CITY OF RICHMOND
URBAN DEVELOPMENT DIVISION

REPORT TO COMMITTEE

To Council - June 25, 2001
TO PLANNING - June 19, 2001

TO: Planning Committee **DATE:** June 13, 2001

FROM: Joe Erceg **FILE:** 8060-20-7256
Manager, Development Applications X-Ref: 8060-20-7257

RE: **APPLICATION BY CITY OF RICHMOND FOR REZONING AT 14420, 14580, 14720 AND 14760 TRIANGLE ROAD FROM LIGHT INDUSTRIAL DISTRICT (I2) TO ATHLETICS AND ENTERTAINMENT DISTRICT (AE)**

STAFF RECOMMENDATION

1. That Official Community Plan Amendment Bylaw No. 7256, to re-designate 14420, 14580, 14720 and 14760 Triangle Road from "Business and Industry" to "Commercial" in Attachment 1 and 2 to Schedule 1 of Official Community Plan Bylaw No. 7100 (Generalized and Specific Land Use Maps), be introduced and given first reading;

2. That Bylaw No. 7256, having been examined in conjunction with the Capital Expenditure Program, the Waste Management Plan, and the Five Year Financial Plan, is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3) of the Local Government Act;

3. That Bylaw No. 7256, having been examined in accordance with the City Policy No. 5002 on the referral of Official Community Plan amendments, is hereby deemed to have a potential effect upon an adjoining Municipality and accordingly be referred to the Corporation of Delta for comment regarding the potential noise impacts of the proposed amphitheatre in accordance with Section 879(2) of the Local Government Act;

4. That Bylaw No. 7256, having been examined in accordance with the City Policy No. 5002 on the referral of Official Community Plan amendments, is hereby deemed to have no effect upon a function or area of the Greater Vancouver Regional District in accordance with Section 879(2) of the Local Government Act;

5. That Bylaw No. 7256, having been examined in accordance with the requirement in the Accord between the City and the Vancouver International Airport Authority, is hereby deemed to be outside the areas affected by aeronautical operations; and

6. That Bylaw No. 7257, for the rezoning of 14420, 14580, 14720 and 14760 Triangle Road from "Light Industrial District (I2)" to "Athletics and Entertainment District (AE)", be introduced and given first reading.

Joe Erceg
Manager, Development Applications

HB:blg
Att. 3

FOR ORIGINATING DIVISION USE ONLY	
ROUTED TO: CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Parks Administration & Programs..... Y ☑ N ☐	

STAFF REPORT

ORIGIN

In 1998, the City of Richmond acquired four parcels of land located at 14420, 14580, 14720 and 14760 Triangle Road northeast of Watermania in the Riverport area for City purposes. All four parcels were and continue to be zoned Light Industrial District (I2) and designated for Business and Industry in the Official Community Plan (OCP). **Attachment 1** illustrates the location of these properties.

In October, 2000, Council issued a Request for Proposal (Contract 2261P) – Potential Land Use Options for City Owned Land at Riverport. Specifically, it was proposed to enter a joint venture to develop these four parcels as a sports and entertainment facility, or combination of light industrial and sports and entertainment uses. In this proposal request, it was stated that *"the City is prepared to rezone the site for athletics and entertainment use (AE), which permits assembly, commercial entertainment, recreation facility and community use, if a suitable proposal is acceptable".*

In response to this Request for Proposal, four proposals were received along with one letter of interest. Staff subsequently recommended that the proposal from Paul Mercs Concerts Inc./A&F Music Ltd. (PMC/A&F) to develop a combination sports complex and outdoor amphitheatre for sports and entertainment purposes be pursued on the subject properties. In doing so, issues relating to noise, traffic and possible financial returns to the City were considered.

The project mandate of the PMC/A&F proposal was to develop:

"1. A state of the art athletic facility consisting of 2 artificial turf playing fields complete with lighting, washroom facilities, caretaker residence and parking for use in the mid-October to mid-May winter playing season.

2. A world class 6,000 seat outdoor amphitheatre live entertainment venue with on-site parking for use from mid-May to mid-October summer live entertainment season".

Attachment 2 is a preliminary copy of the proposal by PMC/A&F.

In May, 2001, Council directed staff to undertake lease negotiations with PMC/A&F for the development of a combination outdoor amphitheatre and 2.5 field artificial turf sports playing field complex and that the performance standards with respect to acoustics, transportation and sports field provision including potential financial returns form the basis for future negotiations. At the same time, Council passed a motion *"that staff be directed to bring forward a rezoning application for the City-owned properties located at 14420, 14580, 14720 and 14760 Triangle Road to rezone the subject site from I2 to AE designation".*

On June 11, 2001 the City received a letter from Rick and Kaldip Mattu, owners of 14520 Triangle Road, requesting that their property be included in this application (see **Attachment 3**). Staff have since advised Mr. Mattu verbally that he will have to make his own rezoning application.

FINDINGS OF FACT

ITEM	EXISTING	PROPOSED
Owner	City of Richmond	No change
Applicant	City of Richmond	No change
Site Size	Four parcels ranging in size from 1.87 ha (4.62 ac.) to 2.03 ha (5 ac.)	One consolidated 8 ha (19.77 ac.) lot
Land Uses	4.05 ha (10 ac.) leased to Fraser Wharves for car storage purposes. Remainder vacant undeveloped land	Possible 6,000 seat amphitheatre with parking and/or 2.5 artificial turf playing fields with a caretaker residence and washrooms
OCP Designation	Business and Industry	Commercial
Zoning	Light Industrial District (I2)	Athletics and Entertainment District (AE)

RELATED POLICIES & STUDIES

The area north of the subject site along Triangle Road and No. 6 Road is within the Agricultural Land Reserve (ALR).

If the subject properties are rezoned, the proposed amphitheatre will require a Development Permit since the OCP designates all commercial sites throughout the City as Development Permit areas. However, there are no Development Permit Guidelines that specifically apply to the proposed uses or the Riverport area.

Section 879 of the Local Government Act requires the City to consider who it will consult with during an amendment of an OCP. City Policy No. 5002 further specifies what matters are to be evaluated by staff to determine the extent of the referral to adjoining municipalities and the Greater Vancouver Regional District (GVRD) to be recommended to Council for all OCP amendments. Staff are recommending that this proposed OCP amendment be referred to the Corporation of Delta since the proposed amphitheatre may have noise impacts to a multiple-family residential development under construction across the Fraser River.

