



To: General Purposes Committee

Date: April 23, 2020

From: Wayne Craig
Director, Development

File: ZT 19-872212

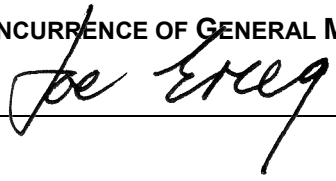
Re: **Application by Yuanheng Seaside Developments Ltd. / Yuanheng Seaview Developments Ltd. for a Zoning Text Amendment to the “Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)” Zone at 3399 Corvette Way and 3311 and 3331 No. 3 Road**

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 10162, for a Zoning Text Amendment to the “Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)” zone, a site-specific zone applicable at 3399 Corvette Way and 3311 and 3331 No. 3 Road, to permit:
 - a) The relocation of 964 m² (10,371 ft²) of permitted (unbuilt) floor area from the development’s first phase at 3331 No. 3 Road to its second phase at 3311 No. 3 Road and third phase at 3399 Corvette Way; and
 - b) An increase in the maximum combined total number of permitted dwelling units from 850 to 960 (without any increase in residential floor area);be introduced and given first reading.
2. That the terms of the voluntary developer community amenity contribution secured through the original rezoning of 3399 Corvette Way and 3311 and 3331 No. 3 Road (RZ 12-603040) be amended to permit the completion of the proposed City Centre North Community Centre, at 3311 No. 3 Road, to be deferred from December 31, 2021 to December 31, 2023.
3. That the Public Hearing for Richmond Zoning Bylaw 8500, Amendment Bylaw 10162, be waived.

Wayne Craig
Director, Development

WC:sch
Att. 8

| REPORT CONCURRENCE | | |
|---------------------|-------------------------------------|--|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER |
| Law | <input checked="" type="checkbox"/> |  |
| Recreation Services | <input checked="" type="checkbox"/> | |
| Project Development | <input checked="" type="checkbox"/> | |

Staff Report

Origin

Yuanheng Seaside Developments Ltd. and Yuanheng Seaview Developments Ltd. have applied to the City of Richmond for a Zoning Text Amendment to the “Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)” zone, the site-specific zone applicable to “Viewstar”, a three-lot, high-rise, mixed use development at 3399 Corvette Way (Lot C), 3311 No. 3 Road (Lot B), and 3331 No. 3 Road (Lot A) (Attachments 1, 2 and 3). The purpose of the application is to permit changes to the:

1. Site-specific (ZMU30) zone, including:
 - a) Relocating 964 m² (10,371 ft²) of permitted (unbuilt) floor area from the development’s first phase at 3331 No. 3 Road (Lot A) to its second phase at 3311 No. 3 Road (Lot B) and third phase at 3399 Corvette Way (Lot C); and
 - b) Increasing the maximum combined total number of permitted dwelling units from 850 to 960 (without any increase in residential floor area); and
2. Terms of the voluntary developer community amenity contribution secured through rezoning of the subject site (RZ 12-603040) to permit the completion of the proposed City Centre North Community Centre at 3311 No. 3 Road (Lot B) to be deferred from December 31, 2021 to December 31, 2023.

Findings of Fact

In addition to the subject Zoning Text Amendment application, to date the “Viewstar” project has involved the following development applications:

- | | |
|--|-----------------------|
| 1. Rezoning (RZ 12-603040): | Adopted May 8, 2017 |
| 2. Development Permits: | |
| a) 3331 No. 3 Road (Lot A) (DP 16-745853) | Issued May 8, 2017 |
| b) 3311 No. 3 Road (Lot B) and 3399 Corvette Way (Lot C) (DP 17-794169) | In circulation |
| 3. Building Permit: Lot A (BP 17-792079) | Issued March 13, 2018 |

A Development Application Data Sheet, providing details about the subject development proposal, is attached. (Attachment 4)

Surrounding Development

Development near the subject site includes:

To the North: Sea Island Way (a designated Provincial highway providing access to the airport), beyond which is a proposed high-rise, high density, mixed hotel/office development by New Continental Properties (RZ 13-628557 / ZT 19-875774).

To the East: No. 3 Road, beyond which is the Canada Line and future location of Capstan Station, a neighbourhood park, and two multi-phase, high-rise, high density, mixed use developments, including one by Pinnacle Living (RZ 10-544729 / RZ 12-610011 / ZT 18-827860) that includes an Early Childhood Development

Hub (under construction) and another by Concord Pacific (RZ 17-769242) that includes a non-profit arts space.

To the South: Capstan Way (a designated greenway route), beyond which is an area of low-rise, automobile-oriented commercial uses that is designated under the City Centre Area Plan (CCAP) for medium- and high-rise, mixed use development and riverfront park.

To the West: The Middle Arm of the Fraser River and land secured through the “Viewstar” rezoning (RZ 12-603040) for development, at the developer’s sole cost, of a new City-owned riverfront park. In addition, adjacent to the proposed park is an existing three-tower, mixed hotel/residential development at 3099, 3111, and 333 Corvette Way (“Wall Centre”) and located between Lots A and C is a vacant parcel proposed for development with a two-tower, mixed residential/hotel/retail project pending rezoning adoption by Minglian Holdings (RZ 15-699647).

Related Policies & Studies

Official Community Plan (OCP) / City Centre Area Plan (CCAP) Schedule 2.10

The subject site is located in the City Centre’s Capstan Village area, which is designated as a high density, mixed use, transit-oriented community focussed around the future Capstan Canada Line Station and associated park and transit plaza amenities, pedestrian-oriented commercial uses, and community facilities. The subject Zoning Text Amendment application and “Viewstar” development comply with all applicable OCP and CCAP policies and include:

1. High density mixed use development, including pedestrian-oriented retail along No. 3 Road and Capstan Way, an office tower near Sea Island Way, and 10 residential towers (i.e. six on Lot A, two on Lot B, and two on Lot C);
2. “Institution” use in the form of a City-owned 3,107 m² (33,439 ft²) community centre (to be constructed to a turnkey level of finish at the developer’s sole cost);
3. Public open space amenities, including a 2,963 m² (0.73 ac) riverfront park, greenway improvements along Capstan Way, and a community centre plaza; and
4. Affordable low-end-of-market-rental (LEMR) housing, based on 5% of maximum permitted residential floor area (as required by the City policy in effect at the time of rezoning adoption), all of which shall be constructed to a turnkey level of finish, at the developer’s sole cost, in “Viewstar’s” first two phases (as secured by legal agreements registered on title prior to rezoning adoption).

Public Consultation

Zoning Text Amendment informational signage has been installed on the subject property. At the time of writing the subject report, staff have not received any comments from the public about the application in response to the placement of the information signage on the property.

Public Hearing

The *Local Government Act* requires that a public hearing be held by a local government between the first reading and third reading of a zoning amendment bylaw. A local government may waive

the holding of a public hearing on a proposed zoning bylaw if an Official Community Plan (OCP) is in effect for the area that is subject to the zoning bylaw, and the bylaw is consistent with the OCP.

Staff recommend that the public hearing for Richmond Zoning Bylaw 8500, Amendment Bylaw 10162, be waived. Waiving of the requirement to hold a public hearing must be approved by a resolution of Council. This can be supported on the basis that:

1. As required under the *Local Government Act*, the subject zoning amendment bylaw is subject to and consistent with the Official Community Plan;
2. The “Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)” zone is a site-specific zone, only applicable to the three subject properties at 3399 Corvette Way and 3311 and 3331 No. 3 Road;
3. The proposed zoning amendment bylaw does not involve any change in use or increase in density beyond what the ZMU30 zone currently permits and, if approved, would have minimal impact on building massing; and
4. Council approval of the proposed changes to the terms of the voluntary developer community amenity contribution secured through RZ 12-603040, to permit the completion of the proposed City Centre North Community Centre to be deferred from December 31, 2021 to December 31, 2023, does not require a public hearing.

If Council approves waiving of the public hearing, notice must be published in the newspaper (not less than 3 days and not more than 10 days before the bylaw is given third reading) and mailed to affected owners and tenants (at least 10 days before the bylaw is given third reading).

Should the public hearing for the subject application be waived, there would be no items scheduled for the June public hearing and it could be cancelled.

