



City of Richmond

Report to Committee Planning and Development Division

To: General Purposes Committee

Date: July 5, 2017

From: Wayne Craig
Director, Development

File: RZ 13-633927

Re: Application by Onni Development (Imperial Landing) Corp. for a Zoning Text Amendment at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (formerly 4300 Bayview Street) to Amend the "Steveston Maritime Mixed Use (ZMU12)" Zone and the "Steveston Maritime (ZC21)" Zone

Staff Recommendation

1. That Official Community Plan Amendment Bylaw 9062, to amend the land use definition of "Maritime Mixed Use" by adding a range of commercial uses in Appendix 1 (Definitions) to Schedule 2.4 of Official Community Plan Bylaw 7100 (Steveston Area Plan), be introduced and given first reading.
2. That Bylaw 9062, having been considered in conjunction with:
 - the City's Financial Plan and Capital Program; and
 - the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;

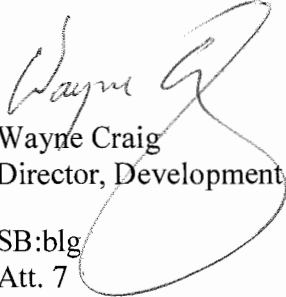
is hereby found to be consistent with said program and plans, in accordance with Section 477(3)(a) of the *Local Government Act*.

3. That Bylaw 9062, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found not to require further consultation.

July 5, 2017

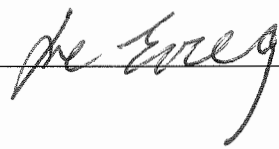
- 2 -

4. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9063, to
- a) Amend the "Steveston Maritime Mixed Use (ZMU12)" zone by widening the range of permitted commercial uses at 4020, 4180, 4280 and 4300 Bayview Street; and
 - b) Amend the "Steveston Maritime (ZC21)" zone by widening the range of permitted commercial uses at 4080 and 4100 Bayview Street;
- be introduced and given first reading.



Wayne Craig
Director, Development

SB:blg
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Arts, Culture and Heritage	<input checked="" type="checkbox"/>	
Policy Planning	<input checked="" type="checkbox"/>	
Recreation and Sport Services	<input checked="" type="checkbox"/>	

CNCL - 454

Staff Report

Origin

Onni Development (Imperial Landing) Corp. has applied to the City of Richmond to amend the “Steveston Maritime Mixed Use (ZMU12)” zone and the “Steveston Maritime (ZC21)” zone to permit additional commercial uses in the non-residential spaces of each of the six existing buildings on the subject site at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (Attachments AA and BB).

The application also includes a proposed amendment to the Schedule 2.4 (Steveston Area Plan) of Official Community Plan Bylaw 7100 (OCP) to revise the land use definition of “Maritime Mixed Use” (MMU) to allow additional commercial uses.

On May 6, 2014, the following two referral motions were carried by Planning Committee:

Firstly, “That the staff report titled, “Application by Onni Development (Imperial Landing) Corp. for a Zoning Text Amendment at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (formerly 4300 Bayview Street) to amend the Steveston Maritime Mixed Use (ZMU12) zone and the Steveston Maritime (ZC21) zone,” dated April 30, 2014, from the Director of Development be referred back to staff to review:

- (1) options to enhance the community amenity contribution;*
- (2) options to determine the preferred type of community amenity contribution; and*
- (3) potential sites for the expansion of the Steveston Library.*

and report back to a forthcoming General Purposes Committee.”

And secondly, “That staff examine options suggested by Steveston residents and merchants for alternative uses of the Imperial Landing site and report back.”

This Staff Report addresses the referrals by providing information for Council’s consideration regarding:

- a revised land use proposal by the applicant that has reduced the overall amount of retail area proposed on the site and added a hotel use. The revised proposal includes:
 - 32 hotel units, including cooking facilities, in buildings 5 & 6
 - Office, Restaurant and General Retail uses in buildings 1 through 4
 - Minor Health Services in buildings 1, 2 & 4
 - Financial Services in buildings 1 & 4
 - Indoor Recreation in buildings 2 & 4
 - Grocery Store in building 2
 - Attachment BB shows the location of each of the proposed uses
- a revised community amenity contribution proposed by the applicant (Attachment CC);
- staff comments on the expansion of the library branch in Steveston; and

- a comparative analysis of the applicant’s proposal and the land use options suggested by Steveston residents and merchants.

This Staff Report also includes two bylaws to amend the OCP/Steveston Area Plan and Zoning Bylaw, for introduction and first reading.

Findings of Fact

The subject site has a long history of various development applications. Staff Reports regarding the subject rezoning application were reviewed by Planning Committee at previous meetings on: November 19, 2013; April 8, 2014; and two meetings on May 6, 2014. The subject rezoning application has a history of different land use and community amenity contribution proposals and Planning Committee referrals (Attachment DD).

Please refer to the second referral Staff Report dated April 30, 2014 (Attachment EE) for the three staff reports considered by Planning Committee, including information regarding the existing development, previous proposals, consultant reports and significant public input.

Subsequent to the Planning Committee on May 6, 2014, and separate from the subject rezoning application, the OCP/Steveston Area Plan and the "Steveston Maritime (ZC21)" zone were amended to allow limited child care use on the subject site in response to a referral received from the General Purposes Committee on June 20, 2016.

Related Policies & Studies

Consultation

A rezoning sign has been installed on the subject property. Should the General Purposes Committee endorse this application and Council grant first reading to the OCP and zoning bylaws, the bylaws would be forwarded to a Public Hearing; where any area resident or interested party would have an opportunity to comment.

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

Staff have reviewed the proposed Official Community Plan (OCP) and zoning amendments; with respect to the Local Government Act and the City’s OCP Consultation Policy No. 5043 requirements, and recommend that this report does not require referral to external stakeholders.

The following table clarifies this recommendation as it relates to the proposed OCP.

OCP Consultation Summary

Stakeholder	Referral Comment (No Referral necessary)
BC Agricultural Land Reserve Commission	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
Richmond School Board	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
The Board of the Greater Vancouver Regional District (GVRD)	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.