Under the Local Government Act and Highway Act, a rezoning bylaw within a radius of 800 m of the intersection of a controlled access highway with any other highway must be approved in writing by the Ministry of Transportation and Highways (MOTH) before its adoption. The subject properties are beyond this distance. However, transportation servicing requirements are dependent on changes to infrastructure under the jurisdiction of MOTH. Therefore, it is required that PMC/A&F obtain MOTH approval for the proposed changes during the lease negotiation process with the City.

STAFF COMMENTS

Policy Planning

In evaluating this proposal, the following policy context and considerations are relevant:

- the existing OCP,
- there is no Area Plan for the Riverport area,
- in 1999, the City approved the Richmond Industrial Strategy,
- in 1999, the City and the Richmond Farmers Institute established a partnership to prepare a 2021 Richmond Agricultural Viability Strategy (RAVS), and
- in early 2001, City staff discussed, for the Riverport area, a possible land use vision and development options.

In summary, the above policies and studies have the following implications for the Riverport area and the amphitheatre proposal:

Current OCP Designations Riverport Area	**Intent**
Business and Industry (Current OCP designation of the site)	Uses involve the production or distribution of: • goods and • business services
Commercial (Existing Athletics and Entertainment Zoned Area) (If approved, the suggested OCP designation of the site)	• recreation • entertainment • retail, business, personal service, • short term accommodation needs of community and travelling public
Agriculture/A.L.R. Boundary (Adjacent Area North of Triangle Road)	• agricultural use
Environmentally Sensitive Areas (Along Fraser River and North of Triangle Road)	• environmental protection • Environmentally Sensitive Areas (ESAs)

OCP Agricultural Polices:

- achieve a balance among:
  - urban and rural uses,
  - development and the natural environment,
  - jobs and housing,
- protect agricultural lands,
- establish effective urban - rural boundaries and buffers,
- encourage that adjacent land uses are compatible with farm uses and that their impacts on farmland are minimized, and
- work with farmers and the recreational community to ensure that recreational uses and activities which are adjacent to or within the ALR are compatible with farm uses.

OCP City Centre Commercial Polices:

- reinforce the City Centre as Richmond's "Downtown" and Professional and Service Centre,
- develop a high quality image with vibrant arts, culture and entertainment facilities,
- concentrate commercial entertainment services in the City Centre.

OCP Commercial - Elsewhere in Richmond:
- ensure that commercial entertainment facilities appropriately support local land use objectives and are compatible with surrounding development.

OCP Environmental Polices:
- preserve and create positive acoustic environments in public spaces, and
- enhance the natural environment, including protecting ESA's and habitats.

The 1999 Richmond Industrial Strategy:
- encourages high tech development in the City, and
- high tech can go in the Riverport area but not so as to jeopardize the water-based industrial activities.

General staff planning concepts for the Riverport area:
- a multi use area is envisioned,
- the current commercial, business and industry designations are acceptable,
- access to the deep port waterfront is a high priority and water-oriented activities should not be eliminated,
- residential development is not to be permitted; though dormitory and hotel accommodations are acceptable,
- additional recreation spaces, trails and uses are acceptable; community centres are not encouraged, and
- it is acknowledged that an Area Plan would be useful as clearer direction would be provided and the public would have a better opportunity to affect changes in this area.

The proposed Richmond Agricultural Viability Strategy (RAVS):
- a draft Strategy is being finalized; it will be brought to Council within the next several months, prior to seeking public input and it is envisioned that a final Strategy will be ready for Council's consideration and approval in late 2001,
- the Strategy aims to increase the viability of farming and to remove constraints to agriculture, and
- the draft Strategy will contain a wide range of policies and proposals aimed at:
  - respecting the ALR boundary and avoid taking land out of the ALR,
  - improving buffers between urban and agricultural uses,
  - improving co-ordination and communication among farmers, the City, developers, and others to better manage proposals which will affect farming, and
  - striving to ensure that there is a net benefit to farming with proposals.

Two **options** were identified by Policy Planning staff in evaluating this application:

Option 1 - Refusal

This option involves refusing the proposal, for the following reasons:
- an amphitheatre could modified and be better located in the City Centre thus reinforcing:
  - the vision for the downtown, and existing City Center uses (entertainment, hotels, etc.),
  - the creation of a vibrant entertainment center,
  - existing entertainment facilities (e.g., hotels, shopping, etc.), and
  - existing and proposed transit facilities.

- alternatively, the proposal could be altered to allow more appropriate uses (e.g., only recreation sport fields) to be developed on the site, thus having more readily manageable impacts (e.g., traffic, odour, noise, and nuisance).

Option 2 – Approval

This option involves approval of the proposal and the City ensuring, through various means, that the following conditions are met:

- no residential development occurs,
- the ALR boundary is maintained and protected,
- adequate buffers are provided between agricultural uses, nearby ALR residents, and urban uses to minimize noise, nuisance and potential damage to farmland, etc.,
- there is a net benefit to adjacent agricultural uses (e.g., better drainage with any road improvements),
- traffic impacts are well managed,
- noise is well mitigated,
- ongoing efforts, and partnerships among the City and adjacent land users are initiated and maintained to avoid, miminize and eliminate any potential undesirable odours from adjacent (e.g., industrial) uses as such would jeopardize the public's enjoyment of the proposed amphitheatre,
- effective environmental, habitat and wildlife protection measures and enhancements are undertaken, and
- consultations occur with members of the Richmond Farmer's Institute to determine and address any concerns which they may have.

These considerations can be addressed during the approval, negotiation and development processes.

With this option, it would be desirable for the City to subsequently initiate the preparation of an Area Plan.

The Policy Planning Department recommends **Option 2** (Approval) because:

- it has potential benefits,
- no land will be removed from the ALR by the proposal,
- no residential uses are involved,
- the difference between the existing and proposed urban uses is not significant,
- it is assumed that all servicing, nuisance and environmental impacts can be properly managed, and
- if the amphitheatre was proposed in the City Centre, it would be problematic because of airport noise affecting the amphitheatre, City Centre residential uses would also be negatively affected, and traffic and parking problems would still require attention.

Transportation

The following transportation objectives were given to the potential leasee (PMC/A&F) to provide a framework according to which the traffic impacts of the proposed amphitheatre development would be addressed and the corresponding supporting road and traffic improvements would be identified:

- assessment of traffic impact and identification of off-site road and traffic improvements;
- establishment of a Traffic Management Plan;
- establishment of a Parking Management Plan; and
- identification of measures to mitigate the traffic impact on the adjacent ALR lands.

