



City of Richmond

Report to Committee


To: Planning Committee
From: Wayne Craig
Director, Development

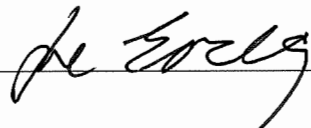
Date: October 21, 2019
File: ZT 18-827860

Re: Application by Pinnacle Living (Capstan Village) Lands Inc. for a Zoning Text Amendment to the “Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) – Capstan Village (City Centre)” zone for the properties at 3208, 3211, and 3328 Carscallen Road

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10107, for a Zoning Text Amendment to the “Residential / Limited Commercial and Artist Residential tenancy Studio Units (ZMU25) – Capstan Village (City Centre)” zone, to transfer 436 m² of un-built permitted residential floor area from 3328 Carscallen Road (Area B) to 3208 Carscallen Road (Area C), and to transfer the developer’s required Area D affordable housing contribution from 3211 Carscallen Road (Area D) to 3208 Carscallen Road (Area C), be introduced and given first reading.


Wayne Craig
Director, Development
(604-247-4625)
Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing Transportation	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

Staff Report

Origin

Pinnacle Living (Capstan Village) Lands Inc. has applied to the City of Richmond for a Zoning Text Amendment to amend the “Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) – Capstan Village (City Centre)” zone, a site-specific zone applicable only to lands bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way, to transfer:

- 1) 436 m² (4,693 ft²) of un-built permitted residential floor area from 3328 Carscallen Road (Area B) to 3208 Carscallen Road (Area C); and
- 2) the developer’s required Area D affordable housing contribution from 3211 Carscallen Road (Area D) to 3208 Carscallen Road (Area C).

A location map of the subject properties can be found in Attachment 1.

The applicant is also requesting to replace a neighbourhood park trail statutory right-of-way (SRW) along the south side of Area D that abuts a future neighbourhood park with a new SRW that would provide one-way road access connecting No. 3 Road to Carscallen Road and a ‘kiss and ride’ drop-off lane for future users of the Canada Line Capstan Station.

All Engineering, Transportation, and Parks off-site requirements with respect to Pinnacle’s four-phase development were resolved through the rezoning process and secured with legal and servicing agreements (SA 16-731709 and SA 19-861963) registered on title.

Findings of Fact

A Development Application Data Sheet providing details about the Zoning Text Amendment proposal is attached (Attachment 2).

Surrounding Development

Area C (3208 Carscallen Road) of the subject site is vacant and is being used for construction staging for Area B (3328 Carscallen Road) of the Pinnacle Living (Capstan Village) development. Area D (3211 Carscallen Road) of the subject site is presently being used as a temporary sales office. Existing development surrounding the subject site includes:

To the north: North of Area D is Sea Island Way, a designated Provincial highway, and highway-oriented commercial properties designated for future development with high-rise, high density, hotel, office, and accessory retail uses;

North of Area C is a vacant site owned by Concord Pacific and zoned “Residential / Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) – Capstan Village (City Centre)”;

To the east: East of Area C is Sexsmith Road, and on the east side of Sexsmith Road, is a single family lot and Patterson Road that provides access to several larger single family lots zoned as Single Detached (RS1/F), which is designated for mixed multi-family residential and commercial uses;

East of Area B is Sexsmith Road, and on the east side of Sexsmith Road, is the “Concord Gardens” five-phase residential development zoned “High Rise Apartment and Artist Residential Tenancy Studio Units (ZHR10)” (DP 14-670686, DP 13-642725 and DP 12-611486) which is undergoing various stages of construction, permitting, and pre-application processes for medium- and high-density, multi-family uses, park, and related purposes;

To the south: South of the Area D site is a new neighbourhood park, currently under construction by the developer (as required through rezoning, RZ 12-610011), and the site of the future Capstan Canada Line Station;

South of the Area C site is Area B of the Pinnacle Living (Capstan Village) development (DP 16-735564) which is currently under construction and will include a mixed-use, high-density building, including multi-family residential units, office space, and an Early Childhood Development Hub;

South of Area B is Area A of the Pinnacle Living (Capstan Village) development (DP 14-667322) which is already developed and includes 400 multi-family residential units including 11 affordable housing units, and 17 Artist Residential Tenancy Studio (ARTS) units (i.e. affordable housing secured by a Housing Agreement for professional artists); and

To the west: No. 3 Road, and on the west side of No. 3 Road is a multi-phased development, zoned “Residential / Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)” (DP 17-794169 and DP 16-745853), which is undergoing various stages of construction, permitting, and pre-application processes for medium- and high- density, high-rise, residential, hotel, retail, office, and public amenity uses.

Background

The subject properties were part of an approved rezoning application under Bylaw 9135 (RZ 12-610011) to create the site-specific ZMU25 zone to permit the construction of a high-rise, high density, mixed use development and City park in the City Centre’s Capstan Village area. A summary of the approved rezoning application can be found in Attachment 3.

The ZMU25 zone specifies the maximum floor area for residential uses, including affordable housing units and non-residential uses, for each phase of the proposal. Table 1 provides a summary of the maximum permitted residential floor area, including affordable housing, the minimum amount of affordable housing floor area, and the minimum amount of non-residential floor area for each development area. The location of the development areas are indicated in Attachment 1.

