



To: Planning Committee
From: Wayne Craig
Director, Development

Date: April 24, 2019
File: ZT 18-815709

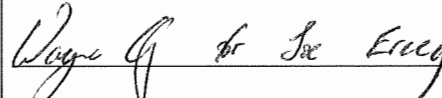
Re: Application by Paul Doroshenko for a Zoning Text Amendment to the “Industrial Retail (IR1)” Zone to Permit a Distillery at 5800 Cedarbridge Way

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10022, for a Zoning Text Amendment to the “Industrial Retail (IR1)” zone to permit “microbrewery, winery and distillery”, as a site-specific use and limited to one establishment, at 5800 Cedarbridge Way, be introduced and given first reading.


Wayne Craig
Director, Development

WC:sds
Att. 5

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Business Licences	<input checked="" type="checkbox"/>	

Staff Report

Origin

Paul Doroshenko has applied to the City of Richmond for permission to amend the “Industrial Retail (IR1)” zone to add “microbrewery, winery and distillery”, as a site-specific permitted use and limited to one establishment, at 5800 Cedarbridge Way. A location map and aerial photograph are provided in Attachment 1. The subject site is currently occupied by a light industrial/office building approximately 1,820 m² (19,590 ft²) in area, which is to be retained. The applicant is proposing to operate a distillery (spirits) in one of the units of the existing light industrial/office building (four units in total). The proposed distillery will include 215.7 m² (2,322 ft²) of warehouse/production area and 46 m² (495 ft²) of retail and tasting area on the ground level, and 111.4 m² (1,199 ft²) of break room space for staff on the mezzanine level, for a total of 373.1 m² (4,016 ft²). The proposed floor plans are provided in Attachment 2.

The applicant has submitted Building Permit (BB 18-842152) and Business License (IU18-838000) applications, currently in-circulation, for the manufacturing component of the proposed distillery, which is a permitted use under the existing zoning. The proposed Zoning Text Amendment is to allow the ancillary uses (i.e. retail and lounge component). The lounge component would involve additional public consultation and Council and Provincial approvals through the liquor service licencing process as described below. A total of three business licenses from the City are required, including licenses for the manufacturing, lounge and retail components.

Liquor Control and Licensing Branch (LCLB)

The applicant will also be required to obtain licenses from the Liquor Control and Licensing Branch (LCLB), including a “manufacturer” license, and “on-site store” and “lounge” endorsements. If the proposed Zoning Text Amendment is adopted by Council, the City will require the applicant to undertake additional public consultation on the LCLB “lounge” endorsement application in accordance with Development Application Fees Bylaw 8951. The LCLB “lounge” endorsement application process involves the following:

- Public consultation, including installing a sign on the property and publishing a notice in three consecutive editions of the newspaper. By practice, the City also requires that notices be mailed to residents and owners of properties within a 50 m (164 ft.) radius of the subject property.
- Review of the application, including consideration of prescribed criteria: (a) potential for additional noise and traffic, (b) impact on the community, and (c) potential to operate contrary to its primary purpose. The applicant will also provide details of the type of licence, proposed person capacity, and proposed hours of liquor service.
- Council consideration of the application and the results of the public consultation, which would be reviewed by staff and forwarded to Council for consideration in providing comments to the LCLB on the “lounge” endorsement application.

If the LCLB considers the license endorsement application for the “lounge” after receiving City Council comments, the applicant would then apply for the applicable City business licence if approved by the LCLB.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

To the North: Light industrial buildings with surface parking and loading on properties zoned “Industrial Retail (IR1)”.

To the South & East: Across a City-owned lane, light industrial buildings with surface parking and loading on properties zoned “Industrial Retail (IR1)”.

To the West: Across Cedarbridge Way, light industrial buildings with surface parking and loading on properties zoned “Industrial Retail (IR1)”.

Related Policies & Studies

Official Community Plan/City Centre Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Mixed Use (MU)”. The “Mixed Use” designation comprises of those areas where the principal uses are residential, commercial, industrial, office and institutional uses. The City Centre Area Plan (CCAP) (Lansdowne Village) land use designation for the subject site is “Urban Centre T5 (25 m)” (Attachment 4). Urban Centre T5 permits residential, hotel, office, retail trade and service, restaurant, neighbourhood pub and accessory uses. The development proposal is generally consistent with these designations.

