

### Report to Committee

To: Planning Committee Date: September 9, 2021

From: Wayne Craig File: SC 21-932318

Director of Development

Re: Application by No. 6 Investments Ltd. for a Strata Title Conversion at

2020 No. 6 Road and 14133 Burrows Road

#### Staff Recommendation

 That the application for a Strata Title Conversion by No. 6 Investments Ltd. for the property located at 2020 No. 6 Road and 14133 Burrows Road be approved on fulfilment of the following conditions within 180 days of the date of this resolution:

- a. Payment of all City utility charges and property taxes up to and including the current year.
- b. Receipt of a written report or letter from a registered Architect, Engineer, or similarly qualified professional reviewing compliance with the current building code on life and fire safety matters, and completion of any works deemed necessary to address code compliance to the satisfaction of the Director of Building Approvals.
- c. Registration of a flood indemnity covenant on title identifying a minimum flood construction level of 3.0 m GSC.
- d. Registration of a legal agreement on title to ensure that landscaping planted along a 3.0 m wide ALR buffer (as measured from the south property line) not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
- e. Registration of a legal agreement on title identifying that no separate sales of strata lots are permitted unless the strata lots are separated by a demising wall.
- f. Registration of a legal agreement on title granting right of first refusal of the sale of any strata lot, or lots as the case may be, to the tenant occupying the lot or lots.
- g. Receipt of a Letter of Credit in the amount of \$10,000 for the provision of on-site improvements, including a pedestrian pathway between 2020 No. 6 Road and the sidewalk; restriping of the accessible parking spaces to meet current Bylaw

requirements; and a new pathway, bicycle parking, and landscaping in front of 14133 Burrows Road.

- h. Submission of appropriate plans and documents to the City (i.e., Strata Plan Surveyor's Certificate, Application to Deposit, Form T, etc.) and execution of the same by the Approving Officer within 180 days of the date of a Council resolution.
- 2. That the City, as the Approving Authority, delegate to the Approving Officer the authority to execute the strata conversion plan on behalf of the City, as the Approving Authority, on the basis that the conditions set out in Recommendation 1 have been satisfied.

for

Wayne Craig

Director of Development

John Her

(604-247-4625)

WC:jr Att. 7

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

Acting GM

### Staff Report

### Origin

No. 6 Investments Ltd. (Director: Wayne Grafton) has applied to the City of Richmond for permission to facilitate the Strata Title Conversion of two existing industrial buildings at 2020 No. 6 Road and 14133 Burrows Road into a total of 25 strata title lots. A location map and aerial photograph are provided in Attachment 1. The draft strata plans are shown in Attachment 2.

### **Findings of Fact**

The subject site is located in an established industrial area in the Bridgeport Area Plan and is zoned "Light Industrial (IL)."

Development immediately surrounding the subject site is as follows:

To the North: An unopened road right-of-way and the rail right-of-way.

To the East: A property zoned "Light Industrial (IL)" with vehicle access from

Burrows Road.

To the West: Properties zoned "Light Industrial (IL)" with vehicle access from No. 6 Road.

To the South: A property zoned "Agriculture (AG1)" and located in the Agricultural Land

Reserve, with vehicle access from Burrows Road.

The subject site consists of a single property containing two buildings, each of which has its own civic address. 2020 No. 6 Road is located on the west side of the site, was constructed in 2019, and has a floor area of 5,474 m² (58,925 ft²). 14133 Burrows Road is located on the east side of the site, was constructed in 2003, and has a floor area of 3,528 m² (37,976 ft²). These buildings are currently occupied by four industrial warehouse tenants, two in each building. The proposed Strata Title Conversion would create 25 strata lots as shown in Attachment 2 and facilitate the separation of operating expenses for the tenants. A letter from the applicant outlining the proposal is provided in Attachment 3.

The two buildings are separated by a parking and loading area in the centre of the site, which can be accessed via driveway crossings to both No. 6 Road and Burrows Road. Parking is located along the north property line, along the west property line, between the two buildings, and in front of 14133 Burrows Road. In total there are 122 parking spaces and 25 loading spaces. Three of the parking spaces are accessible, and are spread across the property in different locations to provide convenient access to each building. The existing parking and loading provided significantly exceeds the Richmond Zoning Bylaw 8500, which only requires 68 parking spaces. Minor changes to the parking area are proposed to accommodate larger van accessible spaces and a pedestrian pathway between 2020 No. 6 Road and the sidewalk.

Fifteen Class 2 bicycle parking spaces are provided on the north side of 2020 No. 6 Road, adjacent to the drive aisle. Although bicycle parking is not required for industrial uses, the applicant has agreed to add Class 2 bicycle parking in front of 14133 Burrows Road to ensure visitors to both buildings have access to bike racks.

