

Report to Development Permit Panel

To: Development Permit Panel

Date: February 4, 2015

From: Wayne Craig

File: DV 14-670015

Director of Development

Application by Lansdowne Congregation of Jehovah's Witnesses for a

Development Variance Permit at 11014 Westminster Highway

Staff Recommendation

That a Development Permit be issued which would vary the provisions of Richmond Zoning Bylaw 8500 to reduce the interior side yard (west property line) from 7.5 m to 2.3 m and interior side yard (east property line) from 7.5 m to 6.9 m in order to permit the rebuild of the existing assembly hall within the same building footprint on the "Assembly (ASY)" zoned site at 11014 Westminster Highway.

Wayne Craig
Director of Development

Att.

Re:

Staff Report

Origin

Lansdowne Congregation of Jehovah's Witnesses has applied to the City of Richmond for permission to vary the "Assembly (ASY)" zoning district in Richmond Zoning Bylaw 8500 to reduce the interior side year from 7.5 m (24.6 ft.) to 2.3 m (7.5 ft.) on the west property line and 6.9 m (22.6 ft.) on the east property line to allow the existing assembly hall to be rebuilt on the exiting foundation within the same building footprint at 11014 Westminster Highway. The subject site is located in the Agricultural Land Reserve (ALR). The site currently contains a one-storey assembly hall on the north portion of the site with off-street parking located behind the building. The project involves reconstruction of a new assembly hall building on the existing foundation with no other site modifications proposed.

Surrounding Development

- To the north, a property in the ALR on the north side of Westminster Highway zoned "School and Institutional (SI)";
- To the east, a property in the ALR and zoned "Agriculture (AG1)" that contains and existing single-family dwelling;
- To the south, a property (no access) in the ALR and zoned "Agriculture (AG1)".
- To the west, properties in the ALR and zoned "Agriculture (AG1)" that contain an existing watercourse (5 m designated Riparian Management Area) and existing rail line corridor.

Previous ALR Non-Farm Use Application (AG 11-566932)

The applicant submitted a previous ALR non-farm use application (AG 11-566932) in 2011 that proposed a redevelopment that demolished the existing building on the front portion of the site, developed a larger assembly hall (825 sq. m or 8,882 sq. ft.) on the rear portion of the existing Assembly (ASY) zoned property and utilize all remaining areas for supporting off-street parking, drive-aisles and on-site septic disposal area. The congregation choose not to proceed with this application, which has since been withdrawn.

The congregation has determined that the existing building footprint location and size can accommodate their long-term needs. A new building in this location is proposed.

Development Information

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

The site is zoned "Assembly (ASY)" and contains an existing 418 sq. m (4502 sq. ft.) one-storey assembly hall and off-street parking for the congregation, which was constructed in the late 1970's. To accommodate the changing space and programming needs of the congregation, the applicant is proposing to rebuild the assembly hall on the existing foundation and footprint of the existing building. Total floor area of the new one-storey building will be the same as the existing

hall at 418 sq. m (4,502 sq. ft.). No additional off-street parking is required for the proposal as the existing parking area, containing 55 stalls, meets zoning bylaw requirements and space needs of the congregation. As they are proposing to redevelop on the existing foundation of the assembly hall, a development variance application to reduce the interior side yard setback from 7.5 m (24.5 ft.) to 2.3 m (7.5 ft.) on the west side and 6.9 m (22.6 ft.) on the east side of the site and will enable the congregation to continue to use this site without having to expand the facility or parking into other areas of their property (contained in the ALR).

The subject site's total area is 6,751 sq. m (72,579 sq. ft.). Approximately one-half (3,400 sq. m or 36,597 sq. ft) of site has already been modified by the existing building, parking area, drive-aisles, front and side yard areas. Therefore approximately one-half of the total area of the site already contains land uses related to the existing assembly hall. The proposed redevelopment does not increase the modified area.

Related Policies and Studies

2041 Official Community Plan (OCP)

The 2041 OCP's land use designation for the subject site is "Agriculture". The site is zoned "Assembly (ASY)" and the proposed redevelopment of the assembly hall complies with this zoning district, except for the interior side yard variances being requested as part of this Development Variance Permit application. Although there is no active farming being undertaken on the remaining portions of the subject site, the proposed redevelopment does not expand the existing building or parking footprint and the remaining area not being utilized for by assembly hall activities (approximately one-half of the total area of the site) can still be actively farmed if the congregation chooses to do so. As there will be no expansion of assembly related development into farmland, the proposal complies with the 2041 OCP land use designation.

The subject site also has an Environmentally Sensitive Area (ESA) designation over the southern portion of the site. No modification to this ESA is being proposed as part of this development. As a result, no ESA Development Permit is required.

Flood Plain Designation and Protection Bylaw

The proposed development must meet the requirements of the Flood Plain Designation and Protection Bylaw (8204). Registration of a Flood Plain Covenant on title is required prior to forwarding the Development Variance Permit application to Council.