The following improvements to accommodate the expected travel demand associated with the proposed amphitheatre development were recommended by PMC/A&F:

- convert No. 6 Road and Triangle Road to one-way operation; or widen No. 6 Road to three lanes from Triangle Road to Steveston Highway with "reversible" lane operation;
- widen Steveston Highway to three lanes from Palmberg Road to Steveston Interchange with "reversible" lane operation;
- widen Highway 99 southbound off-ramp to two lanes at Steveston Interchange;
- widen the eastbound approach to the east signalized intersection at Steveston Interchange; and
- provide two lanes on the westbound to northbound ramp at Steveston Interchange.

Staff have reviewed the "Richmond Amphitheatre Transportation Study" prepared by PMC/A&F's consultant. Upon assessment of the proposed road and traffic improvements put forward by PMC/A&F, staff concluded that these improvements may not be adequate to fully accommodate the travel demand generated by this development. Furthermore, these improvements may not be achievable due to technical feasibility, their contingency upon approval by external jurisdictions and support from area residents and businesses. Therefore, additional or alternative improvements need to be put in place to address the capacity requirement, and potential operational and safety issues.

The following improvements are the staff recommended road infrastructure upgrades and traffic management measures expected to be negotiated with the leasee (PMC/A&F) to support the proposed amphitheatre development:

- widen Steveston Highway to four lanes (Steveston Interchange to Palmberg Road);
- widen No. 6 Road to four lanes, including ditch infill (Steveston Highway to Triangle Road);
- widen Triangle Road to four lanes from No. 6 Road to the proposed site, including ditch infill;
- implement measures to provide additional capacity at the existing Steveston Interchange in the short term and longer term;
- development of a comprehensive traffic management plan including plans for managing the flow of vehicles, pedestrians, cyclists and transit; and
- development of a comprehensive parking management plan including parking demand/supply estimates, identification of provisions for passenger pick-up and drop-off and the loading and unloading of trucks.

Given the tight timelines for the completion of the traffic impact study, staff acknowledge that PMC/A&F and their consultants have made reasonable efforts to identify the traffic concerns and the required transportation improvements associated with the proposed development.

However, staff believe that the road and traffic improvements proposed by PMC/A&F may not be adequate to fully accommodate the projected travel demand and may be further limited by the uncertainties and risks associated with some of the proposed traffic management measures.

Staff therefore have compiled the above-noted comprehensive list of road and traffic improvements required to support the proposed site. Staff recognize that it may not be feasible to implement all of the recommended improvements immediately but believe it is essential to establish an ultimate road and traffic plan that can be achieved over time. As the proposal proceeds through the lease negotiation process, staff expect to work closely with PMC/A&F to develop and refine a comprehensive road infrastructure and traffic management plan that would support the proposed development.

Development Applications

Development Applications staff would prefer that both 14520 and 14620 Triangle Road also apply for rezoning from the Light Industrial District (I2) to the Athletics and Entertainment District (AE) and for the OCP amendment at the same time as this application. These two small parcels are approximately 0.08 ha (0.20 ac.) in area and are owned by Rick and Kaldip Mattu and 584998 B.C. Ltd. (Kamloops) respectively.

The improvements to the water supply will require replacing the 150 mm line along Triangle Road with a 300 mm diameter line and extending it to the amphitheatre site. The line may need to be looped back to the existing line along Steveston Highway. A fire hydrant test needs to be carried out near the site.

The existing storm ditch along Triangle Road will need to be filled and replaced with a 900 mm diameter storm sewer.

City sanitary sewer is unavailable in the area, therefore ongoing discussions with the Riverport Business Park need to be finalized for the use of their sanitary system for the treatment and disposal of the sewage from the site.

Health Department

The Richmond Health Department has reviewed the Pre-Design Environmental Noise Impact Review prepared by Wrightson, Johnson, Haddon & Williams Inc. for Paul Mercs Concerts Amphitheatre – Richmond. Their comments were as follows:

"We agree with the consultants assessment that the concert sound will be recognized as "non-typical " and therefore less likely to be ignored. We emphasize this because regardless of the sound levels, the fact that a new sound can be heard over what previously existed may be an issue with nearby residents.

More weight is deserving on the nuisance/subjective aspect of the Noise Regulation other than an acknowledgement that some percentage of the population will object to any audible concert noise. This is a major area of concern as nuisance complaints will require follow up and at some point, a decision will have to be made as to the validity of any such complaints.

Despite the current zoning designating the surrounding area as an Activity Zone and therefore permitting 60 dBA versus 45 night time dBA for a quiet zone, the Palmberg and Sidaway areas as well as individual lots along Triangle Road and No. 6 Road to a lesser extent are still

residential in their purpose with their residents being accustomed to similar noise levels as experienced in other Richmond residential areas.

The report states that an interior noise level of 45 dBA can be achieved with closed windows at affected homes when the outside level is 60 dBA. We do not feel that residents should be expected to keep their windows closed on a summer evening to achieve an interior sound level of comfort. Nor do we feel that their outside environments should be negatively impacted such that they cannot routinely enjoy their backyards during the summer months.

Reference is also made to impacts on surrounding businesses and alludes that the Watermania building will buffer some of these sounds. The City should ensure that noise levels generated by the concert hall do not disrupt other venues at the Riverport site especially those sensitive to exterior noise sources such as the theatres.

Performing artists are to be asked to comply with a 105 dBA-imposed limit. Is this realistic? Who would enforce this? Another key recommendation is that loudspeaker clusters should be limited to no more than 15 meters above the stage. There would have to be some mechanism to enforce this requirement especially when artists provide their own sound systems.

Who would enforce the self imposed 11:15 PM noise curfew? As a comparison, the Stetson Bowl in Cloverdale requires a 10:00 PM shutdown. It may not be reasonable to expect concerts to strictly observe this curfew.

One of the key issues is the design and construction of the concert hall. It is important that if this project proceeds, there be an opportunity for the City to input at the design stage to ensure proper noise mitigation measures are implemented. It is our recommendation that the City contract their own noise consultants at the design phase to ensure that the interests of the citizens of Richmond are protected.

Consideration should also be given to the additional traffic loading entering and exiting the sites and how this might impact on the general nuisance noise levels. General crowd noise as they depart the site may also be a consideration.

