

Report to Committee

To: Planning Committee

Date: May 3, 2018

From: Wayne Craig Director, Development File: RZ 15-694855

Re: Application by Bene Richmond Development Ltd. for Rezoning at 6560, 6600, 6640 and 6700 No. 3 Road from "Downtown Commercial (CDT1)" to "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, to create the "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)" zone, and to rezone 6560, 6600, 6640 and 6700 No. 3 Road from "Downtown Commercial (CDT1)" to "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)", be introduced and given first reading.

Wayne Craig Director, Development (604-247-4625) WC:id

Att. 7

REPORT CONCURRENCE			
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER	
Law Affordable Housing Community Services Engineering	विषय	de Eneg	

Staff Report

Origin

Bene Richmond Development Ltd. has applied to the City of Richmond to create the "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)" zone and to rezone the properties at 6560, 6600, 6640 and 6700 No. 3 Road from the "Downtown Commercial (CDT1)" zone to a new site-specific zone, "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)" (Attachment 1), in order to permit the development of a commercial, office and residential use development in the City Centre's Brighouse Village.

Key components of the rezoning proposal (Attachment 2) include:

- A podium and tower form of development with three and a half levels of above-grade parking; retail, restaurant and office uses on the bottom four storeys; and, two residential towers, with eight and eleven storeys above the podium.
- A maximum floor area ratio (FAR) of 4.0 and a maximum height of 47.0 m geodetic.
- A total floor area of approximately 17,572 m² (189,143 ft²) including approximately:
 - \circ 1,326 m² (14,278 ft²) of retail and restaurant space.
 - \circ 3,066 m² (33,008 ft²) of office space.
 - \circ 13,179 m² (141,856 ft²) of residential space.
- Approximately 166 residential units including:
 - Approximately 157 market housing units.
 - Nine (9) affordable housing units.
- LEED Silver equivalent development with District Energy Utility (DEU) connection-ready infrastructure.
- Widening of No. 3 Road and the north-south City lane, various storm and sanitary upgrades, and frontage improvements.

This application includes the proposed transfer of the subject site energy system to the City to be connected to the City's District Energy Utility (DEU) system when it is implemented in the future. A Service Area Bylaw for the subject site will be proposed in a subsequent report from Engineering, for Council consideration and approval before the rezoning adoption.

Findings of Fact

A <u>Development Application Data Summary</u> (Attachment 3) is provided for comparison of the proposed development with the proposed site-specific bylaw requirements.

Existing Site and Development

Existing Site and Development: The subject site is located in Brighouse Village (Attachment 4) on the east side of No 3 Road between Cook Road and Park Road. It is comprised of four lots and currently is developed with low-scale commercial uses and surface parking.

Existing Housing Profile: The subject properties were not previously developed with residential uses.

Surrounding Development

Surrounding development includes:

To the North: Adjacent, an existing low-scale commercial building with surface parking.

- To the East: Across the north-south City lane, existing, low-scale commercial buildings on sites fronting both Cook Road and Park Road. The site at 8071 and 8091 Park Road is subject to a rezoning application [RZ 17-779229] for a 4.0 FAR, 47.0 m high, podium and tower, commercial, office and residential use development. This application is in process and will be the subject of a separate report to Council.
- To the South: Adjacent, existing low-scale commercial buildings with surface parking.
- To the West: Across No. 3 Road, the Richmond Centre Mall site, which is zoned CDT1 and is subject to an OCP amendment application to adjust land use and form of development policies [CP 16-752923], as well a Development Permit application [DP 17-768248] for the first phase of mall redevelopment and new mixed use building development. This application is in process and will be the subject of a separate report to Council.

Related Policies & Studies

Official Community Plan/City Centre Area Plan

Official Community Plan: The Official Community Plan (OCP) designates the subject site as "Downtown Mixed Use". The proposed rezoning is consistent with this designation.

City Centre Area Plan: The City Centre Area Plan (CCAP) Brighouse Village Specific Land Use Map designates the subject site as "Urban Centre T6 (45 m)". The proposed rezoning is consistent with this designation.

Other Policies, Strategies & Bylaws

Floodplain Management Implementation Strategy: The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204 for Area "A". Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Aircraft Noise Sensitive Development Policy: The proposed development is located in Area 2 (aircraft noise sensitive uses may be considered) on the Aircraft Noise Sensitive Development Map. Registration of an aircraft noise covenant is required prior to rezoning adoption.

Mixed-Use Noise, Commercial Noise and City Centre Impacts: The proposed development must address additional OCP Noise Management Policies related to mixed-use, commercial and ambient noise, as well as other impacts of densification. Requirements include provision of acoustic consultant reports recommending residential sound attenuation measures and registration of associated noise covenants prior to final adoption of the rezoning bylaw.

Public Consultation

A rezoning application sign has been installed on the subject property. Staff have not received any comments from the general public in response to the sign. Should the Planning Committee endorse this application and Council grant first reading to the proposed rezoning, the application will be forwarded to a Public Hearing, where any area resident or interested party will have further opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

Proposed Zoning Bylaw Amendment

A new site-specific zone, "High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)", is proposed. It addresses land use, density, density bonusing, height, siting and parking and loading requirements. Key details of the proposed zone and the associated Rezoning Considerations are discussed in the report. The Rezoning Considerations are attached (Attachment 5) and a signed copy is on file.

Infrastructure Improvements

The proposed rezoning will contribute to utility, transportation and park infrastructure improvements as described below. Additional details are provided in the Servicing Agreement section of the Rezoning Considerations (Attachment 5). Detailed design will take place through the Servicing Agreement process.

Engineering

City Utilities: The developer is required to undertake a variety of storm sewer and sanitary sewer frontage works. Included are:

- Up-graded lane drainage to meet City standards.
- A new sanitary sewer to connect to the subject site and other serviced sites to the proposed Buswell Street sanitary sewer.

The required improvements are not eligible for Development Cost Charge (DCC) credits and will be funded by the developer.

Third Party Utilities: Requirements include undergrounding and/or pre-ducting for private utility lines and location of all private utility equipment on site.

Transportation

No. 3 Road Frontage: Required improvements on No. 3 Road are located back of curb, will necessitate a dedication and will include a boulevard wide enough to preserve existing trees, development of an off-street bike lane to enhance cyclist safety, a 1.5 m, buffer strip/greenway with a second row of trees and a 3.0 m wide sidewalk.

City Lane Frontage: Required improvements to the lane include a dedication at the north end of the subject site to support future extension of the lane to Cook Road, lane widening to provide for a sidewalk and associated paving and lighting upgrades.

Traffic Signals: The developer is required to make cash contribution of \$50,000 to cost-share the design and construction of a new traffic signal at the Park Road/Buswell Street intersection.

The required improvements are not eligible for Development Cost Charge (DCC) credits and will be funded by the developer.

Preliminary functional drawings demonstrating the proposed road improvements have been provided (Attachment 6).

Amenity Contributions

The CCAP Implementation Strategy includes density bonusing and other measures to support the development of community amenities. The proposed rezoning includes contributions to community amenities as outlined below. Staff note that all contributions are based on rates at the time of writing and will be subject to indexing adjustments should the rezoning not be adopted within the relevant applicable time periods.

Child Care: The proposed rezoning is located in the Brighouse Village Specific Land Use Map "T6" area and is subject to the T6 Child Care density bonus provision requiring that one percent of the residential floor area be provided to the City in the form of a turnkey child care facility or an equivalent cash-in-lieu contribution to the Childcare Development Reserve Fund and Childcare Operating Reserve Fund accounts (90% and 10% respectively). Community Services staff have reviewed the location of the development and the potential for child care in the available floor area (125 m²) and recommend that the City accept a cash-in-lieu contribution based on the finished value of the space (a minimum of \$873,296 calculated using the proposed residential floor area excluding affordable housing floor area [0.01 x (13,179 m²- 698 m²) x \$6,997/m²]).

Community Facility: The proposed rezoning is located in the Brighouse Village Specific Land Use Map "Village Centre Bonus (VCB)" area and incorporates a VCB density increase of 1.0 FAR. Five percent of this area is expected to be provided back to the City in the form of a turnkey community amenity space or an equivalent cash-in-lieu contribution to the City Centre Facility Development Fund. Community Services staff have reviewed the location of the development and the potential for a community facility in the available floor area (220 m²) and recommend that the City accept a cash-in-lieu contribution based on the finished value of the space (a minimum of \$1,536,891 calculated using the proposed VCB floor area [0.05 x 4,393 m² x \$6,997/m²]).

Community Planning: The proposed rezoning is subject to a community planning implementation contribution which will be deposited into the City Centre - Community Planning and Engineering account for future community planning initiatives (a minimum of \$52,892 calculated using the proposed non-residential and residential floor area excluding affordable housing floor area [(17,572 $m^2 - 698 m^2$) x \$3.01/ m^2]).

Public Art: The rezoning must address the Richmond Public Art Policy and proposes a voluntary cash contribution in lieu of installation of a site-specific artwork. Subject to Council approval, the contribution is expected to be combined with other contributions to develop a cohesive art program for the enhanced public realm planned for the east side of No. 3 Road between Granville Avenue and Brighouse Station. The contribution will be secured through a cash deposit and is calculated on both the non-residential and residential floor area (a minimum

of \$135,463 calculated using the proposed non-residential and residential floor areas excluding affordable housing floor area [4,393 $m^2 x$ \$4.84/ m^2 + (13,179 m^2 - 698 m^2) x \$9.15/ m^2]).

Affordable Housing: The CCAP Implementation Strategy, in conjunction with the Affordable Housing Strategy, provides for density bonusing of 1.0 FAR to achieve affordable housing in residential and mixed use developments. The rezoning application for the proposed development was received prior to July 24, 2017 and is subject to grandfathering of the five percent affordable housing contribution rate. A total of nine Low End Market Rental Housing (LEMR) units, with a combined floor area of 698 m² (7,510 ft²), are proposed and allocated as follows.

Unit Type	Affordable Housing Strategy Requirements			Project Targets (3)	
	Minimum Unit Sizes	Current LEMR Maximum Rents (1) (2)	Total Maximum Household Income (1) (2)	Unit Mix	# of Units (3)
Bachelor	37 m ² (400 ft ²)	\$811	\$34,650 or less	33%	3
1-Bedroom	50 m ² (535 ft ²)	\$975	\$38,250 or less	0%	0
2-Bedroom	69 m ² (741 ft ²)	\$1,218	\$46,800 or less	33%	3
3-Bedroom	91 m ² (980 ft ²)	\$1,480	\$58,050 or less	33%	3
TOTAL		N/A	N/A	100%	9

(1) Denotes 2017 amounts adopted by Council on July 24, 2017.

(2) Subject to Council approval, total annual household incomes and maximum monthly rents may be increased annually by the Consumer Price Index.

(3) 50% of affordable housing units shall meet Richmond Basic Universal Housing (BUH) standards or better.

The units will be secured with a Housing Agreement which will include the following terms: clustering of units in one area of the development in conjunction with use of a non-profit management model; tenant access to indoor and outdoor common amenity areas; and, provision of affordable parking spaces at no additional charge.

Accessibility: The applicant proposes to include the following accessibility unit types in the development.

Туре	Affordable	Market	Intent	Standard
Aging in Place		142	- support mobility and usability	Per OCP
Adaptable + Basic Universal Housing (1)	9	15	 renovation potential for wheelchair plus added floor area for manoeuvering 	Per BCBC and RZB
Barrier Free (2)	0	0	- move in with wheelchair	Per BCDH
Total Units	9	157		

(1) Includes Aging-in-Place

(2) Includes Aging-in-Place, Adaptable and Basic Universal Housing

Sustainability

District Energy Utility (DEU): The proposed development is required to be ready for connection to the City's DEU system. Further, the applicant is proposing to construct and later transfer the energy plant to the City at no cost so that the equipment can be integrated into the future DEU system for this neighbourhood. The applicant is working with Lulu Island Energy Company (LIEC) staff to ensure the design of the system and equipment will be compatible with the future system. The transfer of the energy plant to the City will proceed only if the Council adopts a new Service Area Bylaw, which will be brought forward to Council under a separate report.

Otherwise, the development will be built as "DEU-Ready". Details are provided in the rezoning considerations (Attachment 5).

Sustainability Rating System: The proposed development is expected to achieve Leadership in Energy and Environmental Design (LEED) Silver (V4) equivalency. The applicant has provided a preliminary checklist and will incorporate the recommendations into the development and building permit drawings, where relevant.

Site Access, Parking and Loading

Site Access: Proposed pedestrian access to the site includes storefront entries and commercial and residential lobbies on the ground level, as well as, an outdoor stair and elevator to restaurant uses and additional lobbies on the second level. Vehicle access is proposed to be provided through a parkade entry on the lane. Truck and waste management loading spaces are proposed to be accessed directly from the lane.

Parking and Loading Rates: Class 1 and Class 2 bicycle parking rates are required to be consistent with current bylaw requirements. The proposed commercial and office vehicle parking rates are also proposed to be consistent with current City Centre bylaw rates. The applicant has proposed to reduce the residential parking rates from 1.0 space per unit to 0.9 spaces per unit for residential units and from 0.9 spaces per unit to 0.8 spaces per unit for affordable housing units. Staff support the proposed rate reductions, subject to implementation of the package of Transportation Demand Management (TDM) measures noted below. The proposed rates are consistent with City Centre transit-oriented development objectives and are substantiated by a transportation consultant report assessing parking needs in the area. A reduced number of truck loading spaces is also proposed. Staff support the requirement for large size truck spaces being waived, as there are no large format retail spaces planned for the site. Further, staff support the sharing of non-residential and residential medium size truck spaces. Reduced residential parking and large truck loading requirements are reflected in the proposed site-specific zone.

