



City of Richmond

Report to Committee

To: Parks, Recreation and Cultural Services *To: PARKS, REC, & CULTURAL - APR 23/02*
 Committee *Date: April 11, 2002*

From: Mike Redpath *File: 2345-04*
 Manager, Parks Administration and Programs

Re: **Toyota Canada Inc. Proposal for a Publicly Accessible Pocket Park at the Toyota Canada Inc. Property Located at 21860 Westminster Highway**

Staff Recommendation

That an agreement with Toyota Canada Inc. for the provision of a publicly accessible pocket park at the Toyota Canada Inc. property located at 21860 Westminster Highway be developed, and address within this agreement issues relating to liability, potential tax exemptions and timeframe.

Mike Redpath
Manager, Parks Administration and Programs

Att. 3

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	<i>all ok</i>
Taxes.....	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Transportation	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Zoning	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

In July 2001, Cochrane Engineering on behalf of Toyota Canada Inc. approached the City with a concept to convert a currently vacant and undeveloped property at 21860 Westminster Highway into an open park to provide recreational opportunities to the businesses and visitors to the Fraserwood Industrial Park. This report provides Council with the details of an opportunity for a privately owned piece of land to be made available for public recreational use.

Analysis

Background

Cochrane Engineering on behalf of Toyota Canada Inc. first approached the City in July 2001 with a proposal for an open park at 21860 Westminster Highway. Based on discussions at several meetings, this proposal was modified in their letter to the City, dated 26 February 2002 (Attachment 1), to include the following:

1. Toyota wishes to develop the nearly 1.6 acres property at Lot 20, Plan LMP 13743 (21860 Westminister Highway) into a park as an amenity for both its employees and the residents of the City of Richmond.
2. Toyota proposes to construct a park as described on the attached landscape plan L-1, as prepared by Landscape Design Inc. (Attachment 2)
3. Toyota is prepared to pay for the capital improvements on Lot 20. Toyota is also prepared to pay for a pathway to connect Fraserwood Place to the park that would be constructed on the Westminister Highway right-of-way.
4. In return Toyota proposes that whilst the park is available to the City, the property taxes be based on the use of the property as a park and not its current zoning of business park industrial district (I3).
5. Whilst the park is available to the City, the City will maintain the park.
6. Upon notice to the City, Toyota will have the right to return the property back to an industrial use in accordance with the current zoning.

General Benefits

This unsolicited proposal from Toyota Canada Inc. represents a valuable opportunity that fulfills goals identified by the City's Corporate Plan with respect to Community Vibrancy, Livability, and the recent Richmond Economic Development Strategic Plan.

The completed park will be vibrant and attractive, enhancing the City's visual appeal by providing a well designed and landscaped open space which meets some of the key strategies of Community Vibrancy. It will promote wellness by serving as a gathering place for employees and residents to socialise and participate in physical activities. The green open space will provide visual relief in an otherwise industrial area. There is also the possibility of the City receiving back mature trees when the land returns to industrial use in the future.

The Richmond Economic Development Strategic Plan emphasises the need for the City to aggressively promote its strengths to maintain a supportive environment for economic development. Partnerships and collaborations are encouraged to attract and retain businesses. The current proposal provides a non-

financial benefit for businesses and residents located at and around Fraserwood Industrial Park. It supports the City's Industrial Strategy of enhancing space and recreational opportunities in industrial areas, and will add to the number of POPAS (privately-owned publicly-accessible spaces). The proposal also serves as a model for other businesses to copy.

An enabling precedent for a similar partnership was established between the City and J.P. Delf Co. Ltd. in March 1986 (Attachment 3). This ongoing agreement had Delf Co. Ltd developing a playfield, two tennis courts and parking at 13020 Delf Place, which the City maintains for public scheduling and use. The City also supported Delf Co. Ltd. application to the B.C. Assessment Authority to assess the 2.9 acre portion of the property as "seasonal recreational property". In 2000 Delf Co. Ltd. redeveloped the tennis court portion of the property however, the Honda playing fields are a continuing benefit to the City in fulfilling the needs of its residents for recreational opportunities.

Transportation Issues

Proper ingress and egress into and out of the park are the only transportation considerations for this proposal. The site drawing of the proposed park should be expanded to show the context on Westminster Highway in the vicinity of the proposed park. The drawing should show the pavement markings on Westminster Highway as they actually exist in the field. If the westbound left turn bay or the gore from the left turn bay extends through the park access, that may be sufficient to provide refuge space for left-turning vehicles accessing the park.