Zoning Compliance/Variances (staff comments in bold)

The applicant requests to vary Section 13.3.6.2 of Richmond Zoning Bylaw 8500 to reduce the required interior side year from 7.5 m (ft.) to 2.3 m (ft.) on the west property line and 6.9 m (ft.) on the east property line to allow the existing assembly hall to be rebuilt on the existing foundation and within the same building footprint at 11014 Westminster Highway:

Staff supports the proposed variance as:

• The proposed new assembly hall is based on the existing location of the building and does not result in any further setback encroachments or expansion of the building or

parking footprint that would potentially result in further expansion into the vacant agricultural areas of the site.

- The new building (one storey building; 418 sq. m or 4,502 sq. ft.) will be similar in size, massing and height when compared to the existing assembly hall.
- The existing site contains 55 off-street parking stalls. This parking area exceeds the current required parking regulations in the Zoning Bylaw and no additional parking is required for the new building.
- The proposal addresses the surrounding conditions of adjacency and maintains existing on-site landscaping/fencing as outlined in the forthcoming sections of this report.
- In order for a new assembly hall to be built in accordance with the setbacks, a longer narrower building would have to be constructed, resulting in further expansion of the building and parking on the back portion of the site, which is not desirable.
- The applicant has noted in the submission that they have consulted with the two neighbouring properties to the east about the proposed redevelopment and received a positive response from both neighbours. To the west, the site is separated by a rail allowance and public trail (Shell Road Trail).

Consultation

Agricultural Advisory Committee Review

The proposal was reviewed and supported by the Richmond Agricultural Advisory Committee (AAC) on October 9, 2014 as follows (Please refer to Attachment 2 for an excerpt of AAC minutes):

That the Development Variance Permit Application for 11014 Westminster Highway be supported.

Carried Unanimously

Agricultural Land Commission Review

ALC staff have confirmed that redevelopment of the existing assembly building and supporting parking contained within the existing modified footprint of the subject site would not require approval from the ALC.

Analysis

Conditions of Adjacency

- The proposed new assembly hall maintains the existing adjacency conditions to the neighbouring property to the east (containing a single-family dwelling) and west (existing RMA designated watercourse and rail corridor).
- Shadowing and overlook impacts to neighbouring sites will be minimized as the proposed assembly hall is limited to one-storey massing with minimal overlook onto neighbouring sites.

- A setback of 6.9 m (22.6 ft.) is proposed on the interior side yard (east) that is adjacent to an existing single-family dwelling. Although a reduction of 0.6 m (2 ft.) is being requested, the 6.9 m (22.6 ft.) setback provides for sufficient separation between the neighbouring property and the one-storey assembly building. This setback area will primarily be utilized as the main drive-aisle to the site and access to the existing parking lot at the rear of the building.
- Existing grades will be maintained and as a result, no new or higher retaining walls around the site will be required. The new assembly hall building will be built to meet and/or exceed the minimum required floor construction level required.

Architectural Form and Character

- Rebuilding the existing assembly hall within the same building footprint enables the congregation to update the exterior appearance of the one storey congregation hall, while also reconfiguring the interior layout of the building to meet the applicant's current needs.
- Low pitch roof elements are incorporated into the architectural design of the assembly hall, which is consistent with the single-family residential dwellings along Westminster Highway.
- The proposed redevelopment also enables the incorporation of a variety of exterior cladding and materials consistent with residential development such as large wooden support beams, hardi-panel board and batten siding with cultured stone decorative elements.

Landscape Design and Open Space Design

- The proposed redevelopment will be able to maintain existing open spaces and landscape buffering around the perimeter of the subject site, including the plantings located along the west property line next to the proposed building. The applicant explored the potential for additional landscape buffering to be added along the east edge of the site adjacent to the existing north-south running drive-aisle; however, there is not enough width to accommodate the necessary space needed for the driveway and a buffer strip adjoining the fence.
- The applicant notes that the existing wooden fence (1.8 m or 6 ft.) along the east property line will be replaced with a similar height and type fence.
- The existing on-site sanitary septic system is located in the front yard (north of the existing building). The applicant has confirmed that this existing on-site sanitary septic system will be maintained and be able to service the new building.
- The subject site also has an existing 5 m Riparian Management Area (RMA) designation that runs along the subject site's west property lines as a result of a canal on the neighbouring rail right-of-way properties to the west that will not be impacted as a result of this development.
- Based on the redevelopment, a majority of all trees on site will be retained. The submitted
 landscape plan identifies a small number of trees that are located in close proximity to the
 existing footprint of the building. Further review of these trees will be undertaken once the
 applicant has developed more detailed plans for the building. If the proposed new building
 requires removal of any trees, the applicant will be required to submit required tree permit
 applications to request their removal.
- A landscape bond will be secured as a Development Permit consideration to ensure complete of the works identified in the plan.

Conclusion

The applicant has applied to the City of Richmond for permission to vary Section 13.3.6.2 of Richmond Zoning Bylaw 8500 to reduce the required minimum interior side year in the "Assembly (ASY)" zone from 7.5 m (24.6 ft.) to 2.3 m (7.5 ft.) on the west property line and 6.9 m (22.6 ft.) on the east property line to allow the existing assembly hall to be rebuilt within the same building footprint at 11014 Westminster Highway.