Transportation Demand Management (TDM) Measures: A package of TDM measures is proposed to support the base residential and visitor parking rate reductions (noted above) along with the 10% TDM reduction as per Section 7.4.4 of the Richmond Zoning Bylaw. This package is subject to change if additional reductions are sought after design development during the Development Permit process. The current proposed TDM measures are detailed in the rezoning considerations (Attachment 5) and include:

- A transit pass program (monthly/two zone/one year).
- Contribution of \$30,000 to installation of a bus shelter in the vicinity of the site.
- End of trip bicycle facilities for non-residential uses.
- Bike maintenance facilities for residential uses.
- Providing three car share vehicles and associated publically-accessible parking spaces within the development.

Electric Vehicle Charging: Consistent with Council Policy, effective on April 1, 2018, 100% of the residential parking spaces (excluding visitor spaces) are to be provided with an energized outlet for electrical vehicle charging.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report which identifies on-site and off-site bylaw-sized trees that may be affected by the proposed development.

Off-site Trees: There are four existing City trees identified in the Tree Protection Plan (Attachment 7). All are located in the back of curb and median areas of No. 3 Road. Park Department staff have reviewed the locations, sizes and health of these trees in the context of the proposed development and frontage improvements and recommend that, as a consideration of rezoning, three trees be retained and one tree be removed due to conflict with the interim off-street bike lane. Compensation of \$1,300 is to be provided [1 x \$1,300/tree].

Staff recommend that the applicant install tree protection and provide for supervision of all works conducted within or in close proximity to tree protection zones prior to any preloading of the site.

Development Form and Character

The CCAP includes a variety of policies intended to shape development to be liveable, functional and complementary to the surrounding public and private realm. Those policies most critical to the development concept at the rezoning stage are reviewed below.

Public Adjacencies: The project will address the No. 3 Road interface with a highly articulated stepped massing that will expand the public realm onto the site both visually and physically. Commercial uses on the ground level and a restaurant use on the second level will animate the street, along with the office and residential lobbies and direct parking access located around a small, two-level open space near the centre of the street frontage. Significant landscaping proposed over the lower levels of the building will further energize the streetscape.

Private Adjacencies: The proposed development is located in the middle of the block frontage and will leave relatively small lots to the north and south. The applicant has provided development viability studies for these properties demonstrating that the density, parking and loading and form and character policies for these sites can likely be met assuming the same parking rate reductions proposed for the subject site apply.

Massing: The applicant has proposed a multi-part massing concept that is intended to:

- Reduce the scale effect of the development.
- Add to the rhythmical line of towers that is developing along No. 3 Road to the north and south.
- Create interesting spaces and views to the site and within the site.
- Create outdoor spaces that will benefit from western sunlight.
- Develop more individualized identities for the different components of the building.

Amenity Space: Office and residential common outdoor amenity space (162 m² and 996 m² respectively) is provided on the podium level. Additional landscape and shared outdoor amenity area is provided throughout the ground and podium levels (approx. 880 m²). A two-level residential indoor amenity space is also provided and has direct access to the outdoor space. Further, each residential unit is provided with its own outdoor open space.

Design Development: The form and character of the proposed development, as well as functional details related to parking, loading, waste management, on-site utilities, rooftop equipment, pedestrian weather protection, DEU, CPTED, LEED, indoor and outdoor amenity space, landscape, accessibility and acoustic requirements, will be assessed in more detail during the Development Permit Application process. The proposal will be expected to respond to comments arising from Council consideration of the rezoning, as well as, staff, Advisory Design Panel and Development Permit Panel review.

Financial Impact or Economic Impact

The rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The application to rezone the properties at 6560, 6600, 6640 and 6700 No. 3 Road to a new site-specific zone is consistent with the City Centre Area Plan Specific Land Use Map provisions including a maximum density of 4.0 FAR and a maximum height of 47.0 m. The mix of uses will contribute to a lively City core and the design of the development, with its emphasis on creating an animated public realm, will enhance the experience of No. 3 Road in Brighouse Village. Contributions to affordable housing will increase housing options for City residents and child care and community amenity contributions will assist with future development of needed facilities and services in the neighbourhood

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, be introduced and given first reading.

Janet Digby, Architect AIBC Planner 3 (604-247-4620)

JD:blg

Attachment 1: Location Map and Aerial

Attachment 2: Conceptual Development Plans

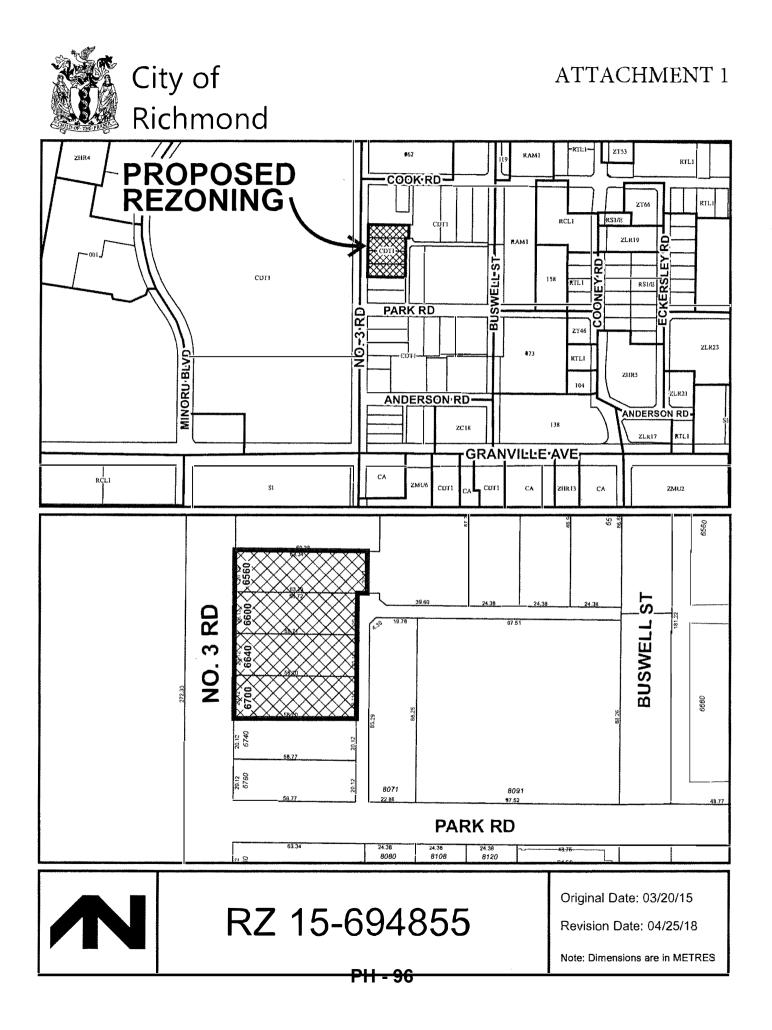
Attachment 3: Development Application Data Sheet

Attachment 4: Brighouse Village Specific Land Use Map

Attachment 5: Rezoning Considerations

Attachment 6: Preliminary Road Functional Drawings

Attachment 7: Tree Survey





City of Richmond



RZ 15-694855

Original Date: 03/20/15

Revision Date:

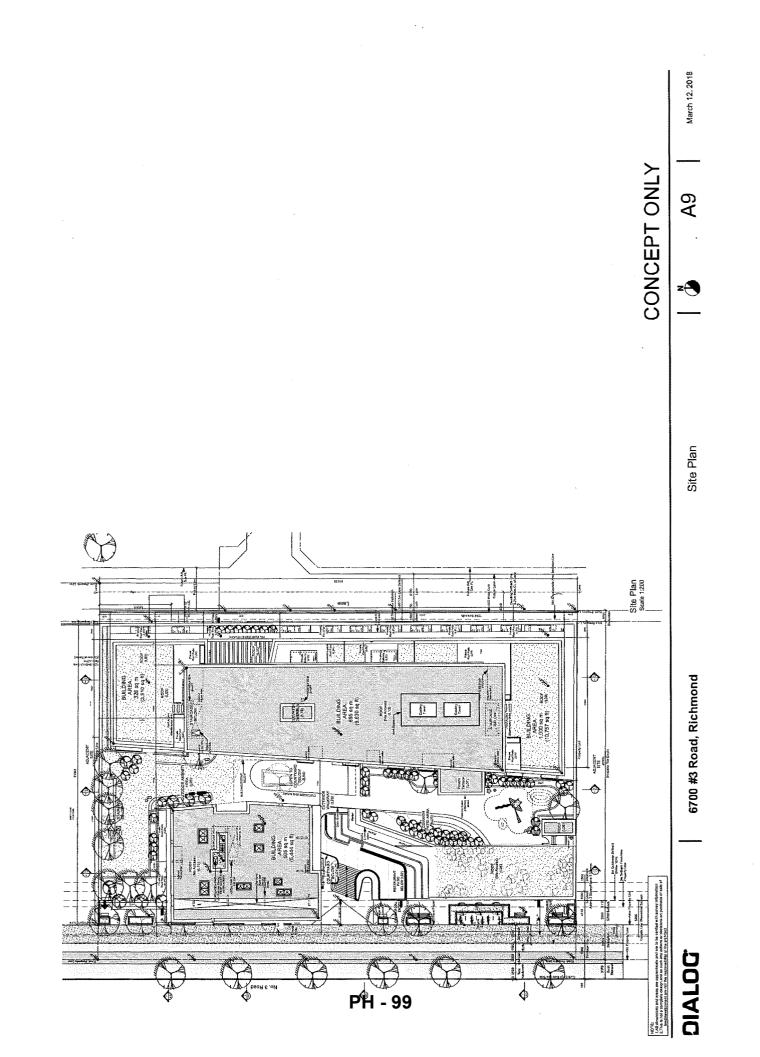
Note: Dimensions are in METRES

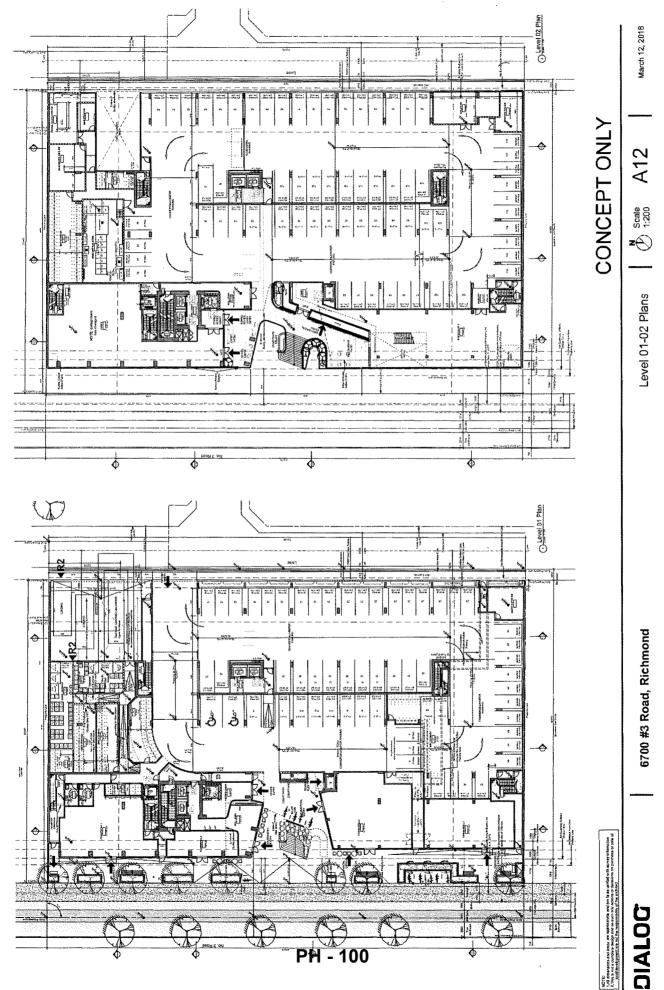
ATTACHMENT 2

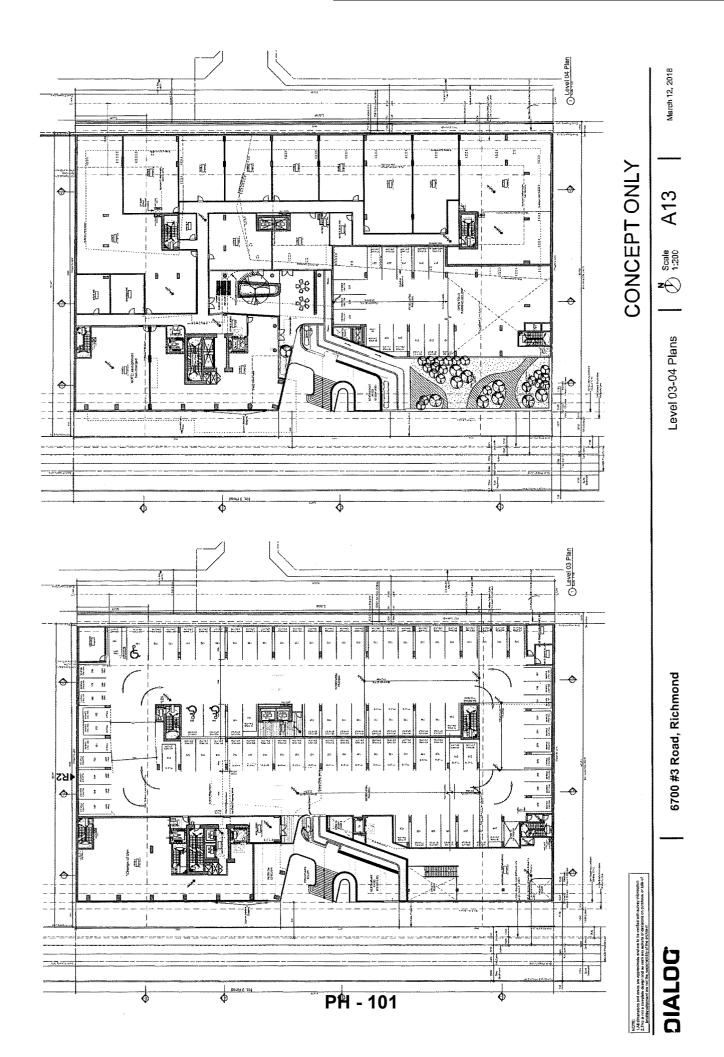
6700 No. 3 Road, Richmond, BC, V6Y 2C3 RZ 15-694855