Analysis

1. Proposed Change to the ZMU30 Zone’s Required Floor Area Distribution

The ZMU30 zone specifies the maximum floor area permitted on the “Viewstar” site in total and on a lot-by-lot basis. The lot-by-lot floor area distribution was determined through the rezoning process (RZ 12-603040). The actual floor area approved through the subsequent Development Permit for “Viewstar’s” first phase (Lot A) is 964 m² (10,371 ft²) less than the maximum permitted under the ZMU30 zone. The developer proposes to amend the ZMU30 zone to permit the transfer of the permitted unbuilt floor area from Lot A to Lots B and C, as indicated in the table below. In addition, the developer proposes to make a minor reduction in the total amount of residential floor area permitted in order to increase the amount of commercial floor area in the development’s second phase (Lot B).

| MAX. PERMITTED BUILDABLE FLOOR AREA | | | | | | |
|-------------------------------------|-------|-----------------|-------------------------|-----------------------------|-------------------------------|---------------|
| Lot | Phase | Use | Existing ZMU30 Zone | Proposed Distribution | Net Difference | |
| A | 1 | Residential | 54,977.8 m ² | 54,014.2 m ² (1) | LESS 963.6 m ² (1) | |
| | | Non-Residential | 2,131.0 m ² | 2,131.0 m ² (1) | N/A | |
| B | 2 | Residential | 21,015.0 m ² | 21,572.5 m ² | MORE 557.5 m ² | Lot B Total = |

| MAX. PERMITTED BUILDABLE FLOOR AREA | | | | | | |
|-------------------------------------|-------|-----------------|--------------------------|--------------------------|---------------------------|---------------------------|
| Lot | Phase | Use | Existing ZMU30 Zone | Proposed Distribution | Net Difference | |
| | | Non-Residential | 22,164.8 m ² | 22,364.5 m ² | MORE 199.7 m ² | MORE 757.2 m ² |
| C | 3 | Residential | 12,843.2 m ² | 13,049.6 m ² | MORE 206.4 m ² | |
| | | Non-Residential | Nil | Nil | N/A | |
| Total | | Residential | 88,836.0 m ² | 88,636.3 m ² | LESS 199.7 m ² | |
| | | Non-Residential | 24,295.8 m ² | 24,495.5 m ² | MORE 199.7 m ² | |
| | | Combined Total | 113,131.8 m ² | 113,131.8 m ² | N/A | |

(1) As approved through "Viewstar's" Development Permit for Lot A / Phase 1 (DP 16-745853).

Staff are supportive of the developer's proposal on the basis that:

- a) There is no proposed increase in the combined total floor area of Lots A, B, and C;
- b) The relocated floor area represents less than a 2% increase in the Lots B and C floor areas and will have no impact on roads or engineering services secured through RZ 12-603040;
- c) Any impact on form or character will be negligible, as the relocated floor area represents:
 - For Lot B, +/- 20 m² (220 ft²) (i.e. <3%) additional per residential tower floorplate; and
 - For Lot C, +/- 8 m² (85 ft²) (i.e. <2%) additional per residential tower floorplate; and
 prior to Zoning Text Amendment bylaw adoption, the form and character of Lots B and C shall be considered through a Development Permit application (DP 17-794169) processed to a level deemed acceptable to the Director of Development;
- d) The developer's community amenity (i.e. City Centre North Community Centre) and affordable LEMR housing contributions (secured via RZ 12-603040) will be unaffected, as they are specified in the ZMU30 zone and secured with legal agreements on title; and
- e) The proposed minor increase in non-residential floor area on Lot B is consistent with CCAP objectives for locating commercial uses near No. 3 Road and the Canada Line.

2. Proposed Change to the ZMU30 Zone's Maximum Number of Permitted Dwellings

The ZMU30 zone limits the maximum number of dwelling units permitted on the "Viewstar" site to 850. This requirement was not imposed to satisfy any OCP or CCAP population limits. Instead, this limit was determined through rezoning (RZ 12-603040) based on the size of the developer's Capstan Station Bonus publicly accessible open space contribution.

The Capstan Station Bonus is applicable to developments, like "Viewstar", that contribute funds, at the Council-approved rate, towards the future construction of Capstan Station. Developments using the Bonus must contribute publicly accessible open space (secured as dedication, fee-simple, and/or Statutory Rights-of-Way) at a rate 5 m² (54 ft²) per dwelling unit. "Viewstar's" public open space contribution (secured prior to rezoning adoption) has an area of 4,308 m² (1.1 ac), including the proposed riverfront park, Capstan greenway improvements, and community centre plaza. This amount of open space exceeds the minimum area required for 850 dwellings by 58 m² (629 ft²) (i.e. 850 units x 5 m² per unit = 4,250 m²). Increasing "Viewstar's" maximum permitted number of dwellings from 850 to 960 would require the developer to contribute an additional 492 m² (0.1 acres) of public open space (Attachment 8, Schedule A).

| Lot | Phase | PROPOSED # DWELLING UNITS | | | PROPOSED UNIT MIX | | | |
|-------|-------|---------------------------|--------------------------|---------------------------|-------------------|---------------|------------------|---------------|
| | | Market Units | Affordable LEMR Units | Total | Market Units | | Affordable Units | |
| | | | | | Bachelor & 1-BR | 2-BR & larger | Bachelor & 1-BR | 2-BR & larger |
| A | 1 | 536 (as per DP 16-745853) | 41 (as per DP 16-745853) | 577 (as per DP 16-745853) | 30% | 70% | 30% | 70% |
| B | 2 | 275 | 19 | 294 | 51% | 49% | 47% | 53% |
| C | 3 | 89 | Nil (as per ZMU30) | 89 | Nil | 100% | N/A | N/A |
| Total | | 900 | 60 | 960 | 33% | 67% | 35% | 65% |

Staff are supportive of the developer’s proposal on the basis that:

- a) The proposed number of dwellings is consistent with OCP/CCAP population projections;
- b) There will be no reduction in the developer’s affordable housing contribution secured at the time of “Viewstar’s” original rezoning (RZ 12-603040), all of which is required to be constructed in the development’s first two phases (Lots A and B) and includes a total of 60 LEMR units (i.e. 41 under construction in the development’s first phase and 19 proposed for its second phase) with a combined total habitable floor area of at least 4,442 m² (47,811 ft²) (i.e. based on 5% of the development’s originally approved total residential floor area, as required by the City policy in effect at the time of rezoning);
- c) The proposed unit mix provides 65+% family-friendly 2-bedroom and larger units for market housing and affordable LEMR housing tenants (as indicated in table above), which exceeds the OCP policy requiring 40% of multi-family dwellings to have two or more bedrooms;
- d) Parking will be provided, on a lot-by-lot basis, in compliance with the Zoning Bylaw; and
- e) The addition of 492 m² (0.1 acres) of publicly accessible open space will provide for public open space improvements (Attachment 8, Schedule A) including:
 - On Lot B, expansion of the community centre plaza (doubling its programmable area), a new plaza along No. 3 Road, and a landscaped seating area on the lot’s west side near the existing “Wall Centre” residential/hotel development; and
 - On Lot C, widening of the riverfront park and a plaza at the park’s north end.

The additional publicly accessible open space will be specified in the ZMU30 zone and secured with Statutory Rights-of-Ways registered on title to Lots B and C prior to adoption of the Zoning Text Amendment bylaw. The size, configuration, and design of each individual public open space will be determined, to the City’s satisfaction, prior to Zoning Text Amendment bylaw adoption, through the Lot B and C Development Permit processes (DP 17-794169) and the required landscape improvements will be secured via the development’s Development Permit landscape security (Letter of Credit). In addition, the design of the community centre plaza will be subject to all applicable community centre design review and Council approval processes.

3. Proposed Refinements to the City Centre North Community Centre’s Design and Delivery

The community centre is part of “Viewstar’s” second phase (Lot B) and its delivery is secured by legal agreements registered on title to the lands, which require, among other things, that:

- a) A Building Permit (BP) is issued for Lot B, including a City-approved design for the community centre, prior to first occupancy of “Viewstar’s” first phase (Lot A); and
- b) The community centre is complete, to the City’s satisfaction, on or before December 31, 2021.

Due to protracted Ministry of Transportation and Infrastructure (MOTI) approval processes affecting Lot B, Building Permit issuance for Lot B and construction of the community centre have been delayed and the developer is unable to meet the above commitments. The developer has requested that:

- a) Occupancy of four of the six towers currently under construction on Lot A (i.e. 393 of 577 units) be permitted ahead of BP issuance for Lot B; and
- b) The community centre’s completion date be deferred to December 31, 2023.

The proposed completion date (December 31, 2023) is based on a 33 month construction schedule (April 2021 to December 2023), which assumes the Building Permit for Lot B will be issued in March 2021. If Building Permit issuance is delayed, the developer’s ability to complete the community centre by December 31, 2023 may be compromised. The City will use all reasonable efforts to achieve the permit issuance date, on the understanding that the developer shall satisfy, fulfil, and comply with all bylaw, Building Code, and related requirements as needed to facilitate the timely issuance of the required permit. Occupancy restrictions remaining on Phase 1 residential units ensure that the community centre is not unduly delayed.