Though the initial analysis does not put forward arguments as to why the City should not proceed on this project, there needs to be proper checks and balances in place to ensure that the interests of the City is protected. This is especially important at the design phase of the project. Consideration should also be given to on-site services as the existing Riverport development have their own sewage treatment plant with a Ministry of Environment approval for discharge to the Fraser River. This existing permit may preclude connection to any facilities not on the original property. The City should research this aspect to ensure that on-site services can be provided."

ANALYSIS

When the City purchased 14420, 14580, 14720 and 14760 Triangle Road, it was recognized that these properties had the potential for sports and recreational purposes. In fact, the Light Industrial District (I2) permits "recreation facility", which is defined as "a use which provides for participatory recreational activities ... includes gymnasium, squash or tennis court, curling rink, swimming pool, bowling alley, pool hall, chess club, sports field, golf course or golf driving range; but does not include casino".

In response to the Request for Proposal on these properties, all four proposals were for some type of recreational facility. In other words, there was no interest expressed in developing these properties for a combination of light industrial and sport uses. Furthermore, in the proposal request, it was clearly stated that the City was prepared to rezone the site to the Athletics and Entertainment District (AE). In fact, Council has directed staff to bring forward this rezoning application.

In light of the above-noted facts, staff believe that the OCP designation and zoning of the subject properties should be changed regardless of which specific proposal actually gets built on the site. The fact that the City owns the land allows it the ability to negotiate the required traffic and noise improvements for the proposed amphitheatre as part of the lease arrangements. These items can also be addressed through the Development Permit process. By re-designating the four City-owned properties Commercial in the OCP and rezoning them Athletics and Entertainment District (AE), the stage will be set for whatever use Council eventually approves.

Staff would have no objection to a similar OCP amendment and rezoning application should Rick and Kaldip Mattu apply for this at 14520 Triangle Road or if 584998 B.C. Ltd. would apply on 14620 Triangle Road. Furthermore, staff have recommended that PMC/A&F undertake their own public consultation process with the neighbourhood with regard to their amphitheatre proposal.

FINANCIAL IMPACT

There are no specific financial impacts to the City of amending the OCP designation of the subject properties from Business and Industry to Commercial and rezoning this land from Light Industrial District (I2) to Athletics and Entertainment District (AE).

CONCLUSION

As directed by Council, staff have brought forward this application to amend the OCP designation of 14420, 14580, 14720 and 14760 Triangle Road and to rezone these properties. In doing so, the stage will be set for whatever use Council eventually approves on these City-owned lots. Issues related to the traffic and noise impacts of the proposal to develop an outdoor amphitheatre on the site will be dealt with separately as part of the lease negotiations with the proponent. Staff are recommending that this application be referred to the Corporation of Delta for comments on the proposed amphitheatre.

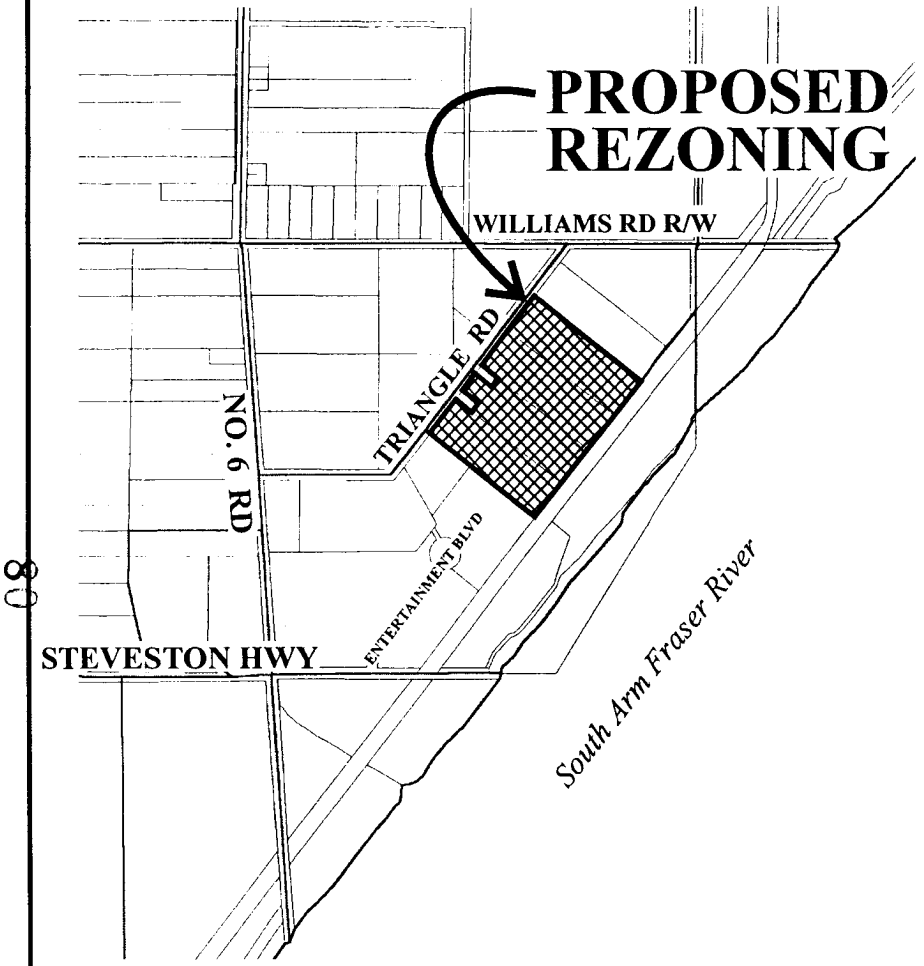
H. Burke.