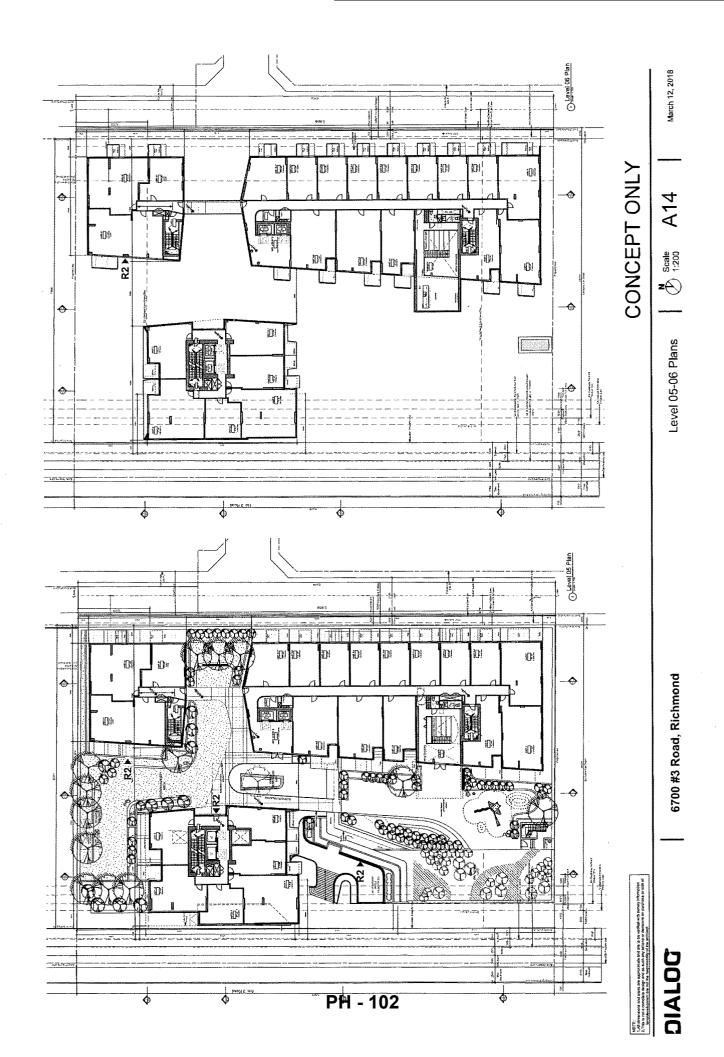
Issued for Revised Rezoning

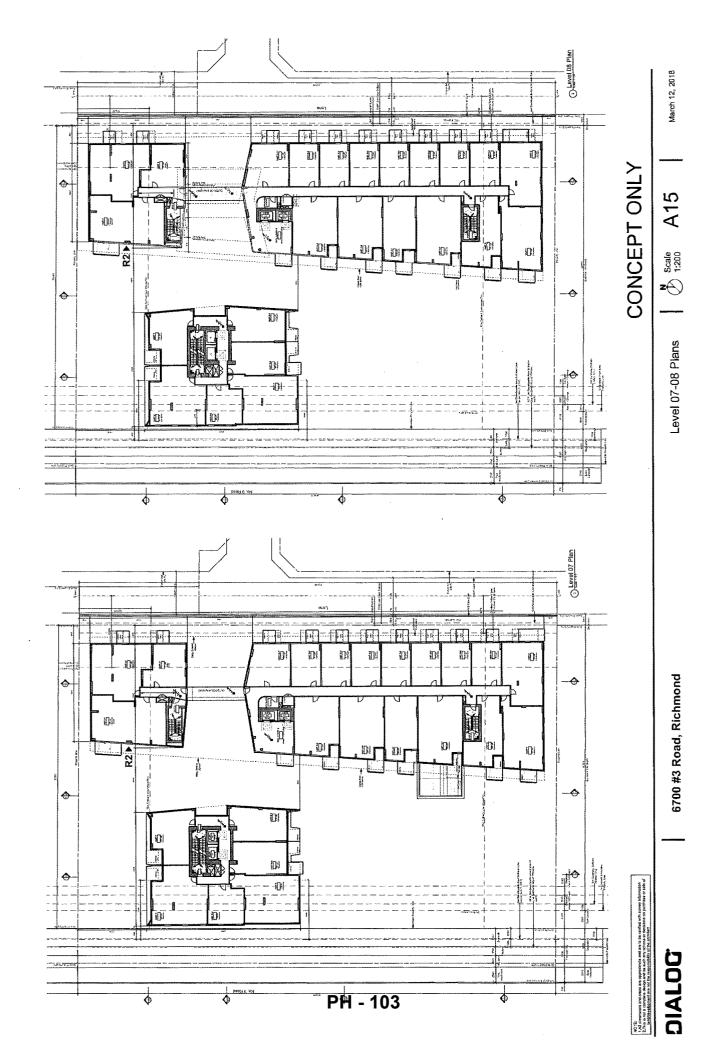


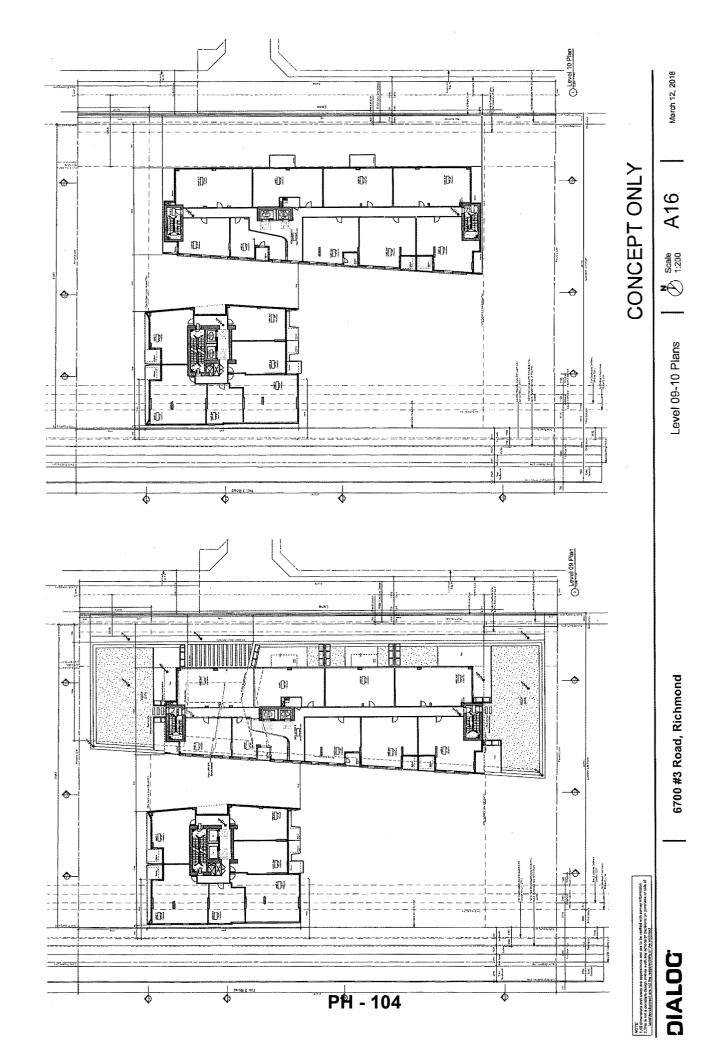


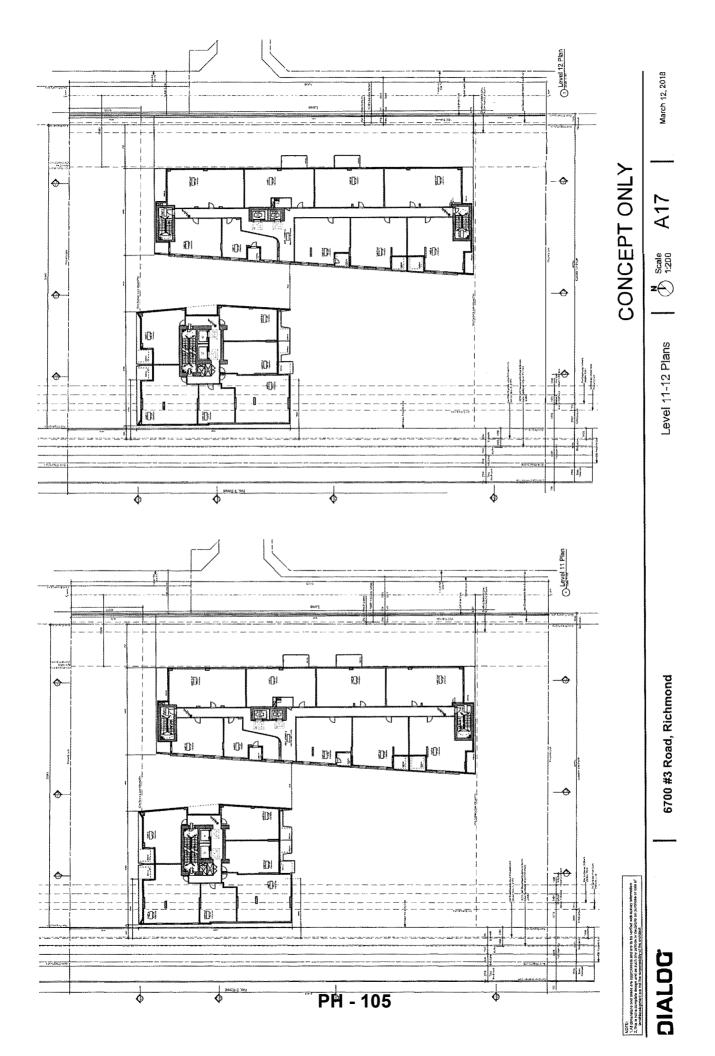


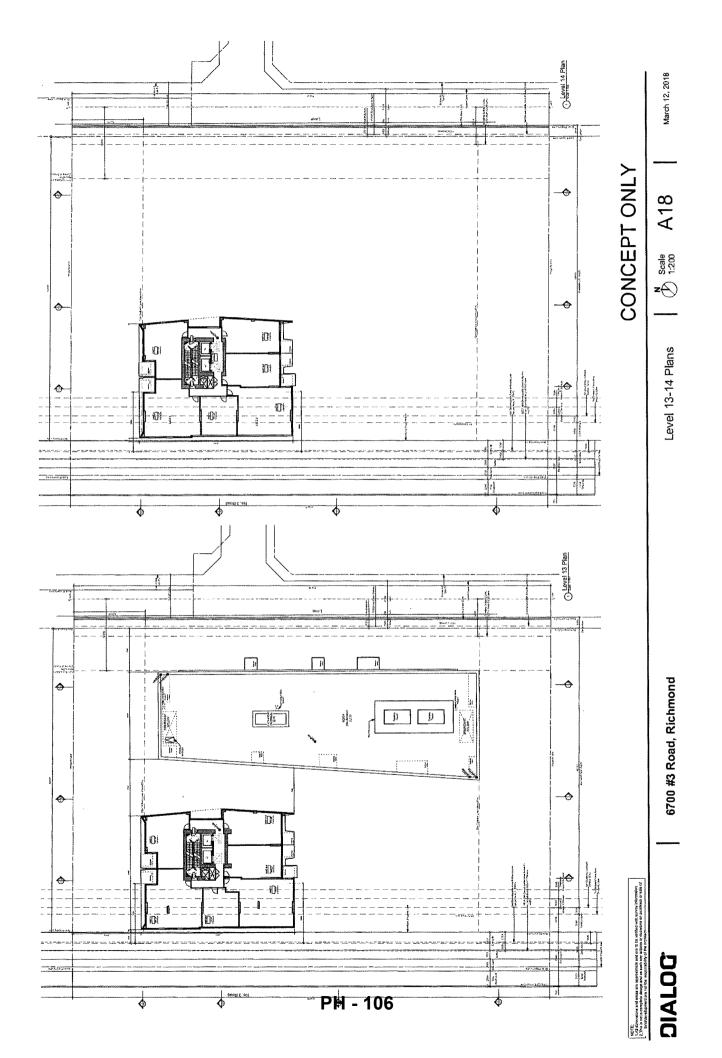


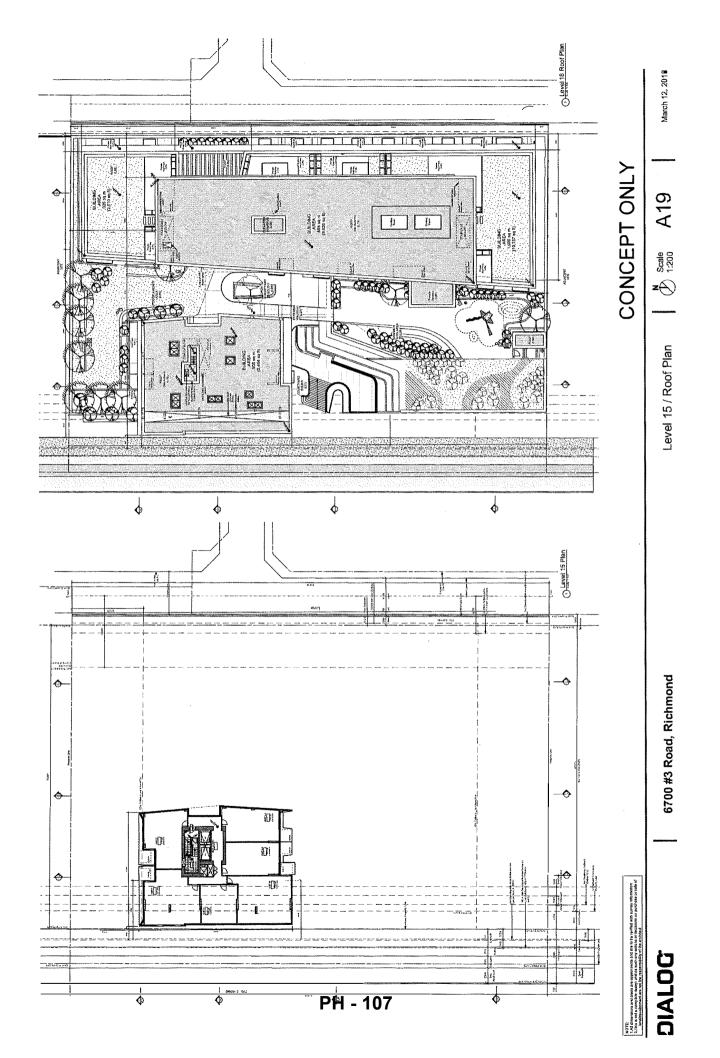


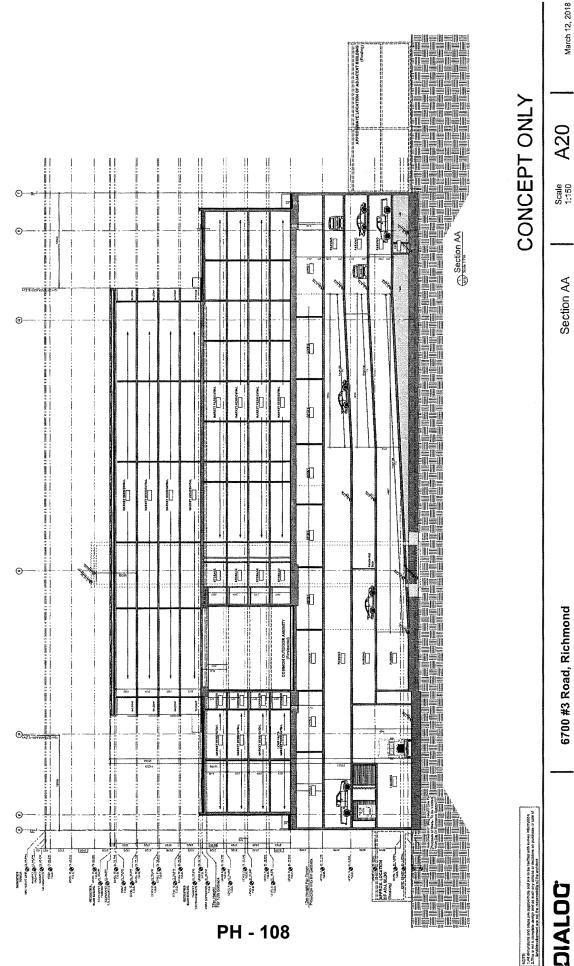










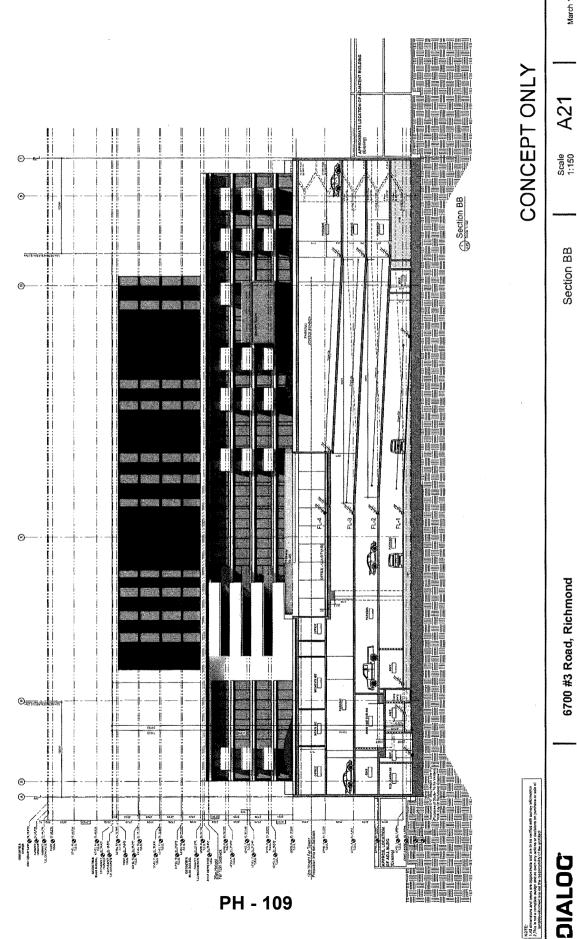


A20

Section AA

6700 #3 Road, Richmond

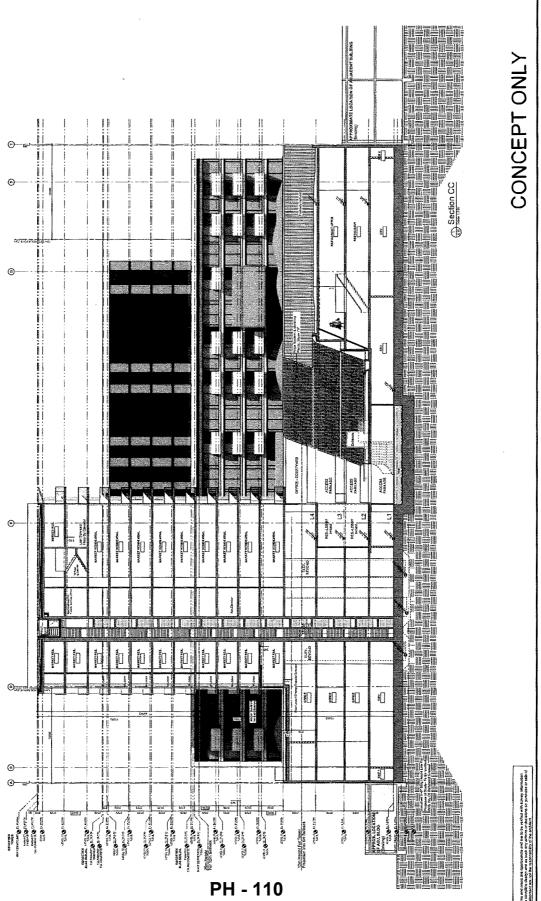
DIALOG



March 12, 2018

Section BB

6700 #3 Road, Richmond



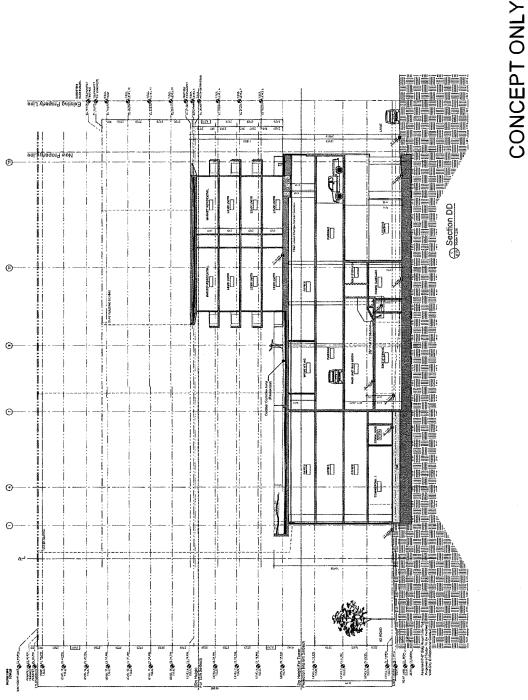


March 12, 2018

A22

6700 #3 Road, Richmond

DIALOG



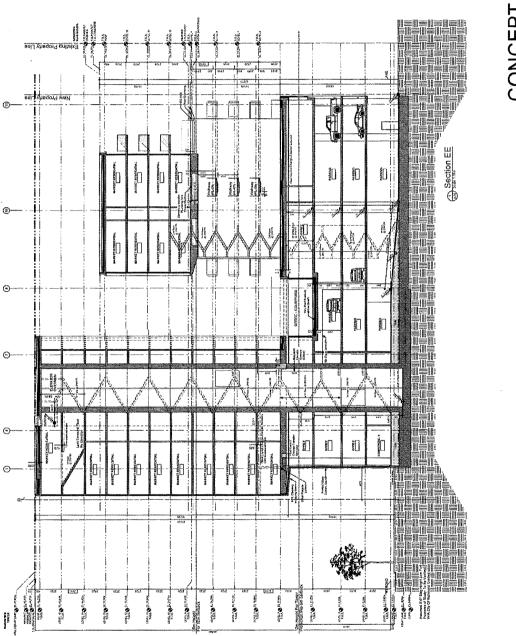
Scale A23

March 12, 2018

Section DD

6700 #3 Road, Richmond

ANC. All research of particular starts is real of a transfer of the start All research of an approximation of the start of the start



CONCEPT ONLY

March 12, 2018

A24

Scale 1:150

Section EE

6700 #3 Road, Richmond

PH - 112

CONCEPT ONLY erit thegord Property Line 22 ALC: NO 80 100 111 University of 100 盤 New Property ine ÷ŀ ۲ C en el 1 WRITE REVIEW NANKET NEVER i i WARTERSONW SANKTI KENEDATIAK