



City of Richmond

TO: MAYOR & EACH COUNCILLOR
FROM: CITY CLERK'S OFFICE

Memorandum Planning and Development Division Development Applications

To: Mayor and Councillors **Date:** November 20, 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**

The purpose of this memo is to provide new information to Public Hearing regarding the above application. The applicant has provided an increased community amenity contribution offer.

Subsequent to the October 16, 2017 Public Hearing meeting, Onni increased their community amenity contribution offer amount by \$187,500 to a total of \$3,562,500 (75% of a mid-point value). This information was included in a memo dated November 14, 2017.

Subsequent to writing the November 14, 2017 memo, Onni further revised their proposal to instead increase their community amenity contribution offer amount by \$1,375,000 to a total of \$4,750,000 (100% of a mid-point value).

The table below provides a comparison of Onni's offer to the anticipated increase in value that would result from the rezoning proposal as determined by the two independent economists:

| | Value Increase | \$4,750,000 offer as percentage of value increase |
|---|----------------|---|
| Site Economics Ltd. (City consultant) | \$5,500,000 | 86.4% |
| Coriolis Consulting Corp. (Onni consultant) | \$4,100,000 | 115.9% |
| Mid-point | \$4,750,000 | 100% |

Conclusion

This memo provides new information regarding the contribution amount. The increased community amenity contribution offer and Council direction to dedicate the funds to the eventual improvement of the Steveston Community Centre, have been included in revised rezoning considerations (Attachment 1).

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If Council is satisfied with the proposal, it would be appropriate for Official Community Plan Bylaw 7100, Amendment Bylaw 9062 and Richmond Zoning Bylaw 8500, Amendment Bylaw 9063, to be given second and third readings. Prior to final adoption of the bylaws, the developer would be required to fulfill all the revised rezoning considerations (Attachment 1).



Wayne Craig
Director, Development
(604-247-4625)

SB:blg

Attachment 1: Revised Rezoning Considerations

pc: Senior Management Team (SMT)



City of Richmond

Rezoning Considerations Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

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 \$4,750,000 towards the Steveston Community Amenity provision account; with funds dedicated to the eventual improvement of the Steveston Community Centre, at the discretion of Council.

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.