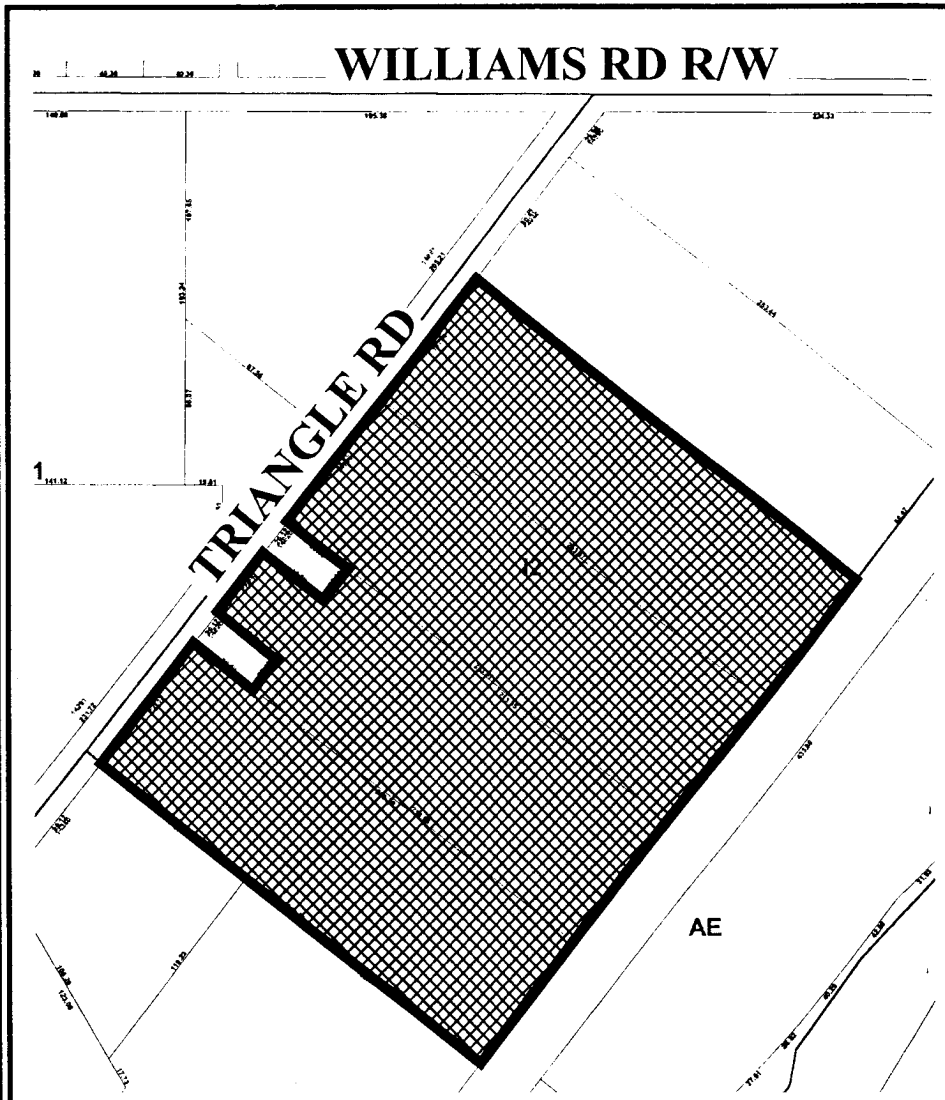
Holger Burke, MCIP
Development Coordinator

HB:blg

There are no requirements to be dealt with prior to final adoption.

City of Richmond





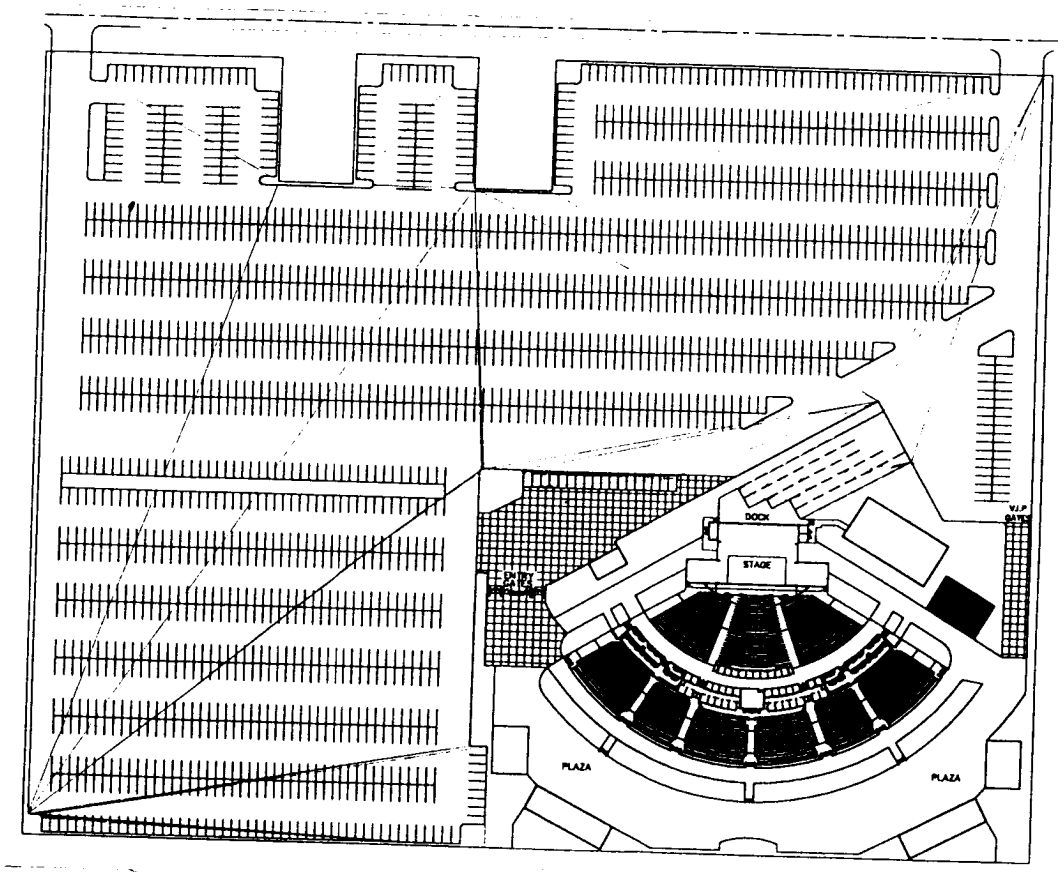
RZ 01-188198

Original Date: 06/13/01

Revision Date:

Note: Dimensions are in METRES

ATTACHMENT 1



LEGEND

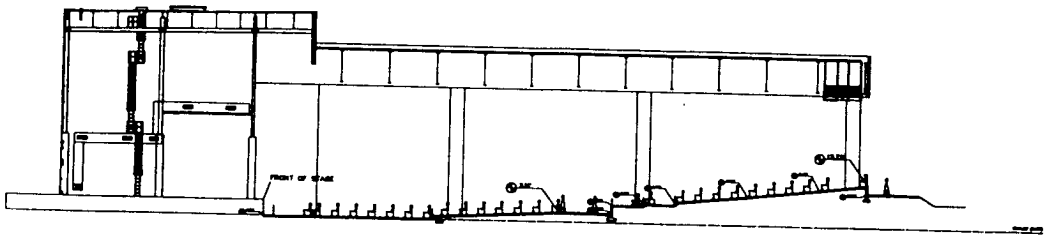
- LANDSCAPING
- PARKING
- CONCESSIONS
- RESTROOMS
- DRESSING ROOMS
- V.I.P. CLUB
- BOX OFFICE