The front and exterior side yards include landscaped setbacks between the property lines and parking areas consistent with Richmond Zoning Bylaw 8500. The 3.0 m landscape setback along No. 6 Road includes a variety of trees, shrubs and groundcovers. These were recently planted as part of the construction of the building in 2019.

The 3.0 m landscape setback along Burrows Road contains shrubs and groundcovers, but no trees. The setback is encumbered by a statutory right-of-way (SRW) for utilities, which prohibits tree planting.

Minor changes to the landscaping are proposed. The perimeter landscaping along No. 6 Road would be impacted by a proposed pedestrian pathway connecting the sidewalk to the building. A large lawn area in front of 14133 Burrows Road would be improved with a 1.5 m wide pathway between the sidewalk and new trees. The new bicycle rack would also be located in this area. A concept plan showing the proposed improvements is provided in Attachment 4. In order to ensure that the works are completed, the applicant is required to provide a Letter of Credit or cash security in the amount of \$10,000 in association with the Strata Title Conversion.

### **Analysis**

City of Richmond Council Policy 5031 (Strata Title Conversion Applications – Commercial and Industrial) outlines Council's Policy in determining how staff process Strata Title Conversion applications for three or more proposed strata lots (Attachment 5). The applicant has submitted all of the necessary information required by Policy 5031.

- Both buildings were recently constructed. City records show that 2020 No. 6 Road was constructed in 2019, and 14133 Burrows Road was constructed in 2003, and had interior and exterior renovations at the time 2020 No. 6 Road was constructed.
- Staff received a letter from Ted Murray Architect Inc. outlining the current condition of the buildings, which is provided in Attachment 6. The letter states that both buildings were constructed in compliance with the BC Building Code in force at the time, and building life expectancy is 50 to 75 years due to their recent construction and good maintenance. A follow-up report or letter is required prior to registration of the strata plans confirming that there are no significant Building Code deficiencies. Any deficiencies are to be completed to the satisfaction of the Director of Building Approvals prior execution of the strata plan.
- The addition of pathways to both buildings and enhanced landscaping in front of 14133 Burrows Road will have minor impacts the existing landscaped area.
- There are four occupancies in the existing buildings and no changes to the existing demising walls are proposed at this time. The owner's intention is to create 25 strata lots with each existing tenant occupying several of the proposed strata lots as shown in Attachment 2. A legal agreement is required to be registered on title identifying that no separate sales of the strata lots are permitted unless the strata lots are separated by demising walls. Any future separation of units and construction of demising walls will be subject to the Building Permit process and the current B.C. Building Code.
- There are currently four tenants occupying the buildings. The owner does not intend to sell any strata units at this time. The owner provided a letter to each tenant to read and

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- sign, copies of which are provided in Attachment 7. The letters indicate that the existing tenants have no objections to the application, and staff have not received any additional correspondence.
- The owner has indicated that they have no intention to sell any of the proposed strata lots at this time and should in the future they decided to sell any of the strata lots that current tenants would be granted the first right of refusal to purchase their unit. To secure the applicant's commitment, staff are recommending a legal agreement securing existing tenants right of first refusal of the sale of any strata lot, or lots as the case may be, to the tenant occupying the lot or lots be registered on Title of the property.
- The subject site is located in an area with a Flood Construction Level (FCL) of 3.0 m GSC. A restrictive covenant must be registered on title as part of the document registration package, the purpose of which is to address public awareness and identify a minimum FCL of 3.0 m GSC. This will apply to all future construction.
- The subject site is located across Burrows Road from a property in the Agricultural Land Reserve (ALR). A legal agreement must be registered on title as part of the document registration package, the purpose of which is secure maintenance of the 3.0 m landscape setback as a buffer, and to address public awareness of the potential impacts of agricultural activities such as noise, dust, and odour.

In light of this, staff support the proposed Strata Title Conversions subject to:

- a) Payment of all City utility charges and property taxes up to and including the current year.
- b) Receipt of a written report or letter from a registered Architect, Engineer, or similarly qualified professional reviewing compliance with the current building code on life and fire safety matters, and completion of any works deemed necessary to address code compliance to the satisfaction of the Director of Building Approvals.
- c) Registration of a flood indemnity covenant on title identifying a minimum flood construction level of 3.0 m GSC.
- d) Registration of a legal agreement on title to ensure that landscaping planted along a 3.0 m wide ALR buffer (as measured from the south property line) not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
- e) Registration of a legal agreement on title identifying that no separate sales of strata lots are permitted unless the strata lots are separated by a demising wall.
- f) Registration of a legal agreement on title granting right of first refusal of the sale of any strata lot, or lots as the case may be, to the tenant occupying the lot or lots.
- g) Receipt of a Letter of Credit in the amount of \$10,000 for the provision of on-site improvements, including a pedestrian pathway between 2020 No. 6 Road and the sidewalk; restriping of the accessible parking spaces to meet current Bylaw requirements; and a new pathway, bicycle parking, and landscaping in front of 14133 Burrows Road.

