



Council Report For the Meeting of June 10, 2021

To: Council **Date:** May 28, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: **Rezoning Application No. 00722 and Development Permit with Variances Application No. 00159 for 2440 and 2448 Richmond Road**

RECOMMENDATION

Rezoning Application No. 00722

That first and second readings of the Zoning Regulation Bylaw, Amendment Bylaw (No. 1248) be considered by Council and a Public Hearing date be set.

Housing Agreement Bylaw

That Council give first, second, and third readings of the Housing Agreement (2440 and 2448 Richmond Road) Bylaw No. 21-024.

Development Permit with Variances Application No. 00159

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00722, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00159 for 2440 and 2448 Richmond Road, in accordance with:

1. Plans date stamped **January 20, 2021**;
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

2440 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;
- ii. reduce the side setback (south) from 4.00m to 3.22m;
- iii. reduce the side setback (north) from 4.00m to 1.70m.

2448 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;

- ii. reduce the side setback (south) from 4.00m to 1.70m;
- iii. reduce the side setback on a flanking street (north) from 6.00m to 3.01m.

3. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendation for a revised Rezoning Application and Development Permit with Variances Application for the properties located at 2440 and 2448 Richmond Road.

On December 10, 2020, Council passed a motion that included the following direction:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00722 for 2440 and 2448 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to:

- a. Secure all units as rental housing in perpetuity and that one unit shall be adaptable, to the satisfaction of the Director of Sustainable Planning and Community Development.**
- b. Secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:**
 - i. one car share membership per dwelling unit;**
 - ii. \$100 in car share usage credits per membership;**
 - iii. pedestrian curb extension (bulb-out) at the intersection of Richmond Road and Adanac Street;**
 - iv. 4 electric bike charging stations in each building;**
 - v. one bicycle repair station in each building.**
- c. Secure a statutory right-of-way of 4.89 meters along the Richmond Road to the satisfaction of the Director of Engineering and Public Works.**
- d. Secure reciprocal access over 2448 Richmond Road in favour of 2440 Richmond Road to the satisfaction of the Director of Sustainable Planning and Community Development.**
- e. Secure an easement for the storm drain line on private property over 2448 Richmond Road in favour of 2440 Richmond Road to the satisfaction of the Director of Engineering and Public Works.**

Development Permit with Variances Application No. 00159

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00722, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00159 for 2440 and 2448 Richmond Road, in accordance with:

- 1. Plans date stamped **October 22, 2020.****

2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*

2440 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;*
- ii. reduce the side setback (south) from 4.00m to 3.22m;*
- iii. reduce the side setback (north) from 4.00m to 1.70m.*

2448 Richmond Road

- i. reduce the number of residential vehicle parking stalls from 9 to 7;*
- ii. reduce the side setback (south) from 4.00m to 1.70m;*
- iii. reduce the side setback on a flanking street (north) from 6.00m to 3.01m.*

3. Revisions to the landscape plan planting list and categories to accurately determine percentage of pollinator, food-bearing and native species; and to revisions to the ground floor entry doors to create a more welcoming streetscape, to the satisfaction of the Director of Sustainable Planning and Community Development.

4. *The Development Permit lapsing two years from the date of this resolution.”*

With regards to the pre-conditions that Council set in relation to these applications, staff can report that the Housing Agreement to secure all units as rental in perpetuity has now been executed and is ready for Council’s consideration of introductory readings. As well, *the applicant has registered all of the necessary agreements except there was an error with one of the easements that is being rectified and re-registered on title. At the time of this report, the registration of the easement was not complete. If registration of all agreements is not fully completed prior to the public hearing and Council decides to approve the application, the bylaws will be withheld from adoption until after the agreements are registered.*

Since Committee of the Whole, the applicant has also clarified the landscape plan and revised the ground floor entries to make them more prominent and to enhance a connection with the public realm by introducing transparent glazing on the doors. The landscape plan now shows that it meets the policy of having at least 30% of the common outdoor areas planted with native, food-bearing or pollinator species.

CONCLUSIONS

The applicant has revised the plans to clarify the landscape plan and has modified the ground floor entries to improve the buildings’ connection with the street. Additionally, the legal agreements have been executed, but at the time of writing this report, have not been fully registered. The recommendation provided for Council’s consideration contains the appropriate language to advance these applications to a Public Hearing and staff will advise if it becomes necessary to withhold final adoption.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00722, and Development Permit Application No. 00159, for the property located at 2440 and 2448 Richmond Road.

Respectfully submitted,

Chelsea Medd
Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A – Plans dated January 20, 2020.