Taxation Issues

The land value of Lot 20 is \$880,000 and is classed as I3 for 2002. The taxes for this year will be about \$19,000. If the City enters an agreement to adjust the class of the property to *seasonal recreational*, then the taxes would only be about \$6,000.

Legal Issues

Legal issues for consideration include the following:

- The agreement should clearly state how responsibilities are divided between the City and Toyota Canada Inc. regarding matters such as the construction, maintenance of the proposed park, and adherence and enforcement of City bylaws and statutes.
- If the City contributes to the initial construction, provision should be made for compensation if the property is later sold.
- The agreement should contain a clause requiring Toyota to keep the park open to the public.
- Liability issues must be addressed, and Toyota Canada Inc. may seek a clause in the agreement that the City indemnifies it for any claims arising from injuries from the use of the proposed park.
- The agreement should contain a termination clause which permits either party to terminate the agreement on notice (e.g. 90 days).
- If the City is going to grant a tax exemption, we must publish notice stating the intended recipient (Toyota), and the nature, term and extent of the assistance, the City can grant an exemption for up to 5 years. If it is more than 5 years, a counter petition opportunity must be provided.

Options for Consideration

1. Direct staff to develop an agreement with Toyota Canada Inc. for the provision of a publicly accessible pocket park at the Toyota Canada Inc. property located at 21860 Westminster Highway, and address within this agreement the issues outlined above.
2. Reject the proposal from Toyota Canada Inc.

The implications of not proceeding with the potential partnership with Toyota Canada Inc. will be a lost opportunity in receiving the benefits of a community initiated capital project that would increase green space and improve aesthetics in an otherwise industrial area.

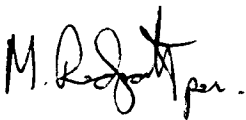
Financial Impact

The proposal provides the City with several opportunities for revenue generation and cost savings. The cost of about \$200,000 to build this park will be borne by Toyota Canada Inc. This includes site clearing, site fill, and design fees. The estimated revenue from the potential sale of picnic tables and trees from the City's nursery is another \$10,000 to \$20,000. There is the additional benefit of transplanting mature trees to other sites when this park reverts to industrial use at some point in the future.

The estimated annual maintenance cost of the proposed park is about \$3,500. This cost also represents the City's investment into this park, as the mature trees, when returned to the City, will be worth more than their initial cost.

Conclusion

The current proposal offers a valuable opportunity for the City to demonstrate its commitment to public-private partnerships, while also achieving several of the goals set for Community Vibrancy and Livability. It is recommended that the City considers an agreement with Toyota Canada Inc. for the provision of the proposed park that is revisable/renewable every 5 years.



Parthi Krishnan
Research Officer

PK:pk

ATTACHMENT 1



Memo

Date: April 10, 2002
File: 97060

To: City of Richmond,
Parks Department,
5599, Lynas lane,
Richmond, V7C 5B2

From: Ian Hargreaves
Cochrane Engineering Ltd.
#200 – 1770 West 7th Avenue
Vancouver, BC V6J 4Y6
Tel: (604) 736-5421
Fax: (604) 736-1519

Attn: Parthi Krishnan.

Fax: 604 244 1242

cc: Barry Brackley (Toyota) @ 416 431 1871

Pages: 1

Re: Toyota Canada Inc.
6200 Fraserwood Place.
Development of Lot 20.

Parthi,

We refer to our telephone conversation of today and our letter to Mike Redpath dated February 26, 2002. The legal description given in that letter is incorrect. The correct legal description is "Lot 20, Plan LMP13743."

We apologize for any inconvenience.

Regards,

A handwritten signature in black ink that reads "Ian Hargreaves".

Ian Hargreaves.