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h) Submission of appropriate plans and documents to the City (i.e., Strata Plan Surveyor's Certificate, Application to Deposit, Form T, etc.) and execution of the same by the Approving Officer within 180 days of the date of a Council resolution.

### **Financial Impact**

None.

#### Conclusion

No. 6 Investments Ltd. has applied to convert two existing industrial buildings at 2020 No. 6 Road and 14133 Burrows Road into a total of 25 strata lots. The application complies with Council Policy 5031, and existing tenants have not raised objection to the proposal. Staff have no objection to the application and recommend approval of the Strata Title Conversion.

Jordan Rockerbie

Planner 1

(604-276-4092)

JR:js

Attachments

Attachment 1: Location Map and Aerial Photo Attachment 2: Draft Strata Subdivision Plans

Attachment 3: Letter from the applicant

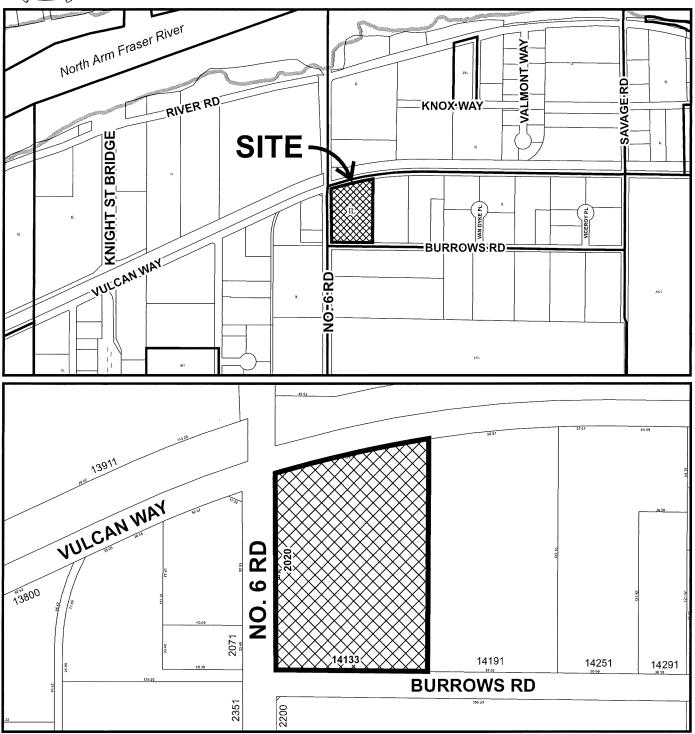
Attachment 4: Site Improvements Concept Plan

Attachment 5: Policy 5031: Strata Title Conversion Applications – Commercial and Industrial

Attachment 6: Letter from the Architect

Attachment 7: Tenant Notification and Correspondence







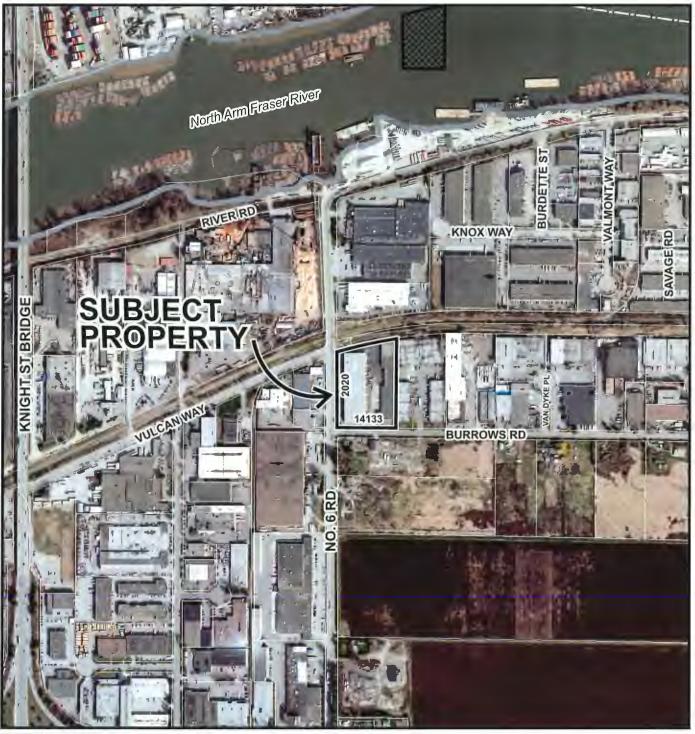
SC 21-932318

Original Date: 07/02/21

Revision Date:

Note: Dimensions are in METRES





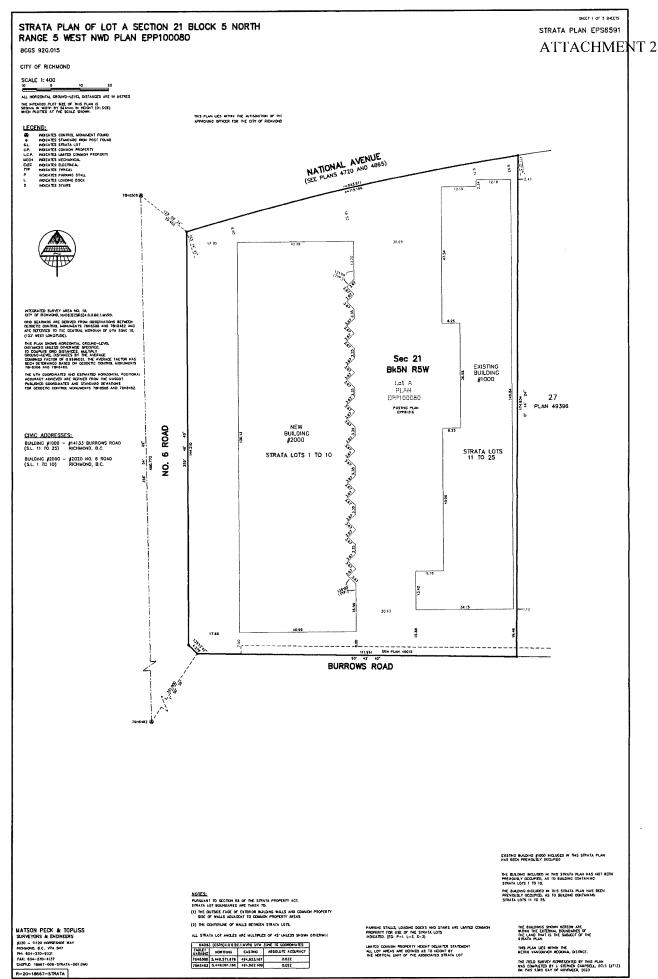


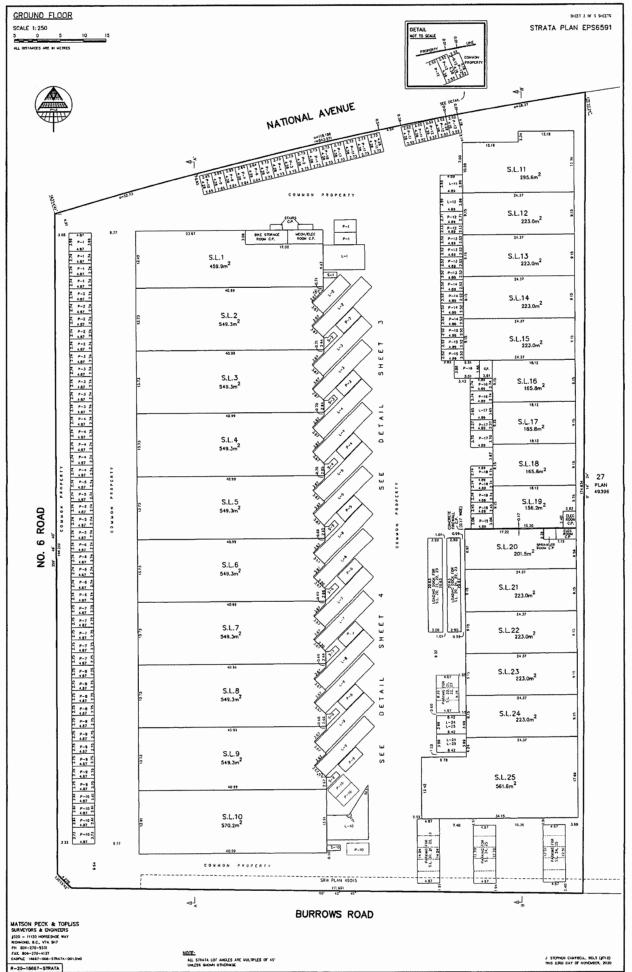
SC 21-932318

Original Date: 07/02/21

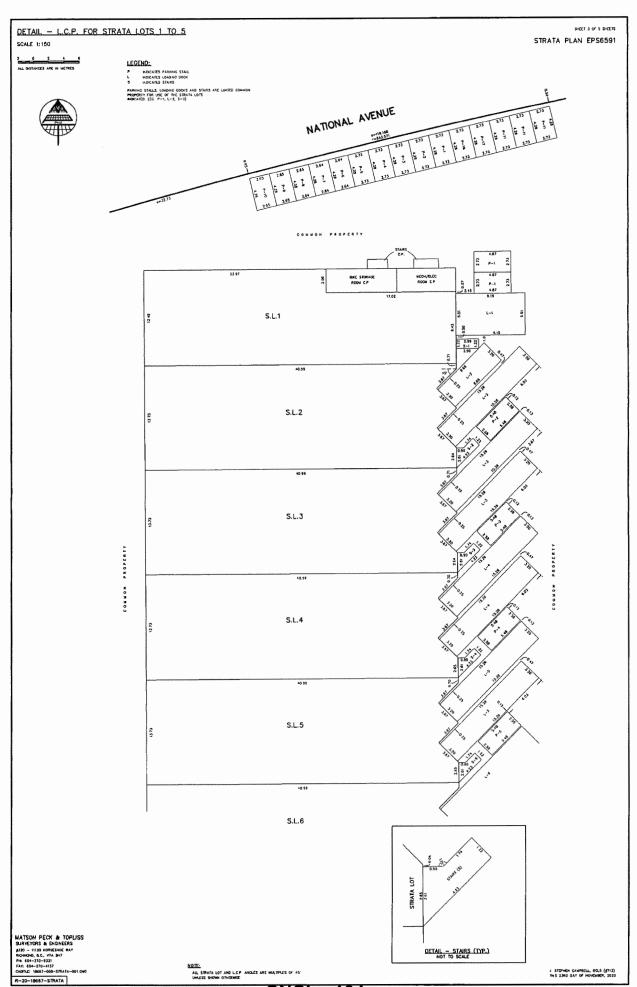
Revision Date:

Note: Dimensions are in METRES



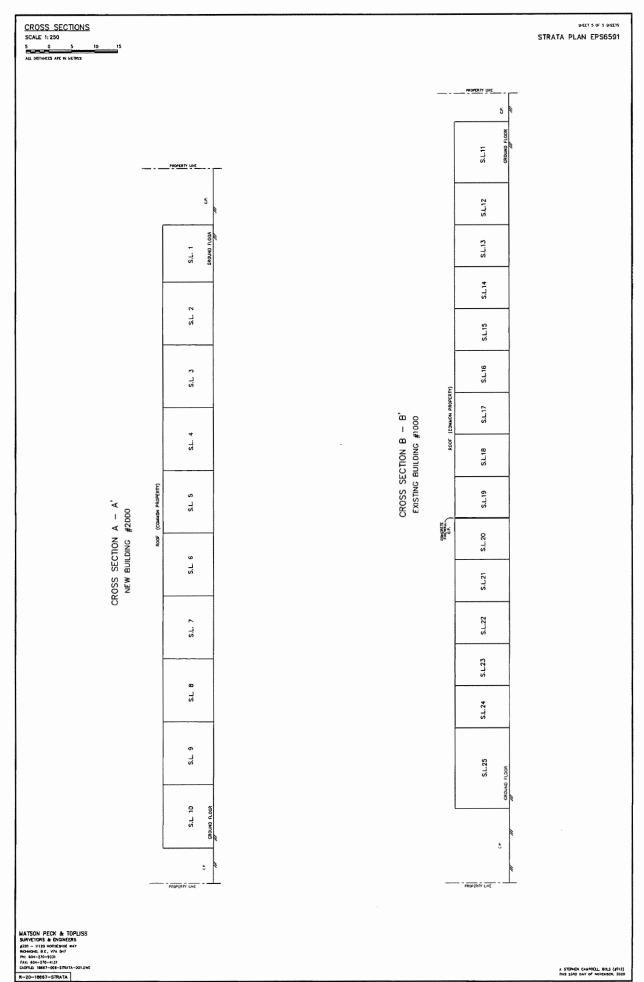


**CNCL - 103** 



2421 4 of 5 SHEETS DETAIL - L.C.P. FOR STRATA LOTS 6 TO 10 STRATA PLAN EPS6591 SCALE 1:150 LEGEND:

P BIGGATES PARKING STALL
L BIOGRATES LOADING DOCK
S BIOGRATES STARS ALL DISTANCES ARE IN METRES PARKING STALLS, LOADING GODYS AND STAIRS ARE LIMITED COMMON PROPERTY FOR USE OF THE STRAFA LOTS MORCATED. (Eq. F-1, L-2, S-3) S.L.5 S.L.6 40.59 S.L.7 COMMON PROPERTY S.L.B S.L.9 S.L.10 SRW PLAN 49015 BURROWS ROAD STRATA LOT DETAIL - STAIRS (TYP.)
NOT TO SCALE ALL STRAIA LOT AND L.C.P. ANGLES ARE MULTIPLES OF 45-UNLESS SHOWN OTHERWISE. J. STEPHEN CAMPBOLL, BOLS (\$712) THIS ZIMO DAY OF HOYEMBER, 2020