Royal Canadian Mounted Police (RCMP)

RCMP staff reviewed the proposal and had no concerns with the distillery.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Aircraft Noise Sensitive Development Policy

The subject property is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area 3. Registration of an aircraft noise indemnity covenant on Title is required prior to final adoption of the rezoning bylaw to address public awareness and to ensure aircraft noise mitigation is incorporated into future development.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the *Local Government Act*.

In addition, the applicant is required to undertake additional public consultation on the Liquor Control and Licensing Branch (LCLB) “lounge” endorsement application in accordance with Development Application Fees Bylaw 8951, as described in the “Liquor Control and Licensing Branch (LCLB)” section of this report.

Analysis

Proposed Zoning Text Amendment

The purpose of the proposed Zoning Text Amendment is to amend the “Industrial Retail (IR1)” zone to add “microbrewery, winery and distillery”, as a site-specific permitted use and limited to one establishment, at 5800 Cedarbridge Way. The manufacturing component of the proposed distillery is permitted under the existing “Industrial Retail (IR1)” zone under the “industrial, general” use. However, the proposed ancillary uses (i.e. on-site store and lounge) are not permitted. The proposed Zoning Text Amendment is to allow the “microbrewery, winery and distillery” use, which permits the on-site store and lounge components, which differentiate distilleries (and microbreweries and wineries) from standalone liquor manufacturing operations.

The definition of the “microbrewery, winery and distillery” use as per Zoning Bylaw 8500 includes requiring that the combined floor area of the proposed ancillary uses does not exceed the manufacturing floor area. The proposal complies with this requirement as approximately 215.7 m² (2,322 ft²) of warehouse/production area, 46 m² (495 ft²) of retail and tasting area and 111.4 m² (1,199 ft²) of break room space for staff are proposed.

The proposed Zoning Text Amendment would allow the “on-site store” component, along with the currently permitted manufacturing use, while further public and Council comment would be required prior to LCLB granting a “lounge” endorsement, as discussed in the “Liquor Control and Licensing Branch (LCLB)” section of this report.

Built Form and Architectural Character

The subject property is currently occupied by a two-storey light industrial/office building with four side-by-side units of approximately 1,820 m² (19,590 ft²) in area, which is to be retained. The distillery is proposed to be contained wholly within one of the units of the existing building (no outdoor seating area is proposed). Surface parking is located at the front of the building and

loading area at the rear. There is also a grass and landscaped boulevard separating the surface parking from Cedarbridge Way.

No changes are proposed to the exterior of the building as part of this application, with the exception of new signage, which will require a separate Sign Permit.

Existing Legal Encumbrances

There is an existing Statutory Right-of-Way (SRW) (Plan 40613) registered on Title for sanitary sewer services located in the northeast corner of the property (3.0 m W x 15.2 m L). The SRW will not be impacted by the proposed development and the developer is aware that encroachment into the SRW is not permitted.

Transportation and Site Access

The existing driveway access from Cedarbridge Way, surface parking lot and loading area for the existing light industrial/office building are to be maintained. The proposed distillery will be allotted six vehicle parking spaces in the existing surface parking lot, consistent with Zoning Bylaw 8500. The remaining spaces will continue to be allocated to the existing tenants, with no changes to the number of vehicle parking spaces for each tenant and consistent with the requirements of Zoning Bylaw 8500. There are 16 existing Class 2 bicycle parking spaces provided for the building in an accessible area along Cedarbridge Way, consistent with Zoning Bylaw 8500. The applicant will be required to provide one interior Class 1 employee bicycle parking space.

In order to improve pedestrian access to the proposed distillery, the applicant will be required prior to final adoption of the Zoning Text Amendment to provide a security deposit to the City, based on 100% of the cost estimate, for the construction of a minimum 1.5 m (5 ft.) wide painted pedestrian pathway on-site immediately adjacent to the south property line, connecting Cedarbridge Way to the front of the building. Part of the pedestrian pathway will include an asphalt portion from the property line to the curb, located on the City's property, which will be secured via City Work Order. The proposed pedestrian pathway will require the existing parking spaces to be shifted and repainted, which will be included in the security amount.

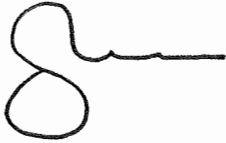
Conclusion

Paul Doroshenko has applied to the City of Richmond for permission to amend the "Industrial Retail (IR1)" zone to add "microbrewery, winery and distillery", as a site-specific permitted use and limited to one establishment, at 5800 Cedarbridge Way.