In light of the developer’s request, the following changes are proposed to the requirements approved through RZ 12-603040 and secured by legal agreements registered on title to the lands.

| RZ 12-603040 | | PROPOSED | COMMENTS |
|-----------------|---|---|---|
| Occupancy Holds | Lot A (Phase 1) only: <ul style="list-style-type: none"> ▪ Community centre BP must be issued prior to occupancy of Lot A. | Prior to BP issuance for the community centre, occupancy of 4 of Lot A’s 6 towers (68% of units) would be permitted (i.e. 393 of 577 units, including all 41 of Lot A’s affordable LEMR housing units). | Completion/occupancy of Lot A’s 6 towers is planned for 3 stages: <ul style="list-style-type: none"> ▪ Dec. 2020 (2 towers/190 units) ▪ Jan. 2021 (2 towers/203 units) ▪ July 2021 (2 towers/184 units). The revised hold would apply to the final 2 towers only (32% of units). |
| | Lots B & C (Phases 2 & 3): <ul style="list-style-type: none"> ▪ Community centre must be complete, to the City’s satisfaction, prior to occupancy of Lots B and C. | No change. | N/A |

| RZ 12-603040 | | PROPOSED | COMMENTS |
|--------------------------|---|---|---|
| Enhanced Facility Design | The community centre design must comply with the conceptual design and Terms of Reference (TOR) approved through the rezoning. Under the existing agreement, the City has little ability to vary the facility design or program elements. | The developer agrees to allow the City to modify the approved conceptual design and TOR to: <ul style="list-style-type: none"> ▪ Provide for minor interior changes that do not impact overall construction costs ▪ Improve interior daylighting with additional lobby and 2nd floor (clerestory) windows (Attachment 6) ▪ Roughly double the programmable area of the plaza (Attachment 7) | The proposed change would allow the City to fine-tune the facility's design to better meet anticipated community needs (both indoors and outdoors). The revised design will be undertaken through the pending Lot B Development Permit process (DP 17-794169). |
| City Costs | City Project Costs: <ul style="list-style-type: none"> ▪ \$600,000 (cash) was submitted prior to rezoning to cover City costs related to project management (PM), construction management (CM), and the installation of fibre optic equipment (FOE). | To ensure that the City does not incur any costs as a result of the facility's revised delivery date, the developer proposes to voluntarily contribute an additional \$136,000 (bringing the developer's total contribution to \$736,000) for City cost recovery and escalation. | The developer contribution would be submitted as cash prior to BP issuance for Lot B, and include: <ul style="list-style-type: none"> ▪ Cost recovery for PM: \$75,000 ▪ Cost escalation to Dec 2023 for: <ol style="list-style-type: none"> i. PM: \$31,000, ii. CM: \$15,000, iii. FOE: \$15,000. |
| | Furniture/Fixtures/Equipment (FFE): <ul style="list-style-type: none"> ▪ The City is responsible for 100% of FFE costs (which are valued at \$1.6 M). | To reduce City Capital Costs associated with opening the facility, the developer proposes to voluntarily contribute \$800,000 towards the facility's FFE costs. | The proposed change would see 50% of estimated FFE costs borne by the developer. The contribution would be secured as a Letter of Credit prior to BP issuance for Lot B; replaced with cash 1 year before community centre completion (Dec 31, 2022). |

In addition to the requirements listed in the table above, prior to “Viewstar’s” original rezoning adoption (RZ 12-603040), the developer submitted a Letter of Credit (\$2,810,500) to cover possible construction deficiencies and entered into a legal agreement, registered on title to the lands, that permits the City to impose a financial penalty if completion of the community centre is delayed (i.e. past the revised December 31, 2023 delivery date). These requirements will apply regardless of the changes under consideration.

Voluntary developer contributions secured through rezoning processes, like the City Centre North Community Centre, are market-driven and, thus, can be susceptible to forces outside the City’s control. Denying the developer’s proposal could compromise the developer’s ability to complete Lot A and construct the community centre, and would mean the loss of additional community benefits and compensation volunteered by the developer. In light of this, staff are supportive of the developer’s proposal, the terms of which, if approved, would be secured with legal agreements registered on title to the lands prior to Zoning Text Amendment bylaw adoption. Key points are summarized below and expanded upon in the attached memorandum (Attachment 5):

- a) A late-2023 community centre opening may improve initial attendance as:
 - Capstan Station would be operational (i.e. anticipated mid-2022 completion); and
 - Continued residential development in Capstan Village will mean higher numbers of completed and occupied dwellings in the surrounding area;

- b) The developer's commitment to deliver the City Centre North Community Centre would remain tied to occupancy holds on two of Lot A's six towers, "Viewstar's" first phase, which represent 32% of Lot A's total units (i.e. 184 market units) ;
- c) The developer's agreement to allow refinements and enhancements to the previously approved community centre conceptual design and Terms of Reference will enable the City to better ensure the facility will meet anticipated community needs, with, among other things, improved interior daylighting (Attachment 6) and expanded programmable plaza space (Attachment 7), the design of which refinements and enhancements will be undertaken through the pending Lot B Development Permit (DP 17-794169) and the related community centre design review and Council approval processes; and
- d) Additional developer cash-in-lieu contributions will:
 - Fully cover City costs arising from the community centre's revised delivery date with respect to project and construction management and fibre optic equipment (\$136,000), which contribution will be submitted as cash prior to Building Permit issuance for the community centre and Lot B; and
 - Reduce City costs for furnishings, fixtures, and equipment by 50% (\$800,000), which contribution will be secured in the form of a Letter of Credit prior to Building Permit issuance for the community centre and Lot B and replaced with cash on December 31, 2022 (i.e. one year ahead of the proposed community centre completion, to ensure that the City has the funds available for its procurement of furnishings and related requirements).

The developer's proposal, as described above, was presented to and endorsed by the Senior Management Team and Chief Administrative Officer.

Zoning Bylaw

To facilitate the developer's proposed floor area distribution and dwelling unit changes, amendments to "Viewstar's" site-specific ZMU30 zone are required (as per Zoning Amendment Bylaw 10162), including:

1. 964 m² (10,371 ft²) of permitted floor area is relocated from Lot A to Lots B and C;
2. Permitted residential floor area is reduced by 200 m² (2,150 ft²) and the permitted amount of non-residential floor area is increased by a corresponding amount;
3. Maximum permitted number of dwellings is increased from 850 to 960;
4. The minimum Capstan Station Bonus public open space requirement is increased to 4,800 m² (1.2 acres) to reflect the increase in permitted number of dwelling units; and
5. The minimum affordable housing contribution is specified, overall and lot-by-lot, to reflect the approved Lot A development (DP 16-745853) and clarify the minimum requirement for Lot B (DP 17-7941269/in circulation).

Site Servicing and Frontage Improvements

Off-site Engineering, Transportation, and Parks requirements with respect to "Viewstar" were identified and secured via the developer's original rezoning (RZ 12-603040). Legal agreements are registered on title requiring that all necessary improvements are designed and constructed, at

the developer's sole cost, on a phase-by-phase basis, via the City's standard Servicing Agreement processes.

Existing Legal Encumbrances

Various existing legal agreements registered on title must be revised to facilitate "Viewstar's" proposed changes in floor area distribution, maximum permitted number of dwelling units (and related Capstan Station Bonus publicly accessible open space requirements), and the developer's completion of the City Centre North Community Centre. These revisions are itemized in the attached Zoning Text Amendment Considerations (Attachment 8).

Financial Impact or Economic Impact

Furniture, fixtures, and equipment (FFE) for the City Centre North Community Centre are estimated to have a value of \$1.6 M (2023 dollars). Acceptance of the developer's voluntary cash-in-lieu contribution towards these items would reduce future City costs by 50% (\$800,000).

Conclusion

Yuanheng Seaside Developments Ltd. and Yuanheng Seaview Developments Ltd. have applied to the City of Richmond for a Zoning Text Amendment to the "Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre)" zone with respect to "Viewstar", a 3-phase, high-rise, mixed use development, for the purpose of relocating 964 m² (10,371 ft²) of unbuilt floor area from the project's first phase to its second and third phases, increasing the maximum permitted number of dwellings units from 850 to 960, and deferring the developer's completion of the City Centre North Community Centre from December 31, 2021 to December 31, 2023. The developer's proposal is consistent with OCP and CCAP population projections and will not increase the project's buildable floor area. To satisfy Capstan Station Bonus requirements, the developer will provide 492 m² (0.1 acres) of additional publicly accessible open space, including an expanded community centre plaza. Other community centre benefits include increased design/program flexibility for the City and a voluntary developer cash-in-lieu contribution to cover 50% of City costs for furnishings, fixtures, and equipment. The proposed deferral in the community centre's completion can be supported on the basis that, by December 2023, Capstan Station will be operational and additional residential units will have been constructed nearby, the developer will voluntarily contribute funds to offset City costs arising from the deferral, and legal agreements will secure the developer's commitment.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10162 be introduced and given first reading.



Suzanne Carter-Huffman
Senior Planner / Urban Design

SCH:cas

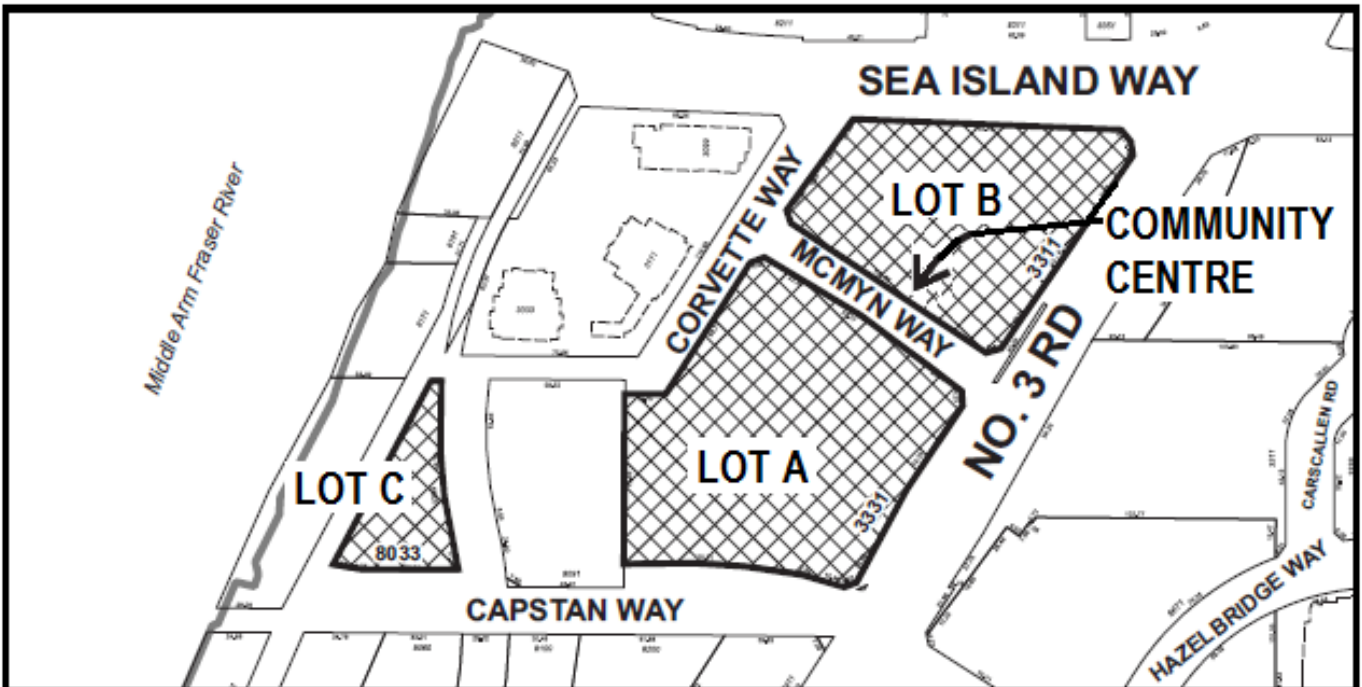
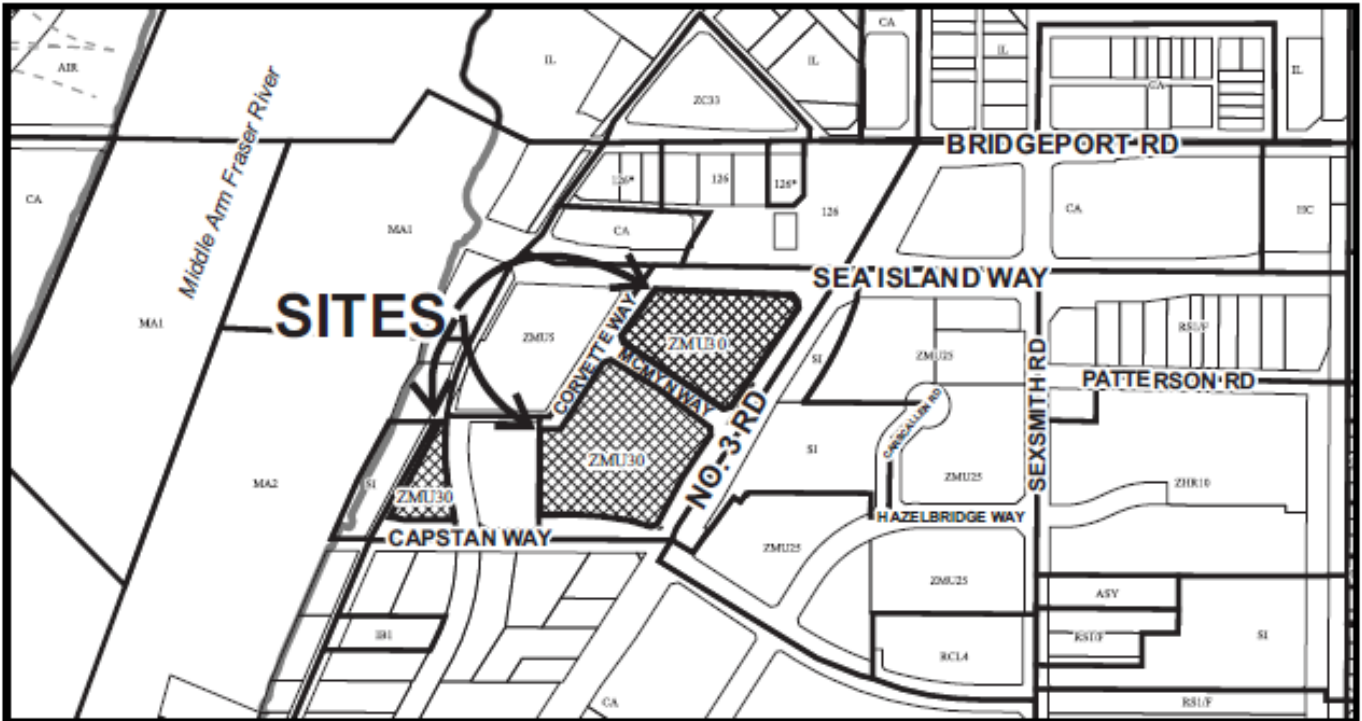
Attachments:

1. Location Map

2. Aerial Photograph
3. Proposed Development
4. Development Application Data Sheet
5. Memorandum
6. Community Centre – Improved Interior Daylighting
7. Community Centre – Expanded Plaza (Preliminary)
8. Zoning Text Amendment Considerations, including “Schedule A”, Capstan Station Bonus (CSB) – Additional Publicly Accessible Open Space Requirements



City of
Richmond



ZT 19-872212

Original Date: 09/12/19

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 19-872212

Original Date: 09/12/19

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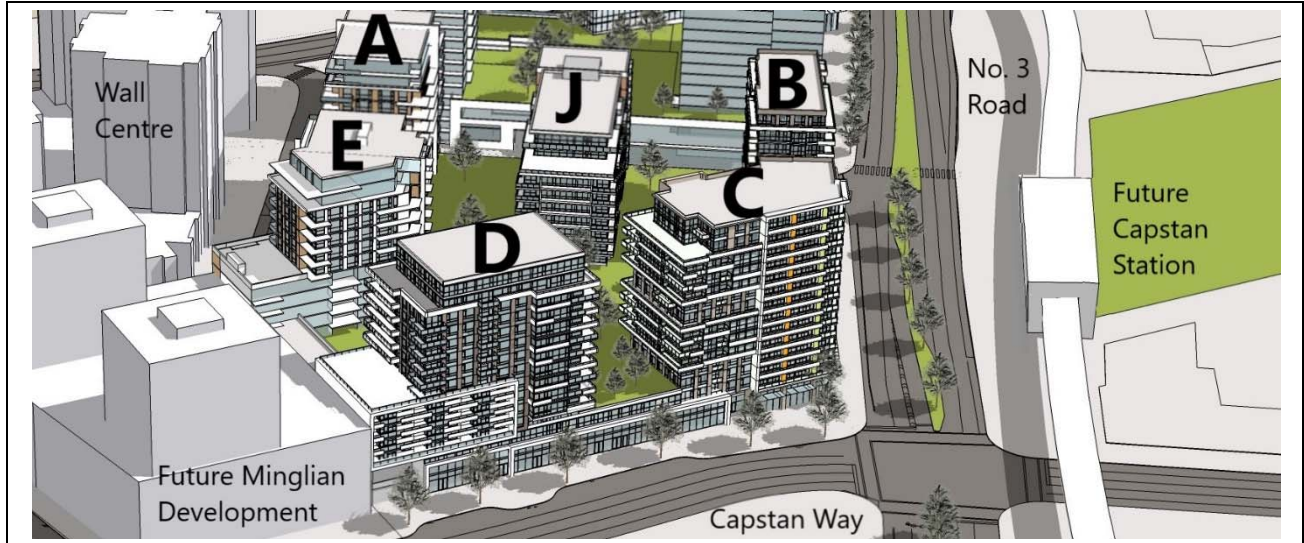
Note: Dimensions are in METRES

“VIEWSTAR” Site Plan

3331 No. 3 Rd (Lot A/Phase 1/under construction), 3311 No. 3 Rd (Lot B/Phase 2) & 3399 Corvette Way (Lot C/Phase 3)



“VIEWSTAR” @ 3331 No. 3 Road (Lot A/Phase 1) – Under construction

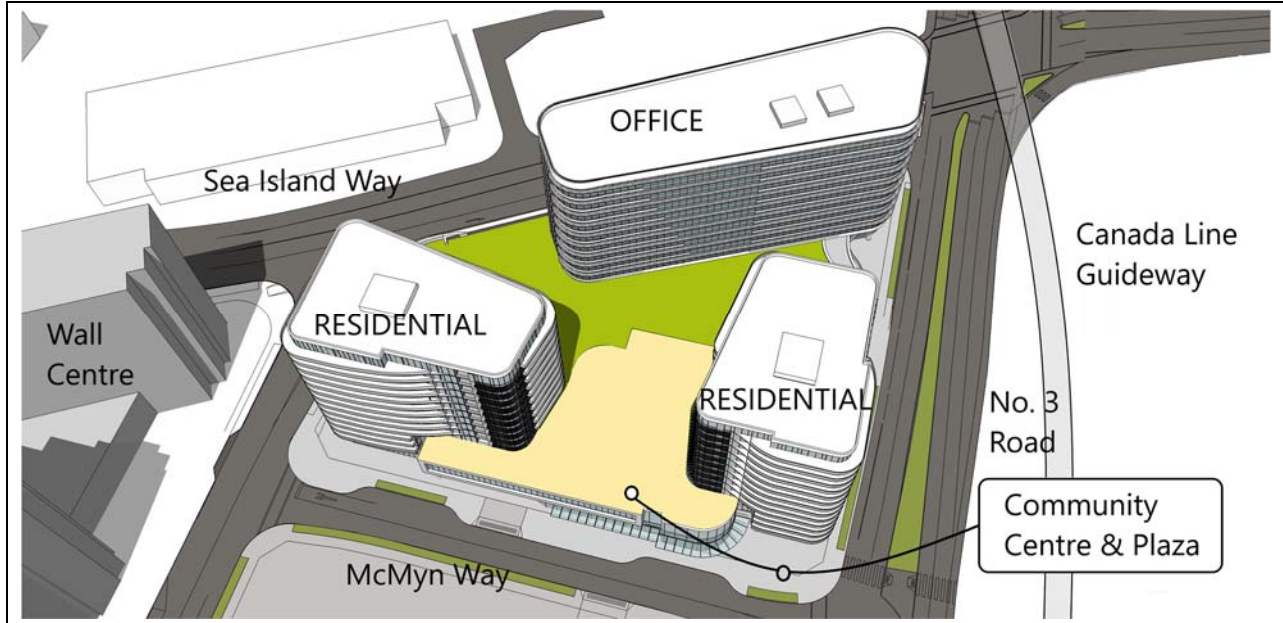


A bird's eye view showing the 6 residential towers under construction at 3331 No. 3 Road (Lot A). As approved through DP 16-745853, occupancy will begin with Towers B/C, followed by Towers A/J. Under the subject application, ZT 19-872212, a BP must be issued for Lot B and the community centre prior to occupancy of Towers D/E.



View looking at Tower C (foreground) and the No. 3 Road frontage of 3331 No. 3 Road (Lot A), at Capstan Way.

“VIEWSTAR” @ 3311 No. 3 Road (Lot B/Phase 2)

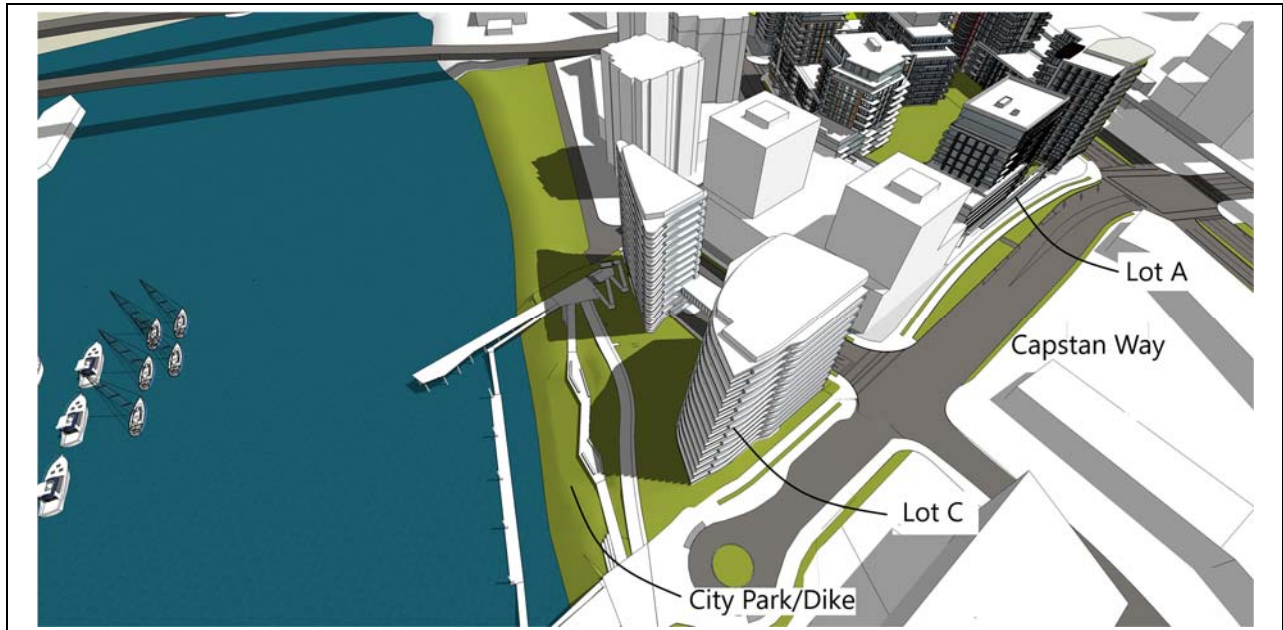


A bird's eye view showing the proposed community centre and plaza at the corner of No. 3 Road and McMyn Way.



View looking north along No. 3 Road (near the future site of the Capstan Canada Line Station) towards 3311 No. 3 Road (Lot B) showing the proposed office tower on the right, the community centre framed by two residential towers, and the existing Wall Centre development in the background. Prior to adoption of the Zoning Text Amendment bylaw, a Development Permit application (DP 17-794169) shall be processed for Lot B to the satisfaction of the Director of Development and the design of the community centre shall be subject to addition design review and approval processes.

“VIEWSTAR” Lot C



Bird's eye view looking north over 3399 Corvette Way (Lot C/Phase 3) and the proposed City-owned riverfront park with 3331 No. 3 Road (Lot A/Phase 1) in the background.



View looking east towards the proposed City-owned riverfront park (to be designed and constructed, to the City's satisfaction, at the developer's sole cost, via the City's standard Servicing Agreement processes). Fronting onto the park are two proposed residential towers located at 3399 Corvette Way (Lot C/Phase 3), the design of which shall be subject to Development Permit review (DP 17-794169), to the satisfaction of the Director of Development, prior to adoption of the Zoning Text Amendment bylaw.



ZT 19-872212

Address: 3399 Corvette Way (Lot C), 3311 No. 3 Road (Lot B), and 3331 No. 3 Road (Lot A)

Applicant: Yuanheng Seaside Developments Ltd. / Yuanheng Seaview Developments Ltd.

Planning Area(s): City Centre (Capstan Village)

| | Existing | Proposed |
|---|--|-------------------------------------|
| Owner | Yuanheng Seaside & Seaview Developments | No change |
| Site Size | 3 lots comprising 24,643 m ² (265,255 ft ²) | No change |
| Land Uses | Vacant (under construction) | Mixed residential & commercial uses |
| OCP Designation | Mixed Use & Park | No change |
| CCAP Designation | Institution (i.e. community centre), Urban Centre (T5), Capstan Station Bonus & Park | No change |
| Zoning | Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre) | No change |
| Aircraft Noise Sensitive Development | Moderate (Area 3) – All uses may be considered | No change |

NOTE: Lot references (below) mean 3399 Corvette Way (Lot C), 3311 No. 3 Road (Lot B), and 3331 No. 3 Road (Lot A)

| | Existing ZMU30 Zone | Proposed | Variance |
|---|---|---|----------------|
| Buildable Floor Area* (Max): • Total | 113,131.8 m ² including: • Lot A: 57,108.8 m ² • Lot B: 43,179.8 m ² • Lot C: 12,843.2 m ² | 113,131.8 m ² including: • Lot A: 56,145.2 m ² • Lot B: 43,937.0 m ² • Lot C: 13,049.6 m ² | None permitted |
| Buildable Floor Area* (Max): • Residential | 88,836.0 m ² including: • Lot A: 54,977.8 m ² (1) • Lot B: 21,015.0 m ² (1) • Lot C: 12,843.2 m ² (1) Lots A & B include a combined total of at least 4,441.8 m ² of affordable LEMR housing | 88,636.3 m ² including: • Lot A: 54,014.2 m ² (1) • Lot B: 21,572.5 m ² (1) • Lot C: 13,049.6 m ² (1) Lots A & B include a combined total of at least 4,441.8 m ² of affordable LEMR housing | None permitted |
| Buildable Floor Area* (Max): • Non-Residential | 24,295.8 m ² including: • Lot A: 2,131.0 m ² • Lot B: 22,164.8 m ² (2) • Lot C: Nil (2) Lot B includes at least 3,106.6 m ² for community centre use | 24,495.5 m ² including: • Lot A: 2,131.0 m ² • Lot B: 22,364.5 m ² (2) • Lot C: Nil (2) Lot B includes at least 3,106.6 m ² for community centre use | None permitted |
| No. Dwellings (Max) | 850 | 960 | None permitted |
| Lot Coverage (Min) | 90% | No change | None |
| Setbacks (Min) | 3.0 m to a lot line or rights-of-way secured for public open space purposes, but may be reduced if proper interfaces are provided | No change | None |
| Height (Max) | 47.0 m | No change | None |

* Preliminary estimate (not inclusive of garage). Actual building size to be confirmed lot-by-lot at Building Permit stage.



City of
Richmond

Memorandum
Community Services Division
Recreation Services

To: Wayne Craig
Director, Development

Date: April 21, 2020

From: Elizabeth Ayers
Director, Recreation and Sport Services

File: 06-2052-25-CCNO1/Vol 01

Re: **Application by Yuanheng Seaside Developments Ltd. – Deferral of Community Centre Completion**

The purpose of this memo is to confirm Community Recreation Services' support of the proposal from Yuanheng Seaside Developments Ltd. to defer completion of the community centre in the Capstan Village area from December 31, 2021 to December 31, 2023, as proposed in Zoning Text Amendment application (ZT-19-872212).

Although, the City Centre is identified as the area with the greatest projected population growth in Richmond, the Capstan Village population can adequately be accommodated at the City's other community services facilities, in particular the City Centre Community Centre, the new Minoru Centre for Active Living and the Richmond Olympic Oval, until the new community centre is completed in December 2023. By this time, the number of dwellings in Capstan Village are projected to increase by 60 per cent, or from approximately 2,700 to 4,400 units, compared to December 2020. The Capstan Station will also be operational, bringing even more people to the Capstan Village area. Aligning the community centre's completion with this population surge will ensure increased attendance and access to community recreation services for a larger number of the local population starting from opening day.

As a result of the delay the Developer has agreed to provide additional benefits that will significantly enhance the community centre. The benefits negotiated are:

1. Expanded Public Plaza – An expanded outdoor community centre plaza of approximately 2,000 sq. ft. which will serve as a public gathering space as well as an area for enhanced programs and events. These opportunities will provide improved service to the community and build a sense of belonging for the new residents;
2. Design Modifications – The Developer has agreed to allow flexibility to modify and fine-tune the previously approved community centre conceptual design and Terms of Reference to better meet anticipated community needs and interests. These changes will provide enhanced customer experiences without impacting overall construction costs;
3. Improved Interior Daylighting – The Developer has identified opportunities to provide additional natural daylight, particularly to interior spaces that were previously without windows. This will provide a more vibrant facility with increased program flexibility; and

4. Cash contribution of \$800,000 – The Developer will provide an additional cash-in-lieu contribution of \$800,000 towards the Furnishings, Fixtures, and Equipment (FFE) for the facility. The FFE budget is projected to be \$1.6M and is the responsibility of the City, resulting in an \$800,000 capital savings to the City.

In summary, the proposed deferral in the community centre's completion is supported for the reasons outlined above. Denying the developer's Zoning Text Amendment proposal could compromise the developer's ability to construct the community centre, and would mean the loss of additional community benefits and compensation volunteered by the developer.

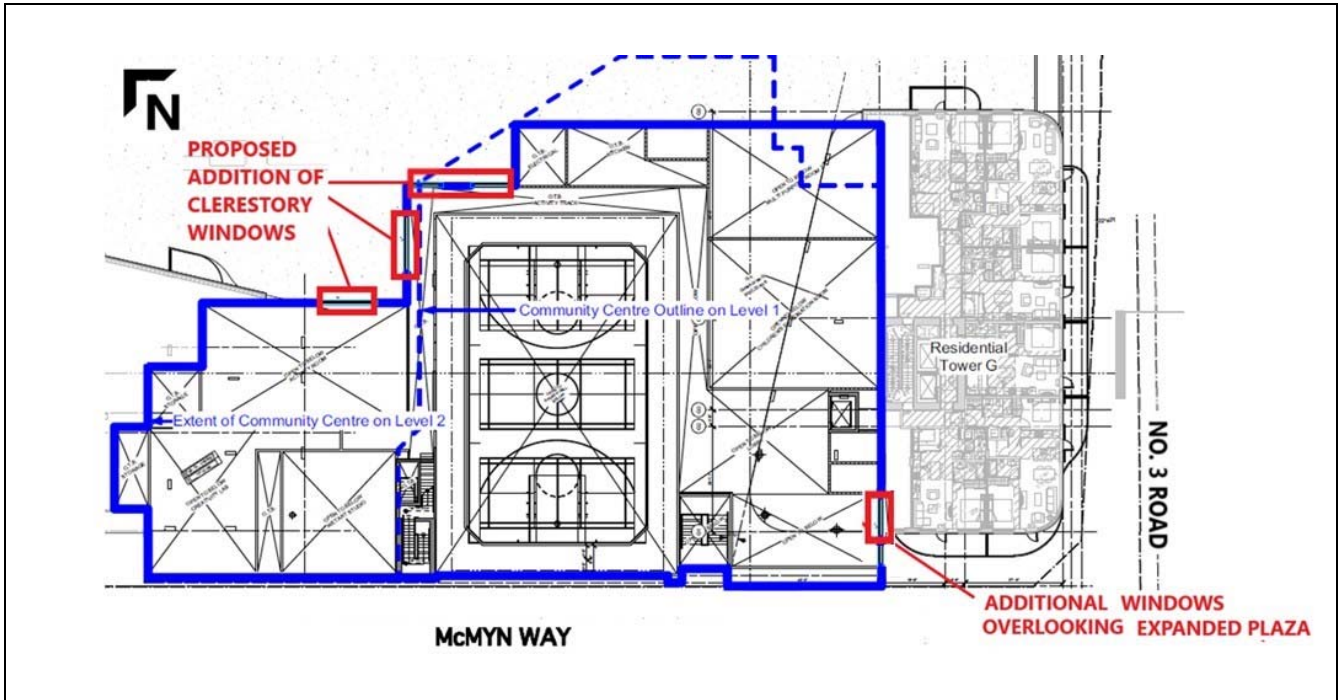
Regards,



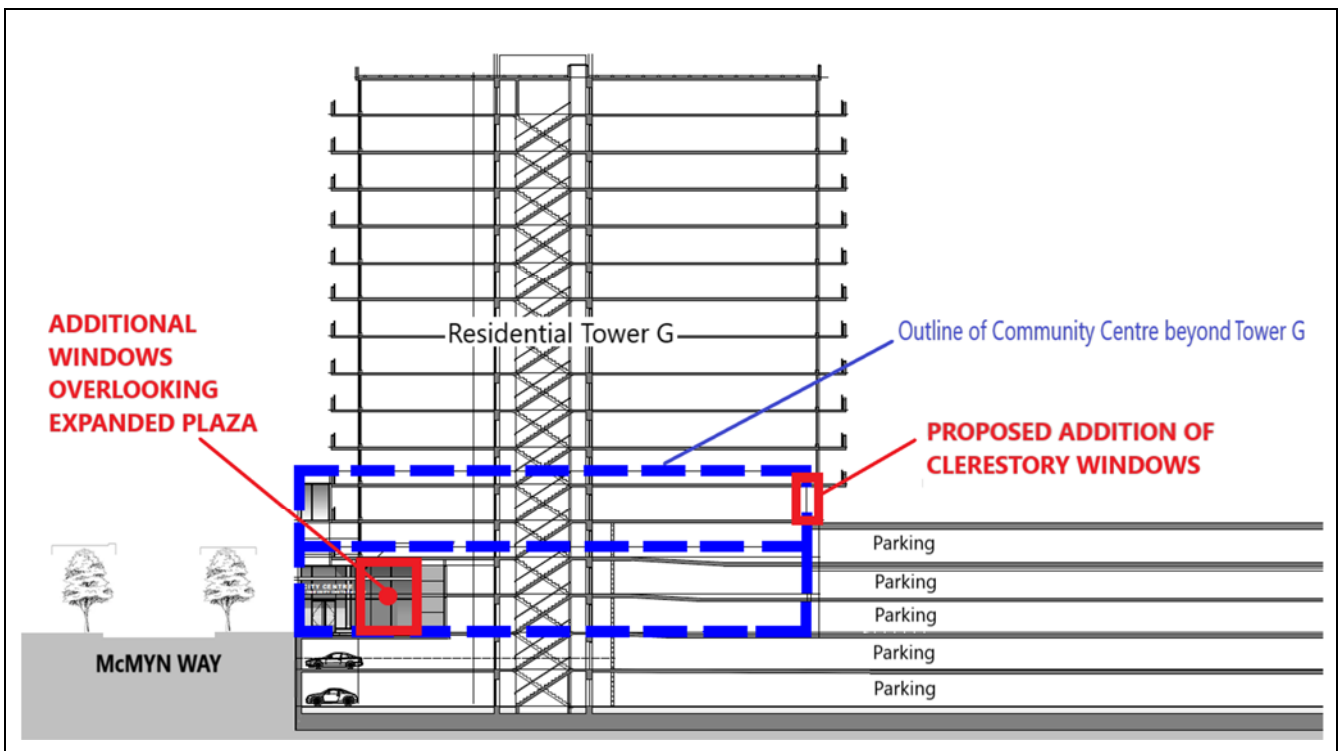
Elizabeth Ayers
Director, Recreation and Sport Services
604-247-4669

pc: SMT
Jim V. Young, P. Eng., Director, Facilities and Project Development
Paul Brar, Manager, Community Services Planning and Projects

Community Centre - Improved Interior Daylighting

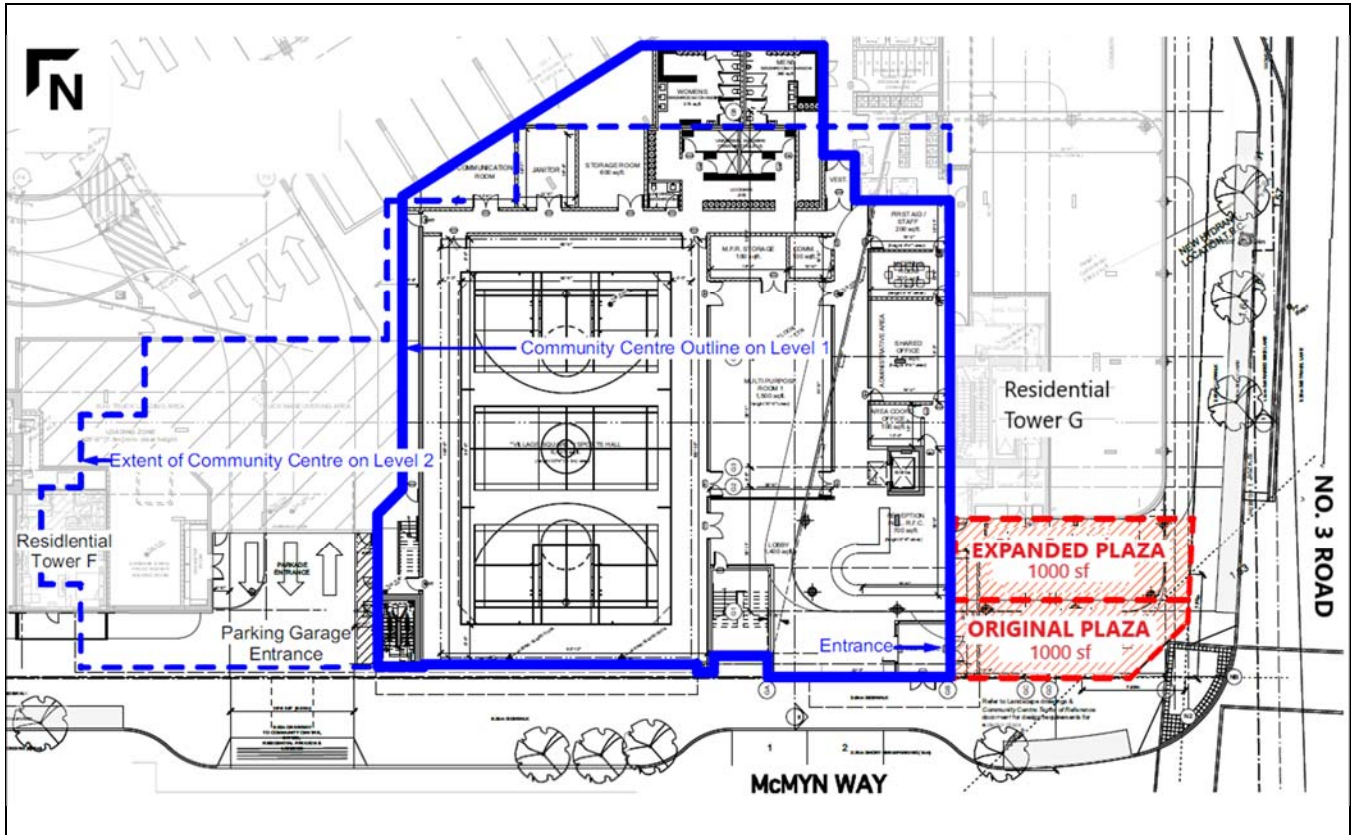


The proposed addition of clerestory windows along the north side (rear) of the community centre’s upper level will increase daylight to the gymnasium and other interior spaces, while additional windows along the plaza frontage will enhance the functionality of the plaza and contribute towards a more attractive and welcoming lobby.



Section looking west illustrating the proposed location of additional lobby windows overlooking the expanded plaza and clerestory windows at the rear of the community centre’s upper level.

Community Centre – Expanded Plaza (Preliminary)



Ground floor of the proposed community centre showing the lower floors of “Residential Tower G” set back to expand the usable portion of the plaza (i.e. from +/-1,000 ft² to +/-2,000 ft²) and increase the community centre’s plaza frontage.



Address: 3399 Corvette Way and 3331 and 3311 No. 3 Road

File No.: ZT 19-872212

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10162, the developer is required to complete the following:

1. Ministry of Transportation & Infrastructure (MOTI): Final MOTI approval is required.
2. Community Centre Agreement (CA5970496 – CA5970503): Registration of modifications to or replacement of the existing legal agreement registered on title to Lot B with respect to the developer's commitment to the proposed City Centre North Community Centre on the lot:

- 2.1. To defer the "Deadline" date for completion of the community centre from December 31, 2021 to December 31, 2023.

The City acknowledges that the Deadline date (December 31, 2023) is based on a 33 month construction schedule (April 2021 to December 2023) that assumes Development Permit issuance for Lot B in October 2020 and Building Permit issuance for Lot B in March 2021. The City will use all reasonable efforts to achieve these permit issuance dates, on the understanding that the developer shall satisfy, fulfil, and comply with all bylaw, Building Code, and related requirements as needed to facilitate the timely issuance of the required permits.

- 2.2. To increase the "Cash-in-Lieu Contributions" specified in the agreement for:

- (i) Project management from \$300,000 to \$406,000, to include \$75,000 for cost recovery and \$31,000 for cost escalation;
- (ii) Construction management from \$150,000 to \$165,000, to include \$15,000 for cost escalation;
- (iii) ICT infrastructure from \$150,000 to \$165,000, to include \$15,000 for cost escalation; and
- (iv) Furniture, fixtures, or other equipment ("FF&E") from nil to \$800,000.

Prior to Building Permit* issuance for Lot B, the developer shall submit:

- a) \$136,000 in cash to the City, based on the combined total value of the additional cash-in-lieu contributions specified in 2.2(i), (ii), and (iii); and
- b) \$800,000 in the form of a Letter of Credit, based on the value of the additional cash-in-lieu contribution specified in 2.2(iv).

On December 31, 2022 (i.e. one year ahead of the "Deadline" date for completion of the community centre), the developer shall replace the Letter of Credit with a cash contribution (\$800,000) or the City shall cash the Letter of Credit.

- 2.3. To amend the "City Centre Conceptual Plan" and "Terms of Reference" (i.e. Schedules A and B respectively to the agreement), to:

- (i) Provide for minor interior changes that do not impact overall construction costs;
- (ii) Improve interior daylighting, including additional lobby windows fronting the plaza and clerestory windows at the second storey; and
- (iii) Coordinate the community centre design with the expanded the programmable outdoor plaza area secured through the modification or replacement of the existing Community Centre Plaza – North (Statutory Rights-of-Way) agreement (CA5970406 – CA5970409); and

- 2.4. To make related changes to the terms of the existing agreement as required for consistency and clarity.

3. Additional Capstan Station Bonus (CSB) Publicly-Accessible Open Space: Registration of additional Statutory Rights-of-Way (SRW) areas on title to Lot B and Lot C to facilitate public access, together with related landscaping and amenities, in order that the public may have use and enjoyment of the areas as if they were City

park, as required to satisfy CSB publicly-accessible open space bylaw requirements, based on 960 dwelling units, as generally set out in Schedule A.

The required additional CSB open space SRW area shall be provided in a combination of new and expanded (existing) locations. The actual size of each SRW area shall be determined through the Lots B and C Development Permit* (DP 17-794169), to the satisfaction of the City. The sizes and configurations of the new and expanded SRW areas, together with their uses, program elements, landscape and infrastructure features (e.g., lighting, water, electrical), and related aspects shall take into account, among other things, coordination with the City-owned riverfront park fronting Lot C and community centre public access and program objectives on Lot B. Design and construction of the SRW areas shall be at the sole cost and responsibility of the developer, as determined to the City's satisfaction. Maintenance shall be at the sole cost and responsibility of the developer/owner, except for any City-owned sidewalk, utilities, streetlights, street trees, and furnishings. The developer's construction of the SRW areas shall be secured with the Lots B and C Development Permit* (DP 17-794169) landscape security (Letter of Credit), unless otherwise determined through DP 17-794169. Other terms of the SRW agreements shall generally be consistent with those SRW agreements registered on title to the lots to satisfy CSB open space requirements through "Viewstar's" original rezoning application (RZ 12-603040), unless otherwise determined to the satisfaction of the City through DP 17-794169 and/or the related community centre and Servicing Agreement (e.g., riverfront park) review and approval processes.

Required changes to existing CSB SRW agreements shall include the following:

- 3.1. "Community Centre Plaza – North" Statutory Rights-of-Way (CA5970406 – CA5970409): Registration of modifications to or replacement of the existing legal agreement registered on title to Lot B with respect to the plaza secured for the shared use of the community centre on the lot:
 - (i) To increase the existing SRW area by approximately 70.0 m², from 125.4 m² to approximately 195.4 m² or as otherwise determined to the satisfaction of the City through the Lot B Development Permit* (DP 17-794169) and related community centre approval processes, which increase in SRW area shall be secured for the purpose of satisfying the developer's required Capstan Station Bonus publicly-accessible open space contribution;
 - (ii) To increase the programmable area of the plaza to roughly double that originally approved through RZ 12-603040;
 - (iii) Make related changes to the agreement, as required, to accurately reflect the approved plaza design, public use and program objectives, permitted permanent and temporary plaza features and encroachments, building interface considerations (e.g., residential lobby and fronting commercial uses), and related factors; and
 - (iv) Make related changes to the terms of the existing agreement as required for consistency and clarity.
- 3.2. "River Road Park Entrance" Statutory Rights-of-Way (CA5970416 – CA5970419): Registration of modifications to or replacement of the existing legal agreement registered on title to Lot C with respect to the plaza secured at the north end of the lot:
 - (i) To replace the existing 66.8 m² SRW area (which, for clarity, was not eligible for use as Capstan Station Bonus publicly-accessible open space) with an expanded SRW area, approximately 80.0 m² in size or as determined to the satisfaction of the City through the Lot C Development Permit* (DP 17-794169), which expanded SRW area shall be secured for the purpose of satisfying the developer's required Capstan Station Bonus publicly-accessible open space contribution;
 - (ii) To remove provisions in the existing agreement that permit the owner to use the SRW area for loading vehicles and related purposes;
 - (iii) Make related changes to the agreement, as required, to accurately reflect the approved plaza design, intended public use and access to/from the adjacent City-owned riverfront park and dike, permitted permanent and temporary plaza features and encroachments, building interface considerations, and related factors; and
 - (iv) Make related changes to the terms of the existing agreement as required for consistency and clarity.

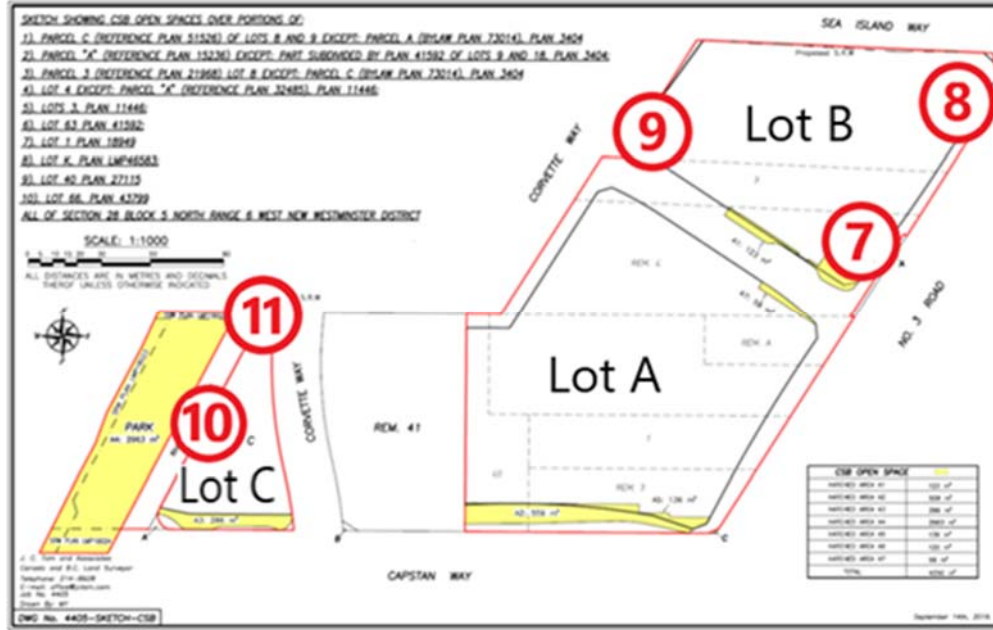
4. “Driveway Crossings” Covenant (CA5970432 – CA5970433): Registration of modifications to or replacement of the existing legal agreement registered on title to Lot C to remove the “River Road Driveway”, for the purpose of restricting vehicle access by the owner to the “River Road Park Entrance” plaza SRW (CA5970416 – CA5970419), which agreement shall be modified or replaced, as described above, to remove the owner’s ability to use the plaza for loading and related purposes, and make related changes to the terms of the existing Driveway Crossing agreement as required for consistency and clarity.
5. “Phasing” Covenant (CA5970452 – CA5970453): Registration of modifications to or replacement of the existing legal agreement registered on title to Lots A, B, and C with respect to the phased development and occupancy of the lands to:
 - 5.1. For Lot A: Amend the “Specific Lot A/Phase 1 Restrictions” regarding the prior-to-occupancy requirements with respect to Building Permit issuance for Lot B and the community centre such that those prior-to-occupancy requirements shall only apply to “Stage 3” (i.e. Buildings D & E as set out in the “Phase 1/Lot A Staging” covenant registered on Lot A, CA5970512 – CA5970513 / CA6833328 – CA6833329), and not to “Stage 1” or “Stage 2” (i.e. Buildings B & C and Buildings A & J, respectively);
 - 5.2. Clarify that for the purpose of the agreement, “occupancy” or “final Building Permit inspection granting occupancy” shall mean using, possessing, taking up, keeping, holding, utilizing, moving into or, living in, taking possession of premises and any other actions resulting in the foregoing, except to the extent that such is permitted by the City for the limited purposes of improving such premises (e.g., constructing tenant improvements) prior to fully taking occupancy; and
 - 5.3. Make related changes to the terms of the existing agreement as required for clarity and consistency.
6. “Unit Allocation” Covenant (CA5970464 – CA5970465 / CA6833325 – CA6833327): Registration of modifications to or replacement of the existing legal agreement registered on title to Lots A, B, and C with respect to the maximum permitted number of units on the lots:
 - 6.1. To increase the maximum permitted combined total number of units on Lots A, B, and C from 850 to 960;
 - 6.2. To increase the maximum permitted number of units on Lot B to 294 and on Lot C to 89, unless otherwise approved through the Development Permit* for Lots B & C (DP 17-794169); and
 - 6.3. Make related changes to the terms of the existing agreement as required for consistency and clarity.
7. Development Permit: Processing of a Development Permit* for Lots B and C (DP 17-794169) to a level deemed acceptable by the Director of Development.

Note:

- An asterisk (*) indicates that a separate application is required.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.
All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.
- Additional legal agreements, as determined via the subject development’s Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

SIGNED COPY ON FILE

Capstan Station Bonus (CSB) – Additional Publicly Accessible Open Space Requirements



| CSB PUBLIC OPEN SPACE FEATURES (1) | | CSB Voluntary Public Open Space Contribution | | |
|---|--|---|----------------------|--------------------------|
| | | Fee Simple | Dedication | SRW |
| 1. | Riverfront Park | 2,963.0 m ² | Nil | Nil |
| 2. | McMyn Way – Sidewalk widening | Nil | 123.0 m ² | Nil |
| 3. | Capstan Way – Sidewalk widening | Nil | 845.0 m ² | Nil |
| 4. | Capstan Way Plaza (Lot A) | Nil | Nil | 136.0 m ² |
| 5. | Community Centre Plaza – South (Lot A) | Nil | Nil | 116.0 m ² |
| 6. | Community Centre Plaza – North (Lot B) | Nil | Nil | 125.4 m ² |
| SUB-TOTAL (Secured through RZ 12-603040) | | 2,963.0 m ² | 968.0 m ² | 377.4 m ² |
| <ul style="list-style-type: none"> • Min. 4,250.0 m² required for 850 units • Actual area exceeds minimum by 58.4 m² | | 4,308.4 m² (1.1 acres) | | |
| 7. | Community Centre Plaza – North – Expansion (Lot B) | Nil | Nil | 70.0 m ² (2) |
| 8. | No. 3 Road Plaza – New (Lot B) | Nil | Nil | 151.6 m ² (2) |
| 9. | McMyn/Corvette Corner Plaza – New (Lot B) | Nil | Nil | 100.0 m ² (2) |
| 10. | Riverfront Park Enhancement – New (Lot C) | Nil | Nil | 90.0 m ² (2) |
| 11. | Riverfront Park North Plaza – New (Lot C) | Nil | Nil | 80.0 m ² (2) |
| SUB-TOTAL (ZT 19-872212) | | Nil | Nil | 491.6 m ² |
| <ul style="list-style-type: none"> • Area required for 110 additional units = 550.0 m² • LESS 58.4 m² excess secured via RZ 12-603040 | | Additional 491.6 m² (0.1 acres) | | |
| TOTAL (ZT 19-872212) | | 4,800.0 m² (1.2 acres) | | |
| <ul style="list-style-type: none"> • Min. 4,800.0 m² required for 960 units (3) | | | | |

- 1) CSB public open space features are NOT eligible for Development Cost Charge credits (for park or road acquisition or construction), but, as per the ZMU30 zone, the developer may use the area of CSB public open space features for density calculation purposes.
- 2) The areas shown in the table are preliminary. The actual size of each individual public open space will be determined, to the City's satisfaction, prior to Zoning Text Amendment bylaw adoption, through the Lot B and C Development Permit (DP 17-794169). For the community centre plaza, the plaza's size and design shall be subject to all applicable City reviews and Council approvals, and the additional SRW area shall serve to roughly double the plaza's programmable space (as compared to that approved via RZ 12-603040).
- 3) The total number of dwelling shall not exceed 960. No adjustment shall be made to reduce the required CSB public open space area if the combined total number of dwellings on Lots A, B, and C is less than 960.