## No. 6 Investments ltd

September 8, 2021

### **CITY OF RICHMOND**

PLANNING AND DEVELOPMENT DIVISION ATTN: JORDAN ROCKERBIE RICHMOND, BC V6Y 2C1

RE: PROPOSED STRATA TITLE CONVERSION AT 14133 BURROWS ROAD AND 2020 No. 6
ROAD PID: 003-477-894, LOT 26 EXCEPT: PARCEL 2 (BYLAW PLAN LMP16417) SECTION
21 BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 49396 (THE
"LANDS") OWNED BY No. 6 INVESTMENTS LTD (THE "APPLICANT")

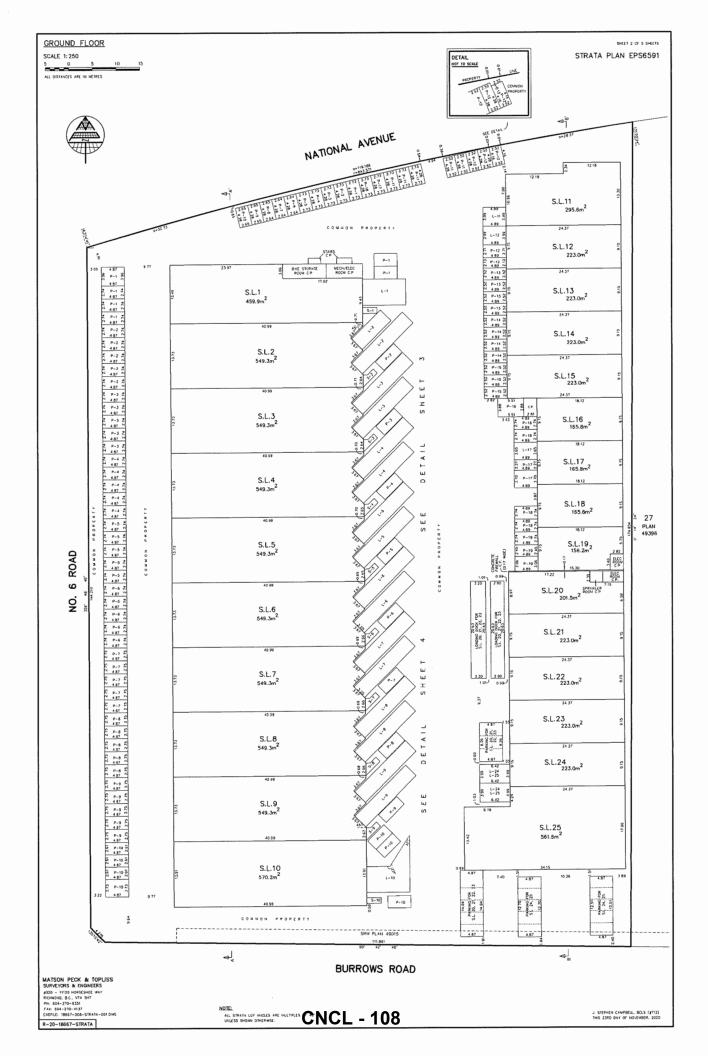
In addition to the documents previously provided for the Proposed Strata Title Conversion, please be advised of the following:

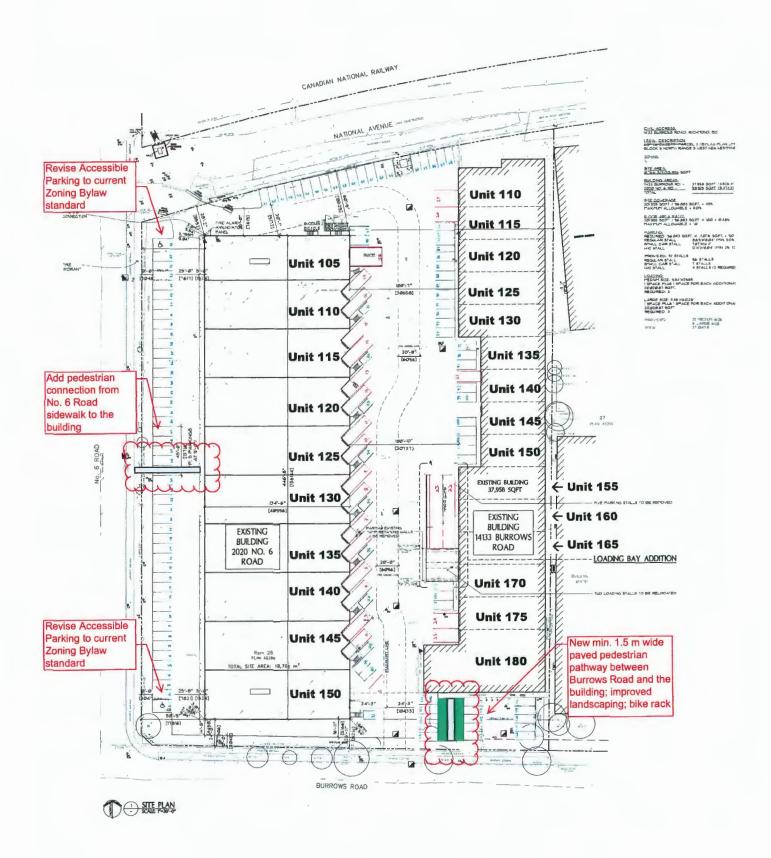
- The main purpose of stratifying the property into 25 Strata Lots is to separate operating expenses that are borne by the Tenants who occupy the space, specifically Property Taxes.
- Parking stalls, loading docks, and stairs will be allocated to the Strata Lots as Limited Common Property as per the Strata Plan prepared by Matson Peck & Topliss (see attached).
- Strata Lots are not intended to be sold in the short term.
- Tenants will have right of first refusal if and when Strata Lots are sold in the future.