Table 1: Floor Area Summary

Development Area	Permitted Residential Floor Area (incl. affordable housing)	Affordable Housing Floor Area (Minimum)	Non-Residential Floor Area
Area A	35,144.1 m ² (378,288 ft ²)	843.8 m ² (9,083 ft ²) plus 1,393.5 m ² (15,000 ft ²) for ARTS units	0 m ² (0 ft ²)
Area B	39,194.5 m ² * (421,886 ft ²) * proposed to be reduced by 436m ² as part of this application	979.9 m ² (10,548 ft ²)	1,688.5 m ² (18,175 ft ²)
Area C	15,732.2 m ² * (169,340 ft ²) * proposed to be increased by 436 m ² as part of this application	1,980.4 m ² * (11,050 ft ²) * proposed to be increased to 3,007 m ² (32,367.1 ft ²) as part of this application	0 m ² (0 ft ²)
Area D	7,937.2 m ² (85,435 ft ²)	1,026.6 m ² (12.9%)* * proposed to be reduced to nil and transferred to Phase 4 as part of this application	26,878.9 m ² (289,322 ft ²)
Total	98,008.0 m ² (1,054,949 ft ²)	6,224.2 m ² (6.4%)	28,567.4 m ² (307,497 ft ²)

The required minimum floor area for affordable housing comprises of 5% of the total residential building area for all four development areas as per the Affordable Housing Strategy when the rezoning application was approved in 2014. This does not include the Artist Residential Tenancy Studio units which were made in addition to the affordable housing units. As indicated in Table 1 above, the majority of the affordable housing floor area is to be built in Area C and D. Listed below is a summary of each development area.

Area A: A Development Permit (DP 14-667322) was issued for the construction of the first phase on December 17, 2014 which included 400 multi-family residential units, including:

- 372 market units, 11 affordable housing units, and 17 Artist Residential Tenancy Studio (ARTS) units (i.e. affordable housing secured by a Housing Agreement for professional artists);
- a 326-space Public Parking Facility, including 6 car-share spaces equipped with electric vehicle “quick charge” stations (i.e. 240V); and
- on-site, publicly-accessible open space, including a “terrace” along the frontages of the ARTS units and a broad, landscaped walkway along the site’s west side linking the future Capstan Canada Line Station and neighbourhood park with existing and future shops, services, and amenities south of the development.

Area B: A Development Permit (DP 16-735564) was issued for the construction of the second phase on August 9, 2017 which included 418 multi-family residential units, including:

- 406 market units and 12 affordable housing units;
- 260 m² (2,800 ft²) of floor area for street-oriented commercial uses; and

- 1,428 m² (15,375 ft²) of floor area for a 3-storey Early Childhood Development (ECD) Hub, including a licensed 77 space child care facility and related family services.

Area C and D: The applicant currently has a Development Permit (DP 18-821292) which is under review by staff. Area C would include residential uses only, including 40 affordable housing units and 167 market residential units. Area D would include 114 market residential units, and a mix of non-residential uses such as hotel, office, and retail uses.

Prior to consideration of this Development Permit, the applicant has requested an amendment to the ZMU25 zone which is the subject of this report. A proposed development summary for Area C and D can be found in Attachment 4, along with a proposed site massing and context plan in Attachment 5.

The applicant is also requesting to replace a neighbourhood park trail statutory right-of-way (SRW) along the south side of Area D that abuts a future neighbourhood park with a new SRW that would provide one-way road access connecting No. 3 Road to Carscallen Road and a 'kiss and ride' drop-off lane for future users of the Canada Line Capstan Station. Further landscaping details will be indicated through the Development Permit process.

Related Policies & Studies

Official Community Plan (OCP) and City Centre Area Plan (CCAP)

The OCP designates the site as Mixed Use and the Specific Land Use Map: Capstan Village (2031) in the CCAP designates the site as "Urban Centre T5 (45m)" with a range of identified permitted uses and accessory uses.

The proposed Zoning Text Amendment is consistent with the City's OCP and CCAP.

Public Consultation

The applicant has confirmed that a Zoning Text Amendment sign describing the proposal has been installed on the subject site. Staff have not received any comments from the public about the Zoning Text Amendment in response to the placement of the Zoning Text Amendment sign on the property.

Consultation with Ministry of Transportation & Infrastructure (MOTI) is required due to the proximity of Sea Island Way, a roadway under Provincial jurisdiction. The proposal has been reviewed with MOTI staff on a preliminary basis and final MOTI approval is required prior to Zoning Text Amendment adoption.

Should the Planning Committee endorse this application and Council grant first 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*.

Analysis

Requested Amendments

The applicant has proposed to construct both phases as part of the same Development Permit application (DP 18-821292). The proposed Zoning Text Amendment would permit the following:

1. transfer 436.2 m² (4,695 ft²) of floor area that was not built under Area B to the Area C development; and
2. transfer the required 1,026.6 m² (11,050 ft²) of floor area designated for affordable housing from Area D to Area C. This will not result in an increase in the gross floor area for the Area C development.

Floor Area Transfer: The first requested transfer of floor area from Area B to Area C is relatively minor as the 436.2 m² (4,695 ft²) of floor area that was not built as part of Area B is the equivalent of a 2.8% increase in floor area to the proposed building in Area C. Attachment 6 indicates in a schematic diagram how the additional massing could be added to the Area C development.

Staff are supportive of this requested Zoning Text Amendment as this will result in a minor increase in massing for the proposed building in Area C and will not have a negative effect with respect to shadowing. The exact location and massing of this additional floor area will be reviewed through the Development Permit process.

Affordable Housing Floor Area Transfer: The second requested transfer would include moving the required affordable housing floor area from Area D to Area C. This would not result in an additional increase in gross floor area for the Area C development. Rather, the required affordable housing floor area in Area D would essentially be replaced with the 1,026.6 m² (11,050 ft²) of market residential floor area currently permitted in Area C. A total of 3,007m² (32,367 ft²) of affordable housing floor area would be located within Area C which would comprise of 18.6% of the total building floor area. The applicant is proposing to have 40 affordable housing units with the following distribution:

- Bachelor: 2 units (5% of all affordable housing units in Area C)
- 1-Bedroom: 17 units (42.5%)
- 2-Bedroom: 8 units (20%)
- 3-Bedroom: 13 units (32.5%)

The applicant is required to build and have the affordable housing units occupied prior to or at the same time as the occupancy of the market dwelling units in Area C. Further the Area C building would be constructed prior to the Area D building thus providing for earlier delivery of the affordable housing units.