0' 50' 100' 200'

SCALE: 1" = 50'

MAY 11, 2001

PROPOSED RICHMOND CONCERT HALL
SITE PLAN



ATTACHMENT 3

Rick Mattu
Kaldip Mattu
14520 Triangle Road
Richmond, B.C.
V6W 1B1

Without Prejudice

June 11, 2001

City of Richmond
6911 No. 3 Road,
Richmond, B.C.
V6Y 2C1

Att: Mr. Holger Burke Urban Development

Re: Development permit

We are the owners of 14520 Triangle Road a parcel of property located at SEC 33 BLK4N RG5W PL 3447. We would like to join the City of Richmond in order to have our property rezoned to the same zoning as they are applying for. Further more in the event we are not included in the application process than we object to the city changing the property as it effects all three sides of our property.

I have talked to Dave Simple on many occasions and have asked him to include my property in the rezoning application. He has confirmed me that he will support my application and include me in the change.

Please contact me at (604) 273-1366 or write to me at 11071 Cambie Road, Richmond, B.C. V6X 1L3 if you have any further question or comments.

Yours Truly

RICK MATTU

Kaldip K Mattu

KALDIP MATTU

CITY OF RICHMOND

BYLAW 7256

RICHMOND OFFICIAL COMMUNITY PLAN BYLAW 7100 AMENDMENT BYLAW 7256 (RZ 01-188198) 14420, 14580, 14720 and 14760 TRIANGLE ROAD

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

1. Richmond Official Community Plan Bylaw 7100 is amended by repealing the existing land use designation in Attachment 1 and 2 to Schedule 1 thereof of the following area and by designating it **COMMERCIAL**.

   P.I.D. 001-210-351
   Lot 14 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 004-825-578
   Lot 13 Except: Firstly: Parcel "A" (Explanatory Plan 15059) Secondly: Parcel "B" (Explanatory Plan 15060), Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 002-004-577
   Lot 12 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 004-283-325
   Lot 11 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

2. This Bylaw may be cited as **"Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 7256".**

FIRST READING	JUN 25 2001
PUBLIC HEARING	
SECOND READING	
THIRD READING	
ADOPTED	

CITY OF RICHMOND
APPROVED for content by originating dept.
HB
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

442043

CITY OF RICHMOND

BYLAW 7257

RICHMOND ZONING AND DEVELOPMENT BYLAW 5300 AMENDMENT BYLAW 7257 (RZ 01-188198) 14420, 14580, 14720 AND 14760 TRIANGLE ROAD

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it **ATHLETICS AND ENTERTAINMENT DISTRICT (AE).**

   P.I.D. 001-210-351
   Lot 14 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 004-825-578
   Lot 13 Except: Firstly: Parcel "A" (Explanatory Plan 15059) Secondly: Parcel "B" (Explanatory Plan 15060), Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 002-004-577
   Lot 12 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

   P.I.D. 004-283-325
   Lot 11 Section 33 Block 4 North Range 5 West New Westminster District Plan 3447

2. This Bylaw may be cited as **"Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 7257".**

FIRST READING	JUN 25 2001
A PUBLIC HEARING WAS HELD ON	
SECOND READING	
THIRD READING	
ADOPTED	

CITY OF RICHMOND
APPROVED for content by originating dept.
HB
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

442053

Re: Item No. 20-
Council Agenda - June 25, 2001

	INIT
RM	
DW	
KY	
✓ S	
SB	
SF	

June 20, 2001

8060-20-7257

Mayor and Council
City of Richmond
6911 Number 3 Road
Richmond, B.C.

Dear Sirs:

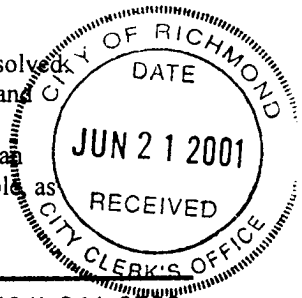
We understand that, at your next regular meeting of Council, you will be dealing with first reading of bylaws to amend the Official Community Plan and rezone City-owned property at 14720 to 14760 Triangle Road to Entertainment and Athletics District to permit the development, by private/public partnership, of a sports and entertainment complex, featuring a 6,000-seat amphitheatre. We wish to alert you to our very real concerns with this proposal and also offer to assist you with resolving those concerns, so that an amphitheatre may become a reality for Richmond.

We believe the development of an entertainment amphitheatre and sports playing fields is a potentially beneficial project appropriate for the Riverport district. However, we have some significant concerns regarding the proposed land use and the specific proposal the new land use will accommodate. Given our experience in advancing a similar proposal for our own lands, we have developed considerable knowledge about the benefits and impacts of such a development and we can also offer some constructive input that may help to address many of our concerns and many of the outstanding concerns identified in the staff report before you.

You may recall that we submitted a development application for an entertainment amphitheatre for our own waterfront lands, adjacent to the City-owned land. In fact, the proposal conforms to our existing zoning. We obtained a Development Permit for the amphitheatre on January 24, 2000 (DP 99-170431) and that Development Permit is still valid.

During our planning for the proposed project on our lands, we identified, among others, concerns regarding traffic patterns, the provision and management of parking, noise impact, and compatibility with surrounding uses. We also identified means to address these concerns.

In the report before you, your staff identified a number of issues which must be resolved prior to a amphitheatre and playing fields project being feasible for the City-owned lands. We are somewhat dismayed at the suggestion that the proposed land use can be approved prior to these issues being resolved. Many of the issues impact directly on the existing facilities at Riverport. The management of traffic and parking loom large as unresolved issues. In fact, your staff suggests that "it may not be feasible to implement all of the recommended improvements immediately but believe it is essential to establish an ultimate road and traffic plan that can be achieved over time". We believe this strategy is unacceptable, as



RIVERPORT BUSINESS PARK INC.
14511 Steveston Highway
Richmond, B.C. V6W 1K2

Telephone: (604) 241-0700
Facsimile: (604) 241-0722
Email: riverbus@istar.ca

it exposes Riverport's existing uses to serious potential impacts. As a major tenant at Riverport, the City of Richmond itself should be very concerned with this approach.