Sincerely,

No. 6 Investments Ltd.

H. Wayne Grafton, Sole Director







### **Strata Title Conversion Applications**

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

www.richmond.ca

Tel: 604-276-4000 Fax: 604-276-4052

### Commercial and Industrial Policy 5031

It is Council policy that the following matter shall be considered before deciding on any commercial or industrial strata title conversion applications involving three or more strata lots:

- 1. The life expectancy of the building and any projected major increases in maintenance costs due to the condition of the building. This information shall be supplied by the applicant in the form of a written report in an acceptable form prepared by a registered architect, engineer or similarly qualified professional. The report shall review the building's age, quality, general condition and measure of compliance with current building codes and City bylaws.
- 2. The impact of the proposal on the existing tenants in terms of their existing leases and their ability to offer to purchase the units they occupy or to relocate into comparable and suitable rental premises if unable to purchase their existing units.
- 3. The views of the affected tenants as established by a formal canvass by the City staff or agents of the City. A standard form available from the City's Planning and Development Department may be used for this purpose.
- 4. Any proposals involving upgrading of the buildings or changes affecting open space, landscaping, common facilities, off-street parking and loading spaces. The ownership and management of the off-street parking and loading facilities should be specifically addressed.
- 5. Any other conditions peculiar to the circumstances of the conversion proposal and requiring special measures to be taken as a condition of approval.
- 6. All commercial or industrial strata conversion applications must be compatible with the City's bylaws regulating the use and development of the land, and the servicing standards appropriate to the site.



21 01 12

Wayne Grafton No. 6 Investments Ltd. 20499 Westminster Highway Richmond, BC V6V 1B3

Attention: Wayne Grafton,

Re: Strata Application-Strata Plan EPS6591

14133 Burrows Road and 2020 No. 6 Road, Richmond, BC

It is our understanding that there is an application to convert the subject site, which includes two buildings with a Strata Title Conversion.

I am very familiar with both buildings, and as a Registered Professional Architect, I confirm the following:

14133 Burrows Road is a one storey industrial/commercial multi-tenant building, constructed in 2002, 37,976 sq ft in building area, with concrete tilt-up panel walls, a concrete slab floor on grade and steel roof structure and steel decking roof and is fully sprinklered. The building was constructed in conformance with the 1998 British Columbia Building Code and in conformance with the City of Richmond Zoning Bylaw and is provided with all City services by Richmond. The building is in very good condition.

2020 No. 6 Road is a one storey industrial/commercial multi-tenant building, the shell being completed in 2019, 58,925 sq ft in building area, with concrete tilt-up panel walls, a concrete slab floor on grade and steel roof structure and steel decking roof and is fully sprinklered. The building was constructed in conformance with the 2012 British Columbia Building Code and in conformance with the City of Richmond Zoning Bylaw and is provided with all City services by Richmond. The building is in very good condition.

The life expectancy of these buildings is 50 to 75 years.

There are no projected major increases in maintenance costs for these building due to their recent ages and durability of the construction type, subject to a major seismic event.

The owner has confirmed that the proposed Strata Title Conversion will have no impact on the existing tenants and their individual leases in both buildings nor their ability to purchase their subject strata units.

Due to the quality of construction and ongoing maintenance of the buildings and recent construction of 2020 No. 6 Road, there are no proposals for work involving upgrading of the buildings or changes affecting the open space, landscaping, common facilities, off-street

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parking and loading spaces on the subject site around the buildings. The site has plenty of onsite parking and loading facilities, which will become limited common property with the Strata Title Conversion.

The undersigned is not aware of any other conditions peculiar to the Strata Title Conversion proposal that would require special measures for conditions of approval. We trust that the above is as required.

