto dealership building and the landscaping are provided in Attachment 4. The most significant areas proposed to change have been cloud outlined on the drawing package. Further review of the design aspects shown in the preliminary concept plans will be undertaken through the separate Development Permit review process to ensure general compliance with the Official Community Plan Development Permit Guidelines and assess the requested variances outlined in the next section.

Generally, the modifications include:

- Modifications to exterior cladding over portions of the building in part to mitigate the additional massing created by the addition of the two parkade levels.
- The addition of the two extra floors of parkade over top of the previously approved building. Staff have been advised that the initial building construction (currently underway) was designed to be able to accommodate future additional parkade floors above.
- Relocation of 20 at-grade parking spaces to the inside of the parkade.
- Restriping of the 6 accessible parking spaces (see Transportation section for more detail).
- Addition of trees and other landscaping to fill the spaces left by relocating the 20 parking spaces.
- Relocation of the garbage and recycling facility to the south-east corner of the site to allow additional vegetation screening of the car wash facility located in the south-west corner of the site. This also facilitates more efficient garbage collection.


## Existing Legal Encumbrances

A Title summary prepared by Terra Law, dated October 19, 2019, was submitted for this application. The subject site carries a series existing legal encumbrances including

- Statutory rights of way agreements for utilities;
- Statutory building schemes with the Richmond Auto Mall Association;
- Vancouver Airport Authority noise indemnification covenants;
- Agricultural Land Reserve setback covenants;
- A covenant requiring the design, installation and maintenance of three electric vehicle charging stations on the site; and
- A flood indemnity covenant.

Terra Law's Title summary report advises that none of these encumbrances will affect the current application and they can remain on Title.

## Transportation

Transportation staff have reviewed and assessed the potential traffic impacts associated with the proposed development. As the proposal is to provide space primarily for vehicle inventory
storage, it is anticipated that the associated traffic impacts would be minimal and can be accommodated within existing road infrastructure.

As part of this application review, staff have requested and the client has agreed, to restripe the six accessible parking spaces in accordance with the recent Zoning Bylaw Amendment on accessible parking (Section 7.5.15). This adjustment will be addressed through the Development Permit application review.

The Zoning Text Amendment considerations include a requirement that prior to the issuance of the Building Permit, a construction parking and traffic management plan to be provided to the Transportation Division.

## Tree Retention and Replacement

No additional existing trees will be removed from the site as a result of the current proposal; however, an additional 45 more on-site trees are included in the conceptual landscape plans over the original landscape plan (DP 16-741123). These trees will help provide additional edge screening for the site.

No changes or additional protection is required for existing trees, as all the tree protection barriers are currently in place given the on-going construction at the site. Tree survival securities for both on-site and off-site have been addressed through the previously approved Zoning Text Amendment application (ZT 16-754143).

## Public Art

Under the previous Development Permit (DP 16-741123) the Public Art contribution for the commercial use was assessed as $\$ 51,762$, which was contributed to the Public Art Reserve Fund. The Public Art Planner has advised that the proposed addition will result in an additional Public Art contribution of $\$ 38,432$, based on the 2018 rate of $\$ 0.45 / \mathrm{SF}$. The additional contribution has been included in the Zoning Text Amendment considerations and are required prior to final adoption, with the funds to be directed to the Public Art Reserve Fund.

## Variances Requested

Based on the proposed preliminary concept plans, the applicant will be requesting to vary the provisions of Richmond Zoning Bylaw 8500 at the Development Permit Application review stage to increase the maximum permitted building height to accommodate:

- An increased parkade rooftop height from 12.0 m to 15.46 m (rounded to 15.5 m ).
- A new parapet height of 16.88 m (rounded to 16.9 m ).
- A stair tower of 18.51 m (rounded to 18.6 m ).
- An elevator over-run of 20.39 m (rounded to 20.4 m ).

The current proposal has been reviewed by the Richmond Auto Mall Association (RAMA) which has provided a letter (Attachment 5) in support of the proposed density increase to 0.82 FAR, as well as the requested variances.

Noting the special context and operating characteristics within the Richmond Auto Mall, staff believe the requested variances are supportable. Staff note that this is an overall trend observed within the Auto Mall to increase the on-site storage capacity and reduce land holding costs off-site. This specific request does not increase the building's footprint (site coverage), but will result in increased permeability of the site as a result of the vegetation improvements. The details of the quality of the proposed finishes, cladding materials, vegetation selections and height variances will be reviewed and analyzed further through the Development Permit Application review.

## Site Servicing and Frontage Improvements

All the site servicing and frontage improvements were addressed under the previous Zoning Text Amendment application (ZT 16-754143). The proposed modifications to the building, site plan and landscaping will not result in any additional site servicing requirements or new frontage improvements.

## Development Permit Review

As noted previously, the proposed development will undergo a separate design review via the Development Permit application (DP 18-818762). Specific issues to be addressed will include:

- Assessing compliance with the Official Community Plan Development Permit Guidelines.
- A review of the proposed landscape plant/tree selections, sizes, locations and rationale.
- Additional landscape securities will be calculated to address the landscaping additions.
- A review of the proposed exterior materials and colours as they relate to the proposed parkade floor additions.
- A review of vehicle parking spaces to ensure compliance with the parking requirements in the Zoning Bylaw No. 8500.
- Restriping of the six accessible parking spaces.
- A review of the height variances requested.
- An assessment of the garbage and recycling facility to ensure it is sufficiently sized and located to address the needs of the site. A waste management overlay will be required.


## Financial Impact or Economic Impact

As all the servicing and frontage works were addressed under the previous Zoning Text Amendment application (ZT 16-754143) no additional Operational Budget Impacts (OBI) for off-site City infrastructure are anticipated as a result of this application. The previous application noted only insignificant operational impacts.