The affordable housing units would be scattered throughout the first five floors of the building on Area C and residents would be able to enjoy full and unlimited access to all on-site indoor and outdoor amenity spaces. The applicant will be required to enter into a housing agreement with the City to secure those units for low end market rental rates in perpetuity. To enable non-profits to potentially purchase units, no less than 9 affordable housing units can be sold or transferred in a single transaction. Staff are supportive of this amendment as the remaining affordable housing units would be made available sooner with this requested amendment.

Capstan Station 'Kiss & Ride' Facility

As per the City Centre Area Plan policy with respect to the Capstan Station Bonus, bonus provisions contained within the ZMU25 zone required that the developer grants to the City, via a statutory right-of-way (SRW), rights of public use over a suitably landscaped area of the site for park and related purposes. The original development proposal for Area A to D included a series of public greenways and trails (Attachment 7).

One particular trail that was part of the Capstan Station Bonus is a neighbourhood park trail secured through a SRW that would connect No. 3 Road to Carscallen Road along the south side of Area D, labeled 'Neighbourhood Park Trail (SRW) 503.0m²' in Attachment 7.

Translink has indicated support for the proposed one-way eastbound road connecting No. 3 Road to Carscallen Road along the south side of Area D. A 'kiss & ride' facility is proposed along the south side of the road to facilitate future drop-off activities at the Capstan Canada Line Station, which will minimize potential traffic that would otherwise stop and queue along No. 3 Road. A separate lay-by is proposed along the north side of the road to drop-off and pick-up hotel guests on Area D, which will improve access to the hotel. Further details on the proposed one-way road and 'kiss & ride' facility will be provided as part of the upcoming Development Permit for Area C and D.

The new road and drop-off area would be secured through a revised SRW. As a result, and in order to satisfy the Capstan Station Bonus in the ZMU25 zone, an additional SRW would need to be secured to satisfy the Capstan Station Bonus in the ZMU25 zone. The area of the SRW must be a minimum of 503 m². Accordingly, the applicant has agreed to secure a SRW over the public plaza area between No. 3 Road and the proposed building on Area D. Staff are supportive of this change and are reflected in the rezoning considerations (Attachment 8).

Development Permit Application

Should the proposed zoning text amendment receive third reading following public hearing of Bylaw 10107, the applicant's Development Permit application (DP18-821292) would be forwarded to a future meeting of the Development Permit Panel, and if endorsed, forwarded to Council for Development Permit issuance. In general, at Development Permit stage, design development is encouraged regarding, but not limited to, the following items:

- Conditions of adjacency
- Urban design and site planning
- Architectural form and charter
- Landscaping and open space design

- Affordable housing
- Accessible housing
- Crime prevention through environmental design

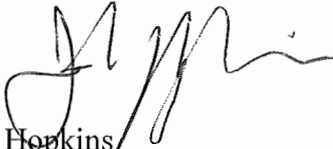
Financial Impact

None.

Conclusion

The proposed zoning text amendment to the “Residential / Limited Commercial and Artist Residential tenancy Studio Units (ZMU25) – Capstan Village (City Centre)” zone to transfer 436 m² (4,693 ft²) of permitted floor area from Area B (3328 Carscallen Road) to Area C (3208 Carscallen Road), and to transfer the required affordable housing floor area from Area D (3211 Carscallen Road) to Area C, is consistent with the purpose of the zone and complies with the land use designations outlined within the Official Community Plan and the City Centre Area Plan. Further, staff are supportive of including a one-way road and ‘kiss & ride’ drop-off facility along the south side of Area D.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 10107 be introduced and given first reading.



John Hopkins
Senior Policy Coordinator
(604-276-4279)