i i 4 **(E)** - North 1000 ALC: NO. 1000 Ĭ and the second 10.00 di I i and WATER AND COLOR WATER FRANCHTAL İ and the second - TAURANA - -Sector Lines Í. Ìİ. 0 声 é T ROW 1 4 Detected Destroade Îİ ii Θ I Kanala I a state of the second se 0 P 2 Carton 1 . . . Θ 0-1 1 Ţ Π İİ Ĥ ONCH S A LEAST OF LAST Con O Line . THE LOCAL 10 th Q the -Zm Height Far Tomor rejection Thio sm Salt Annual States Table's Can LTALS OF TANK BATH U OVUS NUL O WOLL and is the state APD & O'dan Man Otal 764.00 Well MAN ON THE N'n O'relan

March 12, 2018

A25

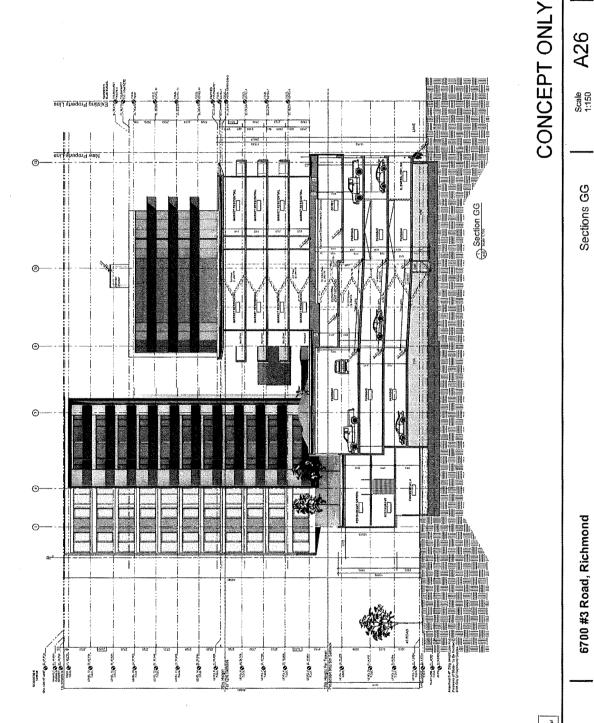
Scale 1:150

Section FF

6700 #3 Road, Richmond

envisions and oreas are approximate and are to be verified with survey information revise currents design and as such as Arbana of Arbana (designers on purchase ar sale of designers are not by associated or has anonex-

DIALOC



PH - 114

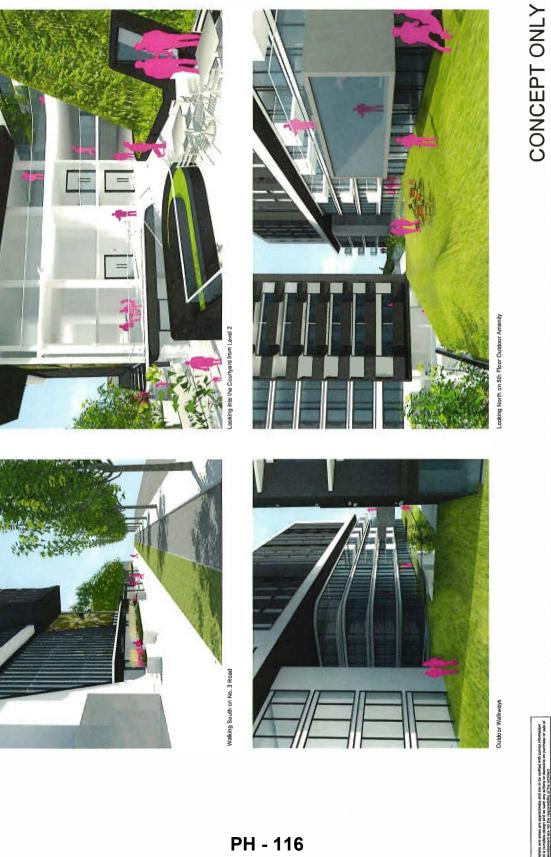
6700 #3 Road, Richmond

March 12, 2018

Sections GG

s and pasts (the topproceduale and the to be verified with survey internotion emplate dealers and as such any actions or declaters on pocontice or safe of DIALOG