## Conclusion

Christopher Bozyk Architects Ltd. has applied for permission to amend the zoning district "Vehicle Sales (CV)" zone to increase the maximum Floor Area Ratio (FAR) to 0.82 at 13100 Smallwood Place. The intent is to modify the previously approved Toyota automobile dealership development in order to accommodate two additional levels of parking and vehicle inventory storage overtop of the dealership building, which is currently under construction. Site
plan changes will result in fewer cars parked at grade and additional landscaping being added to the site.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9948, be introduced and given first reading.


Attachment 1: Location Map
Attachment 2: East Cambie Land Use Map
Attachment 3: Development Application Data Sheet
Attachment 4: Conceptual Development Plans
Attachment 5: Letter from Richmond Auto Mall Association
Attachment 6: Zoning Text Amendment Considerations

## City of

Richmond


ZT 18-818765

City of
Richmond


ZT 18-818765

Original Date: 10/26/18
Revision Date:

Note: Dimensions are in METRES


## City of Richmond

Development Application Data Sheet Development Applications Department

## ZT 18-818765

Address: 13100 Smallwood Place
Applicant: Christopher Bozyk Architects
Planning Area(s): East Cambie

|  | Existing | Proposed |
| :--- | :--- | :--- |
| Owner: | Multiland Pacific Holdings | Same |
| Site Size $\left(\mathrm{m}^{2}\right):$ | $15,924 \mathrm{~m}^{2}\left(171,404.51 \mathrm{ft}^{2}\right)$ | Same |
| Land Uses: | Auto Dealership And Service | Same |
| OCP Designation: | Commercial | Same |
| Area Plan Designation: | Commercial | Same |
| Zoning: | Vehicle Sales (CV) | Vehicle Sales (CV) with <br> increased FAR to 0.82 at <br> 13100 Smallwood Place |


| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
| :---: | :---: | :---: | :---: |
| Floor Area Ratio: | 0.7 FAR | 0.82 FAR | None permitted |
| Buildable Floor Area ( $\mathrm{m}^{2}$ ):* | $\begin{gathered} 11,146.8 \mathrm{~m}^{2} \\ \left(119,983.2 \mathrm{ft}^{2}\right) \end{gathered}$ | 12,996.3 $\mathrm{m}^{2}\left(139,891 \mathrm{ft}^{2}\right)$ | None permitted |
| Lot Coverage (\% of lot area): | Building: Max. 50\% | Building: Max. 38\% | None |
| Setback Front - North | Min 3.0 M | 16.0 M | None |
| Setback Side - East | Min 3.0m | 20.38 m | None |
| Setback Side - West | Min 3.0m | 22.5 m Main Building <br> 3.0 m Car Wash Building | None |
| Setback Rear - South | Min 3.0m | 10.63m Main Building 3.0 m Garbage Enclosure | None |
| Height (m) | Max building height: 12.0 m with variance to 15.44 m at elevator overrun, stairway structures, storage and screened equipment as approved under DP 16-741123 | Increased parkade rooftop height at 15.46 m , a parapet height of 16.88 m , a stair tower of 18.51 m and an elevator overrun of 20.39 m | Variance to be considered as part of DP18-818762 |
| Off-street Parking Spaces - Staff and Visitor | 281 | 296 | none |
| Off-street Parking Spaces Vehicle Inventory: | N/A | 279 | none |

Other: $\qquad$



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## RICHMOND AUTO MALL

October 12, 2018

MEMO TO: Christian Chia, OpenRoad Toyota Richmond

FROM: RAMA Board of Directors

RE: OpenRoad Toyota Richmond Development Permit ApplicationCar Parking Addition

Dear Christian,

This letter is to inform you that your revised building design application submitted April, 2018 for the new OpenRoad Toyota Richmond dealership in the Richmond Auto Mall has been approved by RAMA's Board of Directors.

We note that the maximum Floor Area Ratio of 0.82 is higher than the municipal bylaw of .5 and that the proposed: roof height 15.46 M , parapet height of 16.88 M , stair tower 18.51 M and elevator over-run of 20.39 M exceed the bylaw maximum of 12 M . Based on the variances granted on the recent Audi and Jaguar LandRover applications on these same two issues, the Board has also approved the variances on your application.

If you have any questions, please don't hesitate to call. On behalf of the Directors and myself, we wish you the very best with your new facility.

Kind regards,

Gail Terry
General Manager, Richmond Auto Mall Association
CC: RAMA Board of Directors, Bibiane Dorval

## Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9948, the developer is required to complete the following:

1. Provincial Ministry of Transportation \& Infrastructure Approval.
2. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
3. City acceptance of the developer's offer to voluntarily contribute $\$ 0.45$ per buildable square foot (e.g. $\$ 38,432$ ) to the City's public art fund.

## 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.
2. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
3. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
4. 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.


## Richmond Zoning Bylaw 8500 Amendment Bylaw 9948 (ZT 18-818765) 13100 Smallwood Place

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

1. Richmond Zoning Bylaw 8500, section 10.7 entitled "Vehicle Sales (CV)", is amended by deleting subsection 10.7 .4 .1 d ) in its entirety and replacing with the following:
d) 0.82

13100 Smallwood Place
P.I.D. 000-955-574

Lot 7 Section 5 Block 4 North Range 5 West New Westminster District Plan 68775 Except Plan EPP72489
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9948".

FIRST READING
PUBLIC HEARING
SECOND READING
THIRD READING


MINISTRY OF TRANSPORTATION APPROVAL
OTHER CONDITIONS SATISFIED
ADOPTED