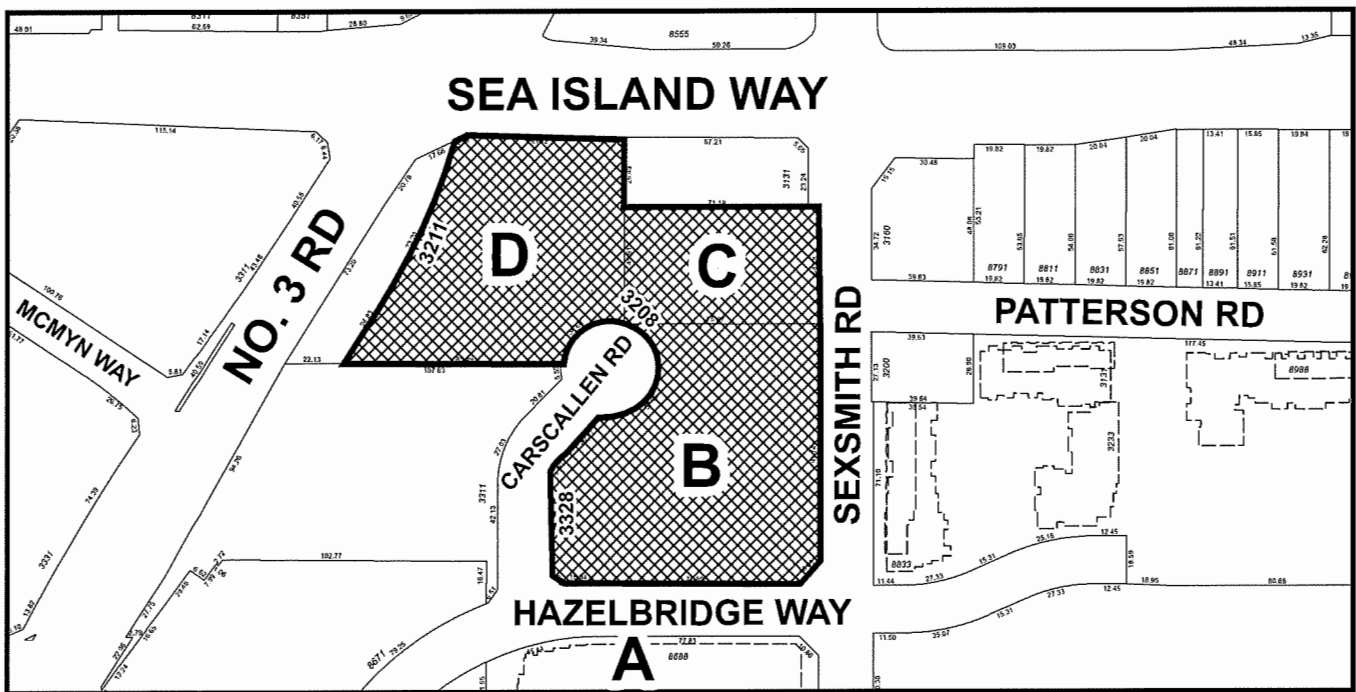
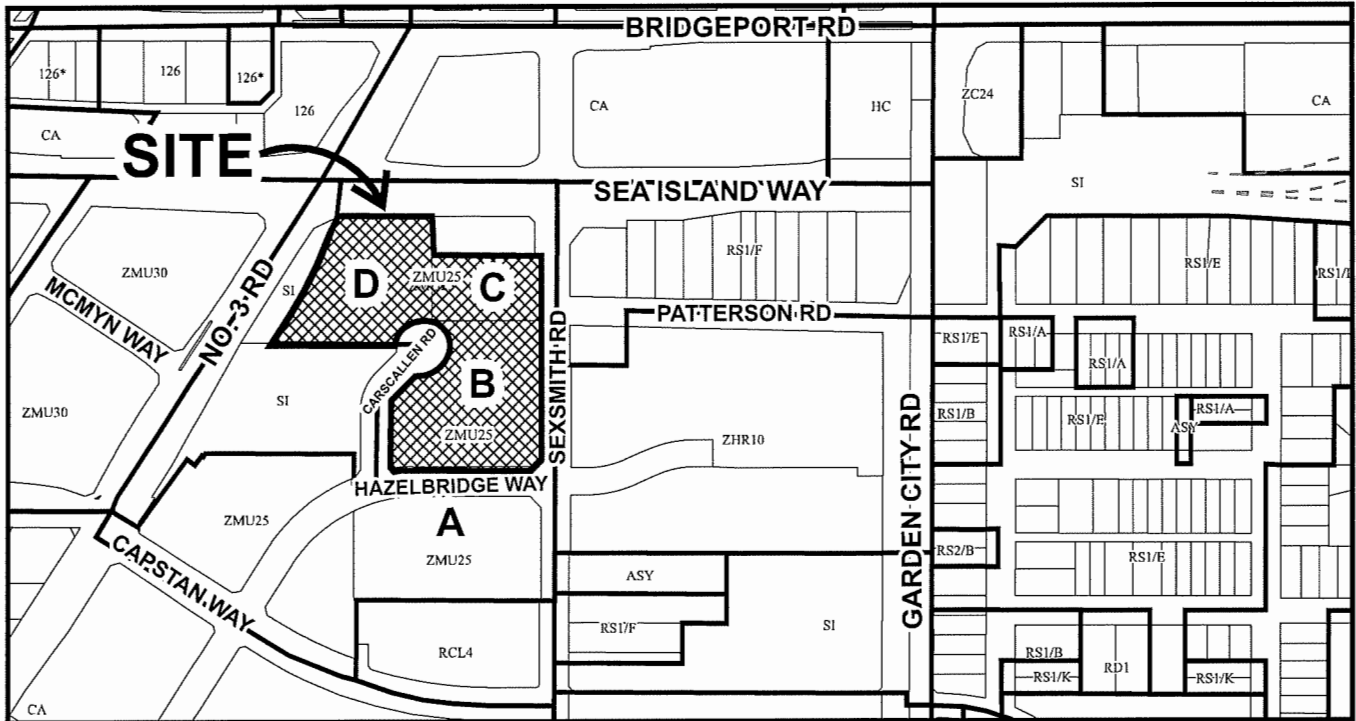
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- Att. 1: Location Map and Aerial Photo
- 2: Development Application Data Sheet
- 3: Pinnacle Living (Capstan Village) Development Summary
- 4: Area C and D Proposed Development Summary
- 5: Site Massing & Context Plan for Area C and D
- 6: Schematic of Area C and Additional Floor Area Density Transfer
- 7: Capstan Station Bonus – Public Open Space Location Map
- 8: Rezoning Considerations Concurrence



City of Richmond

ATTACHMENT 1



ZT 18-827860

Original Date: 07/05/18

Revision Date: 10/16/19

Note: Dimensions are in METRES



City of
Richmond



RZ 18-827860

Original Date: 07/05/18

Revision Date: 10/02/19

Note: Dimensions are in METRES



ZT 18-827860

Attachment 2

Address: 3328 (Area B), 3208 (Area C), and 3211 (Area D) Carscallen Road

Applicant: Pinnacle Living (Capstan Village) Lands Inc.