March 12, 2018

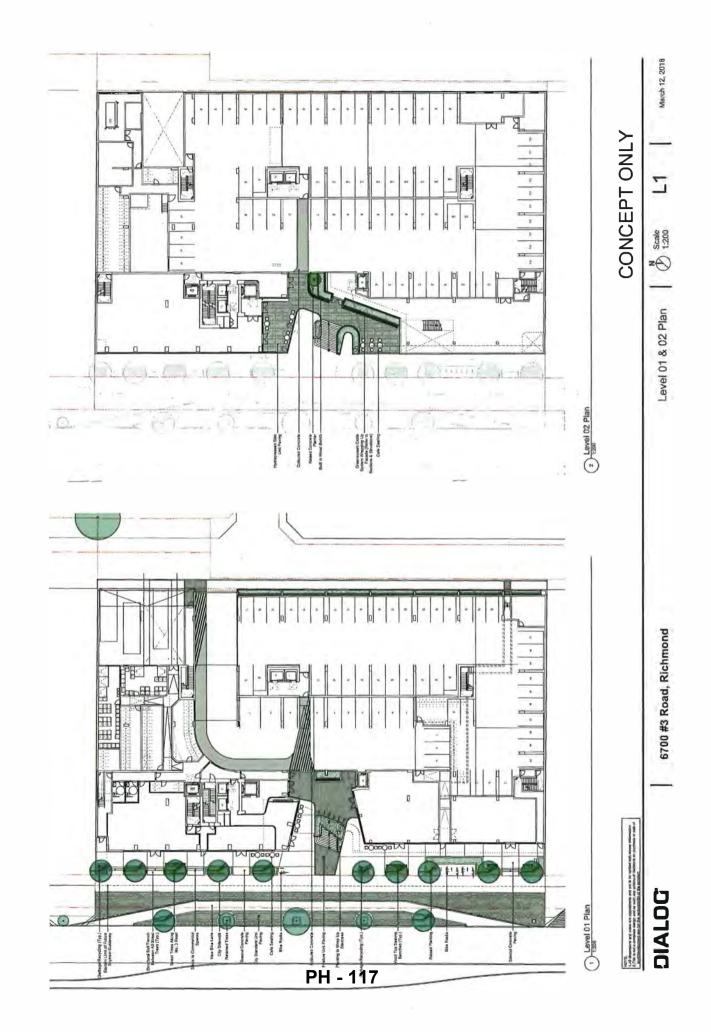
A30

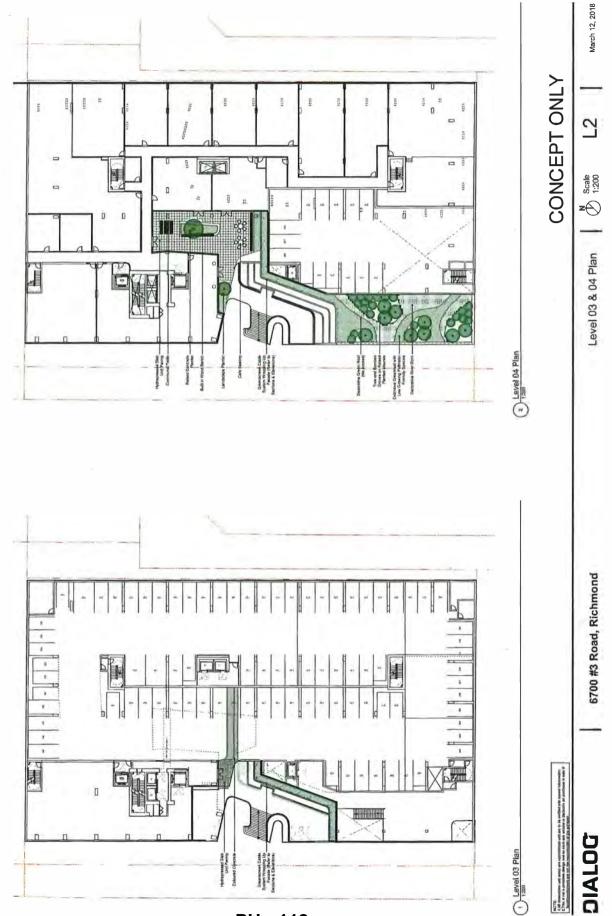
3D Massing

6700 #3 Road, Richmond

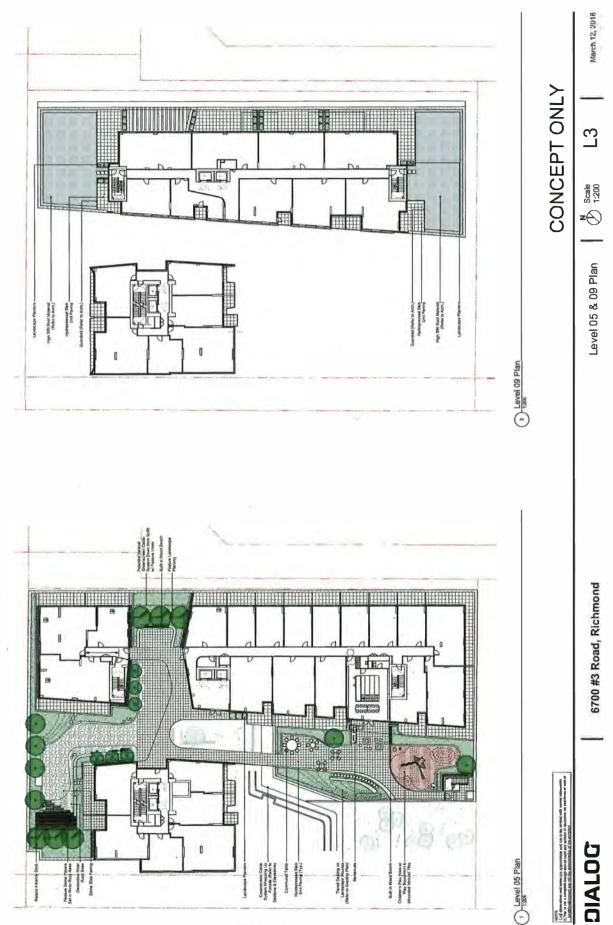
DIALOG

PUNCT STATE





PH - 118



PH - 119

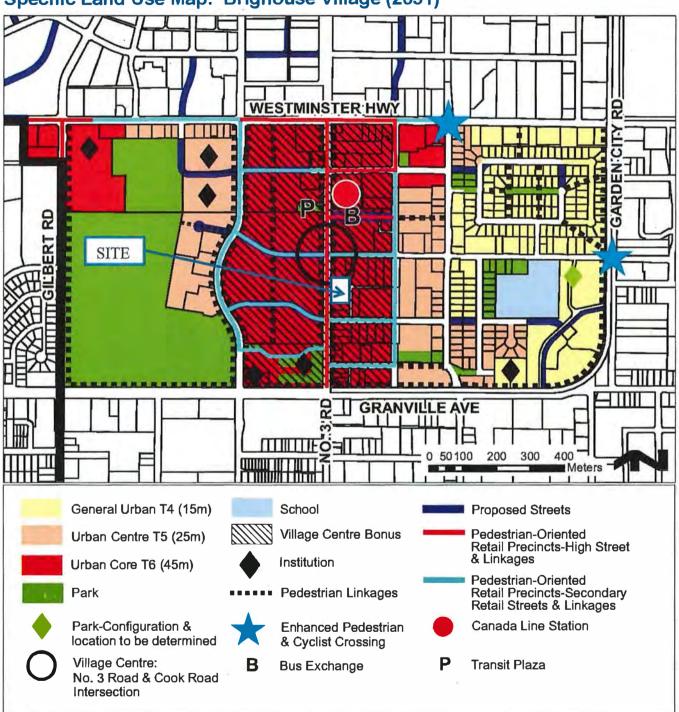


Development Application Data Sheet Development Applications Department

RZ15-694855	
Address:	6560, 6600, 6640 & 6700 No. 3 Road
Applicant:	Bene (Richmond) Development Ltd.
Owner:	Bene (Richmond) Development Ltd
Planning Area(s):	City Centre – Brighouse Village

RZ15-694855	Existing	Proposed
Site Size:	4,819 m ²	4,066 m ²
Net Development Site Area:	N/A	4,393 m ²
Land Uses:	Commercial	Mixed Use
OCP Designation:	Downtown Mixed Use	Downtown Mixed Use
Area Plan Designation:	Urban Core T6 (45 m)	Urban Core T6 (45 m)
Zoning:	CDT1	ZMU36
Number of Residential Units:	nil	166

RZ15-694855	Bylaw Req't	Proposed	Variance
Floor Area Ratio (FAR):	4.0	4.0	n/a
Floor Area per FAR:	17,572 m ²	17,572 m ²	n/a
Lot Coverage:	90%	85%	-
Lot Size:	4,000 m ²	4,066 m ²	-
Lot Dimensions:	n/a	n/a	
Setback – Front Yard:	4.0 m / 0.5 m	4.1 m / 0.5 m	-
Setback – Interior Side Yard:	0 m	0 m	-
Setback – Rear Yard:	0 m	0 m	-
Height Dimensional (geodetic):	47.0 m	46.9 m	-
Off-Street Parking Spaces – Residential Unit:	134	137	-
Off-Street Parking Spaces – Shared Comm'l/Office/Visitor:	71	87	-
Off-Street Parking Spaces – Total:	205	224	~
Loading Spaces – Medium Size:	3	3	-
Loading Spaces – Large Size:	0	0	-
Bicycle Parking Spaces – Class 1:	218	284	- .
Bicycle Parking Spaces – Class 2:	32	35	-



Specific Land Use Map: Brighouse Village (2031)

ATTACHMENT 5



Rezoning Considerations

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

Address: 6560, 6600, 6640 & 6700 No. 3 Road

File No.: RZ 15-694855

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9855, the owner is required to complete the following.

- 1. *(Subdivision)* Consolidation of all parcels and registration of a subdivision plan for the subject site that satisfies the following conditions, generally as shown in the sketch survey plan (Schedule 1):
 - a) dedication of approximately 5.85 m along the No. 3 Road frontage for street widening, subject to final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation; and
 - b) dedication of approximately 1.85 m for widening of the rear east lane for the lots fronting 6600, 6640 and 6700 No. 3 Road, and, approximately 6.434 m for widening of the rear east lane for the lot fronting 6560 No. 3 Road, subject to final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation.
- 2. *(Flood Construction Level)* Registration of a flood covenant on title identifying the basic minimum flood construction level of 2.9 m GSC for Area A.
- 3. *(Aircraft Noise)* Registration of an aircraft noise sensitive use covenant on title addressing noise impacts on residential uses and establishing a statutory right of way in favour of the Airport Authority.
- 4. *(Mixed-Use Noise)* Registration of a mixed use noise sensitive use covenant on title addressing noise impacts on residential uses.
- 5. *(Commercial Noise)* Registration of a commercial noise restrictive covenant on title addressing noise impacts generated by commercial uses and requiring demonstration that the building envelope is designed to avoid noise generated by the internal use from penetrating into residential areas that exceed noise levels allowed in the City's Noise Bylaw and that noise generated from rooftop HUAC units will comply with the City's Noise Bylaw.
- 6. (City Centre Impacts) Registration of a restrictive covenant on title noting that the development is located in a densifying urban area and may be subject to impacts that affect the use and enjoyment of the property including, but not limited to, ambient noise, ambient light, shading, light access, privacy, outlook, vibration, dust and odours from development or redevelopment of public and private land in the surrounding area.
- 7. (Affordable Housing) Registration of a Housing Agreement securing the owner's commitment to:
 - a) provide 5% of the residential floor area to affordable housing dwelling units, in perpetuity;
 - b) provide for affordable housing units, of numbers, types, sizes and associated rent and income levels in accordance with the table below:

Unit Type	Affordable Hou	Project Targets (3)			
	Minimum Unit Sizes	Current LEMR Maximum Rents (1) (2)	Total Maximum Household Income (1) (2)	Unit Mix	# of Units (3)
Bachelor	37 m ² (400 ft ²)	\$811	\$34,650 or less	33%	3
1-Bedroom	50 m ² (535 ft ²)	\$975	\$38,250 or less	0%	0
2-Bedroom	69 m ² (741 ft ²)	\$1,218	\$46,800 or less	33%	3
3-Bedroom	91 m ² (980 ft ²)	\$1,480	\$58,050 or less	33%	3
TOTAL		N/A	N/A	100%	9

AFFORDABLE HOUSING SUMMARY

(1) Denotes 2017 amounts adopted by Council on July 24, 2017.

(2) Subject to Council approval, total annual household incomes and maximum monthly rents may be increased annually by the Consumer Price Index.

(3) 50% of affordable housing units shall meet Richmond Basic Universal Housing (BUH) standards or better.