We have not been consulted concerning this issue or any of the other outstanding issues, such as sewerage disposal, noise abatement and impact of major events on our existing businesses. If we are part of a consultative process, we can bring to the table our experience as the neighbouring land owner and landlord of a number of tenancies which will not only be impacted by your proposed land use, but which also have the potential of complimenting your proposal. We can also bring to the table our experience and knowledge we gained in assessing the feasibility of an amphitheatre operation in the area.

We respectfully request that Council refer this item back to staff before considering first reading so that we might have an opportunity to be consulted. We can offer our constructive input and ideas and to work with the City in resolving many of the very significant issues which remain unresolved and many of the questions which remain unanswered concerning this proposal.

It would be premature for Council to refer this rezoning application to a Public Hearing when so many issues are outstanding. Given the fact that the City is both the applicant for this project and a major tenant on the neighbouring property, which we own, it would be dangerous to leave the public with the impression that this matter was expedited without any serious consideration of these very real concerns.

Yours truly,

W. Brent Kerr
President
Riverport Business Park Inc.

To: Public Hearing
July 16, 2001
ITEM 6

ACTING CITY CLERK

Hearts & Soul Foundation
Strengthening Community Through Music

My apologies,
I neglected to include a daytime phone on the original which is in the mail.
Xxoo

INIT
CW
SF

2275-20-222

Helijet
INTERNATIONAL INCORPORATED

Ken Glaze
Vice President ~ *Business Development*

Telephone: (604) 273 4688 ~ *Facsimile:* (604) 273.5301
E-Mail: kenglaze@helijet.com

5911 Airport Road South ~ *Vancouver International Airport* ~ Richmond
British Columbia ~ Canada ~ V7B 1B5 ~ Web site: www.helijet.com

City of Richmond
Mayor's Office
6911 No. 3 Road
Richmond, British Columbia
V6Y 2C1 Canada

Dear Honourable Acting Mayors and Council,

We are observing with great interest the proposal for a 6,000-seat entertainment amphitheatre in Richmond.

The City of Richmond has been a leader in working toward becoming an accessible community for all its residents. However, there is a growing waitlist for the resources necessary to support families and individuals living with developmental and/or physical disabilities to live, work and play in our community. Many family members are becoming exhausted because of this lack or resources. The Hearts and Soul Foundation exists to address this need.

We are a non-profit organization with a mission to raise funds and awareness for people with disabilities by producing benefit concerts.

One of our significant challenges has been obtaining appropriate venues within a cost structure to actually allow us to raise funds beyond expenses.

We are excited that this new amphitheatre may offer our community an excellent facility for fundraising as well as musical arts enjoyment. We also consider that it represents a unique opportunity for the promoters to put something significant back into their communities.

We look forward to an opportunity, during the re-zoning public process, to ask if the promoters will commit to making their facility available, to organizations such as ours, a reasonable number of times per year at a cost that will support our fundraising efforts.

Respectfully,

Ken Glaze
President

87

CITY OF RICHMOND
DATE
JUN 25 2001
RECEIVED
CITY CLERK'S OFFICE

To: Public Hearing
July 16, 2001
Item 6

THE CORPORATION OF DELTA
COMMUNITY PLANNING & DEVELOPMENT DEPARTMENT

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	JRM	
✓	DW	
	KY	
	AS	
	DB	
	WB	

By Courier

File: P95-31

July 11, 2001

BL 7256

J. Richard McKenna
City Clerk
City of Richmond
6911 No. 3 Road
Richmond, B.C. V6Y 2C1

Dear Mr. McKenna:

Re: City of Richmond - Application for Rezoning (with amendment to the Official Community Plan) - Proposed Amphitheatre; Bylaw 7256

In your letter of June 27, 2001 to Gil Mervyn, Municipal Clerk, you requested Delta's comments regarding the potential noise impacts of the proposed amphitheatre in South Richmond.

Your letter and a report by Delta staff were received by Delta Council at its Regular Meeting on July 10, 2001. The report is enclosed for the information of your Council. The recommendations were adopted:

"A. That the City of Richmond be advised that Delta has concerns regarding generation of noise from the proposed amphitheatre, and requests that:

1. Richmond engage its own noise consultants to evaluate the potential noise impact of the proposal on Delta and recommend appropriate on-site noise attenuation measures to prevent any negative impacts on Delta;

2. That the City of Richmond agree that the noise produced by the proposal and received in Delta not be greater than would be permitted by Richmond's Noise Bylaw for residential areas;

3. That the orientation of the proposed amphitheatre be altered so that noise generated by the facility does not affect Delta;

4500 Clarence Taylor Crescent, Delta, British Columbia, Canada V4K 3E2 Tel (604) 946-4141

4. That the proposal be referred to Delta for comment at the development permit stage, when a more detailed proposal is available."

Jim LeMaistre, Manager of Community Planning will be appearing at the public hearing on behalf of Delta Council to present our comments.

Yours truly,

Judy McLeod
Director of Community Planning & Development

JL/eap
Attachment

cc: Mayor and Council
Chief Administrative Officer
Municipal Clerk

E09

THE CORPORATION OF DELTA

COUNCIL REPORT

REGULAR MEETING

To: Chief Administrative Officer **File No.:** P95-31

From: Community Planning & Development Department

Date: July 5, 2001

Proposed OCP Amendment to permit Amphitheatre, Riverport Area of Richmond

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■ RECOMMENDATIONS:

A. That the City of Richmond be advised that Delta has concerns regarding generation of noise from the proposed amphitheatre, and requests that:

1. Richmond engage its own noise consultants to evaluate the potential noise impact of the proposal on Delta and recommend appropriate on-site noise attenuation measures to prevent any negative impacts on Delta;

2. That the City of Richmond agree that the noise produced by the proposal and received in Delta not be greater than would be permitted by Richmond's Noise Bylaw for residential areas;

3. That the orientation of the proposed amphitheatre be altered so that noise generated by the facility does not affect Delta;

4. That the proposal be referred to Delta for comment at the development permit stage, when a more detailed proposal is available.

■ CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

I support the recommendations.

■ PURPOSE:

The purpose of this report is to respond to a report from the City of Richmond regarding proposed OCP and Zoning changes to allow an open amphitheatre in the Riverport entertainment area, bordering the Fraser River.