Sincerely,

Ted Murray Architect AIBC CP Ted Murray architect Inc.

TED MURRAY ARCHITECT AIBC
4168 West 12<sup>th</sup> Avenue, Vancouver, B.C. V6R 2P6
(604) 734-4050 tma@telus.net

20499 Westminster Hwy Richmond, BC V6V 1B3

NAME:

John D. Lyon

# No. 6 Investments ltd

January 13, 2021	
orldpac Canada Inc. (Store 8275) nit 180 – 14133 Burrows Road chmond, BC V6V 1K9	Unit 1
E: Strata Plan EPS6591	RE:
e are in the final stages of completing the project at the above-noted address. We would like to inform u that the title of your units will be Strata (S.L. 20, S.L. 21, S.L. 22, S.L. 23, S.L. 24, & S.L. 25). This will sure that Tenants will pay for their own expenses and no one else's.	you th
r those of you who do not know, this will have no ramifications with regards to your tenancy and only anges how the Landlord, No. 6 Investments Ltd., owns the Property.	
ease sign in the space below to indicate you do not take issue with this change.	Please
tain one copy for your records.	Retain
ncerely,	Sincer
ayne Grafton	
GREED TO THE ABOVE TERMS BY <b>Worldpac Canada Inc.</b>	AGREE
GNATURE: John D. Lyon DATE: 1/14/2021	SIGNA

**CNCL - 113** 

20499 Westminster Hwy Richmond, BC V6V 1B3

# No. 6 Investments ltd

February 3, 2021

EssilorLuxottica Canada Inc – Clearly Division
Unit 105 – 2020 No. 6 Road
Richmond, BC V6V 1P1

RE: Strata Plan EPS6591

We are in the final stages of completing the project at the above-noted address. We would like to inform you that the title of your units will be Strata (S.L. 1, S.L. 2, S.L. 3, & S.L. 4). This will ensure that Tenants will pay for their own operating expenses (as part of their Additional Rent) and no one else's. Operating expenses includes property taxes, management and strata fees, common area water/sewer costs, base building maintenance (does not include Tenant Improvements), common area maintenance, common area utility costs, common area cleaning, and snow removal costs.

For those of you who do not know, this will have no ramifications with regards to your tenancy and only changes how the Landlord, No. 6 Investments Ltd, owns the Property.

Please sign in the space below to indicate you do not take issue with this change.

Retain one copy for your records.

Sincerely,

No. 6 Investments Ltd

Wayne Grafton

AGREED TO THE ABOVE TERMS BY EssilorLuxottica Canada Inc - Clearly Division

SIGNATURE:

Frank.

DATE: February 3, 2021

NAME:

Ibrahim Kamar

# No. 6 Investments ltd

January 13, 2021

Vancouver Tire Chalet Inc Unit 150 – 2020 No. 6 Road Richmond, BC V6V 1P1	
RE: Strata Plan EPS6591	
We are in the final stages of completing the project at the above-noted address. We would like to inform you that the title of your units will be Strata (S.L. 5, S.L. 6, S.L. 7, S.L. 8, S.L. 9, & S.L. 10). This will ensure that Tenants will pay for their own expenses and no one else's.	
For those of you who do not know, this will have no ramifications with regards to your tenancy and only changes how the Landlord, No. 6 Investments Ltd, owns the Property.	
Please sign in the space below to indicate you do not take issue with this change.	
Retain one copy for your records.	
Sincerely,	

No. 6 Investments Ltd

Wayne Grafton

NAME:

AGREED TO THE ABOVE TERMS BY Vancouver Tire Chalet Inc

Jan. 18, 2021 DATE: SIGNATURE: Shawn Hebert

ph. 604-270-4737 fax 604-278-3258

20499 Westminster Hwy Richmond, BC V6V 1B3

## No. 6 Investments ltd

January 13, 2021

**Yifeng Cleaning Service Ltd** Unit 150 - 14133 Burrows Road Richmond, BC V6V 1K9

RE: Strata Plan EPS6591

We are in the final stages of completing the project at the above-noted address. We would like to inform you that the title of your units will be Strata (S.L. 11, S.L. 12, S.L. 13, S.L. 14, S.L. 15, S.L. 16, S.L. 17, S.L. 18, & S.L. 19). This will ensure that Tenants will pay for their own expenses and no one else's.

For those of you who do not know, this will have no ramifications with regards to your tenancy and only changes how the Landlord, No. 6 Investments Ltd, owns the Property.

Please sign in the space below to indicate you do not take issue with this change.

Retain one copy for your records.

Sincerely,

No. 6 Investments Ltd **Wayne Grafton** 

AGREED TO THE ABOVE TERMS BY Yifeng Cleaning Service Ltd

NAME: Yongjie Chen

DATE: 13/01/2021