Cochrane Engineering Ltd.
#200 - 1770 W. 7th Ave.
Vancouver, BC, Canada V6J 4Y6
Tel: (604) 736-5421
Fax: (604) 736-1519
reception@cochrane-group.ca

February 26, 2002

City of Richmond
City Operations Yard
5599 Lynas Lane
Richmond, B.C. V7C 5B2

**Attention: Mike Redpath
Manager, Parks Administration & Programs
Parks, Recreation & Cultural Services**

**Re: Toyota Canada Inc.
Proposed Mini-Park
Fraserwood Industrial Park**

Dear Mike,

Further to our meetings over the past few months, this letter is to formally propose, on behalf of Toyota Canada Inc., an arrangement whereby Toyota and the City would work together to develop a mini park in the Fraserwood Industrial Park. The proposal is set out in point form below and is based on our understanding of what mechanisms and what type of park would be acceptable to the City; this understanding has been gained during our past meetings.

- Toyota owns an undeveloped lot that is adjacent to their new Western Zone Office. The Zone Office is located at 6200 Fraserwood Place in the City of Richmond.
- The legal description of the property is Lot 20, Plan LMP 38491. The property faces on to Westminster Highway and is about 1.6 acres in area.
- Toyota wish to develop the Lot as an amenity for it's employees and is also very interested in offering this amenity for the use of the residents of the City of Richmond.
- Specifically, Toyota propose to construct a park as described on the attached landscape plan L-1 as prepared by LandSpace Design Inc.
- Toyota is prepared to pay for the capital improvements on Lot 20; they are also prepared to pay for a pathway to connect Fraserwood place to the park. The path would be constructed on the Westminster Highway right-of-way.

COCHRANE
GROUP

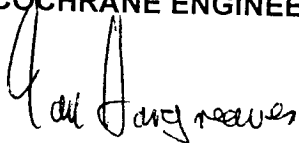
- In return for constructing the park and for making it available to the residents of Richmond, Toyota proposes that:
 - a) Whilst the park is available to the residents of Richmond, the property taxes will be based on the use of the property as a park, i.e. not based on an industrial use, and
 - b) Whilst the park is available to the residents of Richmond, the City will maintain the park.
- Upon notice to the City, Toyota will have the right to return the property back to an industrial use in accordance with the current Zoning.

Both parties will gain from the proposal as outlined. The City, and therefore the residents of Richmond, will gain a park that they would otherwise not have. Toyota will gain an amenity for their employees, they will gain goodwill and they will gain some tax relief to help in offsetting the cost of the park. The park will also help in making the Fraserwood Industrial Park more attractive and thus will help in attracting more investment that will benefit the tax base of the City.

We trust that this proposal meets with the City's approval and that the information in this letter is sufficient to allow you to proceed to the next stage in the approval process. We understand that the intention is to present this proposal to the Parks, Recreation and Cultural Services committee on March 26th, followed by the Council review on April 8th.

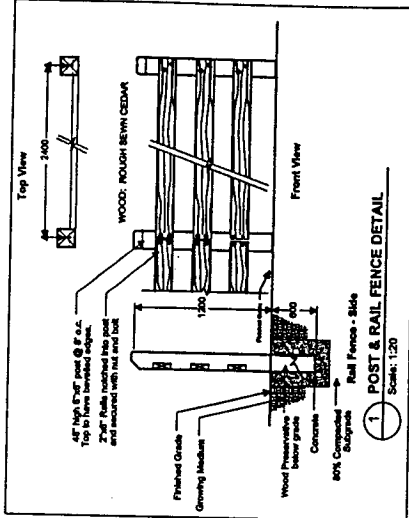
Yours truly,

COCHRANE ENGINEERING LTD.



Ian Hargreaves, P.Eng.
Industrial and Project Management
Group Manager

cc: Barry Brackley, Toyota Canada Inc.