Stakeholder	Referral Comment (No Referral necessary)
The Councils of adjacent Municipalities	No referral necessary, as adjacent municipalities are not affected, and the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
First Nations (e.g., Sto:lo, Tsawwassen, Musqueam)	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
TransLink	No referral necessary, as no transportation road network changes are proposed, and the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
Port Authorities (Vancouver Port Authority and Steveston Harbour Authority)	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
Vancouver International Airport Authority (VIAA) (Federal Government Agency)	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
Vancouver Coastal Health Authority	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
Community Groups and Neighbours	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.
All relevant Federal and Provincial Government Agencies	No referral necessary, as the proposed amendment refers to the addition of commercial permitted uses in the Mixed Maritime Area.

Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9062, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby found to not require further consultation.

School District

This application was not referred to School District No. 38 (Richmond) because it does not involve residential uses that have the potential to generate 50 or more school aged children. According to OCP Bylaw Preparation Consultation Policy 5043; which was adopted by Council and agreed to by the School District, residential developments which generate less than 50 school aged children do not need to be referred to the School District (e.g., typically around 295 multiple-family housing units). This application does not involve the addition of any new housing units.

Public Input

After the previous staff report was completed on April 30, 2014 to the time of writing this report, 100 pieces of correspondence (Attachment FF) were submitted by members of the public to the City, including 4 items from addresses unknown or located outside of Richmond. The 96 pieces of correspondence received from 120 Richmond residents/business owners indicate 73 writers did not support the proposal, 46 writers supported the proposal, and one writer did not indicate whether they supported the proposal, but advised that a resolution to the situation was needed. Similar land use concerns were raised by the public and discussed in the previous Staff Reports. The new correspondence includes a new concern from three writers regarding the new proposed short term accommodation hotel use.

Public Open House Meetings Held by the Applicant

The applicant hosted a series of public open house meetings at the subject site on February 18, February 20, February 25, and February 27 of 2016, and submitted a summary report to the City (Attachment GG). The proposal presented at that time was different from the current proposal. The applicant has not hosted a public open house regarding the current proposal.

The summary report identifies that 372 stakeholders attended the meetings and includes 265 pieces of public correspondence submitted by members of the public to the applicant, consisting of 80 form letters, 137 feedback forms and 48 emails. The 48 emails are also included in the public correspondence submitted to the City discussed above as they were sent through the applicant's website to the City. The 265 pieces of correspondence include 204 in support of the proposal, 50 not in support, and 11 that did not indicate whether in support or not.

Analysis

OCP Amendment to Accommodate Commercial Uses

The site is designated "Maritime Mixed Use" in the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100). The definition of "Maritime Mixed Use" in the Steveston Area Plan was amended in early 2016 to allow for limited child care use. Currently, "Maritime Mixed Use" is defined as an area set aside to support the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet, including limited retail uses in the area between Phoenix Pond and No. 1 Road, where the subject site is located. Limited residential and child care uses are also accommodated.

The applicant is requesting that the Steveston Area Plan definition of Maritime Mixed Use be revised to allow limited commercial uses in the Maritime Mixed Use Area to serve the needs of Steveston residents and visitors.

Revised OCP Bylaw 7100, Amendment Bylaw 9062 to amend the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100) to change the "Maritime Mixed Use" definition to allow limited commercial uses, is provided for Council consideration.

Zoning Text Amendments to Accommodate Commercial Uses

The attached revised land use proposal map (Attachment BB) identifies the permitted and proposed land uses for the six existing buildings on the subject site, which is subject to both the "Steveston Maritime Mixed Use (ZMU12)" zone and the "Steveston Maritime (ZC21)" zone as follows:

- the "Steveston Maritime Mixed Use (ZMU12)" zone applies at the east and west ends of the site to Buildings 1, 4, 5 and 6 (4020, 4180, 4280 and 4300 Bayview Street); and
- the "Steveston Maritime (ZC21)" zone applies at the middle of the site to Buildings 2 and 3 (4080 and 4100 Bayview Street).

The previous proposal considered by Planning Committee on May 6, 2014 included revising the non-residential permitted land use in both zones across the entire subject site by: retaining

Maritime or commercial fishing related uses, adding 15 to 16 new commercial uses and removing the restriction limiting some land uses to Maritime related activities only.

To accommodate the applicant's current proposal of June 2, 2017 (Attachment BB), the "Steveston Maritime Mixed Use (ZMU12)" zone and the "Steveston Maritime (ZC21)" zone are proposed to be amended to:

- Retain all of the Maritime or commercial fishing related uses permitted in the existing "Steveston Maritime Mixed Use (ZMU12)" zone.
- Retain all of the Maritime or commercial fishing related uses and limited child care use permitted in the existing "Steveston Maritime (ZC21)" zone.
- Include 5 to 6 conventional commercial uses in both zones that are intended to provide for the shopping, dining, business, office, recreational, and service uses for area residents and visitors as well as short term accommodation needs of visitors.
- Limit the proposed new uses to specific ground floor areas of the subject site only (e.g., retain existing second floor child care use Building 2 at 4080 Bayview Street and retain existing upper floor dwelling units in Buildings 1, 4, 5 and 6 at 4020, 4180, 4280 and 4300 Bayview Street).
- Limit grocery store use to the ground floor of Building 2 at 4080 Bayview Street only (up to a maximum of 15,921 ft²).
- Limit indoor recreation use to Buildings 2 and 4 at 4080 and 4180 Bayview Street only (up to a maximum of 21,873 ft²).
- Limit hotel use as the only additional use to Buildings 5 and 6 at 4280 and 4300 Bayview Street (23,122 ft²) to a maximum of 32 hotel rooms with cooking facilities and a maximum stay of 90 days.

Staff have advised the applicant that indoor recreation use was included in the original rezoning proposal and concerns regarding the proximity to the Steveston Community Centre were discussed at Planning Committee. In response to the referral motion from Planning Committee on November 19, 2013, indoor recreation use was removed. After consideration, the applicant is again requesting the addition of indoor recreation use to accommodate the type of recreation facility they may be able to secure; which they feel would provide services complementary to those currently provided in the neighbourhood.

The addition of grocery store use continues to be requested by the applicant, which would potentially accommodate a third grocery store in the Village area. There is an existing grocery store located on No. 1 Road and Council recently approved a development proposal for 12088 3rd Avenue (formerly 3471 Moncton Street, 12040 & 12060 3rd Avenue) that includes approximately 20,400 ft² of retail space for a grocery store (RZ 15-710852, DP 16-753377 and HA 17-763809). It should be noted that the existing Steveston Commercial (CS2 & CS3) zoning prevalent in the village would allow development of a future grocery store. The attached previous staff reports include a retail analysis prepared by Hume Consulting Corporation and an economic analysis prepared by Colliers International Consulting, both commissioned by the applicant. The analyses indicated there was sufficient floor area demand for supermarket convenience retail in the Steveston planning area to support the combined floor area of all three grocery stores.

In response to concerns raised at Planning Committee about the large area of proposed retail space and the desire for uses that support the tourism industry in the Village, the applicant has requested the addition of hotel use for 32 hotel rooms. The hotel use reduces the requested floor area of retail by 23,122 ft² of floor area and the maximum stay of 90 days accommodates both overnight and short term stays, bringing new customers for businesses and restaurants in the Village. The proposed hotel use also reduces parking activity and vehicle trips to the site as compared with retail.

Revised Zoning Bylaw 8500, Amendment Bylaw 9063 to amend the “Steveston Maritime Mixed Use (ZMU12)” zone and the “Steveston Maritime (ZC21)” zone to allow a wider range of limited commercial uses, is provided for Council consideration.

Preferred Type of Community Amenity and Richmond Public Library

There was discussion at the Planning Committee on May 6, 2014 regarding an offer from the applicant for the City to lease space on the subject site and whether the preferred type of community amenity would be leased space or a voluntary cash contribution for Council to use at its discretion.

In their referral back to staff on May 6, 2014, Planning Committee directed staff to review the preferred type of community amenity contribution and potential sites for the expansion of the Steveston Library.

Subsequently, at the Council meeting held on December 12, 2016, Council approved a list of City priority facility projects for the ten year period of 2016 – 2026, along with planning and design funding. This included a combined Steveston Community Centre and branch library for which Advanced Planning and Design is now underway in consultation with the Steveston Community Society. Given the ongoing planning and design work related to the Steveston Community Centre, staff are recommending that a voluntary cash contribution be sought instead of pursuing any form of lease arrangement for space in the development.

The other civic facilities identified at the Council meeting held on December 12, 2016 as priority projects to 2026 did not include any which are suitable for the subject site.

Community Amenity Contribution

In their referral back to staff on May 6, 2014, Planning Committee asked for review of options to enhance the community amenity contribution.

The previous proposal considered at the Planning Committee on May 6, 2014 included a community amenity contribution amount of \$2,000,000 to a new Steveston Community Amenity provision account. These funds could be allocated by Council at their discretion.

In an effort to determine an appropriate community amenity contribution amount, two independent consultants were engaged to review the potential increase in value resulting from the revised rezoning proposal to allow for a wider range of commercial uses in the ground floor areas (53,724 ft²) of the six existing buildings. The City engaged Site Economics Ltd. and the

applicant engaged Coriolis Consulting Corp. to determine the increase in value generated by the proposed rezoning.

The existing development includes six non-residential air space parcels, each of which may be owned and/or sold independently of the others. The City's consultant (Site Economics Ltd.) determined the amount of the increase in value resulting from the proposed commercial uses for the six existing smaller independent air space parcels at approximately \$9,000,000 while the applicant's consultant (Coriolis Consulting Corp.) determined the value increase at approximately \$5,100,000. This is considerably higher than what the increase would be if the buildings are considered as a single real estate holding. Small separate spaces selling to small retail investors and end users typically have a higher price value per square foot than larger development complexes as there is increased demand for the smaller spaces which are more affordable to purchase and more flexible to use and lease out. The applicant, however, advises that it is not their business model or intention to sell any of the six non-residential air space parcels and is not prepared to proceed with valuation based on smaller independent spaces. Instead they have agreed to enter into a legal agreement to tie the non-residential area together as a single real estate holding. To ensure that the six non-residential air space parcels remain under a single ownership, the applicant has agreed to enter into a legal agreement on Title as a condition of the rezoning to ensure the six air space parcels remain under a single ownership, could not be sold independently from the others, and could not be further subdivided or strata-titled. As a result, this staff report focusses on the increase in value resulting from the proposed commercial uses based on all of the commercial area being under a single ownership.

The City again engaged Site Economics Ltd. and the applicant engaged Coriolis Consulting Corp. to determine the increase in value generated by the proposed rezoning with the above mentioned legal agreement in place to restrict the existing six air space parcels. Both consultants used a common valuation methodology and both consultants agreed that the proposed hotel use (23,122 ft²) would not increase the value of the development due to the high tenant improvement costs. Therefore the analyses focussed on the proposed general retail commercial areas (30,602 ft²). The consultants did not reach a consensus on a valuation. The applicant's consultant assessed the value increase at approximately \$4,100,000 and the City's consultant assessed the value increase at approximately \$5,500,000 (Attachment HH). The difference is largely due to different commercial rental rate assumptions. The consultants were unable to reconcile the difference in appraised values.

Upon review of the difference, the applicant indicated that they are prepared to use \$4,750,000 as a mid point value increase and provide no more than 50% of the anticipated value increase to the City as a voluntary community amenity contribution (\$2,375,000) for Council to use at its discretion.

There is no City policy to guide the evaluation of this type of situation where additional land uses are proposed in existing buildings, with no density increase. The most similar comparable is where there is an increase in density, the City looks to receive as close to 100% of the land lift value before development. The most recent example of this being the proposed mixed use development in the Capstan Village (YuanHeng RZ 12-603040) where the applicant was provided additional density and the City received an amenity package of equal value including

an approximate 33,500 ft² turn-key community centre, a waterfront park and a cash contribution for a waterfront pier.

The subject rezoning proposal does not include an increase in density, but does include new commercial uses and has been deemed to result in an increase in value. The applicant has stated that they are only prepared to provide a voluntary community amenity contribution in the amount of \$2,375,000 which represents 50% of the mid-point of values arrived at by the two independent economists. This was presented as their best offer and requested it be forwarded to Council for consideration.

In addition to the revised community amenity contribution, the applicant has also agreed to install additional signage to enhance visual cues to cyclists and vehicle drivers as part of the required Servicing Agreement to identify the two existing public parking facilities on site and that Bayview Street is shared by vehicles and bicycles.

All other aspects of the rezoning considerations (Attachment CC) remain the same as previously agreed to, including:

- Commercial truck activity legal agreement to: prohibit large WB-17 truck access and to limit hours to 7:00 am to 5:00 pm, Monday through Friday; 8:00 am to 5:00 pm on Saturday, and 9:00 am to noon on Sunday (for non-residential uses).
- Commercial parking legal agreement and right of way to secure short term free parking with merchant validation, parking fees in line with rates in the village, and limited assignment of parking spaces. This agreement also secures access to parking for customers and hotel guests.
- Additional eight Class 2 bike storage spaces (e.g. exterior bike racks) onsite.
- Voluntarily contribution in the amount of \$136,206 towards Road Works DCC projects.
- Voluntarily contribution in the amount of \$605 towards Storm Drainage DCC projects.
- Letter of Credit security in the amount of \$15,000 to allow for future traffic calming and truck activity mitigation that may be required in the first 18 months of commercial use.
- Entering into a Servicing Agreement for the design and construction of road improvements to address the proposed increased traffic on Bayview Street as a result of the development. Works include, but may not be limited to: upgrading the No. 1 Road and Bayview Street intersection with raising, bollards and decorative crosswalk; upgrading all crosswalks along Bayview Street; 30 kph posted speed limit signage; and adding bicycle “sharrows” pavement marking. This agreement also includes adding signage along Bayview Street for “sharrows,” and public parking lot signage.

Steveston Residents and Merchants Land Use Suggestions

In their referral back to staff on May 6, 2014, Planning Committee directed staff to examine options suggested by Steveston residents and merchants for alternative uses of the Imperial Landing site.

The City has received a significant amount of public input with a mix of support and opposition regarding the proposed range of commercial uses as discussed in this and previous staff reports.

At the Planning Committee on May 6, 2014, residents identified the desire for additional amenities in Steveston including an enhanced branch library, and, in general, amenities that support children and seniors. As the program for a new Steveston Community Centre and library evolves, these ideas will be considered.

One resident specifically identified the desire for a maritime museum on the site. The question of a maritime museum was addressed by staff in the previous staff report dated March 17, 2014 (attachment EE) and was not recommended in this location.

A comparison of the Steveston Merchants Association proposal and the current rezoning proposal is provided in the table below. The Steveston Merchants Association proposal was discussed in the previous staff report and at the last Planning Committee and Onni has advised that they are unwilling to proceed under the proposal. The merchants advised that restricting 50% of the MMU area to office use would restrict the amount of retail area, lower parking activity, and add office employees who would be potential customers in the Village. The current rezoning proposal includes restricting 39% of the MMU area to hotel use, which similarly restricts the amount of retail uses, lowers parking activity and adds potential customers in the Village.

	Retail	MMU	Office	Hotel
Steveston Merchants Association proposal	25% (14,872 ft ²)	25% (14,872 ft ²)	50% (29,744 ft ²)	
Current proposal	61% (36,288 ft ²)			39% (23,122 ft ²)
	<ul style="list-style-type: none"> • MMU uses are permitted in all Buildings and the second floor of Building 2 is limited to MMU and resident amenity space only (5,764 ft²) • Grocery Store is limited to the ground floor of Building 2 only (15,921 ft²) • Indoor Recreation is limited to Buildings 2 and 4 only (21,873 ft²) 			

Financial Impact or Economic Impact

None.

Conclusion

Onni Development (Imperial Landing) Corp. is requesting that the City allow a wider range of uses on their Maritime Mixed Use (MMU) site to provide commercial uses to serve resident’s needs. While the proposal can be considered under the City’s 2041 OCP, an amendment to the Steveston Area Plan is required to address the additional uses requested by the applicant.

In response to Planning Committee’s referral, the applicant has submitted a revised land use proposal which would permit:

- 32 hotel units, including cooking facilities, in buildings 5 & 6
- Office, Restaurant and General Retail uses in buildings 1 through 4
- Minor Health Services in buildings 1, 2 & 4
- Financial Services in buildings 1 & 4
- Indoor Recreation in buildings 2 & 4
- Grocery Store in building 2

The proposed rezoning is anticipated to increase the valuation of the site by approximately \$4.1M to \$5.5M with the legal agreement proposed by the applicant to address the existing six air space parcels. The applicant has offered to provide a voluntary cash contribution of \$2,375,000 to a new Steveston Community Amenity provision account that would allow Council to allocate the funds to support Council priorities in the Steveston area.

It should be noted that the site design is not affected by the proposed land use change within the buildings. The proposed roadway improvements to enhance pedestrian and cyclist safety would assist in making Steveston a walking, cycling and rolling community. The proposed parking agreement would secure short term free parking with merchant validation, parking fees in line with rates in the village, and limited assignment of parking spaces to address parking concerns. The proposed restrictions on commercial loading hours of operation would limit potential disruption and clarify the enforcement process.

It is recommended that Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9062 and Richmond Zoning Bylaw 8500, Amendment Bylaw 9063, be introduced and given first reading.



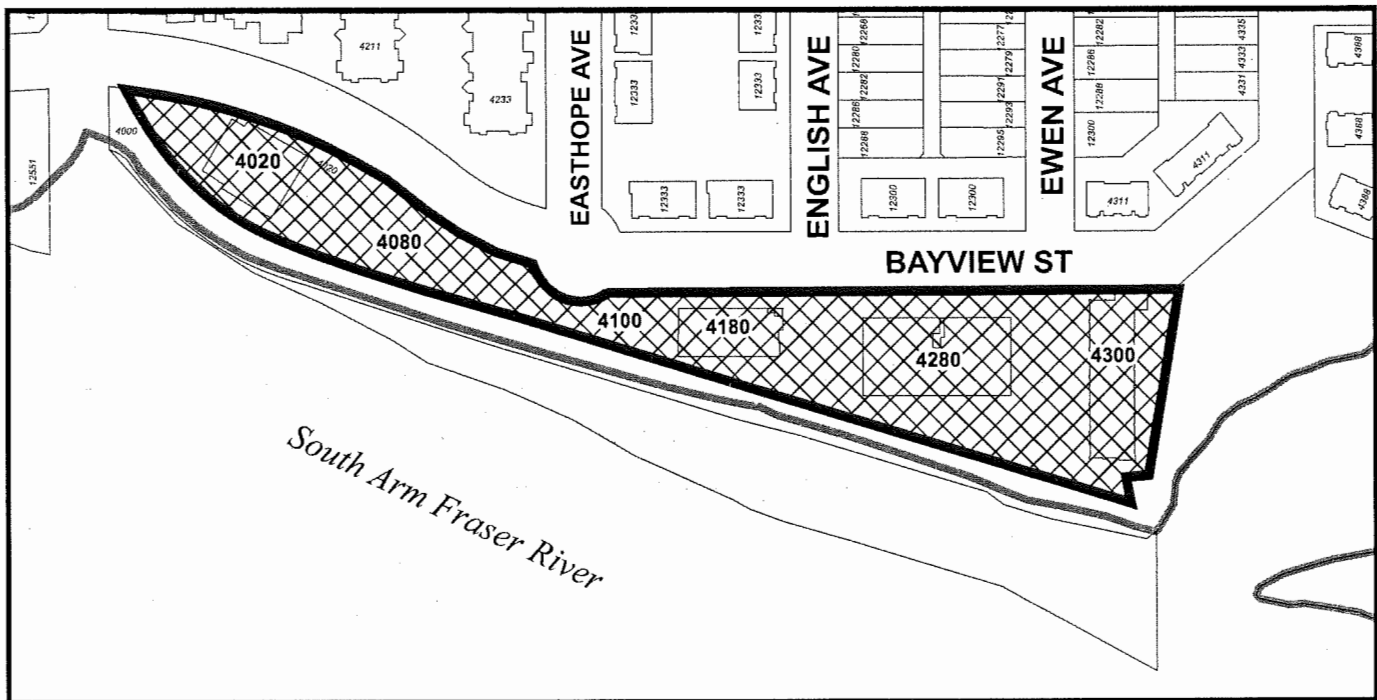
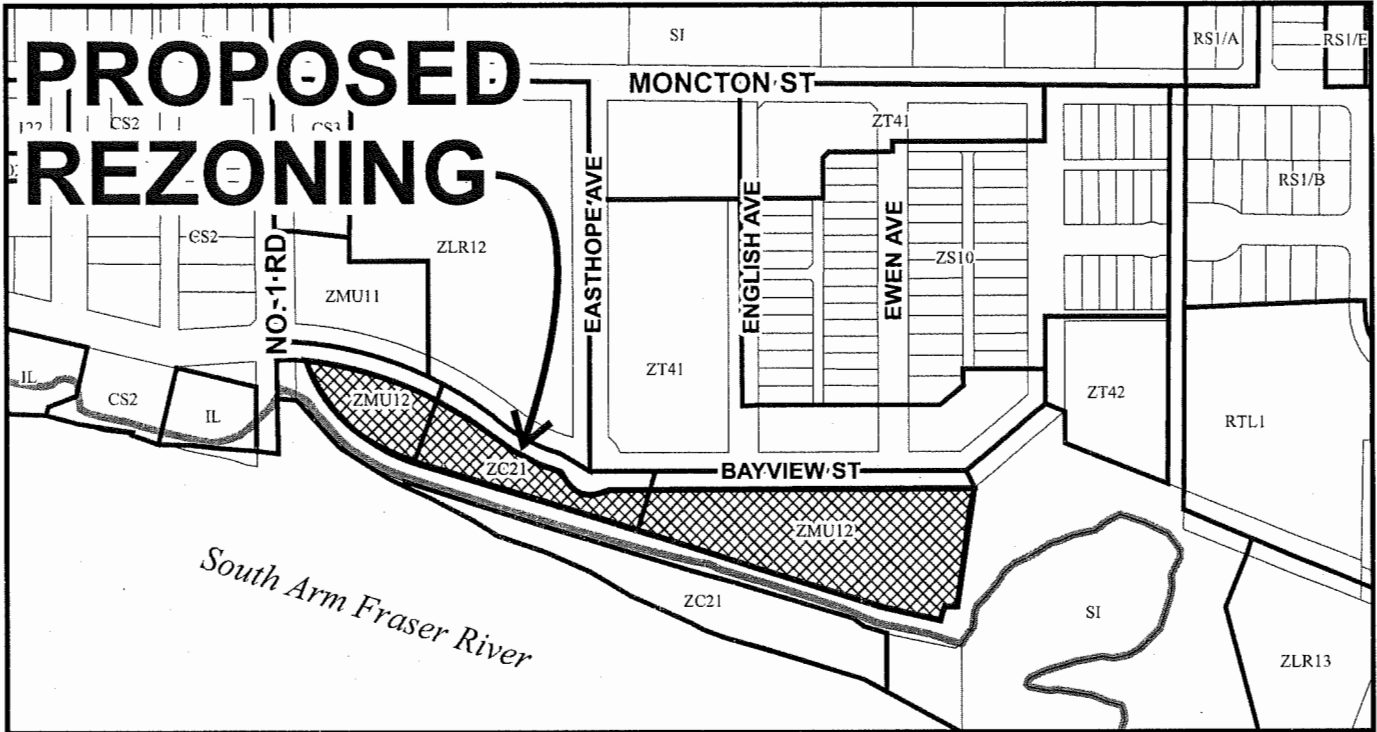
Sara Badyal, M. Arch, MCIP, RPP
Planner 2
(604-276-4282)

SB:blg

- Attachment AA: Location Map and Aerial Photo
- Attachment BB: Revised Land Use Proposal
- Attachment CC: Rezoning Considerations
- Attachment DD: RZ 13-633927 Application History
- Attachment EE: Staff Report to Planning Committee dated April 30, 2014 (including attached staff reports dated March 17, 2014 and April 30, 2014)
- Attachment FF: Public Correspondence (received May 1, 2014 to June 26, 2017)
- Attachment GG: February 2016 public open house meetings summary (including sign-in sheets and public correspondence from February 7, 2016 to March 11, 2016)
- Attachment HH: Economic Analyses Executive Summaries prepared by Site Economics Ltd, dated June 23, 2017 and Coriolis Consulting Corp., dated June 28, 2017.



City of
Richmond



RZ 13-633927

Original Date: 03/18/14

Revision Date: 06/14/17

Note: Dimensions are in METRES



City of
Richmond



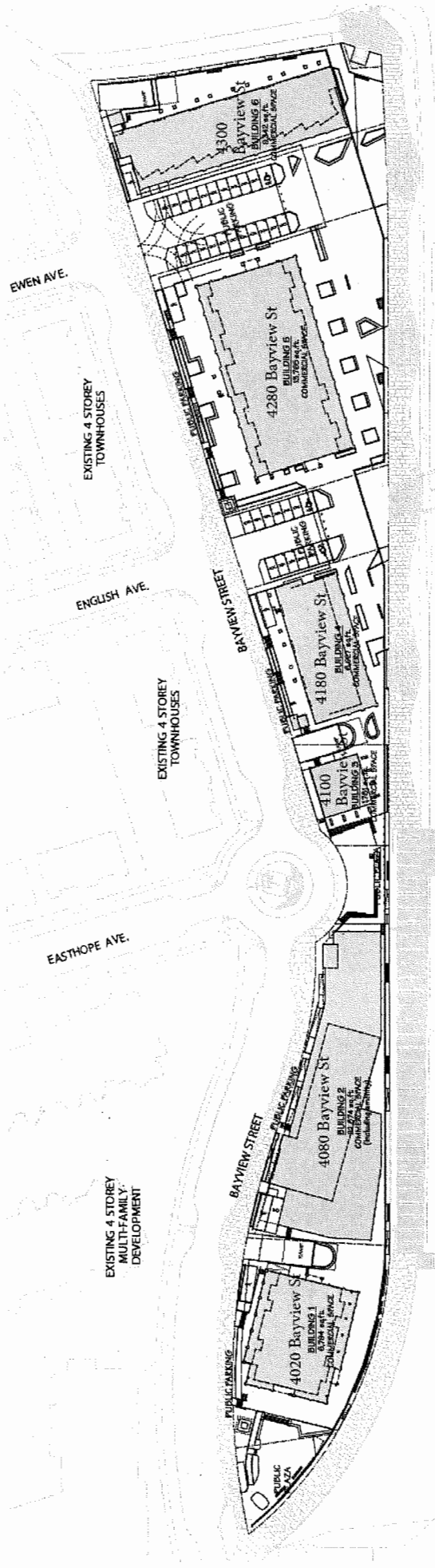
RZ 13-633927

Original Date: 03/18/14

Revision Date: 06/14/17

Note: Dimensions are in METRES

CNCL - 466



Building	4020 Bayview St (1)	4080 Bayview St (2)	4100 Bayview St (3)	4180 Bayview St (4)	4280 Bayview St (5)	4300 Bayview St (6)
59,488 sf GLA 52 dwellings	6,867 sf 12 apartments	21,685 sf (15,921 + 5,764)	1,862 sf	5,952 sf 7 two-level units	13,780 sf 22 apartments	9,342 sf 11 two-level units
Permitted Uses (existing)	(ZMU12) • Education** • Manufacturing, custom indoor** • Office** • Parking, non-accessory** • Service, Personal (Dry Cleaning & Laundry only)* • (also Housing, apartment limited & upper floors only)	(ZC21) • Child Care (limited & upper floor only) • Education* • Industrial, General** • Manufacturing, custom indoor** • Marina* • Maritime mixed use* • Office** • Parking, non-accessory** (also legally required 2nd floor Resident Amenity Space in Building 2)	(ZC21)	(ZMU12)	(ZMU12)	(ZMU12)
Proposed Uses (June 2, 2017)	• (all existing ZMU12 uses) • Office • Restaurant • Retail, General • Health Services, Minor • Service, Financial	• (all existing ZC21 uses) On the ground floor only: • Office • Restaurant • Retail, General • Grocery Store • Health Services, Minor • Recreation, Indoor	• (all existing ZC21 uses) • Office • Restaurant • Retail, General	• (all existing ZMU12 uses) • Office • Restaurant • Retail, General • Health Services, Minor • Recreation, Indoor • Service, Financial	• (all existing ZMU12 uses)	• (all existing ZMU12 uses) • Hotel (13 rooms, maximum 90 day accommodation)

*These uses are restricted to Mixed Maritime Uses as defined in OCP Steveston Area Plan

**These uses are restricted to maritime or commercial fishing related uses in the ZMU12 and ZC21 zones and to Mixed Maritime Uses as defined in OCP Steveston Area Plan



Address: 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street

File No.: RZ 13-633927

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9063, the developer is required to complete the following:

1. Final Adoption of OCP Amendment Bylaw 9062.
2. Single site, no subdivision and no stratification requirements – Registration of legal agreement(s) on Title ensuring that:
 - a) The six non-residential air space parcels (Air Space Parcels 1 through 6 of plan EPP26790) are all owned by the same legal entity (both beneficial and legal interest in the six parcels) and prohibiting transfer of less than all six parcels.
 - b) No subdivision of any one or more of the six parcels (including no subdivision by way of strata plan) (consolidation of the six parcels is acceptable).
3. Truck activity – Registration of a legal agreement on Title to: prohibit large delivery trucks of size WB-17 or larger from accessing or entering the site at any given time; and to restrict truck delivery hours of operation for non-residential uses by trucks of maximum SU-9 in size to 7:00 am to 5:00 pm, Monday through Friday; 8:00 am to 5:00 pm on Saturday, and 9:00 am to noon on Sunday. Remedies will include, but without limitation, performance wording to establish a fine amount of \$200 adjusted by CPI annually from the year of rezoning approval per of the restrictions in the agreement payable by the owner.
4. Commercial parking – Registration of a legal agreement on Title including:
 - a) The following covenants:
 - i. Parking garage entry gates are to remain open during business hours of any commercial use on the lands other than hotel. Hotel guests are to be provided with a means to open a closed parking garage entry gate and access commercial parking outside of regular business hours.
 - ii. A maximum of 16 of the total 189 commercial spaces may be assigned to specific businesses. Further the assignment can be on weekdays only, between the hours of 8:30 am and 6:00 pm. The balance of the parking spaces must be unassigned and available by the use of any commercial client or visitor to a residential unit on the site.
 - iii. Free parking for the first two hours of a vehicle parked on site must be provided, which may be provided through a merchant validation for the businesses operating on the site.
 - iv. Pay parking rates are not to exceed the market rate for pay parking in Steveston Village. The pay parking rate may be reviewed and adjusted on an annual basis by the City taking into consideration similar pay parking rates in Steveston Village.
 - b) A statutory right-of-way from the curb on Bayview Street, extending into the parking structure, over an area coincident with the full extent of the underground parking area. The statutory right-of-way will permit the City, City officials and contractors to be on and have access to and egress from the parkade for the purposes of assuring/monitoring compliance with the parking covenant described in 3(a) above. Further, the statutory right-of-way will permit the City the right to remove or disable any gate that does not comply with the terms of the parking covenant described in 3(a) above.
5. Install an additional eight Class 2 bike storage spaces (e.g. exterior bike racks) on-site to meet the Zoning bylaw requirements for the additional commercial uses.
6. City acceptance of the developer's offer to voluntarily contribute \$2,375,000 towards the Steveston Community Amenity provision account.
7. City acceptance of the developer's offer to voluntarily contribute \$136,206 to go towards development of Road Works DCC projects.

8. City acceptance of the developer's offer to voluntarily contribute \$605 to go towards development of Storm Drainage DCC projects.
9. City acceptance of a Letter of Credit security in the amount of \$15,000 to allow for future traffic calming and truck activity mitigation that may be required after the commercial area is occupied. The Letter of Credit will be held by the City for a period of 18 months after the commercial area is occupied.
10. Enter into a Servicing Agreement* for the design and construction of road improvements to address the proposed increased traffic on Bayview Street as a result of the development. Works include, but may not be limited to:
 - a) Upgrade the No. 1 Road and Bayview Street intersection by raising this intersection and adding bollards similar to No. 1 Road and Moncton Street. As well, install decorative crosswalk surface treatment on all three legs of the intersection, using Duratherm material or equivalent.
 - b) Upgrade crosswalks along Bayview Street:
 - i. At the two midblock crosswalks between No. 1 Road and Moncton Street, provide raised crosswalks.
 - ii. At the three crosswalks at the Easthope Avenue traffic circle, remove a 1.5 m section of the cobble pavers from each end of the crosswalk (near curbs) and replace with an extension of the existing square concrete panels. This will create a 1.5 m wide smooth path at either end of the crosswalks for cyclists. Add a narrow band of the same decorative pavement surface treatment as a border along both sides of each crosswalk to provide consistency between the crossings on Bayview Street.
 - iii. At the six crosswalks at English Avenue and Ewen Avenue, remove all of the raised granite pavers and replace with decorative crosswalk pavement surface treatment, such as Duratherm material, or equivalent.
 - c) Fabricate and install 30 kph posted speed limit signs on Bayview Street from No. 1 Road to Moncton Street, Easthope Avenue, English Avenue, and Ewen Avenue.
 - d) Add pavement marking "sharrows", and signage for bikes on Bayview Street from No. 1 Road to Moncton Street in both directions.
 - e) Fabricate and install public parking signage on Bayview Street in both directions at the two public parking facilities.

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

CNCL Date 469

Date	Proposal for Rezoning	ZC21 Zone	Amenity Proposal	Committee Resolution
Nov 4/13	<p>ZMU12 Zone</p> <ul style="list-style-type: none"> • (existing ZMU12 uses) Unrestricted MMU Uses: • Education • Manufacturing, custom indoor • Office • Parking, non-accessory • Service, personal New Uses: • Animal Grooming • Child Care • Education, commercial • Health Service, minor • Library and exhibit • Recreation, Indoor • Restaurant • Retail, convenience • Retail, general • Retail, secondhand • Service, financial • Service, business support • Service, household repair • Service, massage • Veterinary service 	<p>ZC21 Zone</p> <ul style="list-style-type: none"> • (existing ZC21 uses) Unrestricted MMU Uses: • Industrial, general • Manufacturing, custom indoor • Office • Parking, non-accessory New Uses: • Animal Grooming • Child Care • Education, commercial • Health Service, minor • Library and exhibit • Recreation, Indoor • Restaurant • Retail, convenience • Retail, general • Retail, secondhand • Service, financial • Service, business support • Service, household repair • Service, massage • Service, personal • Veterinary service 	<ul style="list-style-type: none"> • \$1,500,000 to Leisure Facilities Reserve Fund • \$136,206 for Road Works DCC projects • \$605 for Storm Drainage DCC projects • \$15,000 traffic calming security • Legal agreement to prohibit WB-17 truck access and limit commercial loading hours. • Legal agreement to ensure parking access • Adding 8 bicycle rack spaces • SA for upgrades to No. 1 Road and Bayview Street intersection, all crosswalks along Bayview Street, speed signage and bicycle "sharrows" 	<p>At November 19, 2013 Planning Committee, referred back for staff to:</p> <ol style="list-style-type: none"> 1) attend the scheduled meeting between the applicant and the Steveston Merchants Association as an observer and provide an update to the Committee; 2) conduct a study and analysis regarding (i) the types and number of mixed maritime and commercial uses that are needed in the area through consultation with the residents, business owners, and business and community organizations in Steveston, (ii) potential implications of specific uses on City facilities and existing businesses in the area, (iii) the suitable proportion and location of mixed maritime and commercial uses on the subject site including the suggestion to confine the commercial use area only in spaces between Easthope Avenue and No. 1 Road, (iv) transportation related items including potential parking fees and truck parking restrictions; (v) the future developments and expected increase in commercial use spaces in the area, and (vi) how the \$1,500,000 voluntary community amenity contribution by the applicant would be allocated to different uses in Steveston; 3) study the possibility of the applicant providing a rental space for a City library on the space allotted for commercial use, having the same size and lease rate as the City library at Ironwood, as a requirement for the subject rezoning application; 4) study the possible location of a maritime museum on the subject site on the space allotted for mixed maritime use; and 5) provide updates to Committee on the marina development.
March 17/14	<p>Same as previous proposal, except indoor recreation removed</p>	<p>Same as previous proposal, except indoor recreation removed</p>	<p>Same as previous proposal, except:</p> <ul style="list-style-type: none"> • Revised \$1,500,000 to new Steveston Community Amenity Provision Account • Revised legal agreement to prohibit WB-17 truck access, limit commercial loading hours, and include fine mechanism • Revised legal agreement to ensure parking access, 2 hours free parking, reasonable parking pay rates and limit parking space assignment 	<p>At April 8, 2014 Planning Committee, referred back for staff to examine:</p> <ol style="list-style-type: none"> 1) the enhancement of the community amenity contribution, including the possibility of library expansion and marina development; and 2) the legal aspects related to change of use lease provisions suggested by the applicant.
April 30/14	<p>Same as previous proposal</p>	<p>Same as previous proposal</p>	<p>Same as previous proposal, except:</p> <ul style="list-style-type: none"> • Revised \$2,000,000 to new Steveston Community Amenity Provision Account • Additional 3 options for City lease of space on site 	<p>At May 6, 2014 Planning Committees, referred back for staff to review:</p> <ol style="list-style-type: none"> 1) options to enhance the community amenity contribution; 2) options to determine the preferred type of community amenity contribution; and 3) potential sites for the expansion of the Steveston Library. <p>and report back to a forthcoming General Purposes Committee.</p> <p>and to examine options suggested by Steveston residents and merchants for alternative uses of the Imperial Landing site and report back.</p>



Richmond Official Community Plan Bylaw 7100
Amendment Bylaw 9062 (RZ 13-633927)
4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street

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

- 1. Richmond Official Community Plan Bylaw 7100, as amended, is further amended by:
2. by deleting clause ii. of the existing "Maritime Mixed Use" land use in Appendix 1 (Definitions) to Schedule 2.4 thereof and substituting the following:
"ii) General retail, service and hotel uses are accommodated as additional uses in the Maritime Mixed Use Area, between Phoenix Pond and No. 1 Road."
3. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9062".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Approval box with fields for signature and title, containing the text: CITY OF RICHMOND, APPROVED by, APPROVED by Director or Solicitor.

MAYOR

CORPORATE OFFICER



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9063 (RZ 13-633927)
4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street**

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

1. Richmond Zoning Bylaw 8500, as amended, is further amended:
 - (a) by deleting (ZMU12 Permitted Secondary Uses) subsection 20.12.3 and substituting the following:

“20.12.3 A. Secondary Uses

 - **boarding and lodging**
 - **community care facility, minor**
 - **home business**

20.12.3 B. Additional Uses

 - **Health Services, Minor**
 - **Hotel**
 - **Recreation, Indoor**
 - **Restaurant**
 - **Retail, General**
 - **Service, Financial”**
 - (b) by deleting (ZMU12 Other Regulations) clause 20.12.11.4 and substituting the following:

“4. The following permitted **uses** in this **zone** shall be restricted to **maritime** or commercial fishing related **uses**:

 - a) **industrial, general**;
 - b) **manufacturing, custom indoor**; and
 - c) **parking, non-accessory”**

(c) by inserting the following into (ZMU12 Other Regulations) subsection 20.12.11:

“6. **Minor health service, office, restaurant and financial service uses** are only permitted on the following listed **sites**:

a) P.I.D. 029-108-136

Air Space Parcel 1 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

b) P.I.D. 029-108-161

Air Space Parcel 4 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

7. **General retail use**, excluding **grocery store use**, is only permitted on the following listed **sites**:

a) P.I.D. 029-108-136

Air Space Parcel 1 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

b) P.I.D. 029-108-161

Air Space Parcel 4 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

8. **Indoor Recreation use** is only permitted on the following listed **sites**:

a) P.I.D. 029-108-161

Air Space Parcel 4 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

9. **Hotel use** is only permitted on the following listed **sites** and the **hotel use** is restricted to providing the transient public, in return for consideration, lodging in no more than 32 **hotel** rooms and for not more than 90 days in a 12-month period at either or both of the following listed **sites**:

a) P.I.D. 029-108-179

Air Space Parcel 5 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790

b) P.I.D. 029-108-187

Air Space Parcel 6 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790”

(d) by inserting the following into (ZC21 Permitted Additional Uses) subsection 22.21.3.B.:

“• **Grocery Store**

• **Health Services, Minor**

• **Recreation, Indoor**

• **Restaurant**

• **Retail, General”**

- (e) by deleting (ZC21 Other Regulations) clause 22.21.11.1 and substituting the following:
 - “1. The following permitted **uses** in this **zone** shall be restricted to **maritime** or commercial fishing related **uses**:
 - a) **industrial, general**;
 - b) **manufacturing, custom indoor**; and
 - c) **parking, non-accessory**”

- d) by inserting the following into (ZC21 Other Regulations) subsection 22.21.11:
 - “5. **Office, restaurant and general retail uses**, excluding **grocery store use**, are only permitted on the following listed **sites** and shall be located on the **first storey** of any **building**:
 - a) P.I.D. 029-108-144
Air Space Parcel 2 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790
 - b) P.I.D. 029-108-152
Air Space Parcel 3 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790
 - 6. **Minor health service, indoor recreation and grocery store uses** are only permitted on the following listed **site** and shall be located on the **first storey** of any **building**:
 - a) P.I.D. 029-108-144
Air Space Parcel 2 Section 11 Block 3 North Range 7 West New Westminster District Air Space Plan EPP26790”

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9063**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by <i>SB</i>
APPROVED by Director or Solicitor <i>BK</i>

MAYOR

CORPORATE OFFICER

Onni Application

See

**Supplemental CNCL Package
for Attachments EE to HH**