Planning Area(s): Capstan Village (City Centre)

	Existing	Proposed
Owner:	Pinnacle Living (Capstan Village) Lands Inc.	No change
Site Size (m²):	8,948 m ²	No change
• Area B	3,429 m ²	
• Area C	7,166 m ²	
Land Uses:	Multi-use medium- and high-rise building (under construction)	Multi-use medium- and high-rise buildings
• Area B	Construction staging for Area B development	
• Area C	Temporary sales office	
OCP Designation:	Mixed Use	Complies
Area Plan Designation:	Urban Centre T5 (45m)	Complies
Aircraft Noise Sensitive Development Policy:	Area 3 Moderate Aircraft Noise Area	Complies
Zoning:	Residential / Limited Commercial and Artist Residential tenancy Studio Units (ZMU25) – Capstan Village (City Centre)	Amended to transfer 436 m ² of floor area from Area B to Area C, and to transfer 1,026.6 m ² of affordable housing floor area from Area D to Area C
Number of Units:	406 market residential units and 12 affordable housing units (under construction)	406 market residential units and 12 affordable housing units (DP 14-667322)
• Area B	None	167 market residential units and 40 affordable housing units
• Area C	None	114 market residential units
• Area D	None	

	ZMU25 Requirement	Proposed ZMU25 Requirement
Floor Area Ratio:	Max. 3.0 including Village Centre bonus: Min. 1.0 office	Remains the same
Lot Coverage – Building	Max. 90%	Remains the same
Height	Max. 47 m geodetic	Remains the same

Pinnacle Living (Capstan Village) Development Summary

The rezoning application (RZ 12-610011) which was adopted on December 17, 2014 established a site-specific ZMU25 zone to permit the construction of a high-rise, high density, mixed use development and City park in the City Centre's Capstan Village area. The overall project included the following key features to be developed in four development parcels:

- a) A combined total floor area of 126,575 m² (1,362,491 ft²), including:
 - 98,008 m² (1,054,984 ft²) of residential; and
 - 28,567 m² (307,507 ft²) of hotel, retail, office, and public amenity uses;
- b) Approximately 1,128 dwelling units (to be confirmed through the Development Permit review and approval process for each of the subject development's four phases), including:
 - +/- 1,048 market units;
 - +/- 63 affordable housing units secured with a Housing Agreement, as per the Affordable Housing Strategy policy in 2014 (i.e. 5% of residential floor area); and
 - 17 subsidized affordable housing units for professional artists secured with a Housing Agreement (in addition to the 5% affordable housing provided with respect to the Affordable Housing Strategy policy in 2014);
- c) Early Childhood Development (ECD) hub, constructed at the developer's sole cost, including 1,428 m² (15,376 ft²) of indoor space for child care for 81 children and community amenity services, together with outdoor play space;
- d) 10,199 m² (2.52 ac) of park and public open space, constructed at the developer's sole cost, including:
 - 6,715 m² (1.66 ac) of City-owned neighbourhood park adjacent to the future location of the Capstan Canada Line Station;
 - 1,674 m² (0.41 ac) of additional City-owned park space along the No. 3 Road frontage of the development site; and
 - 1,810 m² (0.45 ac) of publicly-accessible trails and greenways.
- e) Public art; and
- f) Road network and engineering improvements, including the extension of Hazelbridge Way.

All Engineering, Transportation, and Parks off-site requirements with respect to Pinnacle's four-phase development were resolved through the rezoning process and secured with legal and servicing agreements (SA 16-731709 and SA 19-861963) registered on title.

Area C and D Proposed Development Summary

The property owner wishes to construct Area C and D at the same time which would include the following:

Area C:

Residential

- 207 residential units: 16,168.4 m² (174,035.2 ft²) of residential floor area, including:
 - 167 market housing units: 13,161.4 m² (141,668.1 ft²) of floor area; and
 - 40 affordable housing units: 3,007 m² (32,367 ft²) of floor area which includes 1,026.6 m² (11,050.2 ft²) of floor area being transferred from Lot D;
- dwelling unit types including the following:
 - Bachelor: 2 units (1% of total units) (0 market & 2 affordable housing units);
 - 1-Bedroom: 113 units (54.6%) (96 market & 17 affordable housing units);
 - 2-Bedroom: 63 units (30.4%) (55 market & 8 affordable housing units); and
 - 3-Bedroom: 29 units (14%) (16 market & 13 affordable housing units).

Amenity Space

- 422 m² (4,556.3 ft²) of indoor amenity space; and
- 1,242 m² (13,368.8 ft²) of outdoor amenity space, including 621 m² (6,684.4 ft²) for children's play area.

Area D:

Residential

- 114 residential market units: 7,937.2 m² (85,435.0 ft²) of residential floor area (all market housing units as the required affordable housing floor area would be transferred to Area C); and
- Dwelling Unit Types include the following:
 - Bachelor: 29 units (25.4%)
 - 1-Bedroom: 38 units (33.3%)
 - 2-Bedroom: 26 units (22.8%)
 - 3-Bedroom: 21 units (18.5%)

Non-Residential

- Office: 18,971.3 m² (204,205.4 ft²)
- Hotel: 6,956.9 m² (74,883.4 ft²)
- Retail: 950.7 m² (10,233.2 ft²)

Amenity Space

- 422 m² (4,542.3 ft²) of indoor amenity space, including:
 - 100.0 m² (1,076.4 ft²) for residents
 - 268.8 m² (2,893.3 ft²) for non-residents
- 717.5 m² (7,723.1 ft²) of outdoor amenity space, including 342 m² (3,681.3 ft²) for children's play area.

The applicant has submitted a concurrent Development Permit application for Area C and D which is currently under review (DP 18-821292) and is consistent with the proposed zoning text amendment.