The Zoning Text Amendment application complies with the land use designation and applicable policies contained within the OCP and Area Plan for the subject site.

The list of rezoning considerations is included in Attachment 5, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10022 be introduced and given first reading.

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line.

Steven De Sousa
Planner 1

SDS:cas

Attachment 1: Location Map & Aerial Photo

Attachment 2: Conceptual Development Plans

Attachment 3: Development Application Data Sheet

Attachment 4: City Centre Area Plan (CCAP) Lansdowne Village Specific Land Use Map

Attachment 5: Rezoning Considerations



City of
Richmond

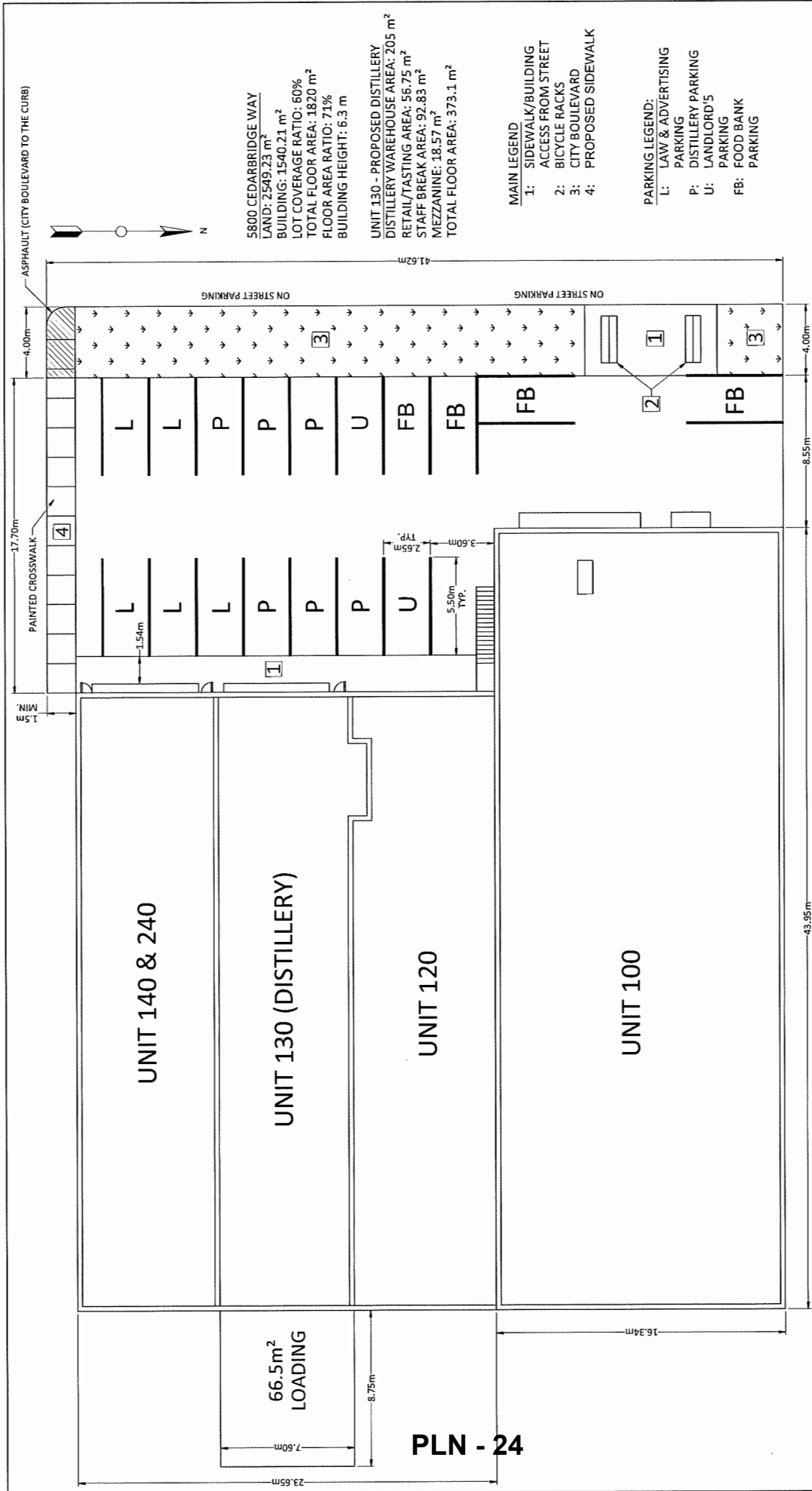


RZ 18-815709

Original Date: 03/21/18

Revision Date: 03/22/18

Note: Dimensions are in METRES



Kova Engineering Ltd.

