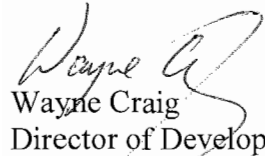




To: Planning Committee **Date:** March 11, 2014
From: Wayne Craig **File:** ZT 13-650975
 Director of Development
Re: **Application by 0800705 B.C. Ltd. for a Zoning Text Amendment to the High Rise Apartment (ZHR7) - Lansdowne Village (City Centre) Zoning District at 7117 Elmbridge Way**

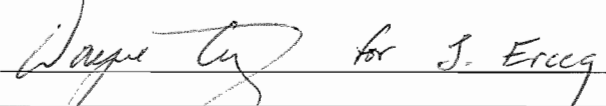
Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9113, to amend the “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)” zoning district for the property at 7117 Elmbridge Way to delete Section 19.7.11.1 (Other Regulations) which defines a “live/work dwelling” within this zone, and rely on the definition of “live/work dwelling” under Section 3.4 (Use and Term Definitions), be introduced and given first reading.


 Wayne Craig
 Director of Development

WC:jlf

Att.

| |
|--|
| REPORT CONCURRENCE |
| <p style="text-align: center;">CONCURRENCE OF GENERAL MANAGER</p> <p style="text-align: center;"></p> |

Staff Report

Origin

An application has been made by 0800705 B.C. Ltd. to the City of Richmond for a zoning text amendment to the existing “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)” zoning district to delete the regulation of uses under Section 19.7.11.1 (Other Regulations) which defines a “live/work dwelling” in order to apply the existing definition of “live/work dwelling” under the general definition section (Section 3.4 – Use and Term Definitions) of the Richmond Zoning Bylaw for the property at 7117 Elmbridge Way (Attachment 1 – Location Map).

The site was rezoned to “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)” in 2010 to permit up to 97 units, including 6 affordable housing units and 4 live/work dwellings in a 12-storey building (RZ 07-402059). As part of the rezoning, the term “live/work dwelling” was defined in Bylaw 8517 to rezone the site to a site specific zone, “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)”. For the purposes of this zone, the term “live/work dwelling” was defined as a dwelling unit that may be used as a home business together with a studio for artist, dance, radio, television or recording, provided that the dwelling unit has an exterior access at grade, a maximum of 1 non-resident employee, and the dwelling unit is designed to reflect the mixed use character of the intended use.

The proponent has recently completed construction at the subject property. The 4 live/work dwellings are ground oriented with two units facing Elmbridge Way and two units facing Alderbridge Way (Attachment 2 – Site Photos). The proponent has indicated they have had difficulties selling the live/work dwellings due to the restrictive definition under the existing ZHR7 zone and have requested a zoning text amendment to remove Section 19.7.11.1 (Other Regulations) under the existing ZHR7 zoning district. By default, the more recent definition of “live/work dwelling” under Section 3.4 (Use and Term Definitions) would then apply to the subject property.

Findings of Fact

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

Surrounding Development

The site is presently occupied by a 12-storey building with 92 dwelling units with below building parking that is generally screened from view along the Alderbridge Way and Elmbridge Way frontages. The immediate context surrounding the development site is as follows:

To the North: A lane and an existing single storey “Limited Industrial Retail District (I4)” zoned building, designated “Urban Centre T5 (25 m)” in the City Centre Area Plan (CCAP) Lansdowne Village Specific Land Use Map;

To the East: An existing two-storey “Limited Industrial Retail District (I4)” zoned building, designated “Urban Centre T5 (35 m)” in the CCAP Lansdowne Village Specific Land Use Map;

To the South: Elmbridge Way and an existing residential high-rise development zoned “Downtown Commercial District (C7)”, designated “Urban Core T6 (45 m)” in the CCAP Lansdowne Village Specific Land Use Map; and

To the West: Alderbridge Way, and an existing single storey building zoned “Limited Industrial Retail District”, designated “Urban Centre T5 (35 m)” in the CCAP Lansdowne Village Specific Land Use Map.

Related Policies & Studies

2041 Official Community Plan

The 2041 Official Community Plan (OCP) designates the subject site “Mixed Use”. The proposed text amendment would comply with the 2041 OCP designation.

City Centre Area Plan (CCAP)

The CCAP designates the subject site “Urban Centre T6 (45 m)” in the Lansdowne Village Specific Land Use Map. The designation permits residential density up to a maximum of 3.0 Floor Area Ratio (FAR), which includes a density bonus of 1.0 FAR for provision of affordable housing units in compliance with the Richmond Affordable Housing Strategy. The proposed text amendment would have no impacts on the building compliance with the CCAP land use designation and related policies.

OCP Aircraft Noise Sensitive Development (ANSD) Policy

An Aircraft Noise Covenant has been registered previously on title identifying that this site and land use is affected by aircraft noise as per the Airport Noise Contours in the OCP.

Floodplain Management Implementation Strategy

A Floodplain Covenant has been registered previously on title identifying a minimum Flood Construction Level of 3.1 m GSC in accordance with the bylaw.

Public Input

Staff did not receive any telephone calls or written correspondence expressing concerns in association with the subject application.

Staff Comments

No significant concerns have been identified through the staff review of the proposal.

Analysis

As discussed above, Section 19.7.11.1 of the ZHR7 zone includes a definition for the term “live/work dwelling” that restricted the commercial component to home business uses as defined by the Zoning Bylaw plus artist, dance, radio, television or recording studios. The proponent has indicated that it has been difficult to sell the 4 live/work dwelling units due to the limited range of commercial uses.

The ZHR7 zone was advanced to Council in July 2009 prior to the City’s current Zoning Bylaw. At this time, staff took a very conservative view on the potential uses permitted in live/work dwellings and site specific provisions related to the operation of a live-work dwelling were embedded in the ZHR7 site specific zone. The ZHR7 zone was adopted by Council in September 2010.

In November 2009, Council adopted a new Zoning Bylaw (Bylaw 8500) which included a definition of “live/work dwelling” along with specific general provisions related to how a live/work dwelling was designed, constructed and operated. In January 2011, Council adopted a housekeeping amendment bylaw (Bylaw 8684) to the Zoning Bylaw which updated a revised definition for “live/work dwelling”. The current term for “live/work dwelling” allows a wider range of commercial uses including commercial education, health service, personal service or studio space for artists. The proponent has requested that this definition be used for the subject property. The proposed zoning bylaw amendment would delete the site specific definition of a live-work unit from the ZHR7 zone and require that the live/work units on the site confirm with the City wide regulations on live/work dwellings. Table 1 below provides a summary.

| Table 1: Summary of ZHR7 Zone Before and After Proposed Text Amendment | | | |
|--|---|---|---|
| ZHR7 Zone | Live/Work Uses | General Provisions | Analysis |
| Current regulations on live/work dwellings | Artist, dance, radio, television or recording studios. Home business such as licensed crafts, teaching, office, or child care program. | <ul style="list-style-type: none"> • Dwelling unit has an exterior access at grade • Maximum of 1 non-resident employee is permitted • Dwelling unit is designed to reflect the mixed use character of the intended use. | The list of uses would be limited to home business uses, and a studio for artist, dance, radio, television or recording. |
| Proposed regulations on live/work dwellings following adoption of text amendment | Office, child care, commercial education, health service, personal service or studio for artists | Section 5.3 (Live/Work Dwellings) would apply which cover the provisions listed above. | The list of uses would allow additional commercial uses such as personal service use, commercial education, and health service. |

As the definition under the ZHR7 zone for the subject property was adopted prior to the amended definition used in the current Zoning Bylaw, the applicant’s requested zoning text amendment to repeal Section 19.7.11.1 of the ZHR7 zone would bring the definition of “live/work dwelling” in line with the current Zoning Bylaw and avoid any confusion for staff, the public and owners/tenants. The application is also consistent with the intent of the CCAP and the OCP. For these reasons, staff are supportive of this application.