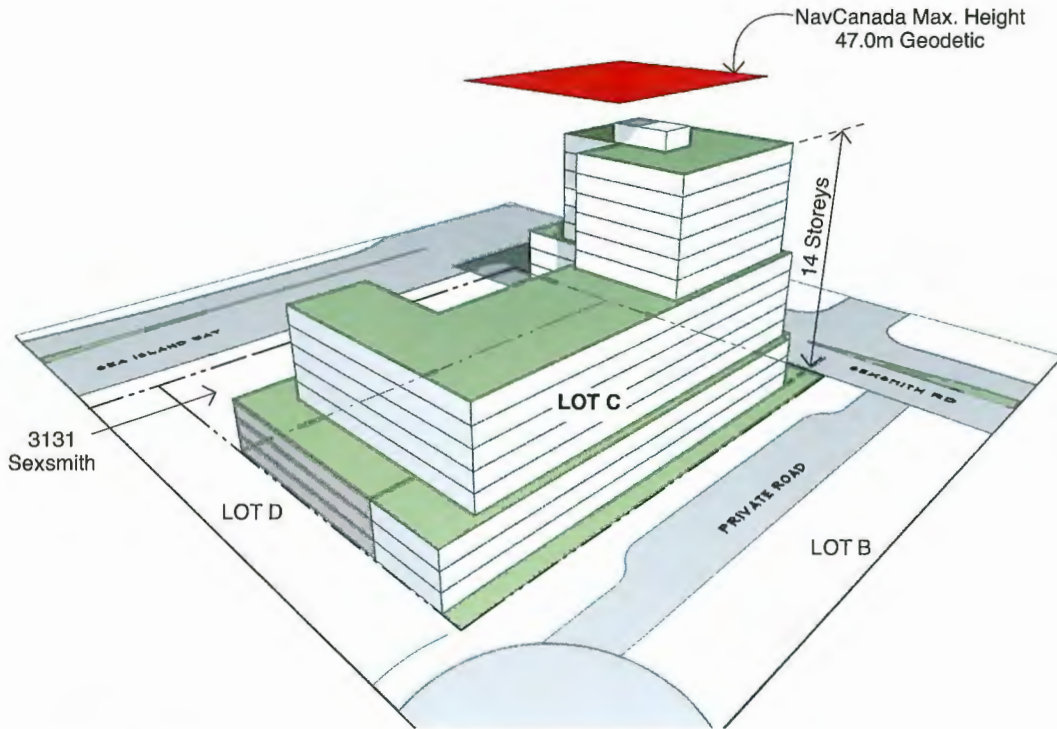


DIAGRAM 2a

Schematic diagram showing a possible arrangement of current allowable density on Lot C, in compliance with requirements of Zoning Bylaw ZMU25

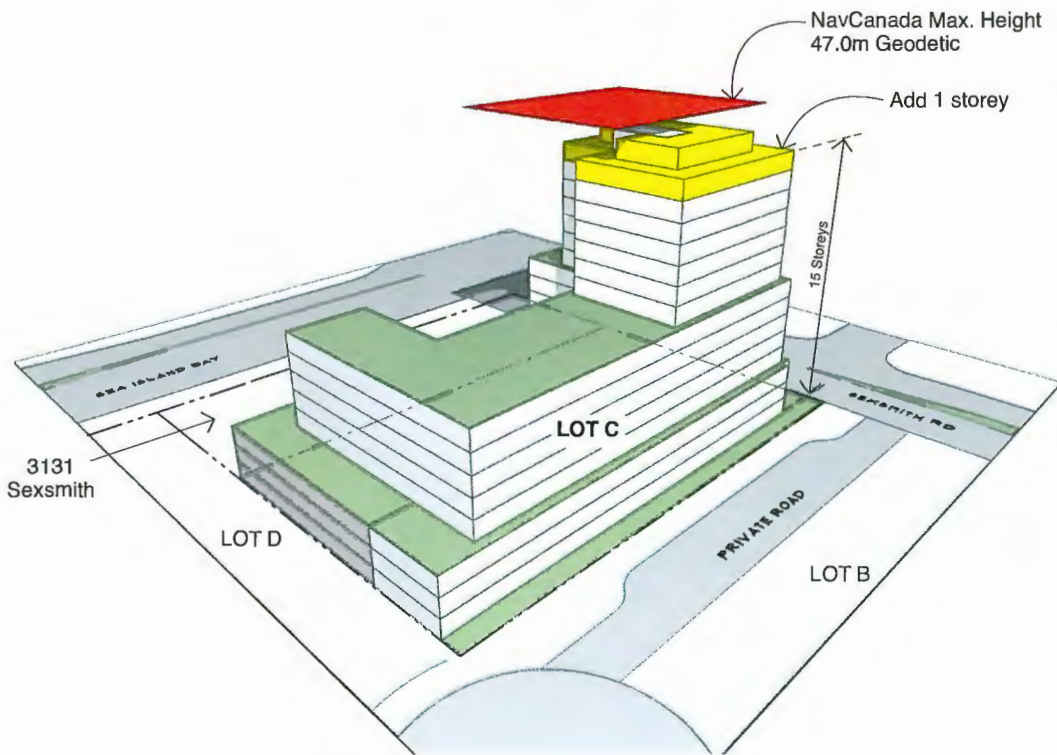
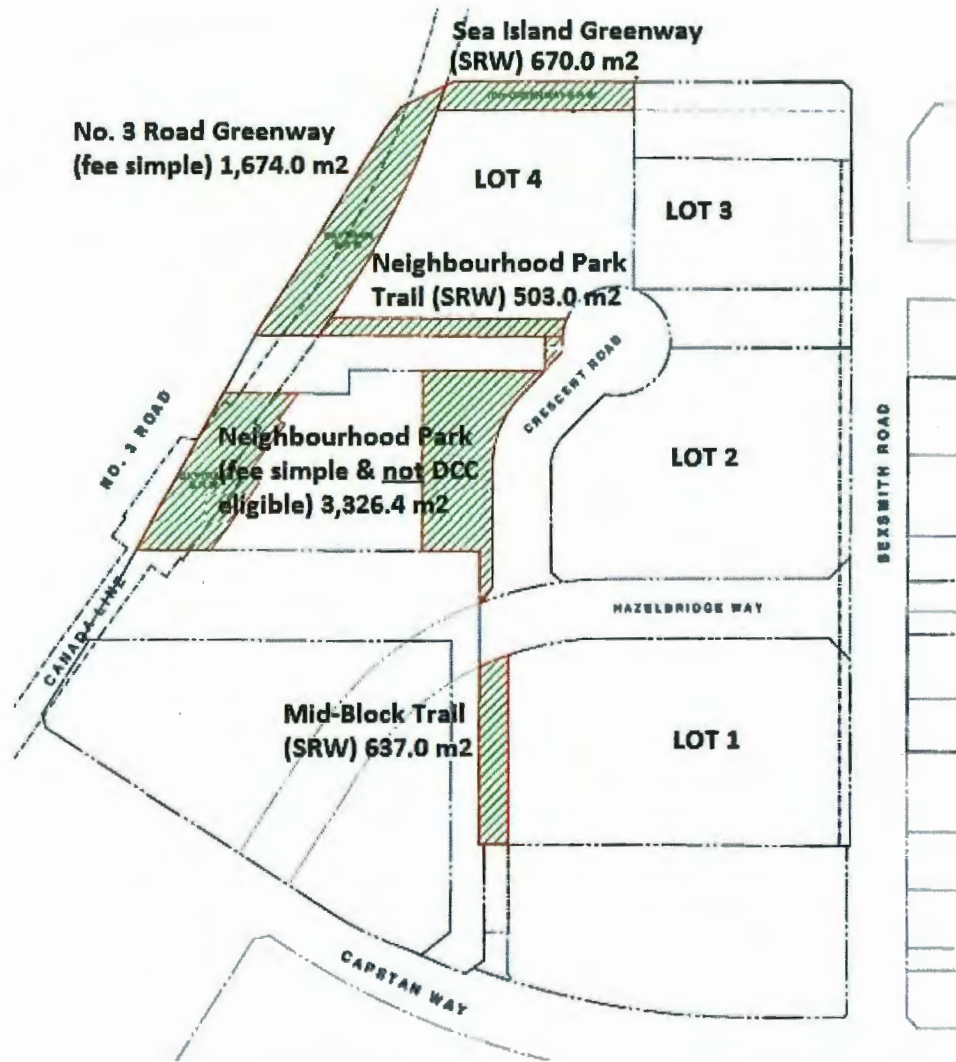