- 8. *(Residential Access)* Registration of a restrictive covenant on title, or other legal agreement, to the satisfaction of the City, securing the owner's commitment to provide a cross-access easement or statutory right of way securing pedestrian access for the residents, their guests/invitees/contractors, emergency personnel and the City to/from all residential buildings, including the affordable housing component, through the adjacent residential buildings' lobbies and vertical circulation systems, the parking structure and other ancillary spaces such as indoor and outdoor common amenities.
- 9. (Shared Non-residential and Residential Visitor Parking) Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that:
 - a) all non-residential parking spaces are shared between non-residential uses and residential visitor uses;
 - b) all shared parking spaces remain unassigned;
 - c) all shared parking spaces are located on or close to the ground level of the parking structure;
 - d) all shared parking spaces are identified with signage as to their intended usage;
 - e) all shared parking spaces are fully accessible to all users (e.g. entry gate open) during standard business operating hours; and
 - f) all shared parking spaces are fully accessible to residential visitor users (e.g. buzz entry) during non-standard business hours.
- 10. (Shared Commercial and Residential Truck Loading) Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that:
 - a) all loading spaces are shared between commercial and residential uses;
 - b) all shared loading spaces will remain unassigned;
 - c) all shared loading spaces are located on the ground level;
 - d) all shared loading spaces are identified with signage as to their intended usage;
 - e) all shared loading spaces are fully accessible to all users (e.g. entry gate open) during business hours; and
 - f) all shared loading spaces are accessible to all users (e.g. buzz entry) during non-standard business hours.

5800979v3

Updated: May 3, 2018 12:26 PM

- 11. (*Truck Size*) Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to ensure that the maximum truck size for any truck servicing the site is a medium size truck (e.g. SU9). (*Note: No WB-17 size trucks are permitted.*)
- 12. *(Car Share)* Registration of a restrictive covenant and statutory right of way on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide a car share facility and car share equipment to a car share operator or the City, at no cost to the car share operator or the City, both as the case may be, the terms of which shall be generally as follows:
 - a) a minimum of three (3) car share parking spaces within the development, along with pedestrian and vehicular access, designed, constructed, equipped and maintained by the owner, at the owner's cost, to be:
 - i. co-located and located on the ground level of the parkade;
 - ii. provided with direct pedestrian access from No. 3 Road;
 - iii. provided with vehicle access from the lane;
 - iv. designed to be safe, convenient and universally-accessible;
 - v. provided with design features, decorative finishing, lighting and signage, as determined through the Development Permit and Servicing Agreement processes;
 - vi. provided with one EV quick-charge (240 volt) charging station for each car share space for its exclusive use;
 - vii. accessible to all intended users (e.g. general public, car share operator personnel and car share operator members) at no added cost;
 - viii. accessible to all intended users as follows:
 - i. the general public 365 days a year for a time period equalling the lengthiest combination of standard business hours and the standard operating hours of local rapid transit; and
 - ii. the car share operator personnel and members 365 days a year for a 24 hours per day (e.g. code entry);
 - b) a minimum of three (3) car share cars, all of which being electric vehicles, at the owner's initial cost;
 - c) terms of agreement between the owner and the car share operator which shall include:
 - i. a minimum contractual period for the provision of car share services of three years from the first date of building occupancy; and
 - ii. additional provisions as negotiated by the owner and car share operator (e.g. maintenance, repair and replacement by car share vehicles by the car share operator), or as required by the City, subject to the approval of the Director of Transportation;
 - d) supporting submissions provided to the City (Transportation Department) as follow:
 - i. prior to the rezoning Report to Council, a copy of the letter of intent addressed to the owner from the car share operator outlining the terms of the provision of car sharing services;
 - ii. prior to Development Permit issuance, a copy of the draft contract between the owner and the car share operator describing the terms of the provision of car sharing services;
 - iii. prior to Development Permit issuance, a Letter of Credit (LOC) from the owner, the terms of which shall include:
 - i. a sum of \$75,000 to secure the owner's commitment to provide the car share cars; and

58009**7**9v3

Updated: May 3, 2018 12:26 PM

- ii. agreement that, should the car share cars not be provided at the time of Building Permit issuance granting occupancy, the owner will voluntarily contribute the \$75,000 secured by LOC towards alternate transportation demand management modes of transportation;
- iv. prior to Building Permit issuance granting occupancy, a copy of the executed contract between the owner and the car share operator describing the terms of the provision of car sharing services;
- v. prior to Building Permit issuance granting occupancy, a copy of the purchase receipt for the car share cars;
- e) a Public Right of Passage Statutory Right of Way, in favour of the City, to secure the car share spaces and the vehicular and pedestrian accesses, subject to the final dimensions established by the surveyor on the basis of functional plans completed to the satisfaction of the Director of Transportation; and
- f) in the event that the car-share facilities are not operated for car-share purposes as intended via the subject rezoning application (e.g., operator's contract is terminated or expires), transfer control of the car-share facilities and equipment, as applicable, to the City, at no cost to the City, with the understanding that the City at its sole discretion, without penalty or cost, shall determine how the facilities shall be used going forward.
- 13. (*Bicycle End-of-Trip Facilities*) Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide bicycle end-of-trip facilities within the development for the shared use of all non-residential users (e.g. commercial and office) generally as follows:
 - a) a minimum of one male facility and one female facility, designed, constructed, equipped and maintained by the owner, each of which shall:
 - i. be fully accessible to all intended users;
 - ii. be easily accessible from commercial Class 1 bicycle parking areas;
 - iii. be fully handicapped accessible;
 - iv. accommodate two or more people at one time; and
 - v. include, at minimum, a change room and lockers, two showers, a toilet, a wash basin and a grooming station (i.e. mirror, counter and electrical outlets).
- 14. (*Bicycle Maintenance and Repair Facilities*) Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to provide bicycle maintenance and repair facilities within the development for the shared use of all residential users (e.g. owners, renters and their guests) generally as follows:
 - a) a minimum of two bicycle repair and maintenance stations, designed, constructed, equipped and maintained by the owner, each of which shall:
 - i. be fully accessible to all intended users;
 - ii. be easily accessible from residential Class 1 bicycle parking areas;
 - iii. be fully handicapped accessible; and
 - iv. include, at minimum, a bicycle repair stand with tools, a foot pump and a faucet, hose and drain for bicycle washing.
- 15. *(Bicycle Facilities)* Registration of a restrictive covenant on title or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to maintain all required bicycle parking spaces and other bicycle facilities for their intended uses.
- 16. *(Transit Pass Program)* Registration of a restrictive covenant on title, or alternative legal agreement, subject to the final approval of the Director of Transportation, securing the owner's commitment to

5800979v3

provide a transit pass program for the residential tenants of the development, at the owner's cost, generally as follows:

- a) provide monthly two-zone transit passes for one year to:
 - i. 50% of market units; and
 - ii. 100% of affordable housing units;
- b) extend the program, should it not be fully subscribed within one year, until the equivalent of the costs of the full one year transit pass program has been exhausted;
- c) provide for administration by TransLink or a management company on behalf of the strata council;
- d) notify purchasers of the availability of the transit pass program;
- e) indicate the availability and method of accessing the transit program in sales/rental contracts; and
- f) submit a Letter of Credit prior to Development Permit issuance to secure the owner's commitment to provide the transit passes based on 110% of transit pass costs (including 100% for transit pass purchases and 10% for future transit pass cost increases and administration)
 (Note: The remaining funds in the LOC will be released to the Owner when the 2-zone one year transit pass program is fully subscribed.)
- 17. (District Energy Utility) Registration of a restrictive covenant and statutory right of way and/or alternative legal agreement(s), to the satisfaction of the City, securing the owner's commitment to connect to District Energy Utility (DEU) and granting the statutory right of way(s) necessary for supplying the DEU services to the building(s), which covenant and statutory right of way and/or legal agreement(s) will include, at minimum, the following terms and conditions:
 - a. No building permit will be issued for a building on the subject site unless the building is designed with the capability to connect to and be serviced by a DEU and the owner has provided an energy modelling report satisfactory to the Director of Engineering.
 - b. If an energy plant district energy utility (EDEU) service area bylaw which applies to the site has been adopted by Council prior to the issuance of the development permit for the subject site, no building permit will be issued for a building on the subject site unless:
 - i. the owner designs, to the satisfaction of the City and the City's DEU service provider, Lulu Island Energy Company Ltd. (LIEC), an energy plant to be constructed and installed on the site, with the capability to connect to and be serviced by a DEU; and
 - ii. the owner enters into an asset transfer agreement with the City and/or the City's DEU service provider on terms and conditions satisfactory to the City to transfer ownership of the energy plant to the City or as directed by the City, including to the City's DEU service provider, at no cost to the City or City's DEU service provider, LIEC, on a date prior to final building inspection permitting occupancy of the first building on the site;
 - c. The owner agrees that the building(s) will connect to a DEU when a DEU is in operation, unless otherwise directed by the City and the City's DEU service provider, LIEC.
 - d. If a DEU is available for connection and the City has directed the owner to connect, no final building inspection permitting occupancy of a building will be granted unless, and until:
 - i. the building is connected to the DEU;
 - ii. the owner enters into a Service Provider Agreement for that building with the City and/or the City's DEU service provider, LIEC, executed prior to depositing any Strata Plan with LTO and on terms and conditions satisfactory to the City; and
 - iii. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all Statutory Right-of-Way(s) and/or easements necessary for supplying the DEU services to the building.

5800979v3

Updated: May 3, 2018 12:26 PM

ATTACHMENT 5

- e. If a DEU is not available for connection, but a EDEU service area bylaw which applies to the site has been adopted by Council prior to the issuance of the development permit for the subject site, no final building inspection permitting occupancy of a building will be granted unless and until:
 - i. the City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU;
 - ii. the building is connected to an energy plant supplied and installed by the owner, at the owner's sole cost, to provide heating, cooling and domestic hot water heating to the building(s), which energy plant will be designed, constructed and installed on the subject site to the satisfaction of the City and the City's service provider, LIEC;
 - iii. the owner transfers ownership of the energy plant on the subject site, to the City or as directed by the City, including to the City's DEU service provider, LIEC, at no cost to the City or City's DEU service provider, on terms and conditions satisfactory to the City;
 - iv. prior to depositing a Strata Plan, the owner enters into a Service Provider Agreement for the building with the City and/or the City's DEU service provider, LIEC, on terms and conditions satisfactory to the City; and
 - v. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all additional Covenants, Statutory Right-of-Way(s) and/or easements necessary for supplying the services to the building and the operation of the energy plant by the City and/or the City's DEU service provider, LIEC.
- f. If a DEU is not available for connection, and a EDEU service area bylaw which applies to the site has not been adopted by Council prior to the issuance of the development permit for the subject site, no final building inspection permitting occupancy of a building will be granted until:
 - i. the City receives a professional engineer's certificate stating that the building has the
 - capability to connect to and be serviced by a DEU; and
 - ii. the owner grants or acquires any additional Statutory Right-of-Way(s) and/or easements necessary for supplying DEU services to the building, registered prior to subdivision (including Air Space parcel subdivision and strata plan filing).
- 18. (Child Care) City acceptance of the owner's offer to voluntarily contribute at least \$873,295.57 (one percent of the residential floor area, excluding affordable housing floor area, calculated using the proposed floor area *e.g.* 0.01 x 12,481 m² x $\$6,997/m^2$) towards the development and operation of child care (90% to Childcare Development Reserve Fund Account # 7600-80-000-90157-0000 and 10% to Childcare Operating Contributions Account # 7600-80-000-90159-0000).
- 19. (Community Facility) City acceptance of the owner's offer to voluntarily contribute at least $\frac{1,536,891.05}{1000}$ (five percent of the Village Centre Bonus floor area calculated using the proposed floor area e.g. $0.05 \times 1.0 \times 4,393m2 \times \frac{6,997}{m^2}$) towards the development of community facilities (City Centre Facility Development Fund Account # 7600-80-000-90170-0000).
- 20. (Community Planning) City acceptance of the owner's offer to voluntarily contribute at least $\frac{52,891.72}{100\%}$ of the total floor area calculated using the proposed floor area *e.g.* 17,572 m² x $\frac{3.01}{m^2}$ towards City Centre community planning (CC-Community Planning and Engineering Account # 3132-10-520-00000-0000).
- 21. (Public Art) City acceptance of the owner's offer to voluntarily contribute at least \$135,463.27 (100% non-residential floor area and 100% residential floor area, excluding affordable housing floor area, @ \$4.84 and \$9.15 per square meter, respectively, e.g. 4393 m² x \$4.84/m² + 12,481 m² x \$9.15/m²) towards public art (15% to Public Art Provision Account # 7500-10-000-90337-0000 and 85% to Account # 7600-80-000-90173-0000).

- 22. (*Traffic Impact Measures*) City acceptance of the owner's offer to contribute to <u>\$50,000.00</u> towards the shared cost purchase and installation of a new traffic signal at the intersection of Park Road and Buswell Street (General Account (Transportation) # 5132-10-550-55005-0000).
- 23. (*Transportation Demand Management*) City acceptance of the owner's offer to contribute \$30,000.00 to purchase and installation of a bus shelter in the vicinity of the site (General Account (Transportation) # 5132-10-550-55005-0000).
- 24. *(Tree Replacement City Trees)* City acceptance of the owner's offer to voluntarily contribute \$1,300.00 (calculated as \$1,300 for the most southerly (1) tree to be removed at 6700 No. 3 Road) to the City's Tree Compensation Fund (Account # 2336-10-000-00000) for the planting of replacement trees within the City.
- 25. *(Servicing Agreement)* Submission and processing of a Servicing Agreement* application, completed to a level deemed acceptable by the Director of Engineering, for the design and construction of works associated with the proposed rezoning, subject to the following conditions:
 - a) Using the OCP Model, there is 900 L/s of water available at a 20 psi residual at the No 3 Rd frontage. Based on your proposed Development, your site requires a minimum fire flow of 220 L/s.
 - b) The developer is required to:
 - i. Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs. If adequate flow is not available, the developer shall be required to upgrade the existing water system that may extend beyond the development site frontage.
 - c) At developer's cost, the City is to:
 - i. Cut and cap all existing water service connections at the watermain along No. 3 Road frontage.
 - ii. Install a new water service connection along the No 3 Road frontage.
 - d) The developer is required to:
 - i. Upgrade the existing lane drainage sewer, ICs and manholes to meet current City standards.
 - e) At developer's cost, the City is to:
 - i. Cut and cap all existing storm sewer service connections along No 3 Road frontage.
 - ii. Install a new storm service connection complete with an IC along the No. 3 Road frontage, ROW may be required to accommodate IC.
 - f) The developer is required to:
 - i. Redirect sanitary flows to the new Buswell Street sewer (that the City is in the process of procuring) by installing approximately 212m of 200mm sanitary sewer running south within the Lane and east along Park Road to Buswell Street.
 - ii. Tie the new 200mm sanitary sewer into the existing sewer within Park Road and reconnect the existing service connections to 6740-6760 No. 3 Road and 8071 Park Road.
 - iii. Install a new sanitary service connection complete with IC along the Lane frontage of the development at is south east corner.
 - iv. Abandon the existing sanitary sewer between Park Road and SMH839 by filling with low strength flowable concrete.
 - v. Provide, if necessary, additional SRWs, to be defined through the SA drawings and provided to the City at no cost.
 - g) At developer's cost, the City is to:

5800979**v**3

Updated: May 3, 2018 12:26 PM

- i. Cut and cap all existing sanitary service connections and remove the existing IC's located along the Lane frontage of the development site.
- ii. Cut and cap the existing sanitary sewer located at the northwest corner of 8080 Park Road to existing SMH839.
- iii. Complete the two proposed sewer tie-ins to the existing sanitary sewer on Park Road and the proposed sanitary sewer on Buswell St.
- h) The developer is required to:
 - i. Coordinate with existing private utility companies to underground pole lines along the sites lane frontage.
 - ii. Locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be submitted prior to the RZ staff report progressing to Planning Committee and shall be included in the development process design review. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the right of way requirements and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of SRWs that shall be shown in the functional plan and registered prior to SA design approval:
 - 1. BC Hydro PMT -4mW X 5m (deep)
 - 2. BC Hydro LPT -3.5 mW X 3.5 m (deep)
 - 3. Street light kiosk 1.5mW X 1.5m (deep)
 - 4. Traffic signal kiosk 1mW X 1m (deep)
 - 5. Traffic signal UPS 2mW X 1.5m (deep)
 - 6. Shaw cable kiosk 1mW X 1m (deep) show possible location in functional plan
 - 7. Telus FDH cabinet 1.1mW X 1m (deep) show possible location in functional plan
 - iii. Pre-duct for future hydro, telephone and cable utilities along the No. 3 Rd frontage.
 - iv. Upgrade the sites entire lane frontage as required to meet City lane standards, to include new asphalt, roll over curb, drainage and lighting.
 - v. Provide dedication for any proposed lane widening.
 - vi. Other frontage improvements as per Transportation's requirements.
- i) The developer is required to:
 - i. Provide, within the first SA submission, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site and provide mitigation recommendations.
 - ii. Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- j) The developer is required to:
 - i. Submit final interim and ultimate road functional drawings prepared by a registered professional and completed to the satisfaction of the City.

- k) The developer is required to:
 - i. Design and construct road and infrastructure works, with completion to the satisfaction of the City before the issuance of occupancy permits, including but not limited to the following:
 - Construction of frontage improvements along the entire length of the west side of the site (No. 3 Road frontage). The scope of work shall include the construction of these frontage improvements: curb and gutter, landscaped boulevard (with hard surface, soft landscaping and/or trees), off-road bicycle lane, street furniture and lighting strip, and concrete sidewalk. The frontage improvement cross-section elements, measured from the existing east curb face of No. 3 Road, shall include:
 - 0.15 m wide top of curb;
 - 2.0 m wide landscaped boulevard;
 - 2.0 m wide off-road bicycle lane. (Note: The exact location of the bicycle lane is being reviewed, i.e. street side of curb or building side of curb. In either case, the bicycle lane is expected to be 2.0 m wide. The curb dimensions may change slightly).
 - 2.0 m wide street furniture/lighting strip; and
 - 3.0 m wide concrete sidewalk.
 - 2. Widening of the existing north-south lane along the entire length of the east side of the site and construction of frontage improvements along the entire length of the east side of the site (back lane frontage). The scope of work shall include the construction of these lane frontage improvements: rollover curb, concrete sidewalk/lighting strip, and repaving the existing lanes. The frontage improvement cross-section elements, measuring from the new property line (west side of the lane), shall include:
 - 0.35 m wide rollover curb; and
 - 1.5 m wide concrete sidewalk (the lighting strip may be included in the width of the sidewalk as long as it is does not reduce the sidewalk width below 0.9 m);

(Note 1: The above improvements are typical for the lane frontage of 6600/6640/6700 No. 3 Road. For the lane frontage of 6560 No. 3 Road (north end of the site), the road improvements shall also include the construction of a new lane up to the east property line of the development in addition to the rollover curb and sidewalk).

(Note 2: Lane upgrade requirements - As the lane provides the only option for vehicular access to the site, it is important to ensure that the existing pavement structure of the lane is adequate to withstand the additional site generated traffic and truck movements. The developer is to consult City Engineering staff on the requirement for repaying the existing lane to support the increased traffic volumes. If it is determined that the existing lane requires repaying, the pavement upgrade will need to cover both the east-west and north-south sections of the lane between Buswell Street and Park Road).

- 1) The developer is required to:
 - i. provide for the retention of the three (3) remaining existing acer rubrum trees on City property along No. 3 Road (north of the one (1) tree being removed at 6700 No. 3 Road), unless otherwise determined by the SA process, in which case replacement terms shall be determined within the SA process. Retention shall be supported with:
 - 1. installation of appropriate tree protection fencing around all trees to be retained on the No. 3 Road frontage, as well as trees located in adjacent frontages that may be

5800979v3

Updated: May 3, 2018 12:26 PM

affected by the construction of the proposed development and associated frontage improvements; and

- 2. submission of a contract entered into by the applicant and a Certified Arborist for the supervision of all works conducted in close proximity to the aforesaid tree protection zones. The contract must include the scope of work to be undertaken, including the proposed number of monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- m) Provision of a Letter of Credit to secure the completion of the works in an amount determined by the Director of Engineering and Director of Transportation.
- n) Registration of the Servicing Agreement on title.
- 26. (*Development Permit*) Submission and processing of a Development Permit* application, completed to a level deemed acceptable by the Director of Development, demonstrating:
 - a) design development of the rezoning concept, as necessary, to address:
 - i. form and character objectives noted in the associated Report to Planning Committee;
 - ii. Council directions arising out of Public Hearing;
 - iii. pertinent comments of the Advisory Design Panel;
 - iv. form and character objectives described in the OCP and CCAP Development Permit Guidelines;
 - v. technical resolution of building services, private utilities, public utilities, fire access, parking and loading and waste management including provision of final utility, fire access, loading, waste management and signage and wayfinding plans; and
 - vi. technical resolution of the landscape plans including:
 - 1. the protection, installation and/or maintenance (including automatic irrigation) of retained and/or new landscape; and
 - 2. the protection, installation and/or maintenance (including automatic irrigation) of retained and/or new trees;
 - b) the owner's commitment to design and construct the development in accordance with rezoning policy, the rezoning considerations and the draft site-specific zoning bylaw, by incorporating information into the Development Permit plans (inclusive of architectural, landscape and other plans, sections, elevations, details, specifications, checklists and supporting consultant work) prepared by qualified professionals including, but not limited to:
 - i. statutory rights of way, easements, encroachments, no build areas, agreements and other legal restrictions;
 - ii. flood construction level(s);
 - iii. use, density, height, siting, building form, landscaping, parking and loading and other zoning requirements;
 - iv. floor area calculation overlays;
 - v. site access locations;
 - vi. horizontal and vertical clearance dimensions for all vehicular circulation, including heights of doors, gateways and other passages;
 - vii. the required shared non-residential parking and residential visitor parking spaces;
 - viii. the required shared loading spaces;
 - ix. the required EV-charging vehicle parking spaces;
 - x. the required car-share parking spaces;
 - xi. the required end-of-trip facilities, including their location, number, size, type and use;
 - xii. the required bicycle maintenance and repair facilities;

5800979v3

Updated: May 3, 2018 12:26 PM

Initial

- xiii. identification and wayfinding marking and /or signage for all bicycle, vehicle and truck spaces and associated facilities;
- xiv. the location of areas reserved for DEU equipment and/or connection facilities and a
 notation regarding the need for DEU pre-ducting, as applicable in the case of the final DEU strategy;
- xv. the required affordable housing units, including their size and location;
- xvi. the required aging in place, basic universal, accessible, adaptable and/or convertible dwelling units, as noted below, including notation of their associated design features:

Туре	Affordable	Market	Intent	Standard
Aging in Place		142	- support mobility and usability	Per OCP
Adaptable + Basic Universal Housing *	9	15	 renovation potential for wheelchair plus added floor area for manoeuvering 	Per BCBC and RZB
Barrier Free * *	0	0	- move in with wheelchair	Per BCDH
Total Units	9	157		

* Includes Aging-in-Place

** Includes Aging-in-Place, Adaptable and Basic Universal Housing

- xvii. an accessibility checklist and identification of specific recommended measures to be incorporated into the Building Permit plans, where relevant;
- xviii. a CPTED checklist and identification of specific recommended measures to be incorporated into the Building Permit plans, where relevant;
- xix. a LEED checklist prepared by a LEED AP BD+C to achieve LEED v4 Silver equivalency and identification of specific measures to be incorporated into the Building Permit plans;
- xx. an Acoustic and Mechanical Report with recommendations prepared by a registered professional regarding measures to be incorporated into the Building Permit drawings to achieve the exterior and interior noise levels and other noise mitigation standards articulated in the various noise covenants;
- xxi. an Arborist Contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within the tree protection zone of the trees to be retained -the Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
- xxii. the required common indoor, common outdoor and private outdoor amenity areas including their location, size and use;
- xxiii. the location, plans, detailing and specifications for landscaping, including but not limited to required replacement trees and irrigation for private and common open space; and
- xxiv. the dimensions of any tree protection fencing illustrated on the Tree Retention/Management Plan provided with the application.
- 27. (Landscape Letter of Credit) Submission of a letter of credit for landscaping based on 100% of the cost estimate provided by the Landscape Architect, including installation costs, plus a 10% contingency cost.

(Building Permit)

<u>Note:</u> Prior to Building Permit issuance the approved Development Permit and associated conditions, as well as any additional items referenced in "Schedule B: Assurance of Professional Design and Commitment for Field Review", shall be incorporated into the Building Permit plans (drawings and documents) prior to Building Permit issuance.

5800979v3

Updated: May 3, 2018 12:26 PM

<u>Note:</u> Prior to Building Permit issuance, the applicant is to submit a detailed Construction Parking and Traffic Management Plan to the Transportation Division for approval. The Management Plan shall identify (for each development phase): construction vehicle access, emergency vehicle access, parking facilities for construction workers, staging areas for construction vehicles, areas for deliveries and loading, and application for any lane closures. The Plan will require the use of proper construction traffic control procedures and certified personnel as per Traffic Control Manual for works on roadways (Ministry of Transportation and Infrastructure) and MMCD Traffic Regulation Section 01570.

<u>Note:</u> Prior to Building Permit issuance the developer must obtain a Building Permit for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

General Notes:

- 1. Some of the foregoing items (*) may require a separate application.
- 2. Where the Director of Development deems it appropriate, legal agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The legal agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding Permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- 3. Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- 4. Applicants for all City Permits are required to comply at all times with the conditions of the Provincial Wildlife Act and Federal Migratory Birds Convention Act, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal Permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on-site, the services of a Qualified Environmental Professional be retained.