Rezoning Considerations

All necessary requirements and conditions were addressed and secured through previously approved applications for the subject site. Therefore, no rezoning considerations are required through this zoning text amendment application.

Financial Impact

None

Conclusion

The applicant is requesting a zoning text amendment in order to apply the existing definition of “live/work dwelling” under Section 3.4 (Use and Term Definitions) of the Richmond Zoning Bylaw at 7117 Elmbridge Way, which is currently zoned “High Rise Apartment (ZHR7) – Lansdowne Village (City Centre)” and allows for high rise apartment and live/work dwellings with a density bonus for affordable housing. The definition for “live/work dwelling” under the ZHR7 zone pre-dates the revised definition in the Zoning Bylaw. The request to amend the text to the ZHR7 zone would bring it in line with the Zoning Bylaw. Further, the revised definition would provide a wider range of commercial uses for a live/work dwelling. On this basis, staff support the requested zoning text amendment.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9113, be introduced and given first reading.



John Hopkins, MCIP, RPP
Senior Planner
(604-276-4279)

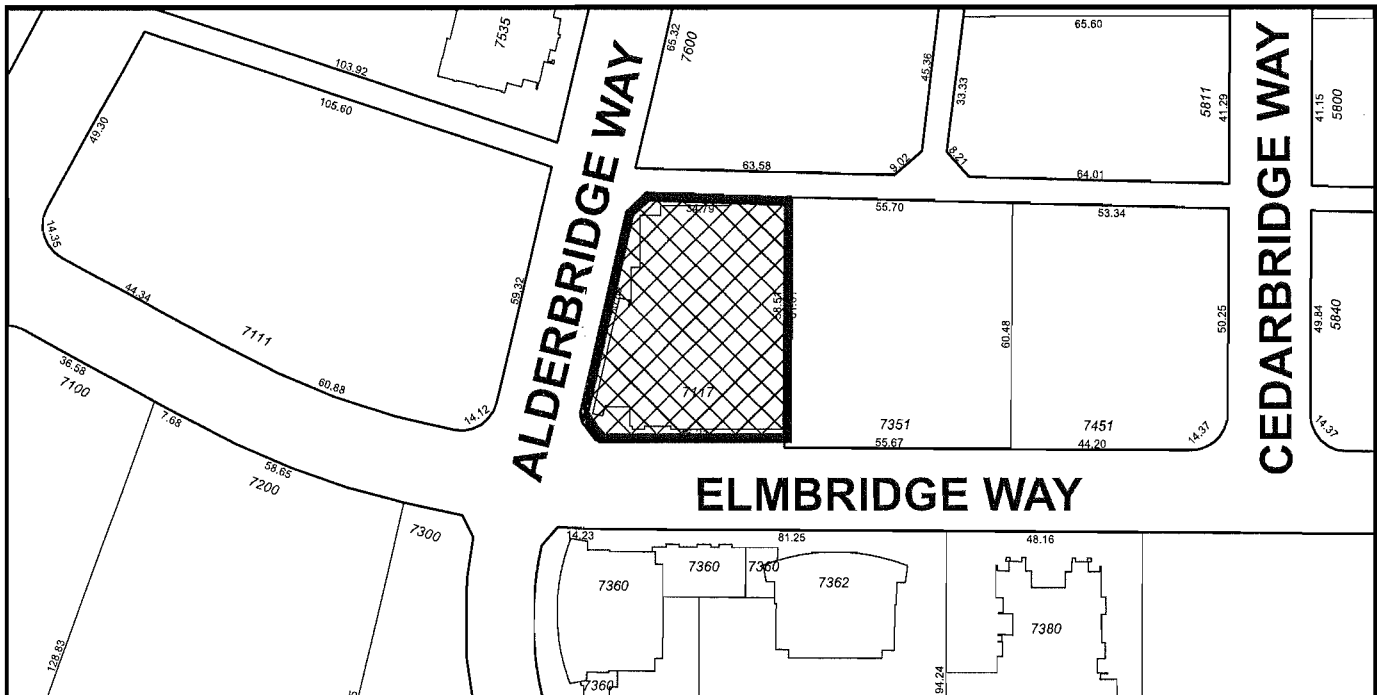
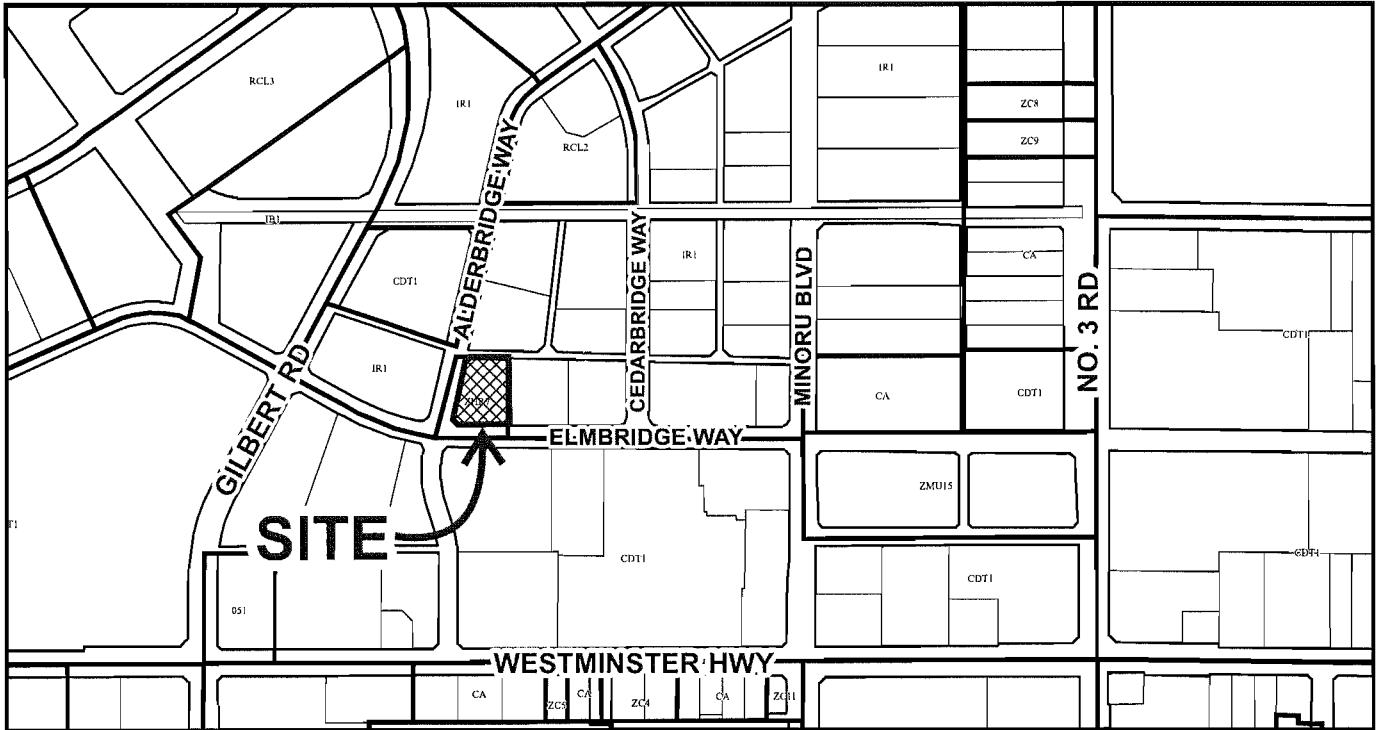
JH:cas

- Att. 1 – Location Map
- Att. 2 – Site Photos
- Att. 3 – Development Application Data Sheet



City of Richmond

ATTACHMENT 1



ZT 13-650975

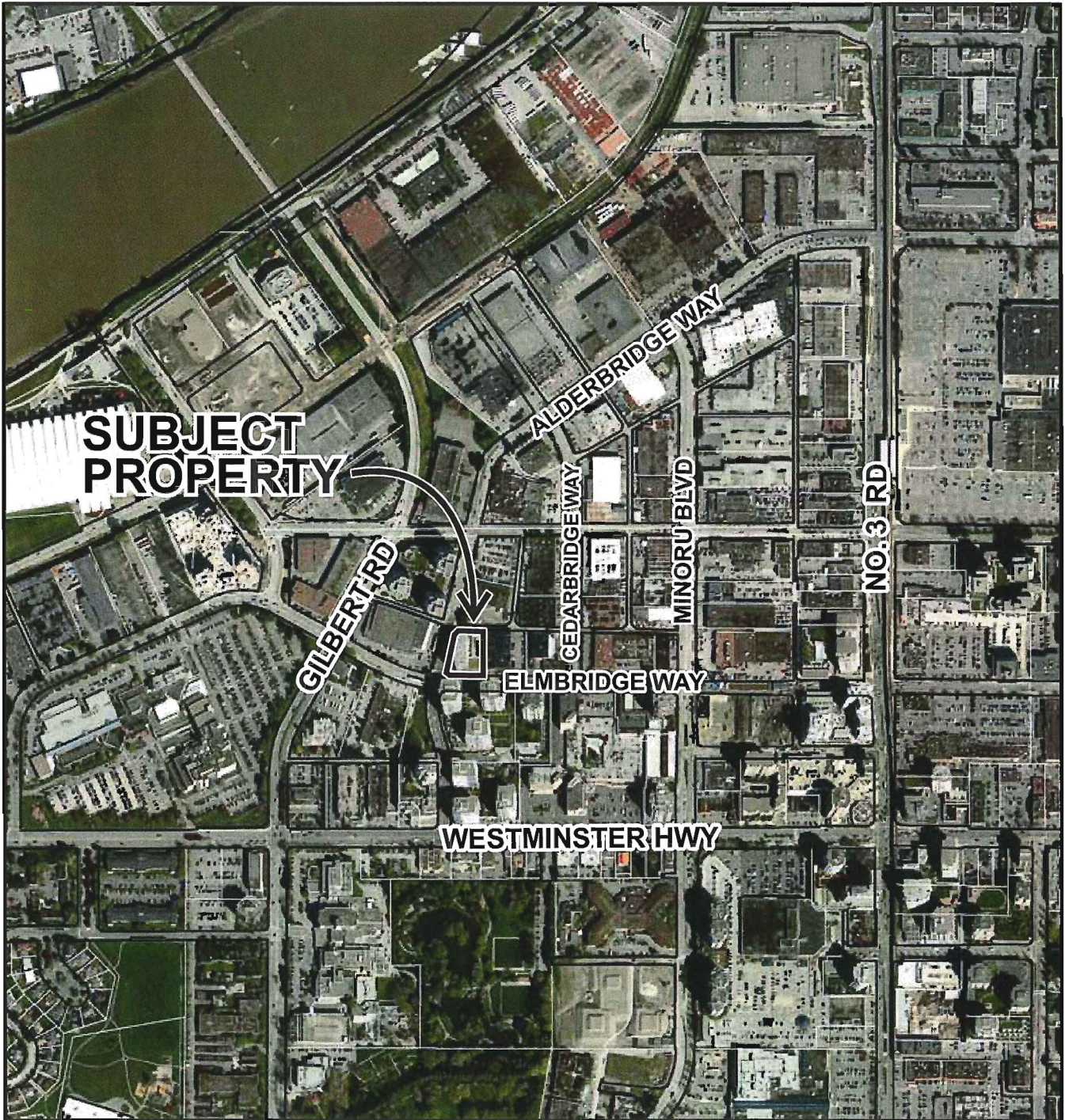
Original Date: 03/04/14

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



ZT 13-650975

Original Date: 12/09/13

Revision Date:

Note: Dimensions are in METRES

PLN - 145

Photo 1: Looking north-east at Subject Property



Photo 2: Live/work dwellings along Alderbridge Way



Photo 3: Live/work dwelling facing Alderbridge Way. The door in the foreground is for the work studio and the door in the background is for the dwelling unit. An internal door provides access between the work studio and dwelling unit.

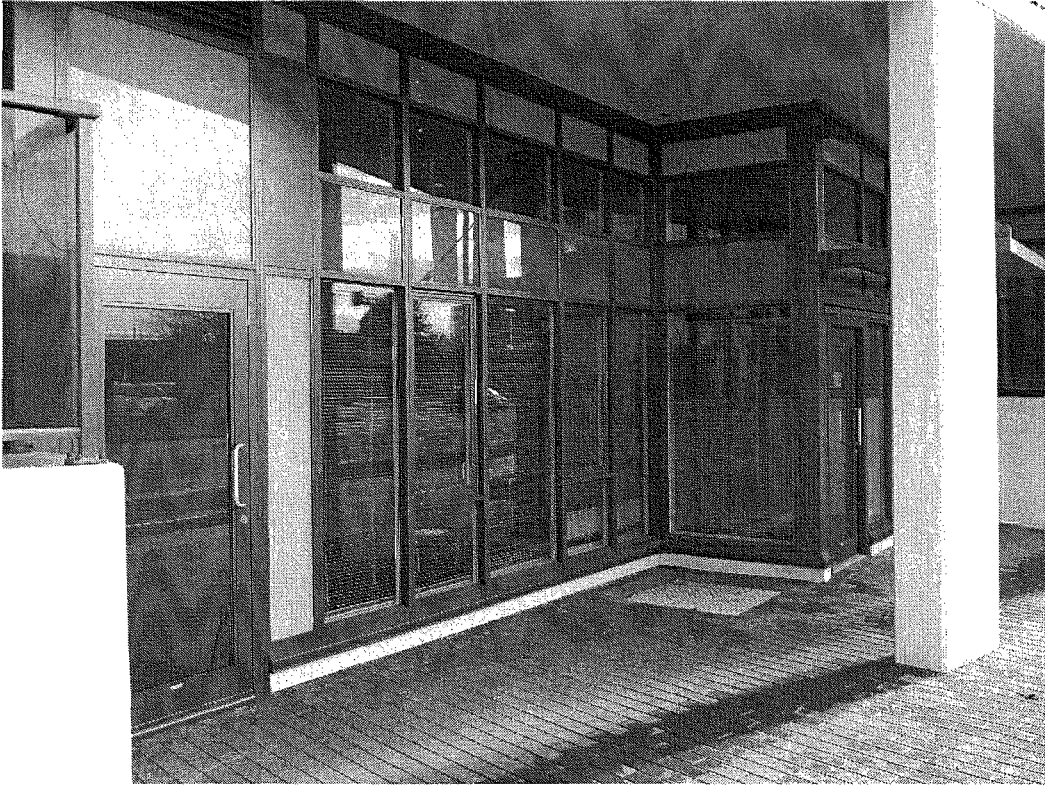
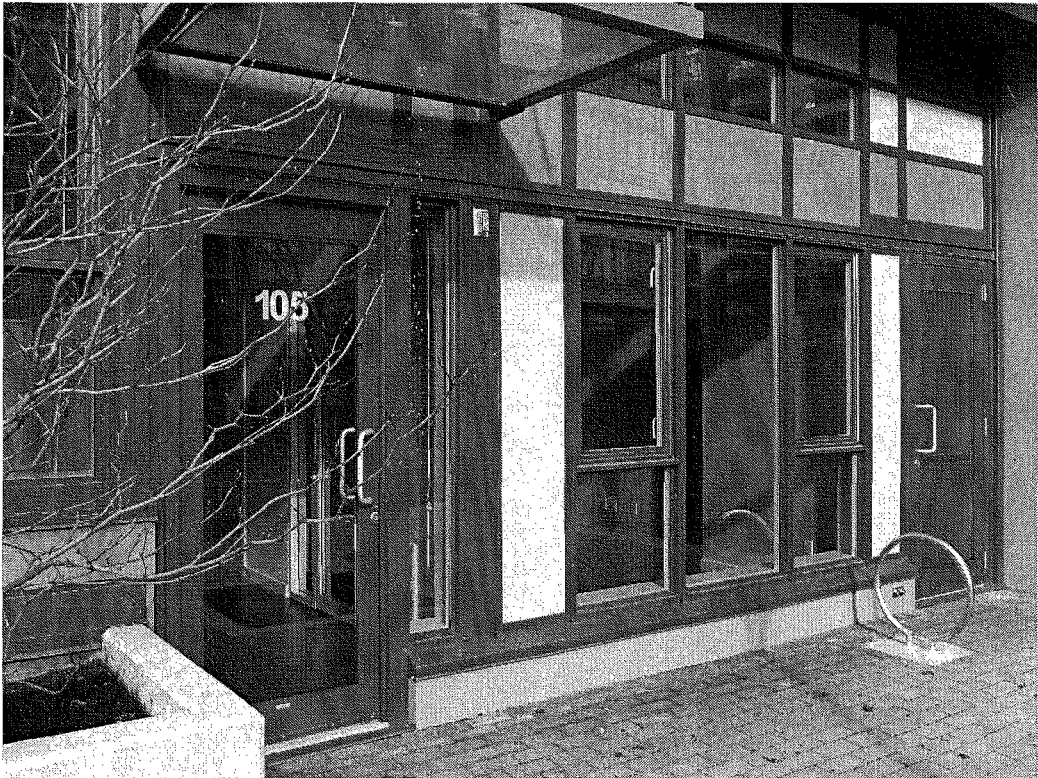


Photo 4: Live/work dwelling facing Alderbridge Way.





ZT 13-650975

Attachment 3

Address: 7117 Elmbridge Way

Applicant: 0800705 B.C. Ltd.

| | Existing | Proposed |
|-----------------------------------|--|--|
| Owner: | 0800705 B.C. Ltd. | No change |
| Site Size (m²): | 2,607.8 m ² (28,070 ft ²) | No change |
| Land Uses: | Residential units including 4 live/work dwellings | No change |
| OCP Designation: | High-Density Mixed Use | No change |
| Area Plan Designation: | Lansdowne Village Specific Land Use Map: Urban Core T6 | No change |
| Zoning: | High Rise Apartment (ZHR7) – Lansdowne Village (City Centre) <ul style="list-style-type: none"> Allows for 4 live/work dwellings to be used as a home business together with a studio for artist, dance, radio, television or recording provided that the dwelling unit has exterior access at grade, a maximum of 1 non-resident employee, and the dwelling unit is designed to reflect the mixed use character of the intended use. | High Rise Apartment (ZHR7) – Lansdowne Village (City Centre) <ul style="list-style-type: none"> Allows for 4 live/work dwellings that would allow the occupant of the dwelling to work in part of the dwelling for an office, child care, commercial education, health service, personal service or studio for artists. |
| Number of Units: | 97, including 4 live/work dwellings | No change |



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9113 (ZT 13-650975)
7117 Elmbridge Way**

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

1. Richmond Zoning Bylaw 8500 is amended by repealing Section 19.7.11.1.
2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9113”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

| |
|--|
| CITY OF RICHMOND |
| APPROVED by <i>BK</i> |
| APPROVED by Director or Solicitor <i>W</i> |

MAYOR

CORPORATE OFFICER