DIAGRAM 2b

Schematic diagram showing a possible arrangement of proposed increased density on Lot C, in compliance with requirements of Zoning Bylaw ZMU25

Capstan Station Bonus – Public Open Space (Fee Simple & SRW) Location Map



Capstan Station Bonus (CSB) Public Open Space Features**		CSB Voluntary Public Open Space Contribution***	
		Fee Simple	SRW
A.	Neighbourhood Park (excluding DCC park)	3,326.4 m ²	nil
B.	No. 3 Road Greenway	1,674.0 m ²	nil
C.	Sea Island Greenway (Lot 4 SRW)	nil	670.0 m ²
D.	Neighbourhood Park Trail (Lot 4 SRW)	nil	503.0 m ²
E.	Mid-Block Trail (Lot 1 SRW)	nil	637.0 m ²
Sub-Total		5,000.4 m ²	1,810.0 m ²
TOTAL		6,810.4 m ² (1.683 ac)	

** CSB public open space features are NOT eligible for Development Cost Charge (DCC) credits for park acquisition or park development; however, as per the ZMU25 zone, the developer may use the area of CSB public open space features for density calculation purposes.

*** The developer must provide public open space in compliance with the provisions of the ZMU25 zone. If the combined total number of dwellings on Lots 1, 2, 3, and 4 exceeds 1,186, additional public open space shall be required. (No adjustment shall be made if the combined total number of dwellings is less than 1,186.)



Address: 3208, 3211, and 3328 Carscallen Road

File No.: ZT 18-827860

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10107, the developer is required to complete the following:

1. Receive written approval by the Ministry of Transportation and Infrastructure (MOTI) regarding works on Sea Island Way.
2. **Registration of the following legal documents:**
 - a. Amendment to CA4136067 for Lot 3 which addresses phasing requirements, the provision of affordable housing units, the entering into of a housing agreement, housing covenant and the provision of a letter of assurance confirming that the number of dwellings and area of public open space to be developed on the Lands comply with the City’s zoning requirements. Specific revisions would include the following:
 - The occupancy of the affordable housing units must be granted first prior to or simultaneously with the occupancy of the market dwelling units.
 - b. Amendment to CA4136068 for Lot 4 which addresses phasing requirements, the provisions of affordable housing units, the entering into of a housing agreement, housing covenant and the provision of a letter of assurance confirming that the number of dwellings and area of public open space to be developed on the Lands comply with the City’s zoning requirements. Specific revisions would include the following:
 - The building of Lot 3 must receive occupancy prior to the occupancy of any residential units on Lot 4; and
 - Occupancy for the non-residential uses must be granted prior to or simultaneously with the occupancy of the market dwelling units.
 - c. Amendments to other legal documents pertaining to reciprocal access between Lot 3 and Lot 4 may be required as both documents reference affordable housing units.
3. **Entering into the City’s standard Housing Agreement for Lot 3 and registration of a covenant to:**
 - a) Secure 40 affordable housing units, the combined habitable floor area of which shall comprise at least 3,007 m², equivalent to 18.6% of the total residential building area, as affordable housing as per the City’s low-end market rental rates.
 - b) Ensure occupants of the units subject to the Housing Agreement shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces.
 - c) Prohibit the separate sale or transfer of less than 9 Affordable Housing units in a single transaction.
 - d) Ensure Basic Universal Housing features are provided in 100% of the units.
 - e) The terms of the Housing Agreement shall indicate that they apply in perpetuity and provide for the following:

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent (1) (2)	Total Maximum Household Income (1) (2)
Bachelor	2	37 m ² (400 ft ²)	\$759	\$34,650 or less
One bedroom	17	50 m ² (535 ft ²)	\$975	\$38,250 or less
Two bedroom	8	69 m ² (741 ft ²)	\$1,218	\$46,800 or less
Three bedroom	13	91 m ² (980 ft ²)	\$1,480	\$58,050 or less

1. Denotes 2017 amounts adopted by Council on July 24, 2017.
 2. Subject to Council approval, total annual household incomes and maximum monthly rents may be increased annually by the Consumer Price Index.