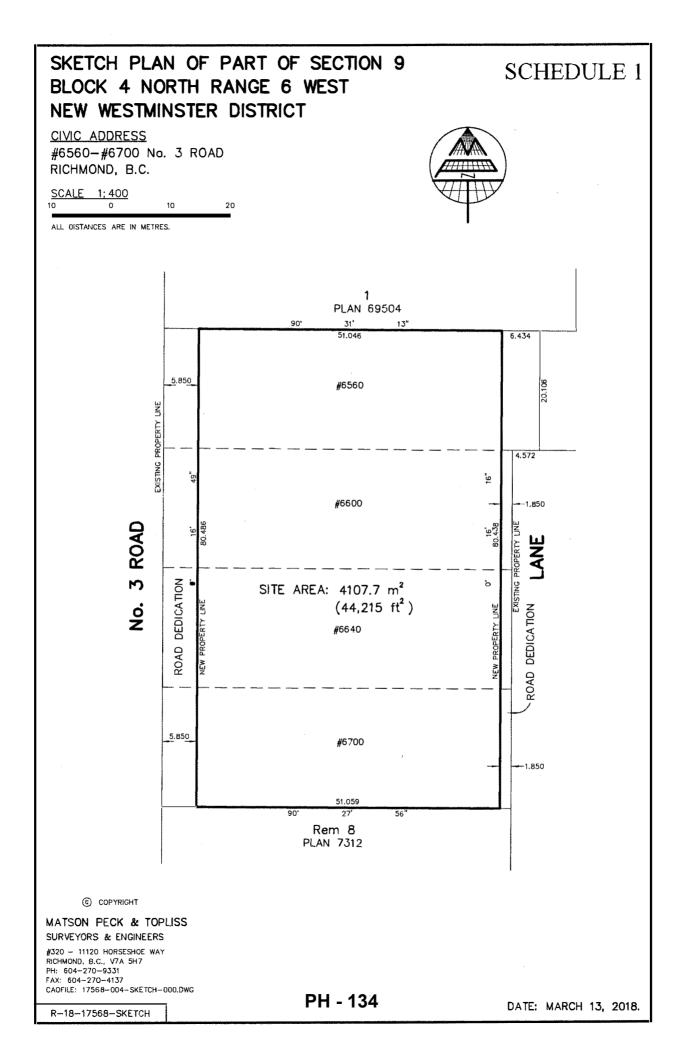
Signed

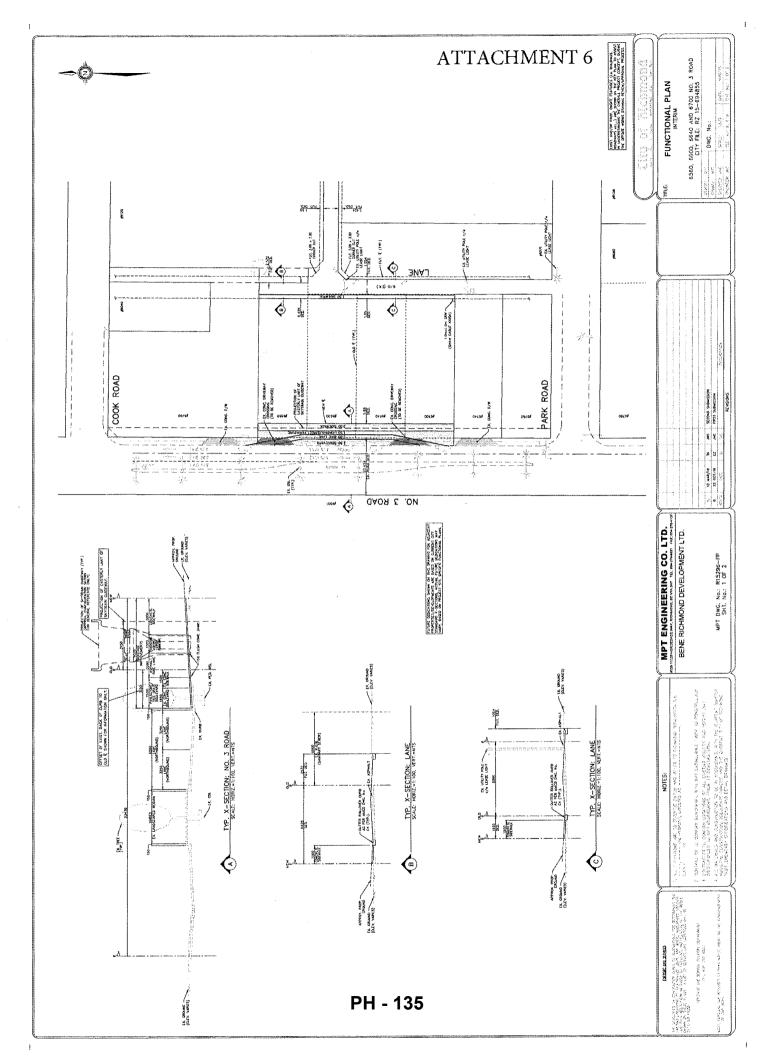
Date

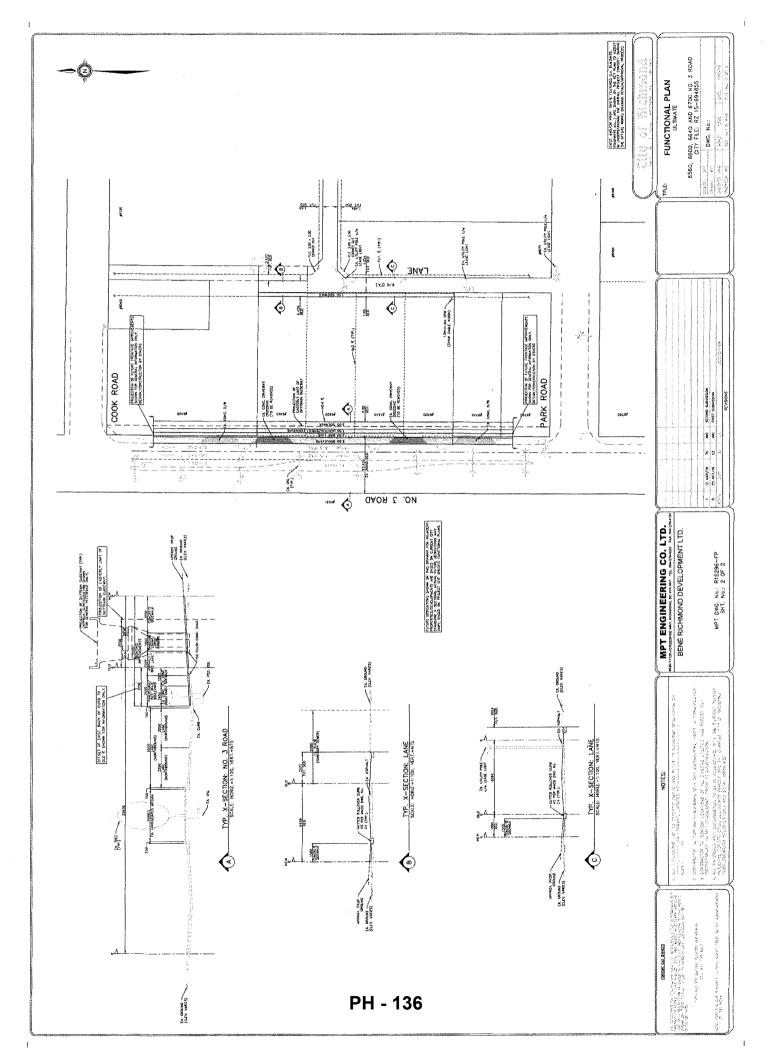
5800979v3

Updated: May 3, 2018 12:26 PM

_Initial







			ATTACH	IMENT 7
City 5				
				(*) OS1
L5m City 4 City 6 City			:	
Ling City 2				
X City 1				
EGEND (SEE PROTECTION CONF Red GERE 2006	- Таге малестон билсе о гасе то не метаниен X	UR-SUMPYED THER TERE TO BE REMEMBED	REFERENCE DRAWINGS 1. Base Survey by: Unknown	
 The totation of un-surveyed trees on this plan in bottom and ownership current the confurned with by a Registerest BC Fand Surveyor. All transprotection fencing nuest be built to the r byda w specifications. The determinant shown read the scam of the orea 	hout being curveyed critical root zerre, me tree, (ji the trees dian circles to accommod: tren the outer edge of tree)	one shown is a graphical representation assured from the outer edge of the ste enterway added to the graphical tree are the survey point bring in the conto writes or griefe changes within the Rai	m of the by the conners' Registered Britis protection kyoun drawings provide by the c or of the 6. This plan is provided for contes accuracy of the facilion of fertia	(i) E and the level on survey provide Colorible Load Surveyor (BCK) an where Singlinear (P Eng). Equipment of English touly, and is not cortified as to the res or dimensions that are seture to first survey plan and originating play.



Richmond Zoning Bylaw 8500 Amendment Bylaw 9855 (RZ 15-694855) 6560, 6600, 6640 & 6700 No. 3 Road

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

1. Richmond Zoning Bylaw 8500 is amended by inserting the following into Section 20 (Site Specific Mixed Use Zones), in numerical order:

"20.36 High Density Mixed Use (ZMU36) – Brighouse Village (City Centre)

20.36.1 Purpose

The **zone** provides for a broad range of **commercial**, **office**, service, institutional, entertainment and residential **uses** typical of the **City Centre**. Additional **density** is provided to achieve, amongst other things, **City** objectives related to the **development** of **affordable housing units**, **office uses** and **community amenities**.

20.36.2 Permitted Uses

- amenity space, community
- animal day care
- animal grooming
- broadcasting studio
- child care
- education
- education, commercial
- education, university
- emergency service
- entertainment, spectator
- government service
- health service, minor
- housing, apartment
- library and exhibit
- liquor primary establishment
- manufacturing, custom indoor

- microbrewery, winery and distillery
- neighbourhood public house
- office
- private club
- recreation, indoor
- religious assembly
- restaurant
- retail, convenience
- retail, general
- retail, second hand
- service, business support
- service, financial
- service, household repair
- service, personal
- studio
- veterinary service

20.36.3 Secondary Uses

- boarding and lodging
- home business
- home-based business

20.36.4 Additional Uses

• district energy utility

20.36.5 Permitted Density

- 1. For the purposes of this **zone**, the calculation of **floor area ratio** is based on a net **development site** area of 4,393.0 sq. m.
- 2. The maximum **floor area ratio** is 2.0 together with an additional:
 - a) 0.1 **floor area ratio** provided that the additional **floor area** is used entirely to accommodate indoor **amenity space**.
- 3. Notwithstanding Section 20.36.5.2, the reference to "2.0" is increased to a higher floor area ratio of "3.0" if, at the time Council adopts a zoning amendment bylaw to create the ZMU36 zone and include the lot in the zone, the owner:
 - a) agrees to provide not less than nine (9) **affordable housing units** on the **site** and the combined **habitable space** for the **affordable housing units** is not less than 5% of the total residential **floor area**;
 - b) enters into a **housing agreement** with respect to the **affordable housing units** and registered the **housing agreement** against title to the **lot** and files a notice in the Land Title Office; and
 - c) pays a sum to the **City** (**Child Care Reserve Fund**) based on 1% of the value of the total residential floor area ratio less the value of the **affordable housing unit floor area ratio** (i) multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m., if the payment is made within one year of third reading of the zoning amendment bylaw, or (ii) thereafter, multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m. adjusted by the cumulative applicable annual changes to the Statistics Canada "Non-residential Building Construction Price Index" for Vancouver, where such change is positive.
- 4. Notwithstanding Section 20.36.5.2 and Section 20.36.5.3, the **density** is increased by an additional **floor area ratio** of "1.0" if, at the time **Council** adopts a zoning amendment bylaw to create the ZMU36 **zone** and include the **lot** in the **zone**, the **owner**:
 - a) agrees to use the "1.0" additional **floor area ratio** for non-residential **uses** only; and

b) pays a sum to the City (City Centre Facility Development Fund) based on 5% of the "1.0" additional floor area ratio, calculated using the "equivalent to construction value" rate of \$6,997/ sq. m., if the payment is made within one year of third reading of the zoning amendment bylaw, or (ii) thereafter, multiplied by the "equivalent to construction value" rate of \$6,997/ sq. m. adjusted by the cumulative applicable annual changes to the Statistics Canada "Non-residential Building Construction Price Index" for Vancouver, where such change is positive.

20.36.6 Permitted Lot Coverage

1. The maximum **lot coverage** is 90% for **buildings**.

20.36.7 Yards & Setbacks

- 1. Minimum **setbacks** shall be:
 - a) for a **front yard**, 4.0 m., except that the **front yard** may be reduced to a minimum of 0.5 m. for a maximum of 33% of the **frontage** width for parts of the building at or above 12.0 m. above **finished site grade**, as specified in a Development Permit approved by the **City**;
 - b) for a **side yard**, 0.0 m.; and
 - c) for a **rear yard,** 0.0 m.
- 2. Notwithstanding 20.36.7.1, minimum **setbacks** for parts of a building directly adjacent to **City** land or land secured for public use via **right-of-way**, measured to a **lot line** or the boundary of the **right-of-way**, shall be:
 - a) where a door provides **access**, 1.5 m or the depth of the door swing, whichever is greater.

20.36.8 Permitted Heights

- 1. The maximum **building height** for **principal buildings** is 47.0 m. geodetic.
- 2. The maximum **building height** for **accessory buildings** is 12.0 m.

20.36.9 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot area** is 4,000.0 sq. m.

20.36.10 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

20.36.11 On-Site Parking and Loading

- 1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.
- 2. Notwithstanding Section 7.4.4 and Section 20.36.11.1, the minimum number of **parking spaces** required by this bylaw shall be:
 - a) for residential **uses**:
 - i) 0.9 resident **parking spaces** per residential **dwelling unit**; and
 - ii) 0.8 resident parking spaces per affordable housing unit, and
 - b) for non-residential **uses**:
 - i) for gross leasable floor area above the first two floors, **parking spaces** as required in Table 7.7.2.3 as applicable to development within CDT zones,

and then the minimum on-site parking requirements for residential **uses** (set out above) and for non-residential **uses** (set out in Section 7) may be further reduced by up to a maximum of 10%, where:

- c) transportation demand management measures are implemented including the use of car co-operatives, transit passes, private shuttles, carpools, enhanced end-of-trip cycling facilities, and other pedestrian, bicycle and transit connectivity improvements suitable to the **site** and the surrounding neighbourhood; and
- d) the minimum on-site parking requirements are substantiated by a parking study that is prepared by a registered professional engineer and is subject to review and approval of the **City**.
- 3. Notwithstanding Section 20.36.11.1, the minimum number of truck loading spaces is:
 - a) no large size truck spaces for residential **uses** and non-residential **uses**; and
 - b) 3.0 medium size truck spaces shared between non-residential and residential **uses**.

20.36.12 Other Regulations

- 1. Signage must comply with the City of Richmond's *Sign Bylaw 5560*, as it applies to **development** in the Downtown Commercial (CDT1) **zone**.
- 2. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
- 3. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply."

- The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following parcels and by designating them HIGH DENSITY MIXED USE (ZMU36) – BRIGHOUSE VILLAGE (CITY CENTRE):
 - P.I.D. 003-433-005
 LOT 4 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 7312
 P.I.D. 003-420-418
 - LOT 129 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 25835
 - P.I.D. 003-420-370 LOT 128 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 25835
 - P.I.D. 001-468-375 LOT 127 SECTION 9 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 25685
- 3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9855".

FIRST READING	MAY 1 4 2018	CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING		ARPROVED by Director
THIRD READING		or Solicitor
OTHER CONDITIONS SATISFIED		
ADOPTED		

MAYOR

CORPORATE OFFICE