The proposal complies with the 2041 OCP and as confirmed by ALC staff, does not require an ALR application. Staff recommend support of the requested variance as the proposal enables the existing "Assembly (ASY)" zoned site to continue to be used by the congregation over the long-term without having to expand or further modify land in the ALR.

Kevin Eng Planner 2

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The following are to be met prior to forwarding this application to Council for approval:

- Submission of a landscape bond/letter of credit in the amount of \$6,680
- Registration of a flood plain covenant on title identifying a minimum Floor Construction Level of 2.9 m GSC.
- Installation of all required RMA protection fencing and measures to the satisfaction of Environmental Sustainability Staff. RMA protection fencing and measures will be required to be maintained and installed on the subject site for the duration of redevelopment activities.

Prior to future Building Permit issuance, the developer is required to complete the following:

- Obtain any necessary tree permits for required tree removals as part of the redevelopment.
- The applicant is required to obtain a Building Permit for any construction hoarding associated with the proposed development. If construction hoarding is required to temporarily occupy a street, or any part thereof, or occupy the air space above a street or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For further information on the Building Permit, please contact Building Approvals Division at 604-276-4285.
- Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Division (http://www.richmond.ca/services/ttp/special.htm).



Development Application Data Sheet

Development Applications Division

DV 14-670015 Attachment 1

Address: 11014 Westminster Highway

Applicant: Lansdowne Congregation of Jehovahs Witnesses Owner: Same as applicant

Planning Area(s): East Richmond

Floor Area Gross: 418.2 m² Floor Area Net: 418.2 m²

	Existing	Proposed
Site Area:	6,751 m ²	6,751 m ²
Land Uses:	Existing assembly hall on north portion of the site with supporting off-street parking	Rebuilt assembly hall within existing building footprint. Existing parking areas and drive-aisles remain unchanged
OCP Designation:	Agriculture	No change
Zoning:	Assembly (ASY)	Assembly (ASY)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	0.5 FAR	0.06 FAR	none permitted
Lot Coverage:	Max. 35%	6%	none
Setback – Front Yard:	Min. 6.0 m	18.1 m	none
Setback – Side Yard (west):	Min. 7.5 m	2.3 m	Variance requested
Setback – Side Yard (east):	Min. 7.5 m	6.9 m	Variance requested
Setback - Rear Yard:	Min. 7.5 m	140 m	none
Height (m):	Max. 12 m	8 m	none
Off-street Parking Spaces	42 stalls	55 stalls	none
Off-street Parking Spaces – Accessible:	2 stalls	5 stalls	none
Total off-street Spaces:	42 stalls	55 stalls	none

Excerpt of Agricultural Advisory Committee Meeting Minutes October 9, 2014

Development Proposal – Development Variance Permit 11014 Westminster Hwy

Staff (Kevin Eng) provided a summary of the Development Variance Permit application to enable a new assembly hall to be built within the similar footprint of the existing building. The previous proposal to build a larger assembly hall on the south portion of the site was reviewed and supported by the AAC in 2012 but Council referred it back to staff for further review and the proponent decided not to pursue the previous proposal.

The applicant indicated that the proposal would use the existing exterior perimeter foundation. Additional piles will be put under the slab and a new concrete slab will be poured. The applicant also noted that there was a preliminary discussion with ALC and the ALC staff had indicated that, as long as the footprint does not change, approval from the ALC would not be required; Staff will formally refer the application to the ALC and confirm it.

A general question was asked by the Committee why a 7.5m side yard setback was required in the Assembly zone and staff explained that it was to minimize any potential negative impacts to neighbours. In this case, the impacts of the requested variances are expected to be minimal as the new building will be constructed on the same location and to the west is a railroad allowance (there is no building on the adjacent property).

That the Development Variance Permit Application for 11014 Westminster Highway be supported.

Carried Unanimously



Development Variance Permit

No. DV 14-670015

To the Holder:

Lansdowne Congregation of Jehovahs Witnesses

Property Address:

11014 Westminster Highway

Address:

Tom J. Munro 2919 145A Street Surrey, BC V4P 1P7

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied by this Permit.
- 2. This Development Variance 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 as follows:
 - a) Vary the provisions of Richmond Zoning Bylaw 8500 to reduce the minimum interior side yard (Richmond Zoning Bylaw 8500 Section 13.3.6.2) from 7.5 m to 2.3 m on the west side of the site and 7.5 m to 6.9 m on the east of the site for an assembly hall building
 - b) The dimension and siting of buildings and structures on the land shall be as shown on Plan #1 to Plan #6 attached hereto.
- 4. 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.
- 5. 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.

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This Permit is not a Bu	ilding Permit.		
AUTHORIZING RESOLU DAY OF ,	JTION NO.		ISSUED BY THE COUNCIL THE
DELIVERED THIS	DAY OF	,	•
MAYOR			