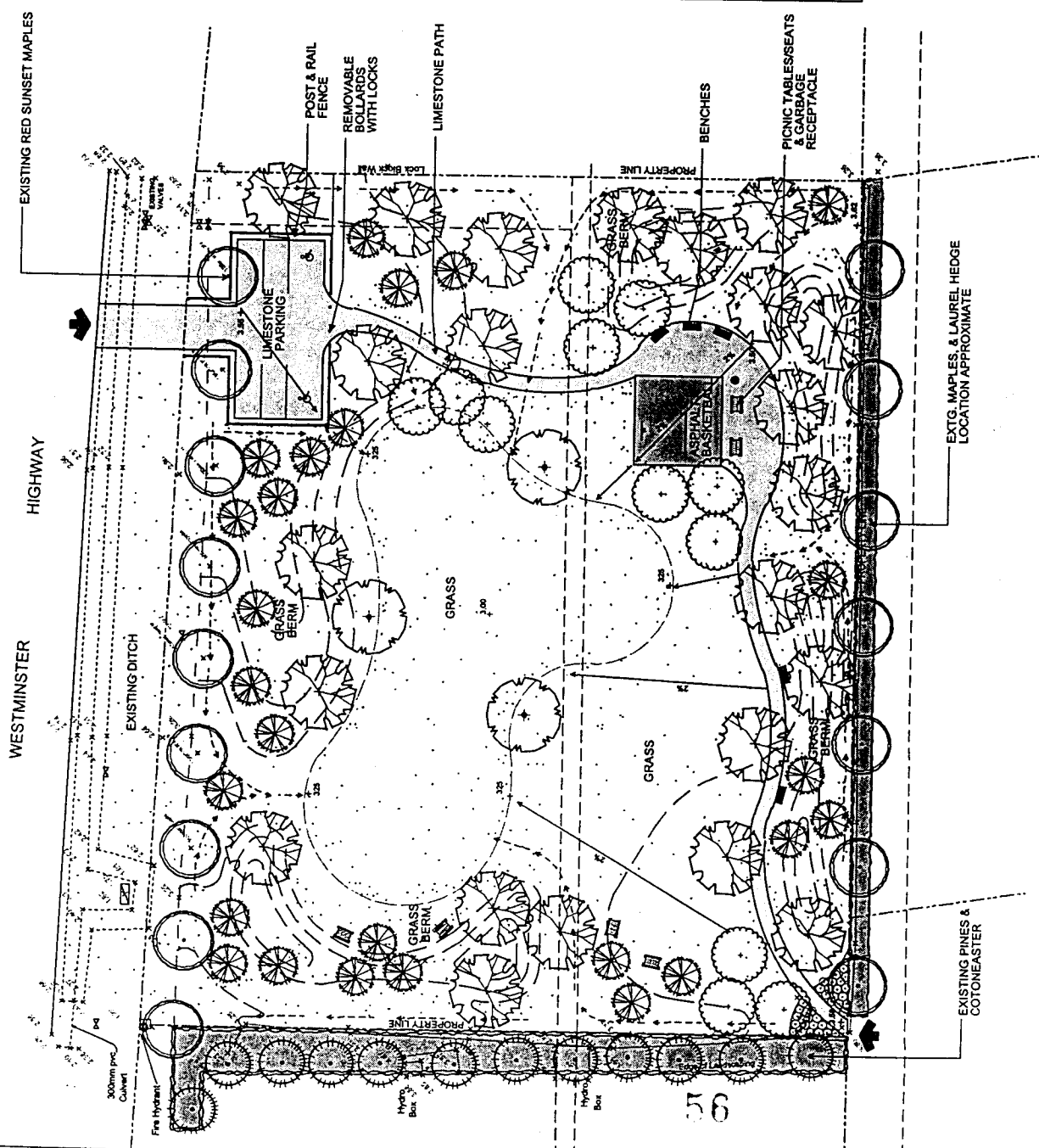
LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
	40' HIGH 6\"/>		PROPOSED ELEVATION
	15' HIGH 4\"/>		EXISTING ELEVATION
	25' HIGH 4\"/>		EXISTING ELEVATION
	30' HIGH 4\"/>		EXISTING ELEVATION
	35' HIGH 4\"/>		EXISTING ELEVATION
	40' HIGH 4\"/>		EXISTING ELEVATION
	45' HIGH 4\"/>		EXISTING ELEVATION
	50' HIGH 4\"/>		EXISTING ELEVATION
	55' HIGH 4\"/>		EXISTING ELEVATION
	60' HIGH 4\"/>		EXISTING ELEVATION
	65' HIGH 4\"/>		EXISTING ELEVATION
	70' HIGH 4\"/>		EXISTING ELEVATION
	75' HIGH 4\"/>		EXISTING ELEVATION
	80' HIGH 4\"/>		EXISTING ELEVATION
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	115' HIGH 4\"/>		EXISTING ELEVATION
	120' HIGH 4\"/>		EXISTING ELEVATION
	125' HIGH 4\"/>		EXISTING ELEVATION
	130' HIGH 4\"/>		EXISTING ELEVATION
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	140' HIGH 4\"/>		EXISTING ELEVATION
	145' HIGH 4\"/>		EXISTING ELEVATION
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	260' HIGH 4\"/>		EXISTING ELEVATION
	265' HIGH 4\"/>		EXISTING ELEVATION
	270' HIGH 4\"/>		EXISTING ELEVATION
	275' HIGH 4\"/>		EXISTING ELEVATION
	280' HIGH 4\"/>		EXISTING ELEVATION
	285' HIGH 4\"/>		EXISTING ELEVATION
	290' HIGH 4\"/>		EXISTING ELEVATION
	295' HIGH 4\"/>		EXISTING ELEVATION
	300' HIGH 4\"/>		EXISTING ELEVATION

PLANT LIST

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE
	20	PINUS MIRZA	AUSTRIAN PINE	8\"/>
	15	PRUNUS Y. ADENOID	DARTBARK FL. CHERRY	1 1/2\"/>
	25	QUERCUS COCOCOLBA	SCALLET OAK	1 1/2\"/>
	5	SALIX BAPTYLORICA	WEeping WILLOW	1 1/2\"/>
	20	RI BUES	CANADIAN GOOSEBERRY	2.0 2.0 per foot
	20	ANEMONE NEMOROSA	WOOD ANEMONE	2.0 2.0 per foot

NOTES:
 1. All plants and shrubs are to be installed in the Landscape Grade. Grade Specifications See Memo Book.
 2. All plants and shrubs are to be installed in the Landscape Grade. Grade Specifications See Memo Book.
 3. All plants and shrubs are to be installed in the Landscape Grade. Grade Specifications See Memo Book.





ATTACHMENT 3

The Corporation of the
Township of
RICHMOND

MUNICIPAL OFFICES, 6911 No. 3 ROAD, RICHMOND,
BRITISH COLUMBIA V6V 2C1 (604) 278-5511

LETTER OF UNDERSTANDING

March 20, 1986
File 3964

J. P. Delf Co. Ltd.
13020 Delf Place
RICHMOND, BC
V6V 2A2

Attention: Mr J.P. Delf, President

Dear Sirs:

RE: PLAYFIELD, TENNIS COURTS & PARKING
6 Sec. 32 Blk. SN RG SW Plan 64525
Roll No 041-356-000 4
13020 Delf Place

Further to discussions with the Director of Leisure Services, I am pleased to advise that Council has accepted your offer to construct a playfield, two tennis courts and parking for public use on the above-referenced property on the following understanding:

You will undertake to develop at your cost a playfield, two tennis courts and parking in accordance with the siting plan attached. (Construction drawings to be approved by the Municipality.) Upon completion, the above-mentioned facilities will become available for public use.

In return the Municipality will undertake to:

1. Assume all maintenance required in respect of the said facilities on a schedule equal to, or better than, that provided to the Richmond School District for their fields. In addition to gang mowing, maintenance includes liming, aerating, fertilizing and marking as determined necessary by the Parks Superintendent. The Parks Superintendent shall also determine the playability of the field to avoid unnecessary damage during inclement weather. Maintenance of the tennis courts shall include repair of tennis court fencing and nets as required.
2. Have the Leisure Services Department take full responsibility for public scheduling of the playfield and posting of the tennis courts regarding rules for use.

LETTER OF UNDERTANDING

J. P. Delf Co. Ltd.
13020 Delf Place
RICHMOND, BC

March 20, 1986

- 2 -

3. Post a sign on the property recognizing that public use has been granted as a courtesy by you on a temporary basis pending further expansion of your business premises.
4. Add a rider to our public liability insurance policy naming J. P. Delf Co. Ltd. as "additionally insured" in the event of claims which might arise from injuries during public use of the playfield or tennis courts.
5. Support your application to the B.C. Assessment Authority to have this 2.9 acre portion of your property assessed as "seasonal recreational property" (OIC8).

It is further mutually agreed that either party may cancel this understanding on 90 days' notice in writing. Nothing in this agreement shall prevent you from exercising the same rights as any other property owner with respect to that portion of your property not being developed for public recreation purposes.

Please advise if this is in accordance with your understanding of the terms for this development by signing and returning the enclosed duplicate copy of this letter.

Att.

Yours truly,



G. J. Blair, Mayor.

The foregoing is hereby
agreed this 25th day of March, 1986 by
J. P. Delf Co. Ltd.

by: 