- f) Ensure that no parking fees are charged to residents of the units.

4. Discharge Translink's Statutory Right of Way CA4135986 on Lot 4.
5. Public Rights of Passage: Registration of Statutory Rights-of-Way (SRW), as per the Preliminary Statutory Right of Way Plan (Schedule A), to facilitate public access and related landscaping and infrastructure, including:
 - a. Private Road: 10.0 m wide right-of-way along the southern side of Lot 4, including widening as required to provide for one-way vehicle movements where the SRW intersects with public streets, connecting No. 3 Road with Carscallen Road.
 - The right-of-way shall provide for:
 - 24 hour-a-day, public access for pedestrians (to universally accessible standards), bicycles, and general purpose vehicle traffic;
 - One-way vehicular traffic from No. 3 Road to Carscallen Road only, and allow for temporary vehicular parking for users of the future Canada Line station and hotel visitors;
 - Public access to fronting residential, commercial, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - Special design treatments and landscape features including, but not limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Traffic control (e.g., signals) and related equipment;
 - The owner-developer's ability to close some or all of the right-of-way to public access in the event of an emergency (e.g., structural failure of the road) with the approval of the City;
 - The owner-developer's ability to close some or all of the right-of-way to vehicles for special events with pre-approval in writing from the City;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the Private Road or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction at the sole cost and responsibility of the developer, to the satisfaction of the City, via an approved Development Permit* (secured via the Landscape Letter of Credit) and Building Permit*; and
 - Maintenance at the sole cost of the owner-developer, to the satisfaction of the City.
 - In addition, the right-of-way shall provide for:
 - Building encroachments, provided that such encroachments do not conflict with the design, construction, or intended operation of the Public Plaza (e.g., tree planting, pedestrian access), as specified in a Development Permit* approved by the City, including building encroachments situated:
 - i. Fully below the finished grade of the right-of-way; and
 - ii. Above the finished grade of the right-of-way, limited to pedestrian weather protection, architectural appurtenances, and signage, provided that such encroachments do not project more than 3.0 m into the right-of-way or as otherwise determined to the satisfaction of the City as specified in an approved

Development Permit* and there is a clear distance of at least 2.3 m between the finished grade of the right-of-way and the underside of the encroachment.

- The right-of-way shall not provide for driveway crossings, with the exception of temporary parking for Canada Line related vehicles.

NOTE: This right-of-way is NOT eligible public open space with respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

- b. Public Plaza: a 503 m² right-of-way on the west side of Lot 4 to provide for pedestrian and bicycle movements.
- The right-of-way shall provide for:
 - 24 hour-a-day, universally accessible, public access in the form of combined walkway/off-street bike path and related landscape features, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
 - Public art;
 - Public access to fronting commercial, residential, public open space, and other on-site uses;
 - Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
 - The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
 - Design and construction, via a Development Permit*, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City; and
 - Maintenance at the sole cost of the owner-developer, except as otherwise determined via the Development Permit* approval process.
 - In addition, the right-of-way shall provide for:
 - Building encroachments, provided that such encroachments do not conflict with the design, construction, or intended operation of the Public Plaza (e.g., tree planting, pedestrian access), as specified in a Development Permit* approved by the City, including building encroachments situated:
 - i. Fully below the finished grade of the right-of-way; and
 - ii. Above the finished grade of the right-of-way, limited to pedestrian weather protection, architectural appurtenances, and signage, provided that such encroachments do not project more than 3.0 m into the right-of-way or as otherwise determined to the satisfaction of the City as specified in an approved Development Permit* and there is a clear distance of at least 2.3 m between the finished grade of the right-of-way and the underside of the encroachment.
 - The right-of-way shall not provide for:
 - Driveway crossings;
 - Vehicle access, except as described above; or
 - City utilities.

NOTE: This right-of-way is required in respect to CCAP and Zoning Bylaw public open space requirements for the Capstan Station Bonus.

Note:

- * 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

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 10107 (ZT 18-827860)
3208, 3211, and 3328 Carscallen Road

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

- 1. Richmond Zoning Bylaw 8500, as amended, is further amended by deleting subsection 20.25.4.4.e) under Section 20.25.4 (Permitted Density) in its entirety and replacing it with the following:
'e) maximum floor area for the areas shown cross-hatched and indicated as 'A', 'B', 'C', and 'D' in Section 20.25.4, Diagram 2, shall not exceed:
i) for 'A': 35,144.1 m^2 for residential uses, including at least 843.8 m^2 of habitable space for affordable housing units, and nil for other uses;
ii) for 'B': 38,758.3 m^2 for residential uses, including at least 979.9 m^2 of habitable space for affordable housing units, and 1,688.5 m^2 for other uses;
iii) for 'C': 16,168.4 m^2 for residential uses, including at least 3,007 m^2 of habitable space for affordable housing units, and nil for other uses;
iv) for 'D': 7,937.2 m^2 for residential uses, and 26,878.9 m^2 for other uses.'
2. This Bylaw may be cited as 'Richmond Zoning Bylaw 8500, Amendment Bylaw 10107'.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

Series of horizontal lines for signatures and approvals.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER