



City of Richmond

Report to Council

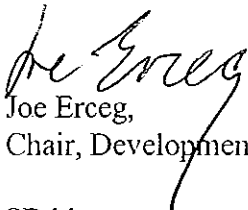
To: Richmond City Council
From: Joe Erceg,
Chair, Development Permit Panel
Date: May 21, 2008
File: 0100-20-DPER1
Re: Development Permit Panel Meetings Held on May 14th, March 26th and
February 13, 2008

Panel Recommendation

That the recommendations of the Panel to authorize the issuance of:

- i) a Development Permit (DP 07-391424) for the property at 10251 St. Edwards Drive;
- ii) a Development Permit (DP 06-345763) for the property at 12020 1st Avenue; and
- iii) a Development Permit (DP 06-352004) for the property at 3900 Moncton Street;

be endorsed, and the Permits so issued.



Joe Erceg,
Chair, Development Permit Panel

SB:blg

Panel Report

The Development Permit Panel considered the following item at its meetings held on and May 14th, March 26th and February 13, 2008.

DP 07-391424 – STANLEY PAULUS, ARCHITECT – 10251 ST EDWARDS DRIVE
(May 14, 2008)

The Panel considered a Development Permit application to permit the alteration of the St. Edwards Drive facades of the building and the construction of a restaurant patio at 10251 St. Edwards Drive on a site zoned “Automobile-Oriented Commercial District (C6)”. No variance is included in the proposal.

Mr. Stanley Paulus, Architect, briefly reviewed the proposal for a renovation improvement to the existing one-storey St. Edwards Drive building facades with the introduction of windows in concrete block walls, the addition of a continuous canopy and the renovation of a service yard adjacent to the main entry into a restaurant patio. He advised that his client was in the final stages of securing an agreement with the Ministry of Transportation (MoT) for the existing parking areas, which encroach into the adjacent Ministry lands. He further advised that they had improved the vehicle access areas in consultation with Transportation Department staff.

Staff recommended issuing the Development Permit. Staff remarked that the proposed scheme would enhance the St. Edwards Drive façade, and that the applicant had responded to staff’s requests for improvements to the vehicle access areas.

There were several neighbouring residents who expressed concern regarding the hotel property, although none objected to the proposed St. Edwards façade improvements.

The Chair invited Mr. Paulus, as well as the owner Mr. Bob Gagliardi, to address the Panel and to discuss the five issues presented by the gallery speakers:

1. Interface of the resort with Caithcart Road residences:

Mr. Paulus stated that interior spaces and an existing service area at the base of the North Tower will be used to service the restaurant. The North Tower is closest to Caithcart Road homes. The restaurant patio faces St. Edwards Drive and the existing buildings will remain.

2. Displacement, location and impact of existing service areas on Caithcart Road residences:

Mr. Paulus advised that the service area would remain behind the North Tower and would not be unsightly. He further advised that a separate Development Permit for the rear of the resort was not proposed and if the subdivision application was successful for the vacant area, the property line could be landscaped.

3. Filling the vacant residential area without installing retaining walls:

Mr. Gagliardi stated that the initial plan was to use the area for additional parking, but was advised by staff that this was not permitted. He stated that he was not aware that the elevation is higher than the adjacent properties, nor that there is a drainage issue. He added that the road accessing the service courtyard area near the North Tower has been repaved, that curbs and gutters have been added, and that Cedar trees were planted. Mr. Gagliardi confirmed that the gravel on the vacant area does extend up to the neighbours' fences on either side.

4. Use of rear parking areas for patron or staff parking:

Mr. Gagliardi advised that both staff and patrons would use the spaces. He added that there was parking directly in front of the restaurants on the St. Edwards side of the buildings.

5. Additional exterior lighting and its impact on neighbouring homes:

Mr. Paulus advised that in the future lighting may be installed on the Shark Club building, but would not face the Caithcart Road residences.

In response to a Panel query, staff advised that the number of parking spaces exceeds the bylaw requirement and the improvements to vehicle accesses are acceptable to Transportation Department staff.

In response to a Panel query, Mr. Paulus stated that the outdoor patio was formerly a service courtyard area and an arcade was proposed for patron access. In response to a further Panel query, he advised that MoT had indicated that a letter confirming the agreement would be sent to the applicant before the end of May, 2008.

With regard to the idea of the applicant enhancing the appearance of the rear of the resort site (facing Caithcart Road), the Chair stated that maintenance and upgrades, such as painting, repairing existing surfaces and structures, etc., could be done without the City issuing a Development Permit. He suggested that the applicant speak with neighbouring residents. The applicant responded that: (i) he would be happy to visit with residents, (ii) to respond to any calls regarding outstanding issues, and (iii) that it was not his intent to be a bad neighbour.

The Chair requested that the applicant investigate the renovation requirements for the proposed Shark Club, including landscaping elements, and if it required a Development Permit because the changes exceeded \$50,00 to bring all required improvements forward for: (i) staff review and (ii) Panel's review.

In response to the request Mr. Gagliardi explained that the first phase of the development of the resort was to complete the South Tower and Cucumber Café, followed by the North Tower and restaurant and the Shark Club in the future. He stressed that it was imperative to the business that a food facility be operating on-site, and for that reason, he applied to the City for a Building Permit for the restaurant interior.

The Panel recommends that the Permit be issued.

The Chair directed staff to ensure that the applicant host a meeting with neighbourhood residents as a part of the subdivision or rezoning process for the vacant Caithcart area, and that the meeting take place before the rezoning application is brought forward to the Planning Committee to ensure that residents who neighbour the resort site are aware of the applicant's overall vision for the whole site, and what is proposed to achieve that vision.

DP 06-345763 – INTERFACE ARCHITECTURE – 12020 1ST AVENUE
(March 26, 2008)

The Panel considered a Development Permit application to permit the construction of a three-storey mixed-use building at 12020 1st Avenue on a site zoned "Steveston Commercial (Three-Storey) District (C5)". Variances are included in the proposal to: increase building height for stair access to the roof decks, reduce the manoeuvring aisle width, permit small car parking spaces, and reduce parking setbacks.

Mr. Ken Chow, Architect, briefly reviewed the proposal, advising that the proposed development included two (2) commercial units at grade and four (4) apartments above. He spoke about several design revisions including pushing back the main floor for the purpose of creating an arcade, and the use of wood siding and windows, as well as black metal railings.

Mr. Fred Liu, Landscape Architect, provided a briefly reviewed the landscape scheme, noting that the development would have a landscaped rooftop, permeable paving, and screening from the adjacent lot. He advised that five (5) planters would be setback from the roof edge, vines would be used to provide maximum screening, and the four (4) units would have their own patio areas.

Staff reported that the applicant had responded well to the unique characteristics of Moncton Street, as well as the guidelines for Steveston. The application had been reviewed by the Heritage Commission and the Advisory Design Panel. Staff supported issuing a Development Permit and granting the variances.

There were no public comments expressed regarding this proposal.

In response to a Panel query regarding parking, the applicant advised that there were 11 parking spots on-site, and cash had been provided in lieu of two (2) spots.

In conclusion, the Chair commended the applicant and staff for following guidelines, and for the design detail, materials used and fenestration pattern.

The Panel recommends that the Permit be issued.

DP 06-352004 – ANDREW CHEUNG ARCHITECTS – 3900 MONCTON STREET
(February 13, 2008)

The Panel considered a Development Permit application to permit the construction of a two-storey, mixed-use building at 3900 Moncton Street on a site zoned “Steveston Commercial (Two-Storey) District (C4)”. Variances are included in the proposal to: increase building height for false front parapets, permit small car parking spaces, reduce the number of parking spaces, and reduce parking setbacks.

Mr. Andrew Cheung, Architect, briefly reviewed the proposal, advising that the proposed development included commercial units fronting Moncton Street and No. 1 Road and nine (9) apartments above on the second floor. He advised that the design reflected earlier structures in the Village in form and character, proportion, materials and a muted heritage colour palette. There was a corner pedestrian plaza and a rear parking area off the lane.

Mr. Fred Liu, Landscape Architect, provided a briefly reviewed the landscape scheme, noting that the development would have No. 1 Road street trees, decorative paving, trees in the rear parking area, and planting in the rear parking area.

Staff stated that the applicant had responded to the unique high profile intersection in historic Steveston Village. He noted that the applicant had responded well to concerns raised by staff, the Heritage Commission (HC) and the Advisory Design Panel (ADP). Staff added that the project has the support of both the HC and the ADP.

Mr. Pat Talmey, an owner and developer in the Village, expressed concern regarding the relaxation of parking requirements, parking setbacks, small car spaces and co-op car parking. Mr. Talmey remarked that Steveston has had a severe parking shortage since the late 1980's and referred to a concern he has had for some time with the City's Parking Bylaw and its application, regarding which he has corresponded with City staff and is waiting for a response. In closing, Mr. Talmey remarked that he is in favour of the proposed development.

In response, the Chair suggested that Mr. Talmey contact the General Manager, Law & Community Safety with regard to the broader issues and questions he raised.

In response to a Panel query regarding parking, the applicant advised that there were 11 parking spots on-site, and that cash had been provided in lieu of two (2) spots.

In conclusion, the Chair commended the applicant and staff for following guidelines, and for the design detail, materials used and fenestration pattern.

The Panel recommends that the Permit be issued.



Development Permit Panel

Wednesday, May 14, 2008

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Robert Gonzalez, General Manager, Engineering and Public Works
Cathryn Volkering Carlile, General Manager, Parks, Recreation and Cultural Services

The meeting was called to order at 3:30 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, April 30, 2008, be adopted.

CARRIED

2. DEVELOPMENT PERMIT DP 07-391424

(Report: April 23, 2008 File No.: DP 07-391424) (REDMS No. 2442888)

APPLICANT: Stanley Paulus, Architect

PROPERTY LOCATION: 10251 St. Edwards Drive

INTENT OF PERMIT:

To permit the alteration of the St. Edwards Drive facades of the building and the construction of a restaurant patio at 10251 St. Edwards Drive on a site zoned Automobile-Oriented Commercial District (C6).

Applicant's Comments

Stanley Paulus, Architect, stated that the owner, Northwest properties, had purchased the resort complex (built in the early 1960s) in 2005. The proposed scheme is a renovation improvement to the existing one-storey St. Edwards Drive building facades. The design would enhance the appearance of the façade by (i) the introduction of windows in the concrete block façade, (ii) the installation of a window box entry structure, (iii) the addition of a canopy, and (iv) a service yard adjacent to the main entry would be renovated into a restaurant patio.

Mr. Paulus advised that the on-site health club's main entrance would include a curtain wall window box with an angled roof, and would continue with high quality materials, such as a steel and glass canopy, windows and bracket details. He further advised that a restaurant, sited beside the health club, would have a different façade treatment so that the two spaces would be differentiated. The two separate facades would be integrated into the design of the existing building. Mr. Paulus stressed that the goal is for the enhanced façade to add to the St. Edwards Drive streetscape.

In concluding his remarks, Mr. Paulus reported that a study of the existing parking layout, and the drive aisles, had been accomplished. The property line is located in the parking lot and the parking area extends out into Ministry of Transportation (MOT) land, and that the applicant has been told by the MOT to expect a letter before the end of May, 2008, that will confirm an agreement with MOT.

Staff Comments

Brian Jackson, Director of Development, stated that staff recommends in favour of issuing a development permit. He remarked that the proposed scheme would enhance the St. Edwards Drive façade, and that the applicant had responded to staff's requests for improvements to the vehicle access areas.

Correspondence

None.

Gallery Comments

Karen Henrikson, 10351 Caithcart Road stated that she was not concerned with the applicant's plan to change the St. Edwards Drive façade, but she voiced concern regarding an empty area on Caithcart Road that the applicant uses for access to the resort site, although the area is zoned residential. She noted that the applicant had covered the vacant area with gravel without constructing a retaining wall on either side of the area. In addition the elevation of the vacant area is higher than the lots on either side and as a result moisture would flow from the gravel surface, against the fences of the homeowners on either side of the area, creating rot and erosion of the fences. Ms. Henrikson stated that the affected homeowners would have to replace their fencing in the future, due to the actions of the applicant.

The Chair stated that during the Panel Discussion, the matter of the empty area would be addressed and that the Panel would ask the applicant to describe any long term plans for the Caithcart Road side of the resort property.

Ron Davis, 10380 Caithcart Road stated that the empty residential area had, under the former owner of the resort, been nicely landscaped, but that the new owner had eliminated landscaping elements on the vacant area, had used gravel to cover the area, and used the area as a route for delivery trucks accessing the resort site. Mr. Davis further stated that he had entered into an email discussion with City staff regarding his concerns with the appearance and the use of the vacant area, and that the City had arranged to have concrete barriers erected to stop vehicle access.

In response to a query from Mr. Davis regarding the status of the vacant residential area, Mr. Jackson advised that the City is exploring having the area sub-divided and that, if the lot requires rezoning, a sign would be erected on the area, thereby informing the neighbours of the rezoning application process.

The Chair added that if Mr. Davis or other residents on Caithcart Road had further questions with regard to the vacant area, Mr. Jackson would be able to keep them informed.

Jim Males, 10420 Caithcart Road voiced concern that the resort's dumpsters, garbage trucks, recycled oil containers and other services would have to be relocated to accommodate the planned restaurant, and he questioned where these would be moved to. Mr. Males stated that the applicant and the architect appeared to have addressed only those elements on site that concern the resort's patrons, and had failed to address such concerns as staff's need to access the resort, to park, and to come and go throughout night shifts.

Donna Brkich, 10200 Caithcart Road outlined three concerns: (i) the resort's three restaurants would be staffed with shift workers and it was unclear if they would access the site from Caithcart Road or St. Edwards Drive, and the location of their parking stalls; (ii) Caithcart Road residents' homes and yards may face the resorts garbage bin area if the applicant plans to place all bins behind the resort; and (iii) the formerly landscaped vacant area, now covered in gravel, looks like a location to dump garbage and affects the appearance of the neighbourhood.

William Wong, 10168 Caithcart Road expressed the following concerns: (i) plans for three restaurants on site would mean more garbage bins and yet it is unclear where the service courtyard would be located; (ii) large trucks already service the now-open Cucumber Café and as the trucks access the site each morning he can feel his house shake; (iii) the architect did not mention the need for additional exterior lighting and Mr. Wong is concerned that more exterior lighting will be added on the site, in addition to the Café's neon light that is visible from his home and stays on throughout the night; and (iv) if outdoor patios are planned for the site, he is concerned that no mention of sound barriers, to prevent noise from patios migrating to his and his neighbour's yards and homes, was made.

The Chair invited Mr. Paulus, as well as the owner Bob Gagliardi to address the Panel and to discuss the five issues presented by the gallery speakers:

- (1) How the side of the resort property fronting onto Caithcart Road interfaces with existing residences:

Mr. Paulus stated that of the two hi-rise towers on site, the North Tower is the one located closest to Caithcart Road homes. The laundry facility has been relocated to the north tower. There are interior vacant areas and an existing service area near the base of the north tower that the applicant plans to use to service the restaurant. The restaurant patio faces St. Edwards Drive. In the past the indoor tennis facilities, the fitness facilities and the parking lots have backed onto the Caithcart Road neighbourhood, and the applicant plans no change to this design.

- (2) The displacement of some service courtyard areas that currently exist on site, where they are to be relocated, and the impact on existing homeowners on Caithcart Road:

Mr. Paulus advised that the garbage bins and the loading area would remain to the north-east of the North Tower and that the area will not be unsightly.

In response to the Chair's query with regard to whether the applicant plans to apply for a separate development permit, to upgrade the rear of the property facing the residences along Caithcart Road, Mr. Paulus responded that he did not know if a separate application would be made.

Mr. Paulus further advised that the applicant was advised they could not use the vacant area, currently zoned residential, as additional parking, and for this reason he had applied to the City for a sub-division to create a lot. Mr. Paulus explained that should the sub-division application be successful, it would represent an opportunity to landscape the property lines and to create buffers between the vacant area and the residences on either side.

- (3) Filling the vacant residential area without installing retaining walls:

Mr. Gagliardi stated that the initial plan was to use the area as additional parking, but that City planners had advised that this was not an option for an area zoned Single-Family Housing District, Subdivision Area E (R1/E). As a consequence, he had the landscaping and topsoil removed, and had gravel placed on the area. He remarked that he was unaware that the elevation is higher than the adjacent properties.

In answer to a query from the Chair, Mr. Gagliardi responded that he did not believe the vacant area has a drainage issue. He added that the road accessing the service courtyard area near the North Tower has been repaved, that curbs and gutters have been added, and that cedar trees were planted.

In reply to a further query from the Chair, Mr. Gagliardi stated that the gravel on the vacant area does extend up to the neighbours' fences on either side.

- (4) Would the parking located behind the resort complex on Caithcart Road side be earmarked for patron or for staff parking:

Mr. Gagliardi advised that the parking spaces backing onto homes on Caithcart Road are not limited to staff, and that both staff and patrons would be using the spaces. The resort runs a program whereby people travelling out of the City are allowed to park their vehicles at the resort for up to a week. He added that parking for patrons of the restaurant is situated on the St. Edwards Drive side of the resort and not on the Caithcart Road side.

- (5) The prospect of additional exterior lighting and its impact on existing homes:

Mr. Paulus advised that only after the Shark Club is developed would new exterior lighting be installed and he assured the Panel that the Club's proposed lighting would not face the homes of Caithcart Road residents.

The Chair stated that changes to lighting, as well as changes to garbage and loading areas, could trigger the necessity of a future development permit, and he advised the applicant that if the Panel supports DP 07-0391424, as presented, the surrounding residents must be assured that nothing outside the presented scheme would change without the application of: (i) a future development permit application, and (ii) another Panel hearing.

Panel Discussion

In response to a query regarding the number of parking spaces on the resort site, staff advised that the number of parking spaces exceeds the bylaw requirement. In addition, Transportation staff have worked with Planning staff to ensure that the improvements to vehicle accesses are acceptable.

In response to an inquiry, Mr. Paulus stated that the restaurant's outdoor patio was formerly the site of a service courtyard area, but that an arcade is planned so that patrons can park under the new arcade and proceed on foot into the restaurant area.

The Chair inquired whether the agreement with MOT would be forthcoming soon, and the applicant advised that the Ministry had indicated that a letter confirming the agreement would be sent to the applicant before the end of May, 2008.

With regard to the idea of the applicant enhancing the appearance of the rear of the resort site (facing Caithcart Road), the Chair stated that maintenance and upgrades, such as painting, repairing existing surfaces and structures, etc., could be done without the City issuing a Development Permit. He suggested that the applicant speak with neighbouring residents. The applicant responded that: (i) he would be happy to visit with residents, (ii) to respond to any calls regarding outstanding issues, and (iii) that it was not his intent to be a bad neighbour.

With respect to the sub-division application, the Chair requested that the Director of Development ensure that the applicant meet with those living in the neighbourhood to address the issues raised at the Panel meeting, as the issues are relevant to the sub-division application. The Chair encouraged the applicant to think not just about the façade renovation fronting St. Edwards Drive, but to also think of the interface on the Caithcart Road side, as well as the south interface.

In response to a query from Mr. Paulus, the Chair advised that, with regard to Phase II of the redevelopment of the resort site, and the applicant's plan to add a Shark Club (not part of Development Permit Application 07-391424), the Chair stated that the Director of Development would advise the applicant and architect with regard to the process.

Mr. Jackson advised that staff had not seen details regarding the proposed Shark Club. He stated that if the proposed scheme for exterior design elements exceeded \$50,000 a development permit application was required.

The Chair expressed concern that the applicant may try to circumvent the development permit process by attempting to break down work on the resort site in a series of small sections.

In response to the Chair's comment, Mr. Paulus stated that it was not the applicant's intent to break down work on the resort site in a series of small sections, but that the applicant was eager to open the restaurant in the near future as the North Tower is open for business and there is no restaurant to service guests.

In response to the request Mr. Gagliardi explained that the first phase of the development of the resort was to complete the South Tower, then to move onto the North Tower, which is serviced by the Cucumber Café, then to renovate the two-storey hotel room wings. According to this timetable, the applicant would propose to develop the Shark Club in 2009. He stressed that it was imperative to the business that a food facility be operating on site, and for that reason he applied to the City for a Building Permit for the restaurant interior.

The applicant repeated his commitment to meet with the residents living on Caithcart Road and to consider the stated concerns regarding: (i) landscaping, (ii) paving, (iii) and (iii) gravel elevation. He further stated that there are no plans to construct other buildings on the resort site, and that the planned Shark Club renovations are all interior upgrades. He concluded his remarks by stating that being good neighbours to Caithcart Road residents is motivation enough.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would permit the alteration of the St. Edwards Drive facades of the building and the construction of a restaurant patio at 10251 St. Edwards Drive on a site zoned Automobile-Oriented Commercial District (C6).

CARRIED

The Chair directed staff to ensure that the applicant host a meeting with neighbourhood residents as a part of the subdivision or rezoning process for the vacant Caithcart area, and that the meeting take place before the sub-division and possible rezoning application is determined to ensure that residents who neighbour the resort site are aware of the applicant's overall vision for the whole site, and what is proposed to achieve that vision.

The Chair stated that the timing of the meeting would be left up to the applicant, but that the meeting should not be held prematurely, but held only when the applicant has all the necessary information assembled and ready for presentation to the neighbours.



Development Permit Panel

Wednesday, March 26th, 2008

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Robert Gonzalez, General Manager, Engineering and Public Works
Andrew Nazareth, General Manager, Business & Financial Services

The meeting was called to order at 3:38 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on March 12th, 2008, be adopted.

CARRIED

2. Development Permit DP 05-296823

(Report: February 5, 2008 File No.: DP 05-296823) (REDMS No. 2079701, 2349676)

APPLICANT: Gerry Blonski Architect

PROPERTY LOCATION: 9000 Granville Avenue and 7040 Garden City Road

INTENT OF PERMIT:

1. Permit the construction of twelve (12) townhouses at 9000 Granville Avenue and 7040 Garden City Road on a site zoned Comprehensive Development District (CD/128); and
2. Vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) reduce the Public Road Setback on Garden City Road from 6 m to 4.50 m for Building 'A' and to 3.9 m for Building 'B';
 - b) increase the permitted maximum balcony and porch projection into the setback on Granville Avenue from 1 m to 1.83 m for Building 'A'; and

- c) permit landscape trellis structures within 2 m of the property line at Garden City Road and at the corner of Garden City Road and Granville Avenue.

Applicant's Comments

Gerry Blonski, Architect, spoke about road dedications, particularly along Garden City Road which had resulted in the need for setback variances. The requested variance, which was 13 feet at the narrowest, was less than the building set back of six feet in the development to the south. He advised that the stairs previously shown in the model had been removed, and access would be provided from Garden City Road. He also advised that the development would have two parking stalls in each unit, three visitor parking stalls and one accessible parking stall. An adaptable unit was provided. Three bedroom units were proposed.

Staff Comments

Brian J. Jackson, Director of Development, reported that the applicant had changed the proposal to address all the items of concern to the neighbours and comments made about the development during a Public Hearing held in 2006. He advised that he was in favour of issuing a development permit, and granting the variances the applicant was seeking.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

None.

Panel Decision

It was moved and seconded

1. *Permit the construction of twelve (12) townhouses at 9000 Granville Avenue and 7040 Garden City Road on a site zoned Comprehensive Development District (CD/128); and*
2. *Vary the provisions of the Zoning and Development Bylaw No. 5300 to:*
 - a) *reduce the Public Road Setback on Garden City Road from 6 m to 4.50 m for Building 'A' and to 3.9 m for Building 'B';*
 - b) *increase the permitted maximum balcony and porch projection into the setback on Granville Avenue from 1 m to 1.83 m for Building 'A'; and*
 - c) *permit landscape trellis structures within 2 m of the property line at Garden City Road and at the corner of Garden City Road and Granville Avenue.*

CARRIED

3. **Development Permit DP 06-345763**

(Report: March 4, 2008 File No.: DP 06-345763) (REDMS No. 2349095)

APPLICANT: Interface Architecture Inc.

PROPERTY LOCATION: 12020 1st Avenue

INTENT OF PERMIT:

1. Permit the construction of a three-storey mixed-use building at 12020 1st Avenue on a site zoned "Steveston Commercial (Three-Storey) District (C5)"; and
2. Vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) increase the maximum building height from 12 m to 12.8 m for stair access to the roof decks;
 - b) reduce the minimum manoeuvring aisle width from 7.5 m to 6.7 m;
 - c) permit 27% of off-street parking spaces to be for small cars (3 of 11 total parking spaces); and
 - d) reduce the minimum parking setback from 3 m to 0.6 m to the lane, and from 1.5 m to 0.6 m to the north property line and 0 m to the south property line.

Applicant's Comments

Ken Chow, Architect, advised that the proposed development consisted of three storeys, with two commercial units below and four apartments above. He spoke about several design revisions including pushing back the main floor for the purpose of creating an arcade, and the use of wood siding and windows, as well as black metal railings.

Staff Comments

Brian J. Jackson, Director of Development, reported that the applicant had responded well to the unique characteristics of the Moncton Street sub-area. The design complied with the design guidelines for Steveston Village and the Heritage Commission's Draft Steveston Village Conservation Program. The application had been reviewed by the Heritage Commission and the Advisory Design Panel, and the applicant had responded well to the guidelines and comments. Mr. Jackson advised that he was in favour of issuing a development permit, and granting the variances the applicant was seeking.

Correspondence

None.

Gallery Comments

None.

Panel Discussion

In answer to questions from Panel members related to provisions for parking, the applicant advised that there were eleven parking stalls provided on site, including three small car stalls and cash had been provided in lieu of two additional parking stalls.

Landscape Architect, Fred Liu, briefly reviewed the landscape scheme, noting that the development would have some landscaping on the rooftop, a permeable paving area in the parking lot, screening from the adjacent residential lot with planting, a privacy fence and lattice screen elements.

In response to a query regarding the reduced parking setback, Mr. Liu confirmed that in addition to screening, planting under the car overhangs and vines that could overhang parked cars would be provided. The trees had been located between the parking spaces to better protect them. Mr. Liu was confident that the trees would survive in the parking area.

With regard to the rooftop, Mr. Liu advised that five planters would be setback from the roof edge, vines would be used to provide maximum screening, and the four units would have their own patio areas. Mr. Chow further advised that air handling units would be located in the gravel roof area, which was surrounded with roof parapets.

In response to a query regarding the height variance, Mr. Chow confirmed that variance was only needed for the stair access, which was localised in the central portion of the roof. The stair access was kept as small and low as possible.

In conclusion, the Chair noted that the project complied with the Steveston Village design guidelines. He commended the applicant and staff for the design detail, materials used and fenestration pattern which all reflected the uniqueness of Steveston Village.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *Permit the construction of a three-storey mixed-use building at 12020 1st Avenue on a site zoned "Steveston Commercial (Three-Storey) District (C5)"; and*
2. *Vary the provisions of the Zoning and Development Bylaw No. 5300 to:*
 - a) *increase the maximum building height from 12 m to 12.8 m for stair access to the roof decks;*
 - b) *reduce the minimum manoeuvring aisle width from 7.5 m to 6.7 m;*
 - c) *permit 27% of off-street parking spaces to be for small cars (3 of 11 total parking spaces); and*
 - d) *reduce the minimum parking setback from 3 m to 0.6 m to the lane, and from 1.5 m to 0.6 m to the north property line and 0 m to the south property line*

CARRIED

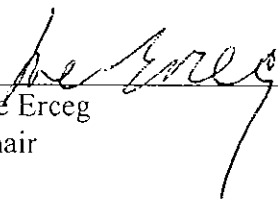
4. Adjournment

It was moved and seconded

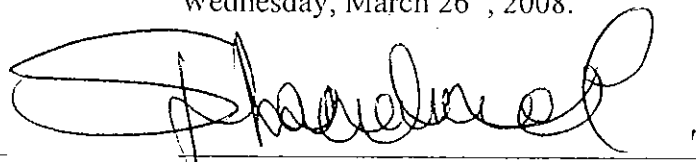
That the meeting be adjourned at 3:56 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, March 26th, 2008.



Joe Erceg
Chair



Shanani Dhaliwal
Executive Assistant, City Clerk's Office



Development Permit Panel

Wednesday, February 13, 2008

Time: 3:30 p.m.
 Place: Council Chambers
 Richmond City Hall
 Present: Joe Erceg, Chair
 Jeff Day, General Manager, Engineering and Public Works
 Andrew Nazareth, General Manager, Business and Financial Services

The meeting was called to order at 3:30 p.m.

1. Minutes

It was moved and seconded
That the minutes of the meeting of the Development Permit Panel held on Wednesday, January 30, 2008, be adopted.

CARRIED

2. Development Permit 05-315321

(Report: January 24, 2008; File No.: 05-315321) (REDMS No. 2265123)

APPLICANT: Elegant Development Inc.

PROPERTY LOCATION: 22760, 22780, 22800, 22820, 22840 Westminster Highway

INTENT OF PERMIT:

1. Permit the construction of a 54 unit three storey townhouse complex consisting of 5 to 8 units per building at 22760, 22780, 22800, 22820, 22840 Westminster Highway on a site zoned Comprehensive Development District (CD/24); and
2. Vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) allow covered porches and bay windows to project a maximum of 1.53 metres into the front yard setback, and;
 - b) permit tandem parking stalls in up to 38 dwelling units (76 stalls maximum).

Applicant's Comments

Patrick Cotter, Patrick Cotter Architect Inc., remarked that the angular geometry of the site created both design constraints and opportunities and he drew the panel's attention to the following features of the development:

- the units along Westminster Highway have a street-facing relationship and are separated into clusters of five units, with varying front yard setbacks to create a better appearance on the street;
- most of the units fronting Westminster Highway have individual pedestrian connections;
- parking for residents is located beneath the living space;
- stepped landscaping is featured in each front yard and deliberately tries to mitigate the parking level;
- units are arranged around the perimeter of the site in order to free as much of the centre portion as possible;
- the highly visible, centrally located outdoor amenity space is landscaped with specimen trees, and is surrounded by visitor parking spaces; additional visitor parking spaces are also provided clustered at the north end of the site;
- the centre building was located with an effort to minimize the number of units with a direct interface with drive aisle, and to centralize the open space at the west end of the site so as many units as possible front green space;
- the ends of the buildings are articulated with exterior detailing and end elements to break up the exterior and avoid large wall faces;
- providing a buffer between the proposed structures on site and the Queen's Canal are two separate zones: (i) the protected Environmentally Sensitive Area, and (ii) the private rear yard spaces, which are softly landscaped and considered a passive part of the ESA;
- the selection of building materials include vinyl siding, shingle siding, and trims painted in shades of taupes, tans and grays.

Masa Ito, landscape architect, identified the following features of the landscaping plan:

- the private front yards along Westminster Highway, as well as each of the back yards, are divided by a low fence to provide privacy;
- centrally located outdoor amenity space features gardens with a variety of plant materials and trees, suitable for a small area, and includes a mix of trees, with approximately 30% coniferous trees;
- 78 trees will be planted to replace the 43 trees that were removed from the site, and an additional 29 trees will be planted in the ESA, for a total of 107 new trees throughout the site.

Staff Comments

Brian Jackson, Director of Development, advised that staff recommends that the development permit be issued as the applicant has responded to comments by staff and the Advisory Design Panel. He further advised that the application has been with the City for more than two years, and that there had been a change in ownership.

Correspondence

None.

Gallery Comments

Trevor Wood, 22880 Westminster Highway stated that he objected to the development. He mentioned damage to his property, but he could not comment further as his lawyer is in discussion with the applicant's lawyer.

Eva Sun, 22720 and 22740 Westminster Highway advised that her property is immediately to the south of the subject site and that her concern is with regard to a lack of privacy unless fencing and hedges are put in place on the south property line.

Ms. Sun also mentioned that the proposed development would require an upgrade in the City sanitary sewer system and requested the ability for her property to also connect to the sanitary sewer.

The Chair advised Ms. Sun that Public Works and Transportation staff could provide her with information with regard to the neighbourhood's sanitary sewer system requirements.

In response to Ms. Sun's privacy concerns Mr. Ito advised that the landscaping plan includes evergreen trees, and flowering plants along the south property line. He further commented that the deciduous trees planned for that part of the subject site will grow up to 20 feet tall and will provide screening between the properties.

Mr. Cotter added that the plan also includes provision of fencing up to six feet, which is the maximum allowable under the City's bylaw.

Panel Discussion

In response to queries, Mr. Cotter advised that:

- cash in lieu of indoor amenity space is being provided;
- outdoor amenities include children's play equipment located at the large central open space, open play space for children, and benches located within sight of the play area for supervision and socialising;
- the previous owner of the site was responsible for the removal of the trees, and the removal would have been necessary to meet the flood plain construction conditions and to prepare for the required drainage of the site; had the trees not been removed earlier, they would have had to have been removed later to achieve the required grades;
- the one adaptable unit has been designed with an alternative adaptable floor plan design and more square footage in order to accommodate any adaptable upgrades, including enough space in the middle of the stairwell so that future occupants can move from the parking level to the main level, where living and sleeping accommodations are available to the occupant.

In response to a query regarding security for maintenance of the Riparian Management Area being held over a five year period, staff advised that there is no plan to hold security beyond one year. The Ministry of Fisheries and Oceans has jurisdiction for supervision and the federal Fisheries Act is applicable.

In response to a final inquiry, Mr. Jackson advised that, consistent with the conditions of Rezoning, the applicant is not making a voluntary contribution to the City's affordable housing strategy nor affordable housing units due to the fact that the project was in-stream prior to the City's adoption of the Affordable Housing Strategy.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *Permit the construction of a 54 unit three storey townhouse complex consisting of 5 to 8 units per building at 22760, 22780, 22800, 22820, 22840 Westminster Highway on a site zoned Comprehensive Development District (CD/24); and*
2. *Vary the provisions of the Zoning and Development Bylaw No. 5300 to:*
 - a) *allow covered porches and bay windows to project a maximum of 1.53 metres into the front yard setback, and;*
 - b) *permit tandem parking stalls in up to 38 dwelling units (76 stalls maximum).*

CARRIED

3. Development Permit 06-352004

(Report: January 23, 2008 File No.: 06-352004) (REDMS No. 2274382)

APPLICANT: Andrew Cheung Architects Inc.

PROPERTY LOCATION: 3900 Moncton Street

INTENT OF PERMIT:

1. Permit the construction of a two-storey mixed use development at 3900 Moncton Street on a site zoned "Steveston Commercial (Two-Storey) District (C4)"; and
2. Vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) Increase maximum building height from 9 m to maximum 10.06 m for false front parapets;
 - b) Reduce the minimum parking setback from 1.5 m to 0.45 m to the south property line and from 3 m to 1 m to the lane;
 - c) Permit 30% of off-street parking spaces to be for small cars (7 of 24 total parking spaces); and
 - d) Reduce the minimum number of off-street parking spaces from 28 to 26 spaces (24 parking spaces provided).

Applicant's Comments

Andrew Cheung, Andrew Cheung Architects Inc. referred to drawings of the design for the proposed structure at the southwest corner of No. 1 Road and Moncton Road and provided the following comments:

- the subject site is located at a gateway corner to Steveston Village;
- the design takes into account earlier structures in the Village in the form and character, proportion and materials of the proposed development reflect the earlier buildings;
- parapets, wood siding, wood window frames, and smaller passages through the site are all reminiscent of Stevenson's heritage character;
- pedestrian oriented commercial spaces are located along both No. 1 Road and Moncton Street;
- the corner plaza element is an important focal point where there will be much pedestrian activity;
- the second storey comprises 9 residential units;
- ten secure residential parking spaces and an open surface parking area are accessed off the rear lane;
- the parking area features small trees;
- the colour palette includes muted green, and other heritage colours.

Fred Liu, landscape architect advised that:

- two street trees will be planted on No. 1 Road;
- trees will be planted in the rear surface parking area and to ensure they will thrive, structural soil and tree guards will be positioned around each;
- some planting is planned along the lane as well as the south property line;
- decorative paving will be included in the plaza area, parking entry, pedestrian passage and into the surface parking area.

Staff Comments

Mr. Jackson stated that the applicant has responded to the unique circumstances presented by the southwest corner of this high profile intersection in historic Steveston Village. He noted that the applicant had responded well to concerns raised by staff, the Heritage Commission (HC) and the Advisory Design Panel (ADP). Mr. Jackson added that the project has the support of both the HC and the ADP.

Correspondence

None.

Gallery Comments

Pat Talmey, a commercial property owner in the Steveston area, and a developer in the Village, expressed concern regarding the relaxation of parking requirements. He stated that reducing the minimum parking setback and increasing the amount of small car spaces would benefit only developers and not the community. He believes that the benefits of communal co-op parking spaces remain unproven. He suggested that building height issues should be used when deciding on communal parking space issues.

Mr. Talmey remarked that Steveston has a severe parking shortage and has had one since the late 1980s. In his experience developing buildings in the Village he was told that parking should not be modified through the development permit process. He stated concern with the City's Parking Bylaw. He referred to correspondence he has had with past City employees regarding his concerns and questioned why a staff report exploring instances of inequitable application of the Bylaw has not been forthcoming.

In closing Mr. Talmey remarked that he is in favour of the proposed development before the panel.

The Chair advised that the City operates on the basis that the Parking Bylaw is accurate, that he has not had any indication from the Law Department that the Parking Bylaw is not valid, and as such he sees no grounds for the panel to not deal with the application before the panel. He suggested that Mr. Talmey contact Phyllis Carlyle, General Manager, Law & Community Safety with regard to the broader issues he raised and questions he has.

Panel Discussion

In response to a query Mr. Cheung advised that the façade features wood siding and wood framed windows and will maintain a good appearance in the future.

In response to the Chair's inquiry with regard to the applicant's plan early in the design process to include a landscaped roof top garden and why it was missing from the current design, Mr. Cheung reported that the applicant's insurer would not insure a green roof.

The Chair noted that the design conforms to the Character Area Checklist for Steveston Village Development Permit Guidelines. The Chair stated that despite the support of the HC and the ADP he has had some feedback from Planning Committee that there is a concern about the project's appearance, particularly the articulation and heritage look. In reply to the Chair's inquiry with regard to how the applicant has changed the project to address these concerns, Mr. Jackson replied that the applicant has made the following adjustments in design:

- (1) building materials have been changed during the design process; past schemes included an exposed concrete party wall but now more wood is used and all materials are fully in conformance with the Character Area Checklist for Steveston Village Development Permit Guidelines, including second story window treatments;
- (2) in terms of meeting the street the corner of the building was made cleaner; in addition the corner balcony feature was removed;

- (3) the residential entry was pulled forward to the street, not recessed as in past design, so that the building's exterior reads as more contiguous along the street front;
- (4) the height of the false-fronts have been reduced and their detailing changed so they appear more as two-storey, not three-story;
- (5) the landscape plan has been improved, and in lieu of a landscaped green roof, the plan now includes trees in the parking area.

In response to a query regarding the terms and conditions in support of the variance for reducing the minimum number of off-street parking spaces from 28 to 26, Mr. Cheung advised that the applicant is providing cash in lieu for an additional two spaces as well as the provision of a co-op car and its parking space, for a further reduction of two spaces.

Discussion ensued with regard to the co-op car program included in the project. Staff advised that the co-op parking stall is identified and an agreement on title would be secured for the City to 'own' this space. In response to the Chair's inquiry regarding if there is a mechanism in place to ensure that the co-op program for this development would be ongoing in perpetuity, advice was given that the co-op parking space is secured permanently but there is no requirement to compensate the City for the parking variance for two spaces, if the co-op operation is discontinued.

Based on advice given by staff, the Chair asked if the developer could address the issue. He stated that if the panel permitted the variance that reduces parking spaces by two spaces, it would be unfair if the car co-op component of the project is discontinued in the future, with payment of compensation, similar to the cash in lieu of parking payment.

The spokesman for Eclissi Developments, Mr. William Chen advised that he would have to consider the Chair's point regarding parking variances, and that any parking encumbrances would be passed on to future purchasers. Any agreement on the title would bind the future strata corporation to provide cash in lieu.

The Chair sought clarification and asked the developer's representative if he was prepared to register an agreement on title to pay compensation to the City if the co-op car program is discontinued. Mr. Chen replied that yes, that can be done.

As a result of the discussion the Panel added the following to the staff recommendation:

- e) *be subject to suitable legal documentation to ensure that if the co-op car program is discontinued the City is reimbursed to the value of two parking spaces.*

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *Permit the construction of a two-storey mixed use development at 3900 Moncton Street on a site zoned "Steveston Commercial (Two-Storey) District (C4)"; and*
2. *Vary the provisions of the Zoning and Development Bylaw No. 5300 to:*
 - a) *Increase maximum building height from 9 m to maximum 10.06 m for false*

front parapets;

- b) Reduce the minimum parking setback from 1.5 m to 0.45 m to the south property line and from 3 m to 1 m to the lane;*
- c) Permit 30% of off-street parking spaces to be for small cars (7 of 24 total parking spaces);*
- d) Reduce the minimum number of off-street parking spaces from 28 to 26 spaces (24 parking spaces provided); and*
- e) Be subject to suitable legal documentation to ensure that if the co-op car program is discontinued the City is reimbursed to the value of two parking spaces.*

CARRIED

4. Development Variance Permit DV 07-396897

(Report: January 22, 2008 File No.: DV 07-396897) (REDMS No. 2330874)

APPLICANT: Randy May

PROPERTY LOCATION: 2600 No. 7 Road

INTENT OF PERMIT:

That a Development Variance Permit be issued which would vary the provisions of the Zoning and Development Bylaw No. 5300 to increase the maximum required setback from a public road in the Agricultural District (AG1) zone from 50 m (164 ft.) to 75 m (246 ft.) to accommodate a new single-family dwelling at 2600 No. 7 Road.

Applicant's Comments

Randy May and his son Cory May were available to answer queries.

Staff Comments

Mr. Jackson commented that staff supports the request for a variance to the maximum setback from 50 metres to 75 metres, citing the unusual circumstances. The impact to agriculture would be greater if compliance with the 50 metre maximum setback is imposed.

Correspondence

None.

Gallery Comments

Dr. Jan Knapp, 10420 Odlin Road, expressed concern regarding the request for a Development Variance Permit, and questioned the justification for 75 metres, and mentioned requirements to comply with the City's Floodplain Management Implementation Strategy.

In response to Dr. Knapp's inquiry regarding how the restrictive covenant is justified, the Chair advised that each case is site specific. In response to Dr. Knapp's second inquiry, on the subject of the environment, the Chair responded that the City can consider agricultural and/or environmental circumstances.

Panel Discussion

In response to a query, Cory May advised that the planned structure is a single-family dwelling, and including the garage, would be approximately 7,000 square feet.

When asked what the outcome of more preload on the site would mean, Randy May replied that it would result in more land being unsuitable for cranberry farming due to the necessity to remove some producing cranberry bushes. Peat had been removed from the pre-load area and was no longer suitable for cranberry farming.

The Chair noted that when the DV Permit application was presented to the Agricultural Advisory Committee (AAC) in December 2007, a motion to support the variance was defeated. Mr. Jackson explained that the AAC passed a motion directing the DV Permit application be referred to staff, to process the application on the understanding that staff work with the applicant to secure considerations, (i.e. to ensure that the intent of preserving as much viable agricultural land as possible is maintained) which would generally benefit farming. Mr. Jackson advised that staff worked with the applicant to respond to the AAC's motion and the result was the requirement for a restrictive covenant.

Panel Decision

It was moved and seconded

That a Development Variance Permit be issued which would vary the provisions of the Zoning and Development Bylaw No. 5300 to increase the maximum required setback from a public road in the Agricultural District (AG1) zone from 50 m (164 ft.) to 75 m (246 ft.) to accommodate a new single-family dwelling at 2600 No. 7 Road.

CARRIED

5. Date of Next Meeting

It was moved and seconded

That the Development Permit Panel meeting tentatively scheduled for Wednesday, February 27, 2008 be cancelled, and that the next Development Permit Panel is scheduled for 3:30 p.m., Wednesday, March 12, 2008.

CARRIED

6. Adjournment

It was moved and seconded

That the meeting be adjourned at 4:50 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, February 13, 2008.

Joe Erceg
Chair

Sheila Johnston
Committee Clerk