■ BACKGROUND:

A letter dated June 27, 2001, has been received from the City of Richmond inviting comment from Delta as a neighbouring municipality, on a proposed OCP amendment and rezoning to allow an open amphitheatre close to the banks of the Fraser River, in the Riverport entertainment area.

Richmond Council has given first reading to the bylaws to authorize the OCP amendment and rezoning. The bylaws are scheduled for the July 16 Public Hearing in Richmond.

Council Policy:

There is no applicable policy in Delta.

■ DISCUSSION:

The site is located northeast of the existing entertainment facilities and is separated from Richmond's waterfront park along the Fraser River by a rail right-of-way (see Figure 1).

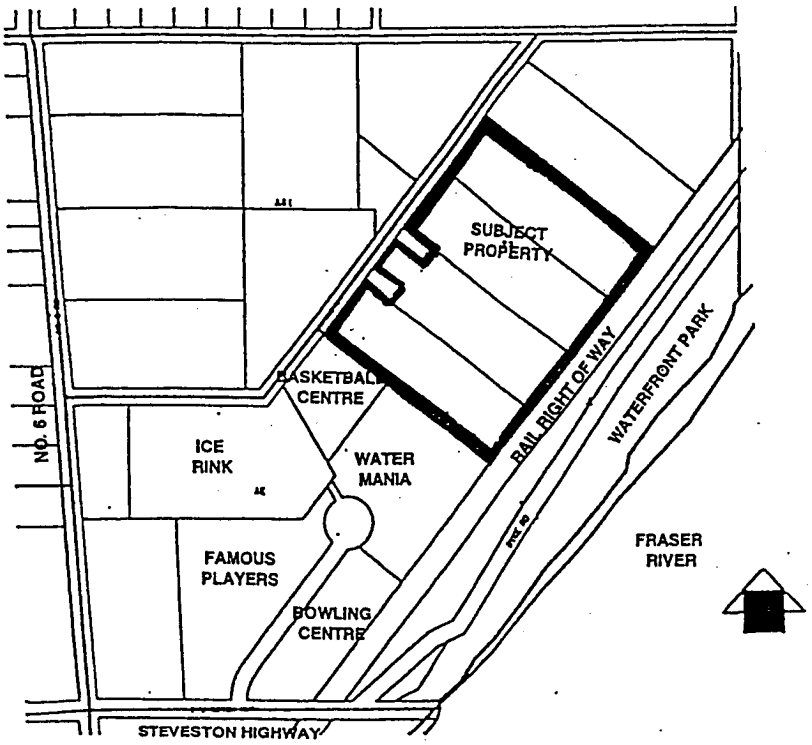
The rezoning is a result of a proposal call last Fall for a joint venture to develop a sports and entertainment facility. The successful proposal comprises a 6,000 seat open amphitheatre for live entertainment from mid-May to mid-October, plus a multi-use parking area, which would be laid with artificial turf from mid-October to mid-May for use as playing fields.

Although this proposal is very much at a concept stage, and may not be ultimately built, Richmond is intending to rezone the land to a appropriate athletics and entertainment zone. A development permit would also be required at a later detailed design stage.

The developer's noise consultants suggest that on-stage noise levels should be limited to 105 dBA, and they have suggested a number of noise attenuation measures, including a roof over the structure and maximum elevation of speakers . The developers are also proposing a noise curfew of 11:15 p.m. at night. Based on their proposed attenuation measures, the consultants have produced a noise contour plan (Attachment A) which suggests that if 105 dBA is generated on stage, the noise level on the Delta shore line

would be about 60 dBA. The consultants have focused on a 60 dBA contour because the nearest Richmond residences are not within residential areas where the Richmond Noise Bylaw limits noise to 45 dBA.

Figure 1



The nearest residential development in Delta to the amphitheatre site is the River House development of Shato Holdings, currently under construction, plus the proposed Hillcon seniors' accommodation. Even though Deas Island forms a partial noise buffer, noise disturbance to this area is very likely. Noise may also be heard at Marina Gardens and parts of Ladner, in farmhouses along River Road and in the Tilbury Industrial Area.

Richmond Health Services have assessed the noise effects of the proposal, primarily on Richmond. This agency suggests that Richmond should have its own noise consultants at the design stage to ensure that the interests of the citizens of Richmond are protected. It is recommended that Delta should ask for similar protections for its citizens (Recommendations A1 and A2).

It is further recommended that the orientation of the amphitheatre be changed, to direct noise away from any potential noise-sensitive areas in Delta. (Recommendation A3).

In order to publicize the proposal and allow Delta residents and property owners an opportunity to express their views at the Richmond Public Hearing, Delta staff are placing advertisements in the Delta Page, and sending notices to property owner within approximately three kilometres of the site of the proposal. The three kilometres distance has been chosen as a suitable distance without benefit of noise contours from the proponent's consultants, and should not be inferred as the area which is necessarily affected.

Financial Implications:

There are no financial implications for Delta at the present time.

■ CONCLUSION:

A proposed OCP and rezoning amendment to allow an open air amphitheatre in the Riverport entertainment area of Richmond has potential noise implications for Delta. Staff are taking steps to inform Delta residents of Richmond's Public Hearing. It is recommended that Richmond be requested to hire its own noise consultants to recommend attenuation measures, including orienting the amphitheatre away from Delta's residential areas, and be requested to agree that Delta's residents should not be adversely affected to an extent more than would be permitted by Richmond's Noise Bylaw for its residential areas. Further consultation by Richmond at the development permit stage is also requested.

Wayne Dickinson
A/Director of Community Planning & Development
Department submission prepared by: Rosemary Zelinka

RZ/kc

This report has been prepared in consultation with the following listed departments.

Concurring Departments		
Department	Name	Signature
Environmental Services	Verne Kucy	

■ ATTACHMENTS:

A: Noise Contour Plan - excerpt from Wrightson, Johnson, Haddon and Williams Inc. Noise Impact Review

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WILSON, IHRIG & ASSOCIATES, INC.
PAUL MERCE CONCERTS
RICHMOND CONCERT HALL
PROJECTED CONCERT
NOISE CONTOURS SOURCE LEVEL 108dBA AT 1
DATE: May 4, 2001
DRAWN: KEH
CHKD: JMW
SHEET: Figure 1.
SCALE:
SUBJECT SITE
65 dBA
60 dBA
RIVER
FRASER
ISLAND
LULU