PROJECT: PARKING LAYOUT
 5800 CEDARBRIDGE WAY
 RICHMOND, B.C.

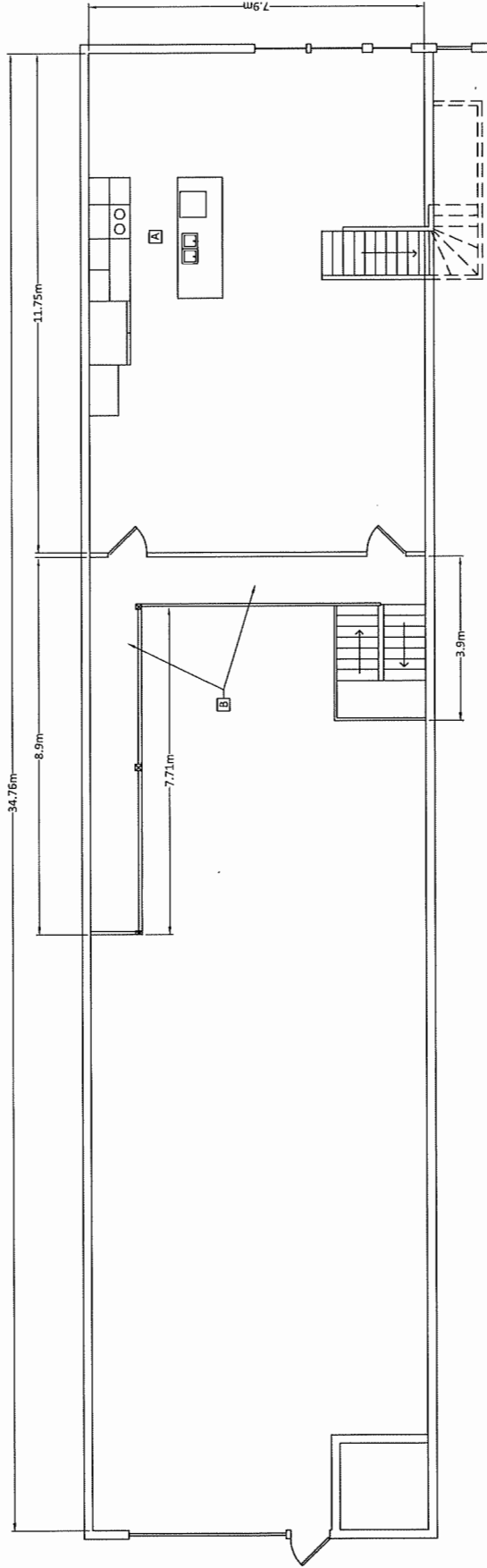
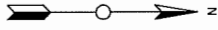
CLIENT: DEEP BLUE DISTILLERIES
 SCALE: 1:200
 DWG. NO.: V46143
 PAGE NO.: 1 OF 1

1. We are not liable for errors, omissions or defects in workmanship, unless each item is inspected by kova personnel during fabrication.
 2. We are not liable for any claims resulting from third party use.
 3. Our liability is limited to the cost of one re-design.

REV	REFERENCE DRAWINGS	REVISIONS	DATE	BY	TOLEANCES-U.N.O.
▲					LINEAR DIMS: ±1/16"
▲					ANGULAR DIMS: ±1.1 deg
▲					CUT SURFACES: 1/8"
▲					MACHINED SURFACES: 1/16"
▲					DRWN BY: A. THOMPSON
▲					DATE: 07/13/19
▲					CHK'D BY: B. DEVLIN
▲			07/13/19	AT	CHK'D BY: G. KOVACK

REF. DWG #	REFERENCE DRAWINGS	REVISIONS	DATE	BY	TOLEANCES-U.N.O.
					LINEAR DIMS: ±1/16"
					ANGULAR DIMS: ±1.1 deg
					CUT SURFACES: 1/8"
					MACHINED SURFACES: 1/16"
					DRWN BY: A. THOMPSON
					DATE: 07/13/19
					CHK'D BY: B. DEVLIN
			07/13/19	AT	CHK'D BY: G. KOVACK

PLN - 24



PLN - 26

SECOND FLOOR

LEGEND:

- A: STAFF KITCHEN 92.8 SQ. M
- B: MEZZANINE 18.6 SQ. M

REF. DWG #	REFERENCE DRAWINGS	REV	REVISIONS	DATE	BY	TOLERANCES-U.N.O.	1. We are not liable for errors, omissions or defects in workmanship, unless each item is inspected by kova personnel during fabrication.
		△				LINEAR DIMS: ± 1/16"	<p>2. We are not liable for any claims resulting from third party use.</p> <p>3. Our liability is limited to the cost of one re-design.</p>
		△				ANGULAR DIMS: ± 1 deg	
		△				CUT SURFACES: √	
		△				MACHINED SURFACES: √	
		△				DATE: 03/05/19	
		△				CHK'D BY: B. DEVLIN	
		△		03/05/19	AT	ISSUED FOR CLIENT REVIEW	

Kova Engineering Ltd.

PROJECT: DISTILLERY LAYOUT
SECOND FLOOR
130-5800 CEDARBRIDGE WAY
RICHMOND, B.C.

CLIENT: DEEP BLUE DISTILLERIES
SCALE: 1:100
PAGE NO.: 1 OF 1

DWG. NO.: V46143-3



ZT 18-815709

Attachment 3

Address: 5800 Cedarbridge Way

Applicant: Paul Doroshenko

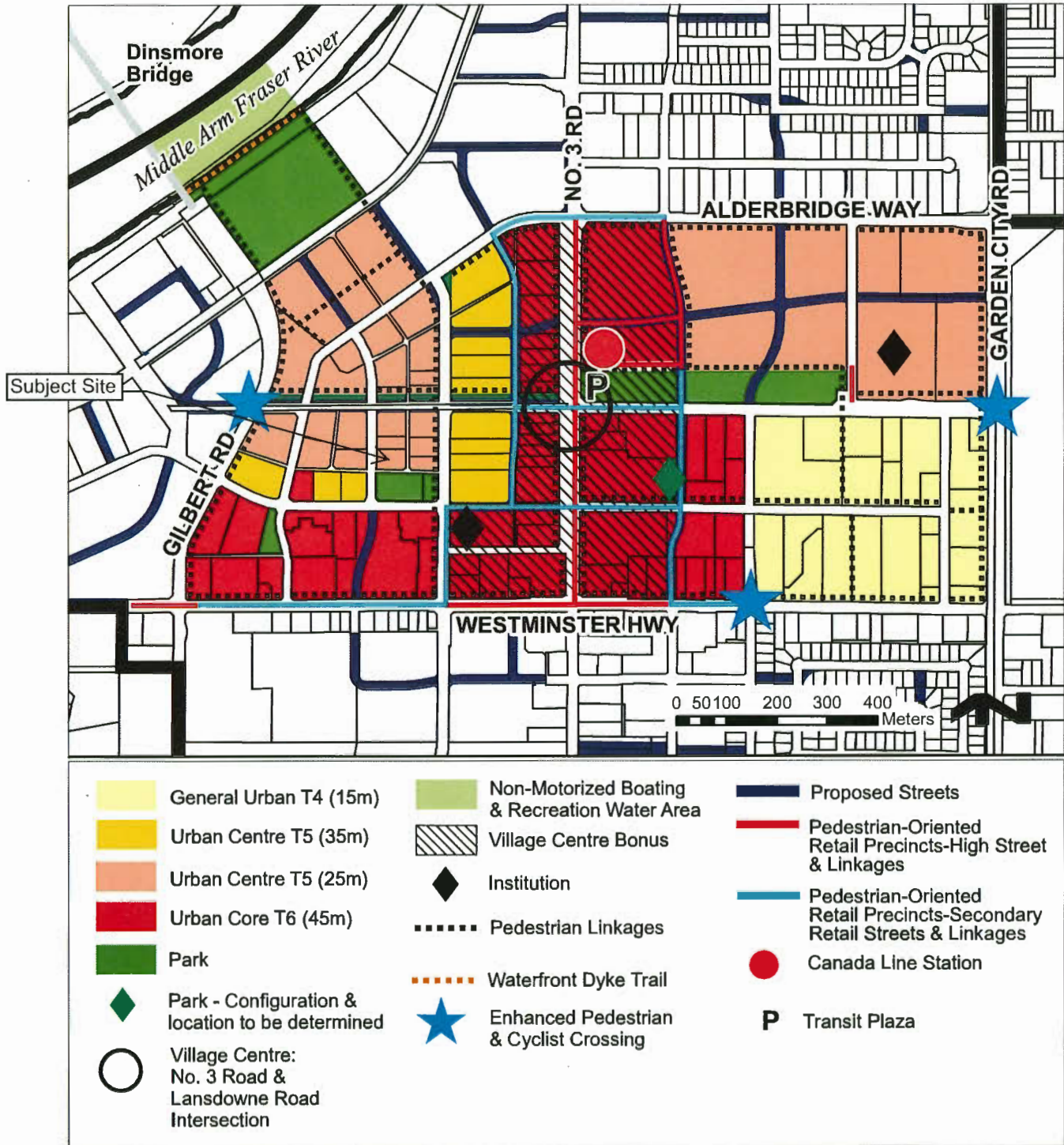
Planning Area(s): City Centre – Lansdowne Village

	Existing	Proposed
Owner:	Romana Investments Ltd.	No change
Site Size:	2,549 m ² (27,439 ft ²)	No change
Land Uses:	General industrial and office	General industrial, distillery and office
OCP Designation:	Mixed Use (MU)	No change
Area Plan Designation:	Urban Centre T5 (25 m)	No change
Zoning:	Industrial Retail (IR1)	Industrial Retail (IR1) with an amendment to allow "microbrewery, winery and distillery" as a site-specific permitted use.

	Bylaw Requirement	Existing	Variance
Floor Area Ratio:	Max. 1.2	0.72 (no change)	None permitted
Buildable Floor Area:	Max. 3,059 m ² (32,926 ft ²)	1,820 m ² (19,590 ft ²) (no change)	None permitted
Lot Coverage:	Buildings: Max. 90%	Buildings: 60% (no change)	None
Lot Size:	Min. 2,400 m ²	2,549 m ² (no change)	None
Lot Dimensions:	N/A	N/A	None
Setbacks:	Front: Min. 3.0 m Rear: N/A Side: N/A	Front: 8.55 m (no change) Rear: 8.75 m (no change) Side: 0.15 m (no change)	None
Height:	Max. 25.0 m	6.3 m (no change)	None
Off-street Parking Spaces – Total:	Min. 16	17 (no change)	None
Off-street Parking Spaces – Distillery:	Min. 6	6 (proposed)	None
Bicycle Parking Spaces – Class 1:	Min. 1	1 (proposed)	None

City of Richmond

Specific Land Use Map: Lansdowne Village (2031) Bylaws 8427 & 8516
2010/09/13





Address: 5800 Cedarbridge Way

File No.: ZT 18-815709

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10022, the developer is required to complete the following:

1. Registration of an aircraft noise indemnity covenant on title.
2. Registration of a flood indemnity covenant on title.
3. Submission of a security to the City, based on 100% of the cost estimate, for the construction of a 1.5 m wide painted pedestrian pathway on-site along the south property line, and submission of a City Work Order for a 1.5 m wide asphalt portion on the City's property from the property line to the curb at the developer's cost.

Prior to Building Permit Issuance, the developer must complete the following requirements:

1. Provide one interior Class 1 employee bicycle parking space as per Zoning Bylaw 8500.
2. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

[Signed copy on file]

Signed _____

Date _____



**Richmond Zoning Bylaw 8500
Amendment Bylaw 10022 (ZT 18-815709)
5800 Cedarbridge Way**

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

1. Richmond Zoning Bylaw 8500 is amended by:
 - a. Inserting the following permitted use in Section 12.4.3.B Additional Uses in the Industrial Retail (IR1) zone:
“Microbrewery, Winery and Distillery”
 - b. Inserting the following new Section 12.4.11.8 (Other Regulations) in the Industrial Retail (IR1) zone and renumbering accordingly:
“Microbrewery, Winery and Distillery shall be only permitted on the following **site(s)** and limited to one establishment:
 5800 Cedarbridge Way
 P.I.D. 002-161-583
 Lot 88 Section 5 Block 4 North Range 6 West New Westminster District Plan 37381”
2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 10022”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER