

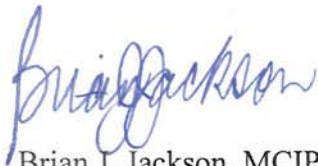


To: Planning Committee **Date:** January 4, 2012
From: Brian J. Jackson, MCIP **File:** RZ 10-544729
Director of Development
Re: **Application by Pinnacle International (Richmond) Plaza Inc. for Rezoning at 3391 and 3411 Sexsmith Road from "Single Detached (RS1/F)", together with a Portion of Unopened City Lane on the North Side of Capstan Way Between Sexsmith Road and No. 3 Road, to "Residential/Limited Commercial (RCL4)"**

Staff Recommendation

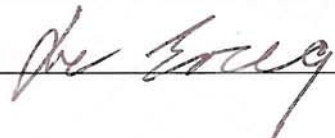
1. That Bylaw No. 8841, to amend the Richmond Official Community Plan, as amended by Official Community Plan Amendment Bylaw No. 8837, to facilitate the construction of multiple-family residential and related uses on the subject site, by:
 - a) In Schedule 1, amending the existing land use designation in Attachment 1 (Generalized Land Use Map) to relocate "Public and Open Space Use" in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road; and
 - b) In Schedule 2.10 (City Centre), amending the existing land use designation in the Generalized Land Use Map (2031), Specific Land Use Map: Capstan Village (2031), and reference maps throughout the Plan to relocate areas designated for park and road purposes within the block bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, together with related minor map and text amendments;be introduced and given first reading.
2. That Bylaw No. 8841, having been considered in conjunction with:
 - the City's Financial Plan and Capital Program; and
 - the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.
3. That Bylaw No. 8841, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, be referred to the:
 - Vancouver International Airport Authority; and
 - Board of Education, School District No. 38 (Richmond);for comment on or before Public Hearing on February 20, 2012 on OCP Amendment Bylaw No. 8841.

4. That Bylaw No. 8842, to rezone 3391 and 3411 Sexsmith Road from "Single Detached (RS1/F)", together with a portion of unopened City lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road, to "Residential/Limited Commercial (RCL4)", as amended by Zoning Amendment Bylaw No. 8839, be introduced and given first reading.



Brian J. Jackson, MCIP
Director of Development

BJJ:spc
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Real Estate Services	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Arts, Culture and Heritage	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Affordable Housing	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Engineering	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Law	Y <input type="checkbox"/> N <input type="checkbox"/>	
Parks	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Policy Planning	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Transportation	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

Staff Report

Origin

Pinnacle International (Richmond) Plaza Inc. has applied to the City of Richmond to rezone 3391 and 3411 Sexsmith Road, together with a portion of unopened City-owned lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road, to permit the construction of a high-rise, high-density, multi-family project in the City Centre's Capstan Village area. (**Attachments 1 & 2**) The subject rezoning from Single Detached (RS1/F) to Residential/Limited Commercial (RCL4) provides for a 17,398 m² (177,908 ft²) development incorporating a total of 200 dwellings, including:

- 187 market residential units (including 11 live/work units); and
- 13 affordable (rental) housing units, secured via the City's standard Housing Agreement.

The subject rezoning is the first phase of high-density, mixed-use development planned for the block bounded by Sexsmith Road, Capstan Way, No. 3 Road, and Sea Island Way, which is owned in part by the subject developer (72.1%) and in part by Concord Pacific (27.9%). (**Attachment 6**) As part of the subject rezoning review process, the applicant has prepared supportive materials intended to provide context for the subject rezoning, including:

- A conceptual master plan for the block, providing the basis for a proposed amendment to the City Centre Area Plan (CCAP) in regard to the distribution of road, park, and developable areas within the block (**Attachment 7**);
- A conceptual design for Concord Pacific's property west of the subject site demonstrating its fit with the subject rezoning and anticipated future development of the block (shown on the development concept drawings in **Attachment 10**); and
- A preliminary design for the property north of the subject site, which is proposed as the applicant's second phase of development within the block (shown on the development concept drawings in **Attachment 10**).

In addition, as one of the first rezoning applications to be considered for Capstan Village since the adoption of the City Centre Area Plan (CCAP), the subject report addresses the Plan's existing policy restricting rezoning in Capstan Village, as indicated on the Specific Land Use Map: Capstan Village (2031) (**Attachment 4**). The subject application and other pending applications in Capstan Village are predicated on the understanding that prior to the adoption of any rezoning, a funding strategy must be identified to Council's satisfaction. Business terms in regard to a funding strategy for station construction, together with OCP and Zoning Bylaw amendments required to facilitate the strategy, are addressed under a separate report to Council from the Director, Transportation, and a concurrent rezoning staff report in respect to RZ 06-349722 (Concord Pacific) for lands east of the subject site.

Findings of Fact

Details of the subject development are provided in the attached Development Application Data Sheet. (**Attachment 5**)

Background

The subject single-family zoned lots (including a vacant City-owned lot and a lot occupied by a house and out-buildings), unopened City lane, and surrounding properties are situated in Capstan Village, which is a transitional area designated for high-density, mixed-use development in

anticipation of the construction of a future Canada Line station at the northeast corner of Capstan Way and No. 3 Road. Existing development surrounding the subject site includes:

- North: Single Detached (RS1/F) lots owned by the applicant, two of which are proposed for future rezoning as Phase 2 of the applicant's development (as shown on the development concept drawings in **Attachment 10**).
- East: Sexsmith Road, across which is the former TransLink park-and ride, single-family lots, a church, and vacant land including the site of Concord Pacific's "Concord Gardens" rezoning application for approximately 1,245 residential units (RZ 05-349722).
- South: Capstan Way, across which is a low-density, strata-titled shopping centre ("Union Square") zoned Auto-Oriented Commercial (CA).
- West: Two commercially-zoned lots owned by Concord Pacific, the north of which is vacant and the south of which is occupied by a former multi-tenant, automobile service centre that is undergoing renovations for use as Concord Pacific's marketing centre for its proposed development east of Sexsmith Road (RZ 06-349722).

Future Neighbouring Lot: The CCAP requires the future extension of Hazelbridge Way from Capstan Way to Sexsmith Road, which will result in Concord Pacific's land west of the subject site being split into two parcels. The future parcel situated adjacent to the subject development will be triangular in shape and have public frontages on all three sides (e.g., Capstan Way, Hazelbridge Way, and a proposed public pedestrian walkway). The subject developer has prepared a conceptual design for this future parcel (as shown on the development concept drawings in **Attachment 10**) demonstrating, to the satisfaction of staff, that the parcel can be developed in a manner generally consistent with the CCAP and should not be considered landlocked for the purposes of the subject rezoning application. The owner of the future parcel, Concord Pacific, has provided a letter of support in principle in respect to the subject rezoning. (**Attachment 8**)

Related Policies & Studies

- a) Capstan Village Canada Line Station Funding Strategy: The CCAP currently restricts rezoning in Capstan Village until such time as funding for the construction of the Canada Line's Capstan Village station is secured to the satisfaction of Council. As noted above, the subject rezoning application is predicated on amendments to the CCAP and Zoning Bylaw in respect to a funding strategy for station construction, to be presented via Concord Pacific's rezoning application for its property east of Sexsmith Road (RZ 06-349722). In brief, the proposed funding strategy provides for the following:
- Developers of the first +/-3,250 new dwellings in Capstan Village (i.e. roughly half of the Village's projected total number of units at build-out) will voluntarily contribute +/- \$25 million towards station construction at a rate of \$7,800/unit (September 2010 rate, to be indexed annually to the cost of living);
 - Developers contributing towards station funding will be:
 - i. Eligible for a 0.5 floor area ratio (FAR) density bonus; and
 - ii. Required to provide additional public open space over and above CCAP park requirements, based on a rate of 5 m²/dwelling, to ensure that Capstan Village residents will enjoy proximity and timely access to open space amenities;
 - Residential growth in Capstan Village resulting from the proposed 0.5 FAR density bonus is accommodated within the CCAP's 120,000 population projection and does not, therefore, require a Plan amendment;

- CCAP amendments are proposed to provide for the designation of a new “Capstan Station Bonus” map area within which the station funding strategy (density bonus) shall apply; and
 - Zoning Bylaw amendments are proposed to provide for the Capstan station (0.5 FAR) density bonus and to create the “Residential/Limited Commercial (RCL4 and RCL5)” zone for use in respect to Capstan Village developments to which the proposed bonus applies (such as the subject development).
- b) Other Policies: Development of the subject site is affected by a range of City policies and related considerations (e.g., CCAP, affordable housing). An overview of these policies, together with the developer’s proposed response, is provided in the “Analysis” section of this report.

Consultation

Capstan Station Funding Strategy: Prior to the subject rezoning application proceeding, OCP and Zoning amendment bylaws regarding the establishment of a funding strategy for the construction of the Capstan Canada Line station must be adopted. OCP consultation required in respect to the proposed funding strategy is set out under the City’s OCP Bylaw Preparation Consultation Policy No. 5043, including provisions for consultation with the Vancouver International Airport Authority (VIAA) and School District No. 38 (Richmond). Details of the proposed funding strategy and the related OCP consultation shall be undertaken via Concord Pacific’s rezoning application for its Capstan Village property east of Sexsmith Road (RZ 06-349722). No additional OCP consultation regarding the station funding strategy is required as part of the subject rezoning.

Subject Rezoning: In addition to consultation specific to the proposed Capstan station funding strategy (OCP Amendment Bylaw No. 8837), the following consultation has been undertaken specifically in regard to the subject rezoning application

- a) Ministry of Transportation & Infrastructure (MOTI): Consultation with MOTI is required because traffic generated by the development and its neighbours could impact the operation of Sea Island Way, a designated Provincial highway. A letter of approval in principle has been received from MOTI in regard to the subject application and conceptual master plan for the surrounding block. Final MOTI approval is required prior to rezoning adoption.
- b) School District: City policy regarding consultation with School District No. 38 (Richmond) applies in the case of an OCP amendment that is expected to generate 50 or more additional school-aged children (i.e. roughly 259 additional multi-family dwellings). On this basis, no consultation with the Richmond School District is required because the subject application’s proposed OCP/CCAP amendment serves to relocate areas designated for future park and road without any increase in buildable residential floor area. (Note that the subject application will be provided to the School District, as a courtesy, for information purposes.)
- c) Neighbour: The applicant has provided its neighbour, Concord Pacific, with drawings illustrating the subject development, a conceptual master plan for the block bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road (**Attachment 7**), together with the conceptual design for Concord Pacific’s abutting property west of the subject site as noted above. (**Attachment 10**) A letter of support in principle has been received from Concord Pacific on the understanding that the conceptual master plan and conceptual design for Concord Pacific’s property west of the subject site are reasonable guides for future development, but may be refined as the design and development of the affected properties proceed. (**Attachment 8**)
- d) General Public: Signage is posted on-site to notify the public of the subject application. At the time of writing this report, no correspondence regarding the subject application had been

received. The statutory Public Hearing will provide local property owners and other interested parties with additional opportunity to comment.

Staff Comments

Based on staff's review of the subject application, including the applicant's engineering capacity analysis, transportation impact analysis, conceptual master plan for the block, conceptual design for Concord Pacific property west of the subject site, and the preliminary design for the applicant's anticipated second phase of development north of the subject site, staff are supportive of the subject rezoning provided that the applicant fully satisfies the Rezoning Considerations set out in

Attachment 9. In addition, staff note the following:

- a) Servicing Agreement Requirements: Prior to rezoning adoption, the developer shall be required to enter into a Servicing Agreement (SA) for the design and construction, at the developer's sole cost, subject to applicable Development Cost Charge (DCC) credits as determined by the City, of full upgrades across the subject site's street frontages, together with construction of a sanitary pump station and various other engineering, transportation, and park works.
 - Prior to rezoning adoption, all works identified via the SA must be secured via a Letter(s) of Credit, to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, and Senior Manager, Parks.
 - No phasing of off-site works will be permitted. All works shall be completed prior to final Building Permit inspection granting occupancy for Phase 1 of the subject development, EXCEPT as otherwise specifically provided for, to the satisfaction of the City and at its sole discretion, via "no development" covenants or other legal agreements registered on the subject site.
 - Development Cost Charge (DCC) credits may apply, as determined by the Director of Development, Director of Transportation, and Senior Manager, Parks.
- b) Sanitary Pump Station: Design and construction of the sanitary pump station proposed for the north side of Capstan Way, as set out in the Engineering Servicing Agreement requirements forming part of these Rezoning Considerations for the subject site. The sanitary pump station services a significant area of development. While design and construction of the pump station will be a requirement of any development within the catchment area served by the proposed Capstan Way sanitary pump station, the City's objective is to have an equitable distribution of costs to the benefiting properties to the extent possible using available tools such as latecomer agreements or developer cost sharing agreements.

Analysis

The subject application proposes rezoning of the subject site to Residential/Limited Commercial (RCL4) to permit the development of a high-rise, high-density residential project. Staff's review of the applicant's proposal, key City policies, and related considerations are summarized under the following sub-headings:

1. Conceptual Master Plan
2. Proposed Rezoning

1. CONCEPTUAL MASTER PLAN

1.1. Background:

In May 2007, Council gave third reading to a rezoning application (RZ 03-254977) made on behalf of the three owners of the block bounded by Capstan Way, No. 3 Road, Sea Island Way, and

Sexsmith Road (Sun Tech City, Concord Pacific, and Pinnacle International – the latter of which is the subject developer) to permit the construction of a mixed-use, high-density, transit-oriented neighbourhood. As part of the rezoning, the owners proposed to voluntarily contribute \$15 million towards the construction of the Capstan Canada Line station, which was the estimated cost of the station at that time. The rezoning proposed a net average density of 3.6 FAR (i.e. net of roads, park, and above grade parking) and approximately 210,000 m² (2.3 million ft²) of development, including:

- 177,860 m² (1.9 million ft²) of residential (+/-2,100 units);
- 39,355 m² (400,000 ft²) of commercial; and
- 5,868 m² (1.45 ac) of park.

Work undertaken via the rezoning process was used as a basis for the CCAP Generalized and Specific Land Use Maps with regard to the distribution of roads, parks, and development parcels; however, a lower density is identified in the CCAP (i.e. 2 FAR net, together with a 1 FAR commercial bonus near No. 3 Road), as the original development proposal was predicated on the three owners solely funding the construction of Capstan station.

Following Public Hearing, issues arose in regard to the differing interests of the three owners which could not be resolved and, as a result, in March 2009, the rezoning application was closed. The subject rezoning (RZ 10-544729), is the first new application for the affected area since that time.

1.2. Preferred Master Plan Concept:

In light of the challenges that faced the previous rezoning involving the subject site, staff requested that, as part of the current rezoning application, the applicant prepare a conceptual master plan for the block bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road. In addition, staff asked that the plan:

- Support CCAP objectives with regard to parks, roads, land use, and related factors;
- Take into account the proposed Capstan station (0.5 FAR) density bonus; and
- Identify a land use strategy by which the two current owners of the block, Pinnacle International and Concord Pacific, might be able to largely pursue the development of their lands independently of one another.

A comparison of the block's original rezoning application (RZ 03-254977), the existing CCAP (as adopted in 2009), and the applicant's proposed "master plan concept" (illustrated in **Attachment 7**) is provided in the table below. The areas of road, park and net site area are shown to be constant for all three options; however, actual areas may vary as a result of more detailed future planning and City development approval processes.

	RZ 03-254977 (Closed)		Existing CCAP (Adopted 2009)		“Master Plan Concept”, including the Capstan Station 0.5 FAR Bonus	
Gross Site Area	69,651 m2 (17.2 ac)					
Park & Road	11,818 m2 (2.9 ac), including 5,868 m2 (1.45 ac) of dedicated park					
Net Site Area	57,833 m2 (14.3 ac)					
Buildable Area	FAR	Floor Area	FAR	Floor Area	FAR	Floor Area
• Residential	3.1 average	177,860 m2 1.9 million ft2	2.0 max.	115,666 m2 1.3 million ft2	2.0 + 0.5 bonus = 2.5 max.	144,583 m2 1.6 million ft2
• Commercial	0.68 average	39,355 m2 0.4 million ft2	1.0 max. (0.68 average)	39,355 m2 0.4 million ft2	1.0 max. (0.68 average)	39,355 m2 0.4 million ft2
• Total	3.6 average	210,000 m2 2.3 million ft2	2.7 average	155,000 m2 1.7 million	3.1 average	183,938 m2 2.0 million ft2
	+/-2,100 dwellings		+/-1,400 dwellings		+/-1,700 dwellings	

	RZ 03-254977 (Closed)	Existing CCAP (Adopted 2009)	"Master Plan Concept", including the Capstan Station 0.5 FAR Bonus
Affordable Housing	4,635 m ² (50,000 ft ²)* *Prior to adoption of Richmond's Affordable Housing Strategy	5,783 m ² (62,253 ft ²)* *As per Richmond's Affordable Housing Strategy	7,229 m ² (77,817 ft ²)* *As per Richmond's Affordable Housing Strategy
Capstan Station Voluntary Developer Contribution	\$15 million	No funding strategy	+/- \$13.3 million As per Capstan Density Bonus policy @ \$7800/unit (2010 rate)
Additional Public Open Space	Varies	Varies	8,500 m ² (2.1 ac) min. As per Capstan Density Bonus policy @ 5 m ² /unit

Based on staff's review of the three options, the "master plan concept" is preferred on the basis that it provides greater openness towards No. 3 Road and co-locates the proposed station, pedestrian-oriented retail uses, and park space to create a stronger, more attractive, transit-friendly neighbourhood focus. Furthermore the proposed "master plan concept" distributes park and roads to better reflect existing land ownership patterns, thus, better enabling the block's owners to advance the independent development of their lands without compromising the objectives of the CCAP; and, as compared to the previous rezoning proposed for the block (RZ 03-254977):

- Developer contributions towards funding of Capstan station are similar (i.e. the "master plan concept" results in +/- \$13.3 million based \$7,800/dwelling, but this rate will be increased annually with CPI and the actual contribution may approach \$15 million);
- Affordable housing increases by 50+% (based on the Affordable Housing Strategy); and
- The 5,868 m² (1.45 ac) of dedicated park required under the CCAP would be supplemented by an additional 8,500 m² (2.1 ac) of public open space, secured via right-of-ways or other means satisfactory to the City. This supplemental open space is in addition to the City Centre's base-level park standard and is based on a rate of 5 m² (54 ft²) per dwelling in respect to developments benefiting from the proposed Capstan Station (0.5 FAR) Bonus.

Based on this, staff recommend amending the CCAP "Specific Land Use Map: Capstan Village (2031)" and related maps and text to reflect the proposed road, park, and land use distribution as generally illustrated in the "master plan concept".

2. PROPOSED REZONING

The subject application proposes to rezone a 7,341 m² (1.81 ac) site on the northwest corner of Capstan Way and Sexsmith Road to permit high-rise, high density residential development. The rezoning application was submitted in 2010 when the subject developer, along with two other developers, the City, and TransLink, were working to determine a viable funding strategy for the construction of Capstan station. The proposed rezoning complies with the CCAP and requires no OCP amendment, with the exception of that already discussed in respect to the "conceptual master plan" for the block in which the site is located. In addition, the subject development complies with the proposed Capstan station (0.5 FAR) density bonus policy. More specifically, the subject rezoning responds to existing City policies and studies as follows:

2.1. Capstan Station Bonus:

The developer proposes to comply with the station funding policy with regard to Capstan Station Reserve contributions and additional public open space.

- Estimated Capstan Station Reserve Contributions:** As per proposed City policy, the developer proposes to voluntarily contribute an estimated \$1.56 million towards station construction, to be paid to the Capstan Reserve prior to Building Permit (BP) issuance.

Covenants will be registered on title to ensure that funds are contributed prior to BP issuance as proposed.

- b) ***Parks & Public Open Space***: As per proposed City policy, the developer proposes to voluntarily contribute:

- **Additional Public Open Space**: A minimum of 1,000 m² (0.25 ac) of public open space, secured via rights-of-ways, for the provision of public walkways, greenways, and landscaped areas. (**Attachment 10**) This open space is intended to supplement Capstan Village's CCAP base-level park standards, and provides for, among other things, an 8.2 m (27 ft) wide landscaped walkway along the site's west edge, which will be widened and extended north by adjacent future development (including the subject developer's anticipated second phase of development) to provide an important pedestrian link between Capstan Way and the future Capstan station and adjacent neighbourhood park. Detailed design and construction of the open space will be managed via the City's standard Servicing Agreement and Development Permit processes, to the satisfaction of the Senior Manager, Parks and the Director of Development.
- **"Temporary Park"**: To ensure the timely provision of adequate public open space (given the area's current lack of park space for residents), developers who benefit from the Capstan 0.5 FAR density bonus shall be required to provide temporary public open space for an interim time to bridge the period between the completion of the developer's residential units and the establishment of the CCAP's proposed permanent neighbourhood park closest to the development site. It is intended that this approach apply to:
 - i) Large rezoning applications, for which the developer is constructing little or no permanent CCAP park space in the project's initial phase(s); and
 - ii) Smaller rezoning applications – such as the subject rezoning – for which the developer is constructing no permanent CCAP park space, but where the developer has large land holdings in Capstan Village facilitating the temporary provision of public open space to the satisfaction of the City.

In light of this, the developer has agreed to voluntarily establish a roughly 4,047 m² (1.0 ac) "temporary park". The proposed public open space will be designed, constructed, and maintained, at the sole cost of the developer, to help ensure that residents of Capstan Village in general and the subject site in specific will have convenient access to attractive public open space amenities complementary to on-site outdoor residential amenity space in advance of the completion of the City's acquisition and construction of adequate permanent neighbourhood park space within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way. The design of the temporary open space is intended to take advantage of opportunities to retain and enhance existing trees and landscape features within the developer's lands in order to create a "green sanctuary" offering residents a quiet, accessible place to sit, walk, run, and play. Design and construction of the open space will be managed via the City's standard Servicing Agreement and Development Permit processes, to the satisfaction of the Senior Manager, Parks and the Director of Development. The proposed temporary public open space and related right-of-way(s) and legal agreement(s) will remain in effect until such time as the block's permanent CCAP neighbourhood park is established to the satisfaction of the City.

2.2. Transportation:

The subject development proposes to comply with the CCAP and Capstan station bonus-related policies, including:

- Road works include widening along Capstan Way and Sexsmith Road, together with various related improvements, including off-street bike paths separated from pedestrian traffic along both frontages.
- A driveway and recycling pick-up will be permitted temporarily along Sexsmith Road, until the subject developer's lands north of the subject site are redeveloped, as per the preliminary design reflected in **Attachment 10**. Covenants and cross-access easements registered on title will facilitate future closure of the driveway and removal of the loading area at the developer's sole cost.
- The developer's proposed parking is designed to comply with proposed Zoning Bylaw amendments for Capstan Village (proposed in respect to the Capstan Station Bonus, under a separate report), intended to provide for a transition from higher parking space requirements today ("Zone 2") to lower requirements ("Zone 1") as the station nears completion.

2.3. Affordable Housing: As per Richmond's Affordable Housing Strategy and the CCAP "affordable housing bonus", the developer has voluntarily agreed to provide 780 m² (9,363 ft²) of affordable (low end market rental) housing, including 13 units (7 one-bedroom and 6 two-bedroom). The affordable housing will be constructed at the developer's sole cost, and secured, prior to rezoning adoption, via the City's standard Housing Agreement(s). Construction of the affordable housing units shall satisfy Richmond Zoning Bylaw requirements for Basic Universal Housing and will be complete prior to final Building Permit inspection granting occupancy for the developer's market units.

2.4. District Energy Utility (DEU): The CCAP encourages the coordinated planning of City infrastructure with the aim of advancing opportunities to implement environmentally responsible services. Areas undergoing significant change, such as Capstan Village, are well suited to this endeavour. In light of this, staff recommend, and the developer has agreed, that the developer will build 100% of the subject development to facilitate its connection to a DEU system (with the understanding that the utility will be constructed by others).

2.5. Leadership in Energy and Environmental Design (LEED): The CCAP requires that all rezoning applications greater than 2,000 m² in size demonstrate compliance with LEED Silver (equivalency) or better, paying particular attention to features significant to Richmond (e.g., green roofs, urban agriculture, DEU, storm water management and quality). The developer has provided a preliminary LEED Checklist indicating compliance with this policy. In particular, the developer's preliminary design indicates that a minimum of 51% of the project's rooftops will be green roofs, including a combination of inaccessible planted areas and accessible planted areas intended for the uses of residents. The developer will continue to work with staff to fine tune the proposed green building strategy via the project's Development Permit approval process.

2.6. Aircraft Noise Sensitive Development Policy (ANSND): The subject site is located in ANSD "Area 3": Moderate Aircraft Noise Area, which permits all aircraft noise sensitive land uses, provided that a restrictive covenant is registered on title, acoustics reports are prepared at Development Permit and Building Permit stages identifying appropriate noise attenuation measures and confirming their implementation via the building design, mechanical ventilation, and air conditioning capability or equivalent. The required covenant(s) will be

registered prior to rezoning adoption, and other requirements will be satisfied prior to Development Permit and Building Permit issuance, as required.

- 2.7. **Public Art:** Richmond policy encourages developers to voluntarily contribute towards public art, especially in the case of projects, such as the subject development, which are situated in the CCAP's designated "arts district". In light of this, the developer has voluntarily offered to contribute \$106,745 (i.e. \$0.60/ft² per buildable square footage, excluding affordable housing) in the form of a cash contribution to the City's public art reserve fund for the future provision of public art within the proposed neighbourhood park situated adjacent to the planned Capstan Canada Line station. When the City determines that public art initiative(s) in respect to the neighbourhood park should proceed, the developer shall be invited (but not required) to participate in the public art selection process.
- 2.8. **Tree Retention & Replacement:** Richmond's Tree Protections Bylaw aims to sustain a viable urban forest by protecting trees with a minimum diameter of 20 cm (DBH (i.e. 1.4 m above grade) from being unnecessarily removed and setting replanting requirements. The developer's proposal satisfies the City policy. Moreover, via Development Permit and Servicing Agreement design stages in respect to roads and public open space, the developer will prepare detailed landscape plans addressing tree retention, replacement, and additional tree planting opportunities.

Tree Location	Existing Trees	Trees Retained	Trees Relocated (1)	Trees Removed/Replaced		
				Trees Removed	Replacement Trees	Min. Caliper of Replacement Deciduous Trees
On-Site	22	2 (#2113 & #2114, in west walkway)	0	18	36	6 – 10 cm
				2	4	15 cm
3371 Sexsmith Road Owned by the developer for future development	10	N/A	N/A	10	20	6 – 10 cm
Off-Site Road right-of-way	13	0	9 (2)	2 (4)	2	Value @ 6 cm
				2 (4)	4	\$3,900 6+ cm
Total	45	2	9	34	66 (3)	Varies

(1) Trees shall be relocated at the sole cost of the developer. If it is determined to the satisfaction of the Manager, Park Operations that one or more of the trees identified for relocation shall instead be removed/replaced, 2 replacement trees shall be planted for each tree removed.

(2) Existing Capstan Way street trees.

(3) Street trees required to be planted by the developer along Capstan Way and Sexsmith Road via the subject development's Servicing Agreement* shall be in addition to the replacement trees indicated in the table.

(4) Off-site trees that may be removed include:

- for replacement @ 1:1: #2070 & #2068

- for replacement @ 2:1: #2069 & #2011

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution is required for off-site replacement tree planting:

- For "On-Site" and "3371 Sexsmith Road": \$500/tree, payable to the City's Tree Compensation Fund; and
- For "Off-Site (Road right-of-way)": \$650/tree, payable to Richmond Parks.

- 2.9. **Flood Management Strategy:** The CCAP encourages measures that will enhance the ability of developments to adapt to the effects of climate change (e.g., sea level rise). To this end, the Plan encourages City Centre developers to build to the City's recommended Flood Construction Level (FCL) of 2.9 m geodetic and minimize exemptions, wherever practical. The developer intends on complying with the recommended FCL of 2.9 m geodetic; however, via the Development Permit review process, the developer plans to explore whether

limited FCL exemptions (i.e. to 0.3 m / 1.0 ft above the crown of the fronting street, as permitted under City bylaw) in respect to the commercial portion of some townhouse-style live/work units may be desirable along Capstan Way to help facilitate the development's provision of a more attractive, pedestrian-friendly interface with the Capstan greenway.

- 2.10. Community Planning: As per CCAP policy, the developer proposes to voluntarily contribute \$44,477 (i.e. \$0.25/ft² of buildable square footage, excluding affordable housing) to the City's community planning program reserve fund.
- 2.11. Development Phasing: The developer does not anticipate phasing the subject development; however, should this change the developer shall be required to provide all of the project's indoor residential amenity space in the first phase and covenants shall be registered prior to rezoning adoption requiring that:
- There shall be a maximum of two phases; and
 - On a phase-by-phase basis final Building Permit inspection granting occupancy shall not be granted until such time as construction of a proportional share of the required affordable housing subject to a Housing Agreement(s) is complete and has received final Building Permit inspection granting occupancy (i.e. the combined habitable floor area of affordable housing units shall comprise at least 5% of the subject development's residential building area in each phase), as determined to the satisfaction of the City.
- 2.12. Form of Development: The developer proposes to construct high-rise, high-density residential uses on the subject site as the first phase of a two-phase project, which will involve the developer's future rezoning of lands abutting the north boundary of the subject site as shown in the proposed development concept in **Attachment 10**. The developer's proposed form of development, which is a combination of streetwall-type buildings and a single tower, generally conforms to CCAP Development Permit (DP) Guidelines. In particular, the development has successfully demonstrated:
- A strong urban concept providing for high-density buildings in a pedestrian-friendly environment;
 - Variation in building height and massing providing for an attractive mid-rise building typology and a varied, visually interesting skyline; and
 - Streetwall forms and articulation that frame the fronting streets, visually break up long streetwalls, and contribute towards a distinctive, urban streetscape character.

DP approval to the satisfaction of the Director of Development will be required prior to adoption of the subject rezoning. At DP stage, attention should be paid to the following key considerations:

- The interface between street-fronting units and the finished grade of the abutting pedestrian areas should be explored to ensure that the right "balance" between the need for residential privacy and a pedestrian-friendly public realm is achieved, especially with regard to whether limited Flood Construction Level exemptions (i.e. from 2.9 m / 9.5 ft geodetic to 0.3 m / 1.0 ft above the crown of the fronting street, as permitted under City bylaw) should be permitted in respect to the commercial portion of some townhouse-style live/work units along the Capstan greenway;
- The public open space design must balance the desire to create an attractive, quiet setting for the development's residential uses (e.g., landscape buffers) with the demands of creating inviting, engaging outdoor spaces for daily, active (e.g., noisy), public use and making the maintenance of the public open space cost effective over the long term for the property owners;

- The special character of the City Centre's proposed "arts district" should be expressed in the street frontages (e.g., form, colour, durable materials, landscape design) and elsewhere across the site, to enhance the identity of the subject development in particular and Capstan Village as a whole; and
- The interface between residential development on the subject site and future neighbouring development, especially with regard to potential view blockage and related impacts arising as a result of future towers north and west of the subject site. (Note: Prior to DP issuance for the subject development, a covenant should be registered on the subject site notifying residents of the above.)

Financial Impact or Economic Impact

- a) Developer's Acquisition of City Lands: To facilitate the subject rezoning, the developer proposes to acquire 3391 Sexsmith Road and a 251 m² portion of unopened City lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road from the City for consolidation with the developer's property at 3411 Sexsmith Road. Prior to rezoning adoption, as set out in the Rezoning Considerations (**Attachment 9**), the developer shall be required to enter into a purchase and sales agreement with the City for the purchase of the lands, which is to be based on the business terms approved by Council. The primary business terms of the purchase and sales agreement, and the road closure bylaw in respect to the lane, will be brought forward for consideration by Council in a separate report from the Manager, Real Estate Services. All costs associated with the purchase and sales agreement shall be borne by the developer.
- b) Sanitary Pump Station: Design and construction of the sanitary pump station proposed for the north side of Capstan Way, as set out in the Engineering Serving Agreement requirements forming part of these Rezoning Considerations for the subject site. The sanitary pump station services a significant area of development. While design and construction of the pump station will be a requirement of any development within the catchment area served by the proposed Capstan Way sanitary pump station, the City's objective is to have an equitable distribution of costs to the benefiting properties to the extent possible using available tools such as latecomer agreements or developer cost sharing agreements.
- c) Subject Rezoning: The subject rezoning application (RZ 10-544729) is one of the first of several pending rezonings in Capstan Village and is expected to voluntarily contribute a total of \$1.56 million towards the Capstan Station Reserve. In addition, the subject developer has agreed to voluntarily contribute towards park development, public art, community planning, and affordable housing.

Conclusions

The subject development is consistent with Richmond's objectives for the subject property and Capstan Village, as set out in the City Centre Area Plan (CCAP) and proposed in respect to funding of the future Capstan Canada Line station. The proposed project's distinctive, mid-rise streetwall form, varied building heights, pedestrian-oriented streetscapes, and publicly accessible open space

will complement the establishment of Capstan Village as a high-amenity, transit-oriented, urban community. On this basis, staff recommend support for the subject rezoning and related bylaws.

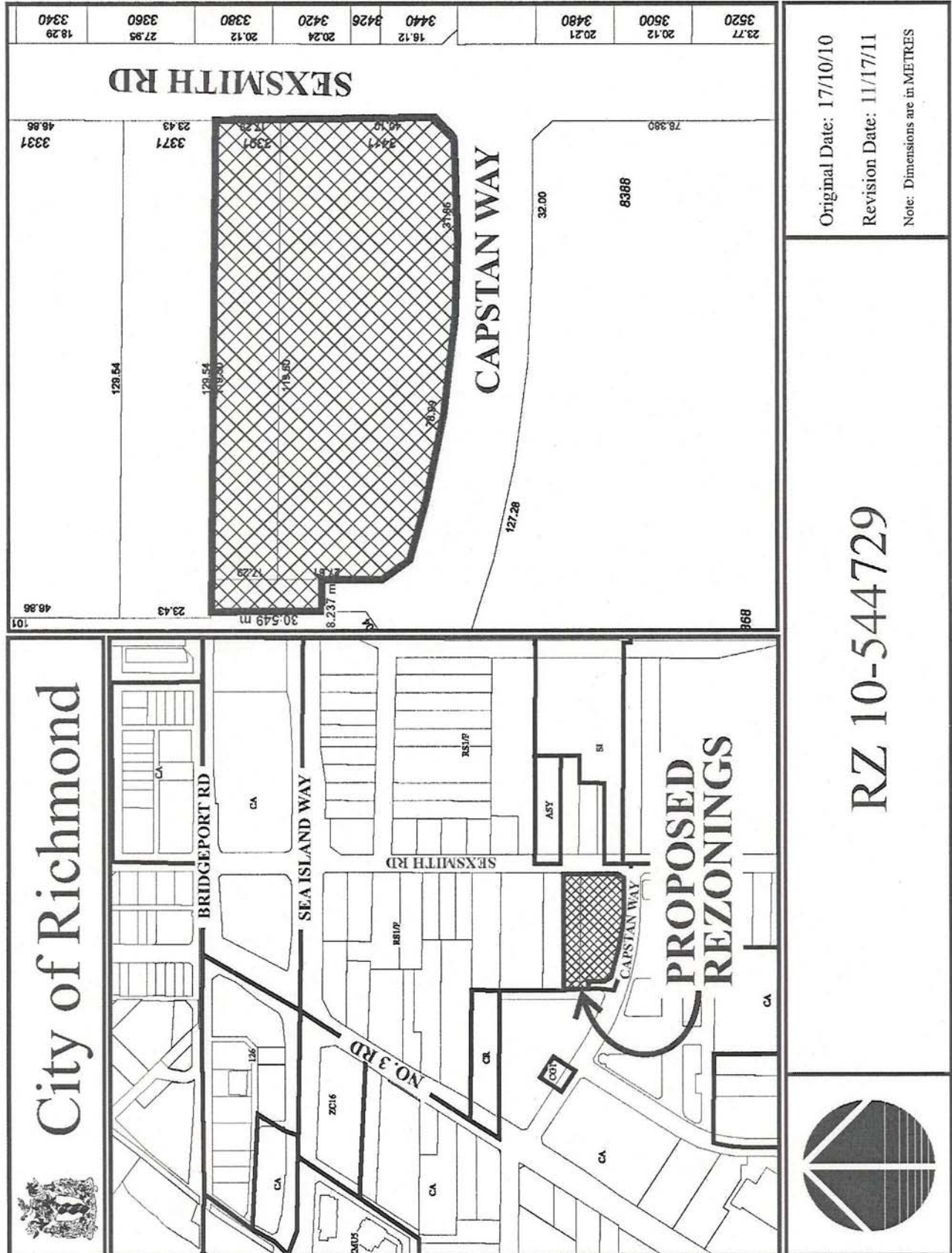
Suzanne Carter-Huffman.

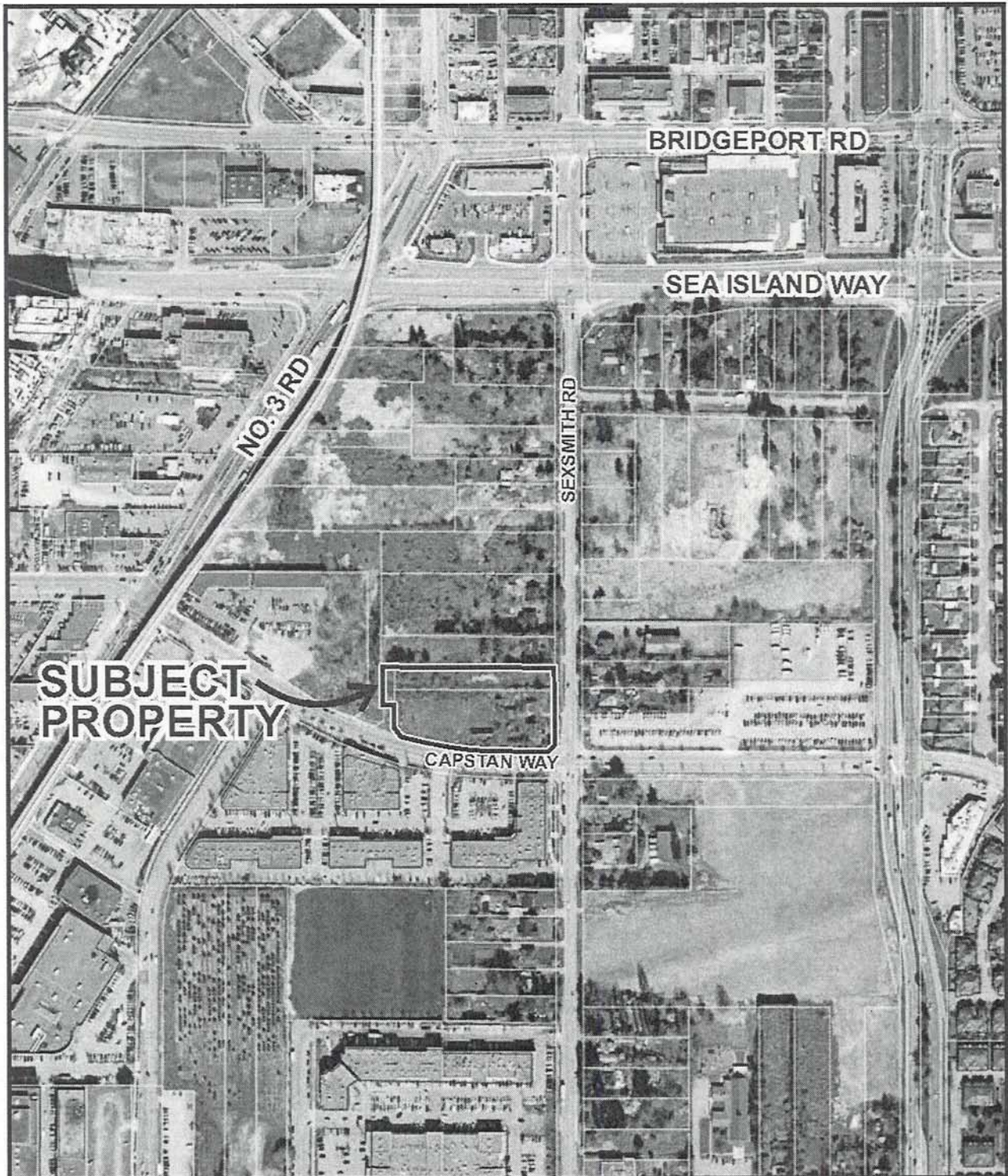
Suzanne Carter-Huffman
Senior Planner/Urban Design

SPC:spc

Attachments:

1. Location Map
2. Aerial Photograph
3. Aircraft Noise Sensitive Development (ANSI) Map
4. City Centre Area Plan Specific Land Use Map: Capstan Village (2031)
5. Development Application Data Sheet
6. Existing Property Ownership
7. Conceptual Master Plan
8. Letter of Concurrence: Concord Pacific
9. Rezoning Considerations
10. Development Concept (including conceptual drawings for adjacent development)



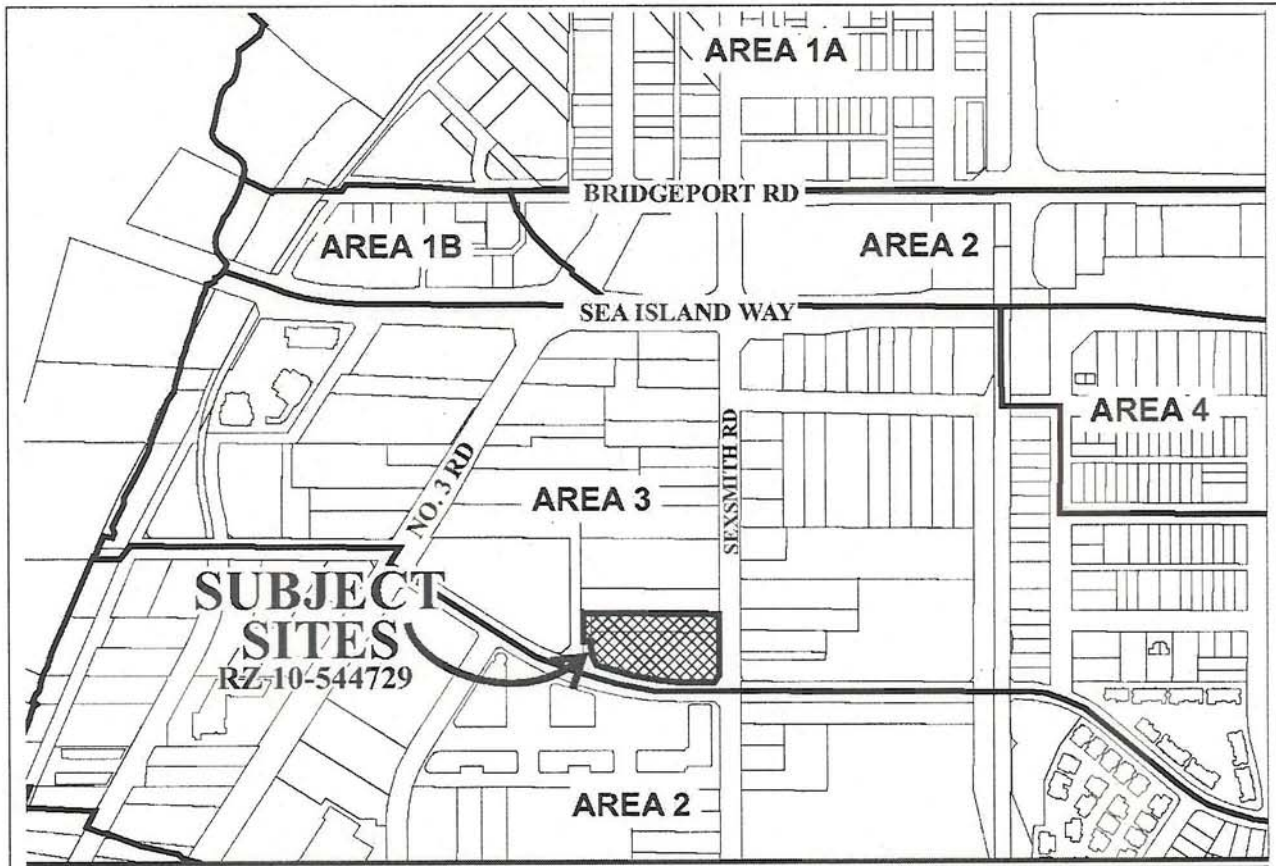


RZ 10-544729

Original Date: 09/10/10

Amended Date: 11/18/11

Note: Dimensions are in METRES



LEGEND

Aircraft Noise Sensitive Development Policy (ANSD) Areas
(see Aircraft Noise Sensitive Development Policy Table)

No New Aircraft Noise Sensitive Land Uses:

AREA 1A - New Aircraft Noise Sensitive Land Use Prohibited.

AREA 1B - New Residential Land Uses Prohibited.

Areas Where Aircraft Noise Sensitive Land Uses May be Considered: Subject to Aircraft Noise Mitigation Requirements:

AREA 2 - All Aircraft Noise Sensitive Land Uses (Except New Single Family) May be Considered (see Table for exceptions).

AREA 3 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

AREA 4 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

No Aircraft Noise Mitigation Requirements:

AREA 5 - All Aircraft Noise Sensitive Land Use Types May Be Considered.



Aircraft Noise Sensitive Development Location Map

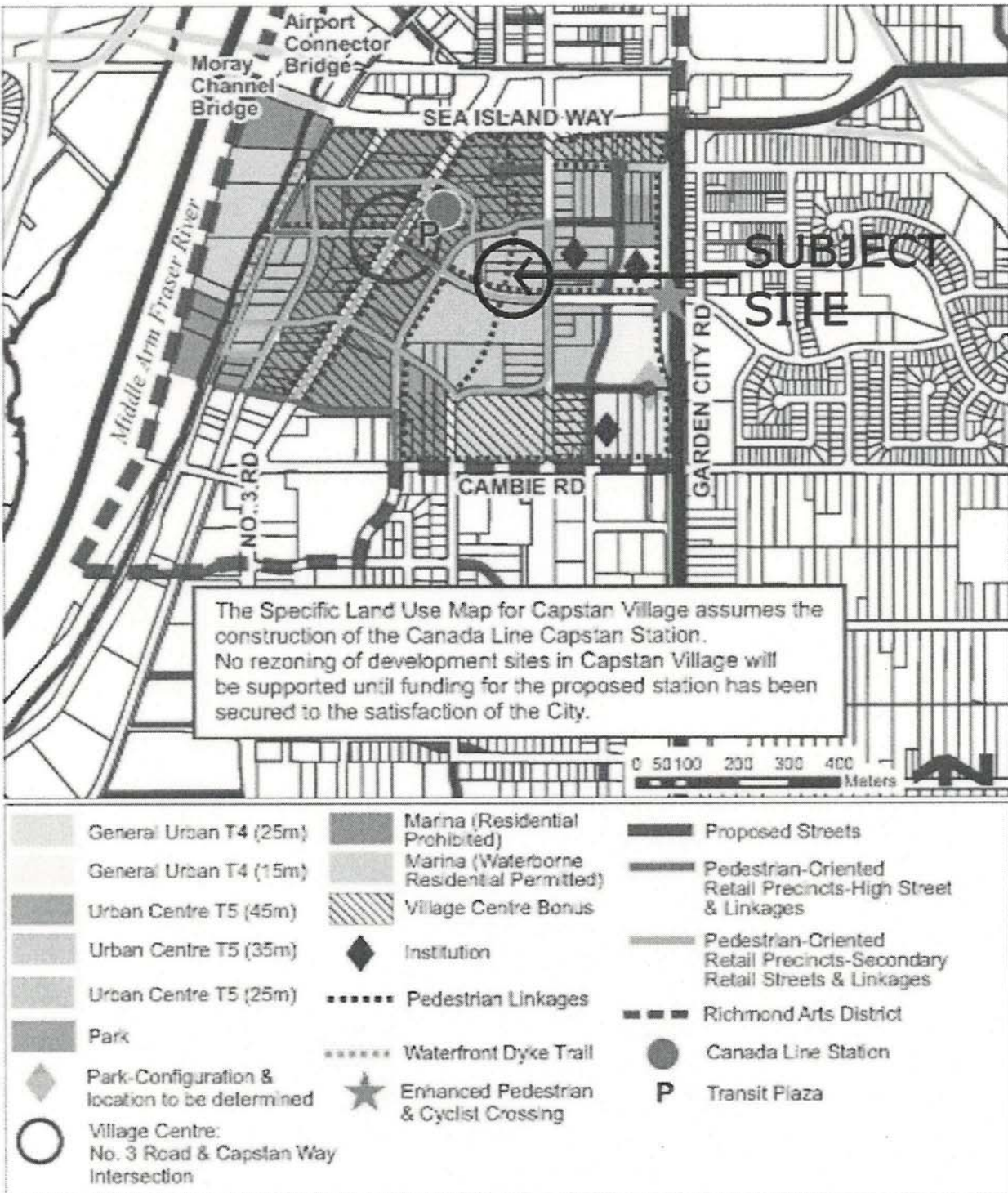
Original Date: 09/13/10

Amended Date: 11/18/11

Note: Dimensions are in METRES

ATTACHMENT 4
City Centre Area Plan, Specific Land Use Map: Capstan Village (2031)

Specific Land Use Map: Capstan Village (2031)





City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca
604-276-4000

**Development Application
Data Sheet**

RZ 10-544729

Address: 3391 and 3411 Sexsmith Road and a portion of unopened City lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road

Applicant: Pinnacle International (Richmond) Plaza Inc.

Planning Area: City Centre (Capstan Village)

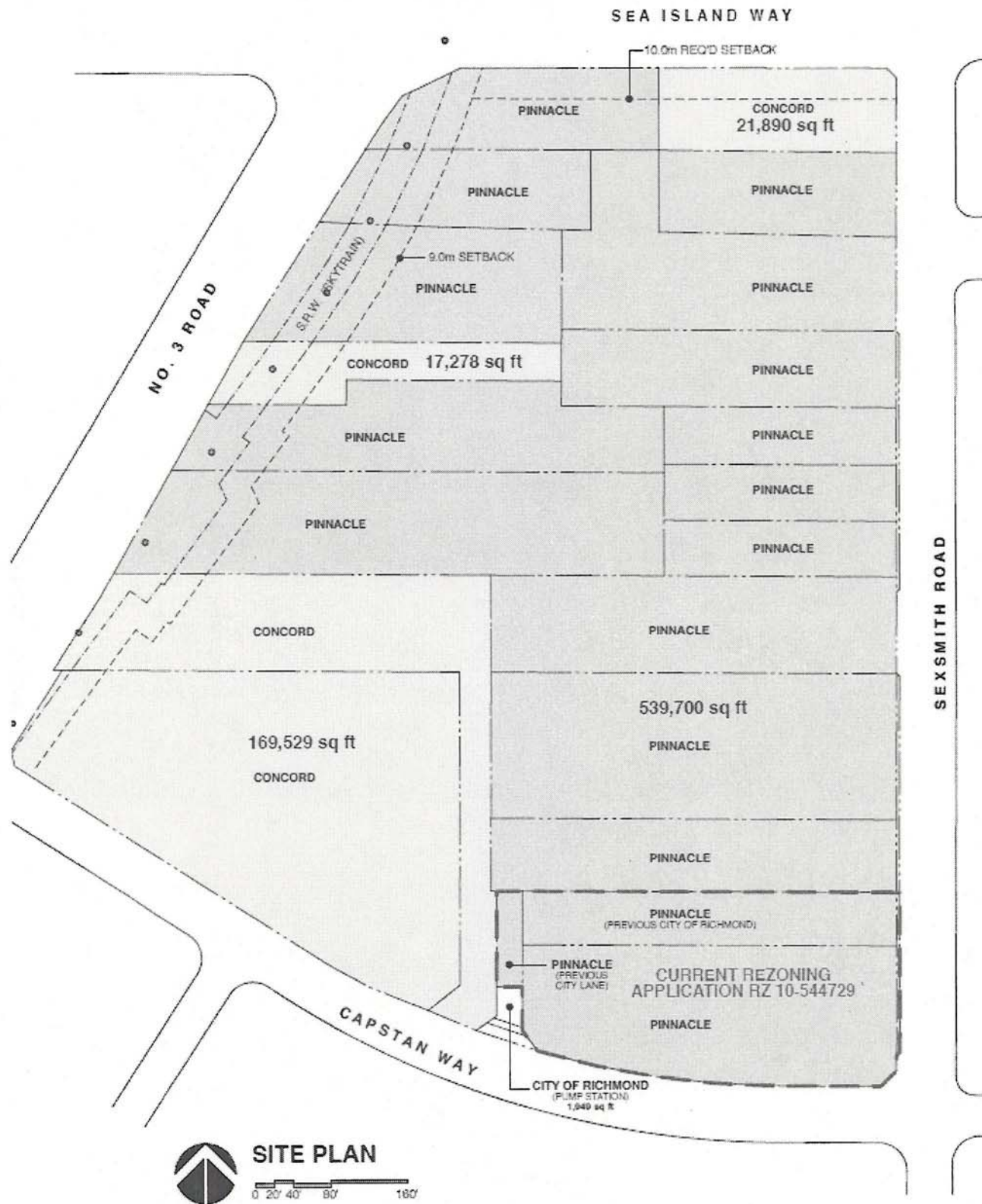
	Existing	Proposed
Owner	<ul style="list-style-type: none"> 0884962 BC Ltd City of Richmond 	<ul style="list-style-type: none"> Pinnacle International (Richmond) Plaza Inc.
Site Size	<ul style="list-style-type: none"> 7,341 m² (79,018 ft²) 	<ul style="list-style-type: none"> Net site: 6,959 m² (74,906 ft²) Road dedications: 382 m² (4,112 ft²)
Land Uses	<ul style="list-style-type: none"> Single-family residential lots (partially vacant) Unopened City lane 	<ul style="list-style-type: none"> High-rise apartment & public open space
OCP Designation	<ul style="list-style-type: none"> Mixed Use 	<ul style="list-style-type: none"> No change; however, an adjacent "Park" designation is relocated
City Centre Area Plan Designation	<ul style="list-style-type: none"> Urban Centre T5 (35 m) (2.0 FAR) 	<ul style="list-style-type: none"> Urban Centre T5 (35 m) (No change) Capstan Station (0.5 FAR) Bonus (CSB) – New Adjacent "Park" and "Proposed Streets" designations are relocated.
Zoning	<ul style="list-style-type: none"> Single Detached (RS1/F) 	<ul style="list-style-type: none"> Residential/Limited Commercial (RCL4), as amended to provide for the Capstan Station (0.5 FAR) Bonus
Number of Units	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Market residential: 187 (16,528 m² /177,908 ft²) Affordable housing units: 13 (870 m² /9,363 ft²) Total: 200 (17,398 m² /187,271 ft²)
Aircraft Noise Sensitive Development (ANSD)	ANSD "Area 3": Moderate Aircraft Noise Area <ul style="list-style-type: none"> All aircraft noise sensitive land uses may be considered Required provisions include a restrictive covenant on title, acoustics report, noise mitigation, mechanical ventilation, and air conditioning capability or equivalent 	

Development Features	Amended "RCL4" Zone with Capstan Station Bonus	Proposed Development	Variance
Units Per Acre (net)	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> 116 upa 	<ul style="list-style-type: none"> N/A
Floor Area Ratio (net)	<ul style="list-style-type: none"> Base density: 2.0 Capstan Station Bonus: 0.5 Total: 2.5 	<ul style="list-style-type: none"> 2.5 	<ul style="list-style-type: none"> None permitted
Lot Coverage	<ul style="list-style-type: none"> Max. 90% 	<ul style="list-style-type: none"> 86% max. 	<ul style="list-style-type: none"> None
Lot Size (Min.)	<ul style="list-style-type: none"> Width: 45 m (148 ft) Depth: 40 m (131 ft) Area: 4,000 m² (43,057 ft²) 	<ul style="list-style-type: none"> Capstan Way: 127 m (415 ft²) Depth: Varies Area: 6,959 m² (74,906 ft²) 	<ul style="list-style-type: none"> None
Setback @ Road	<ul style="list-style-type: none"> For structures below finished grade: Nil Elsewhere: 6.0 m, but may be reduced to 3.0 m via an approved DP 	<ul style="list-style-type: none"> Varies (3.0 – 6.0 m) 	<ul style="list-style-type: none"> None

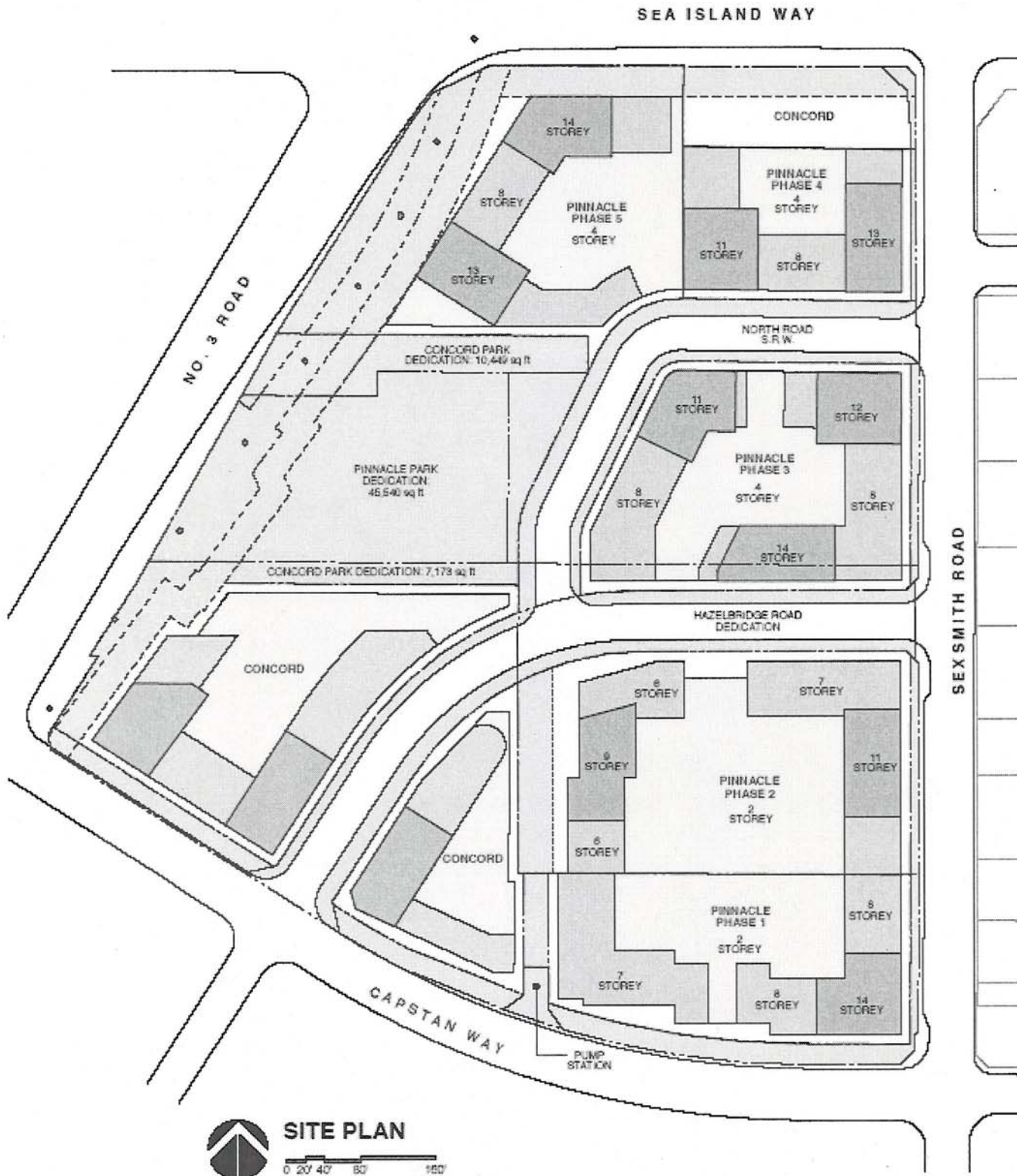
Development Features	Amended "RCL4" Zone with Capstan Station Bonus	Proposed Development	Variance
Setback @ Interior Side Yard	<ul style="list-style-type: none"> Nil 	<ul style="list-style-type: none"> West walkway: 8.2+ m North (Phase 2 boundary): Nil 	<ul style="list-style-type: none"> None
Height	<ul style="list-style-type: none"> 35 m, but may be increased to 47 m geodetic via an approved DP 	<ul style="list-style-type: none"> 47 m geodetic 	<ul style="list-style-type: none"> None
Off-street Parking – Market Residential <ul style="list-style-type: none"> Market housing residents (R) Affordable housing residents (AH) Live/work "extra" space (LW) Visitors (V) 	<p>"Zone 1" @ build-out:</p> <ul style="list-style-type: none"> (R) 1.0 space/unit* = 187 (AH) 0.9 spaces/unit* = 12 (LW) 0.5 spaces/unit = 6 (V) 0.2 space/unit* = 40 <p>* 10% reduction permitted as per approved transportation demand measures (TDM)</p>	<ul style="list-style-type: none"> (R) 187 spaces* (AH) 12 spaces (LW) 6 spaces (V) 40 spaces <p>Plus an extra 58 spaces as per the Capstan Village interim (pre-station construction) parking strategy. Extra spaces may be reallocated in future Phase 2.</p>	<ul style="list-style-type: none"> None
Off-street Parking – <ul style="list-style-type: none"> Total 	<ul style="list-style-type: none"> 245 (Zone 1) 	<ul style="list-style-type: none"> 303 (Zone 2/Zone 1) 	<ul style="list-style-type: none"> None
Tandem Parking Spaces	<ul style="list-style-type: none"> Permitted 	<ul style="list-style-type: none"> To be confirmed 	<ul style="list-style-type: none"> None
Amenity Space – Indoor @ 2 m ² /unit (21.5 ft ² /unit)	<ul style="list-style-type: none"> 400 m² (4,306 ft²) 	<ul style="list-style-type: none"> 400 m² (4,306 ft²) 	<ul style="list-style-type: none"> None
Amenity Space – Outdoor <ul style="list-style-type: none"> OCP @ 6 m²/unit (64.6 ft²/unit) CCAP @ 10% net site 	<ul style="list-style-type: none"> OCP: 1,200 m² (12,917 ft²) CCAP: 696 m² (7,491 ft²) Total: 1,896 m² (0.47 ac) 	<ul style="list-style-type: none"> OCP: 1,596 m² (17,181 ft²) CCAP: 882 m² (9,499 ft²) Total: 2,478 m² (0.61 ac) 	<ul style="list-style-type: none"> None
Public Park & Public Open Space <ul style="list-style-type: none"> CCAP Capstan Station Bonus (CSB) @ 5 m² per unit 	<ul style="list-style-type: none"> CCAP: Not required CSB: 1,000 m² (0.25 ac) Total: 1,000 m² (0.25 ac) 	<ul style="list-style-type: none"> On-site: 1,000 m² (0.25 ac)* <p>* Secured via a statutory right-of-way</p>	<ul style="list-style-type: none"> None
Temporary Public Park* <p>* To be replaced by future Public Park, as per the "conceptual master plan"</p>	<ul style="list-style-type: none"> To ensure park space comes on-stream with development 	<ul style="list-style-type: none"> Off-site: 4,047 m² (1.0 ac)* <p>* Secured via a statutory right-of-way on neighbouring land owned by the developer</p>	<ul style="list-style-type: none"> None

Other: Tree replacement compensation required for loss of significant trees.

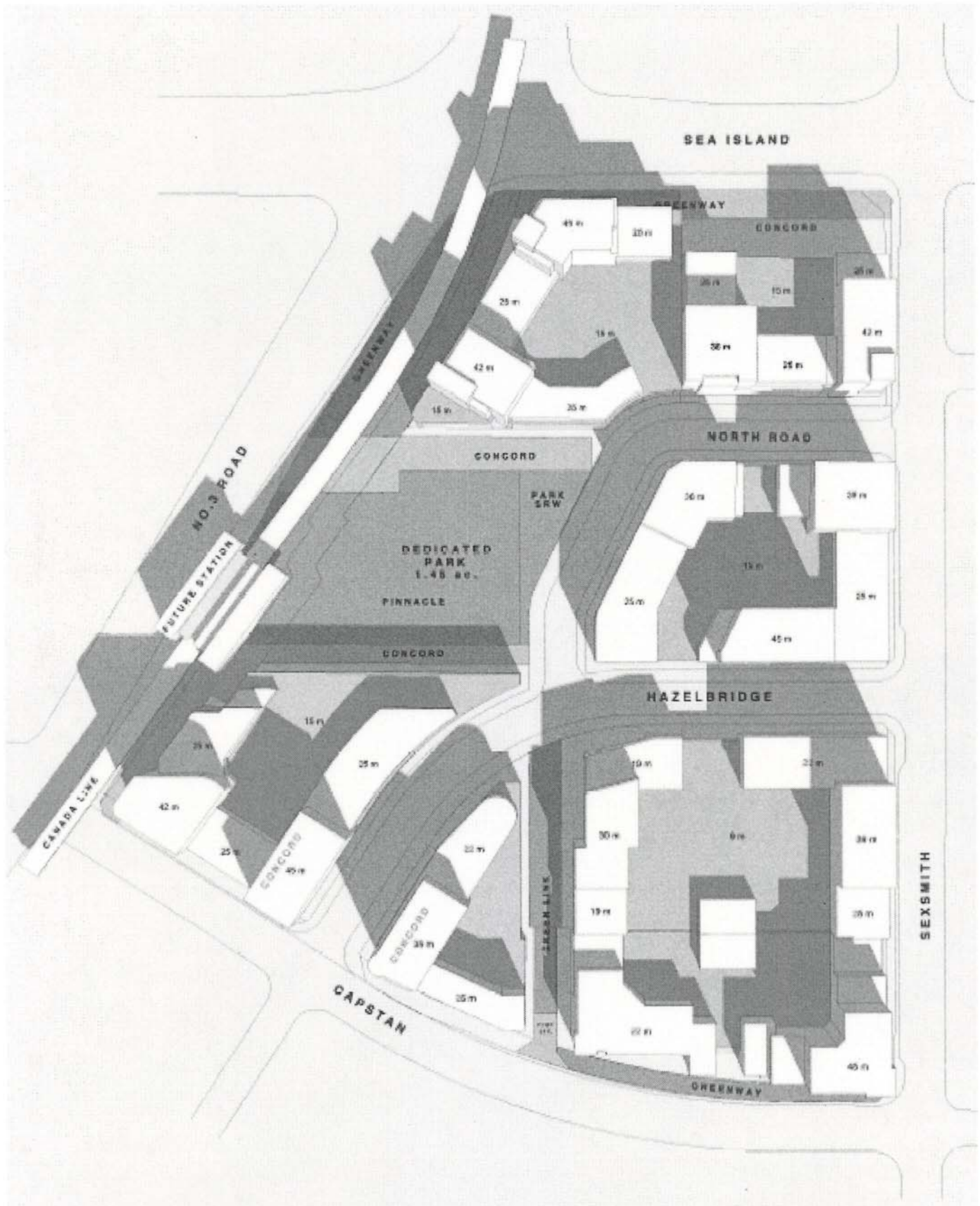
ATTACHMENT 6
Existing Property Ownership

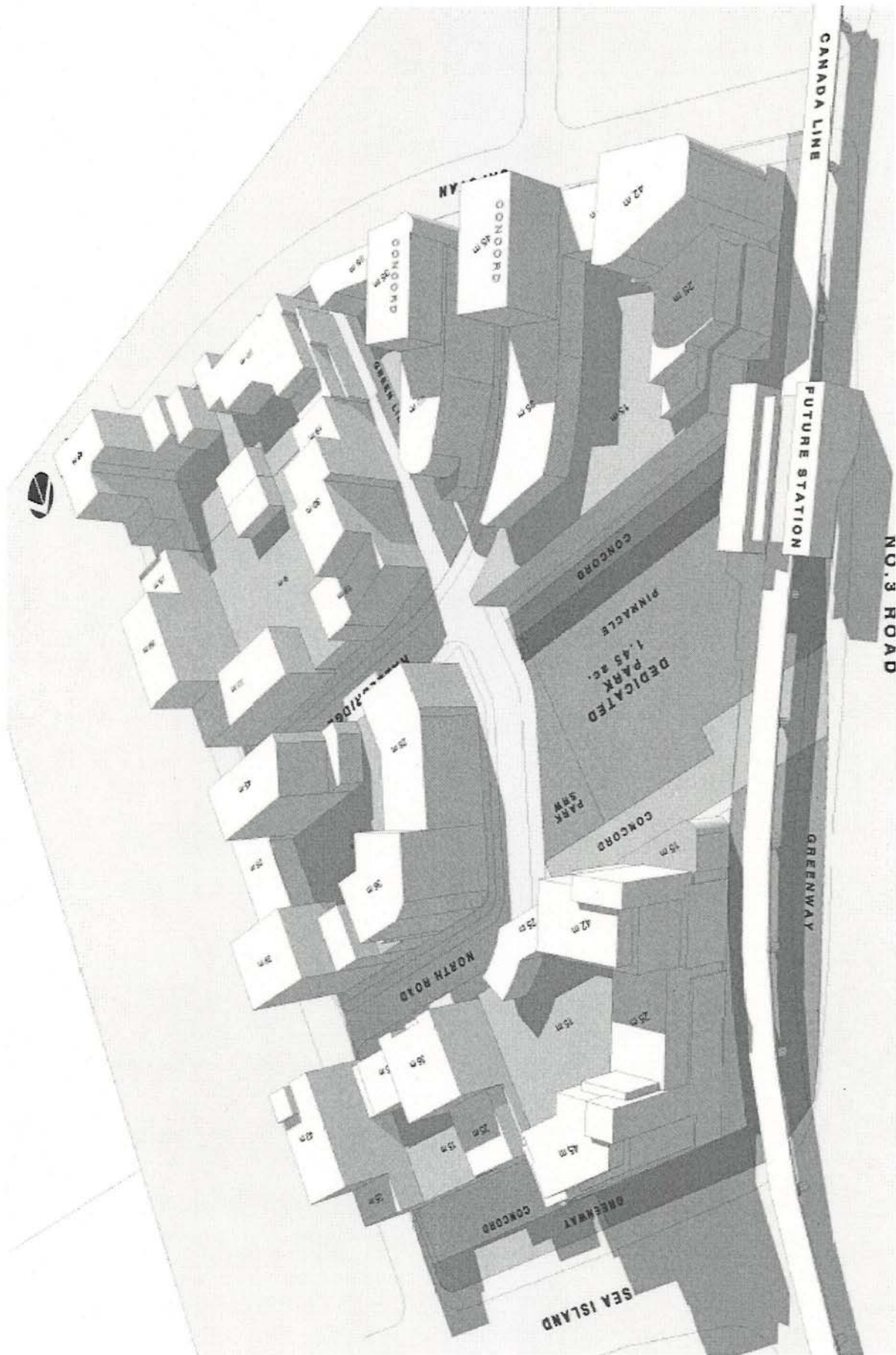


ATTACHMENT 7 Conceptual Master Plan



ATTACHMENT 7 Conceptual Master Plan







November 4, 2011

Mr. Brian Jackson
City of Richmond
6911 No. 3 Road
Richmond, BC
V6Y 2C1

Dear Mr. Jackson,

RE: Pinnacle Rezoning Application RZ 10-544729

As you are aware, Concord Pacific has several land holding/assemblies in the Future Capstan Station Village area which are closely related to the above referenced rezoning. We understand that the Pinnacle application is to rezone 3391 & 3411 Sexsmith Road from Rs1 to allow for High Rise residential containing approximately 240 dwellings. We have no concerns with regard to the application at this time. We did receive a projected masterplan option drawing from Pinnacle for our reference and note that it represents one version of a future block development that could work. We point out that many other masterplan solutions for the block could also work. We therefore have no concerns at this time on that item also.

Sincerely,
CONCORD PACIFIC DEVELOPMENTS INC.

A handwritten signature in black ink, appearing to read "Peter Webb", with a stylized flourish at the end.

Peter Webb
Senior Vice-President, Development

December 16, 2011 (REVISED January 4, 2012)

Rezoning Considerations

3391 and 3411 Sexsmith Road, together with a Portion of Unopened City Lane on the North Side of Capstan Way Between Sexsmith Road and No. 3 Road

RZ 10-544729

Rezoning Considerations in respect to RZ 10-544729 include the following schedules:

- A. Preliminary Subdivision Plan
- B. Preliminary Rights-of-Way
- C. Temporary Park Terms of Reference

Prior to final adoption of Zoning Amendment Bylaw 8842, the developer is required to complete the following:

1. Final Adoption of OCP Amendment Bylaw No. 8841.

Adoption of OCP Amendment Bylaw No. 8841 cannot occur until the following are complete:

- Execution of a Memorandum of Understanding between the City of Richmond and TransLink in respect to funding of the Capstan Canada Line station; and
- Final adoption of City bylaws in respect to the establishment of the Capstan Station Bonus Map area in the City Centre Area Plan and related density bonus provisions, to be brought forward for consideration by Council in separate reports, including Reserve Fund Establishment Bylaw No. 8854, OCP Amendment Bylaw No. 8837, and Zoning Amendment Bylaw No. 8839.

2. Provincial Ministry of Transportation & Infrastructure final approval.
3. Registration of a Subdivision Plan for the subject site, to the satisfaction of the City.

Prior to registration of a Subdivision Plan, the following shall be included as conditions to the approval of subdivision:

- 3.1. Acquisition of City lands, including:

- 3.1.1. Council approval of the road closure bylaw for a 251 m² portion of unopened City lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road. (**Schedule A**)
- 3.1.2. Council approval of the sale of the 2,066 m² City-owned lot at 3391 Sexsmith. (**Schedule A**)
- 3.1.3. The developer shall be required to enter into a purchase and sales agreement with the City for the purchase of the Land, which is to be based on the business terms approved by Council. The primary business terms of the purchase and sales agreement will be brought forward for consideration by Council in a separate report from the Manager, Real Estate Services. All costs associated with the purchase and sales agreement shall be borne by the developer.

- 3.2. Road dedications, including:

- 3.2.1. 2.8 m wide along the subject site's entire Capstan Way frontage; and
- 3.2.2. 1.1 m wide along the subject site's entire Sexsmith Road frontage.

- 3.3. Consolidation of all the lots into one development parcel (which will require the demolition of the existing dwelling at 3411 Sexsmith Road).

- 3.4. Granting of Public Right of Passage statutory right-of-ways with a combined total area of at least 1,000.0 m² (based on 200 dwelling units and 5.0 m² per dwelling unit in respect to the Capstan Station Bonus), as per the Preliminary Right-of-Way Plan (**Schedule B**), including:

- 3.4.1. Greenway & Sidewalk: To facilitate frontage improvements providing for public access, including (from the back of curb) a treed and landscaped boulevard, asphalt and concrete bike path, buffer strip, and concrete sidewalk, together with street lighting, furnishings, related landscape features, and innovative, integrated storm water management measures, to the

satisfaction of the City. The required right-of-ways shall have a total combined area of approximately 627 m² and shall include:

- a) 2.6 m wide along the subject site's entire Sexsmith Road frontage;
- b) 4.0 m wide along the subject site's entire Capstan Way (Capstan Greenway) frontage; and
- c) 4.0 m x 4.0 m corner cut at the intersection of the Capstan Way and Sexsmith Road right-of-way areas.

The right-of-ways shall:

- a) Provide for 24 hour-a-day, universally accessible, pedestrian, bicycle, and emergency and service vehicle access, together with related uses, features, and bylaw enforcement;
- b) Prohibit building encroachments above or below finished grade;
- c) Provide for City utilities;
- d) Require the design and construction of the right-of-way to be the sole responsibility of the developer, to the satisfaction of the City; and
- e) Provide for the City to be responsible for maintenance of the right-of-way, except as otherwise provided for via City bylaw.

3.4.2. Pedestrian Pathway & Greenway Widening: To facilitate public access and landscaped areas enhancing the Capstan Greenway and providing the first phase of a pedestrian link (to be extended/widened by others) providing access to future public amenities and destinations north of the subject site. The right-of-way shall include some combination of decorative paving, trees, lighting, furnishings, related landscape features, and innovative, integrated storm water management measures, to the satisfaction of the City. The required right-of-way shall have an area of approximately 373 m², including a pedestrian pathway along the west side of the subject site with an area of 251 m² (situated in the location of the proposed lane closure) and the balance along the north side of the required Greenway right-of-way. The specific location, configuration, and design of the right-of-way will be confirmed via the subject site's Development Permit* and Servicing Agreement* approval processes. The right-of-way shall:

- a) Provide for 24 hour-a-day, universally accessible, pedestrian, bicycle, and emergency and service vehicle access, together with related uses, features, and bylaw enforcement;
- b) Permit building encroachments below finished grade, provided that such encroachments do not compromise public access or the form or character of the walkway and related landscaping or the walkway's interface with fronting buildings on the subject site or adjacent properties, to the satisfaction of the City as specified in a Development Permit (but encroachments shall be prohibited above finished grade);
- c) Not provide for City utilities; and
- d) Require the design, construction, and maintenance of the right-of-way to be the sole responsibility of the developer, to the satisfaction of the City.

4. Granting of a Public Right of Passage statutory right-of-way on lands owned by the developer within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way, but excluding the subject site, to provide for public open space as a means to help ensure that residents of Capstan Village in general and the subject site in specific will have convenient access to public open space amenities in advance of the completion of the City's acquisition and construction of adequate permanent neighbourhood park space within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way. The right-of-way shall:

- 4.1. Provide for the Temporary Park to be designed and constructed, via the City's standard Servicing Agreement * process (secured via Letter(s) of Credit), as per the Temporary Park Terms of Reference (Schedule C), to the satisfaction of the City;

- 4.2. Provide for 24 hour-a-day, universally accessible, public access for pedestrians and cyclists , together with emergency and service vehicles, related park uses and features, and City bylaw enforcement;
 - 4.3. Prohibit building encroachments above finished grade;
 - 4.4. Require the design, construction, and maintenance of the right-of-way to be at the sole cost of the developer, to the satisfaction of the City;
 - 4.5. Upon pre-approval from the City, permit the developer, at the developer's sole cost, to relocate or otherwise alter the right-of-way and Temporary Park works to accommodate building construction and related activities, as determined to the satisfaction of the City; and
 - 4.6. Provide for the right-of-way to remain in effect until permanent neighbourhood park space, the area of which is equal to or greater than that of the Temporary Park, is secured for public use within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way, as generally indicated in the City Centre Area Plan as amended by OCP Amendment Bylaw No. 8841, to the satisfaction of the City.
5. Registration of an aircraft noise sensitive use covenant on title.
 6. Registration of a flood indemnity covenant on title.
 7. Registration of a legal agreement on title requiring that vehicle access to the subject site from fronting streets shall be:
 - 7.1. Limited to one location along Sexsmith Road (i.e. none along Capstan Way), adjacent to the subject site's north property line, as per an approved Development Permit; and
 - 7.2. Closed upon the provision of alternate vehicle access via future development at 3331 and 3371 Sexsmith Road, the cost of which closure shall be at the sole responsibility of the owner (excluding the portion within the dedicated road and related sidewalk widening statutory right-of-way, which shall be the responsibility of the developer of 3331 and 3371 Sexsmith Road).
 8. **(REVISED January 4, 2012)** Registration of a cross access agreement(s), statutory right-of-way(s), and/or alternative legal agreement(s) on title over vehicle and pedestrian circulation and related areas on the subject site in favour of 3331 and 3371 Sexsmith Road, allowing for access for parking, garbage, recycling, loading, and related purposes including, as determined to the satisfaction of the City, shared garbage, recycling, loading, and/or related facilities, effective upon development of the benefitting properties (3331 and 3371 Sexsmith Road).
 9. Registration of a restrictive covenant(s) and/or alternative legal agreement(s) on title, to the satisfaction of the City, on properties owned by the developer at 3331 and 3371 Sexsmith Road securing that "no development" will be permitted and restricting Development Permit* issuance until the developer of 3331 and 3371 Sexsmith Road, to the satisfaction of the City:
 - 9.1. **(REVISED January 4, 2012)** Registers a cross access agreement(s), statutory right-of-way(s), and/or alternative legal agreement(s) on title over vehicle and pedestrian circulation and related areas on 3331 and 3371 Sexsmith Road in favour of the subject site (RZ 10-544729), allowing for access for parking, garbage, recycling, loading, and related purposes including, as determined to the satisfaction of the City, shared garbage, recycling, loading, and/or related facilities; and
 - 9.2. Enters in to Servicing Agreement* for closure of the temporary Sexsmith Road driveway at the subject site (RZ 10-544729), at the sole cost of the developer of 3331 and 3371 Sexsmith Road, limited to the reinstatement of frontage works within the dedicated road and associated (sidewalk widening) statutory right-of-way (e.g., curb, gutter, boulevard, bike path, sidewalk, and related features), secured via a Letter of Credit, to be constructed upon the provision of alternate vehicle and related access via 3331 and 3371 Sexsmith Road.
 10. Registration of a legal agreement on title ensuring that where two parking spaces are provided in a tandem arrangement both parking spaces must be assigned to the same dwelling unit.

11. Registration of a legal agreement on title to ensure that no Building Permit* shall be issued for the subject site, in whole or in part, until the developer contributes a minimum of \$1,560,000 to the Capstan station reserve or as otherwise provided for via the Zoning Bylaw. The actual value of which contribution shall be as provided for via the Richmond Zoning Bylaw and Residential/Limited Commercial (RCL) zone, as amended by Zoning Amendment Bylaw No. 8839 (i.e. \$7,800 per dwelling unit, adjusted annually beginning at the end of September 2011 by any increase in the All Items Consumer Price Index for Vancouver published by Statistics Canada over that Index as at the end of September 2010) or as otherwise provided for via the Zoning Bylaw.
12. Registration of the City's standard Housing Agreement to secure not less than 13 affordable housing (low-end market rental) units, the combined habitable floor area of which shall comprise at least 5% of the subject development's total residential building area (i.e. 869.9 m² /9,363.6 ft²), as specified in a Development Permit* approved by the City. The developer's proposed number of the affordable units and their location on the 3rd, 4th, and 5th floors of the development (i.e. 7 in "west building" and 6 in the "east building", generally near the building cores) shall be confirmed, to the satisfaction of the City, via the Development Permit* approval process. Occupants of the affordable housing units subject to the Housing Agreement shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces. All affordable housing units must satisfy Richmond Zoning Bylaw requirements for Basic Universal Housing. The terms of the Housing Agreements shall indicate that they apply in perpetuity and provide for the following:

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent*	Total Maximum Household Income ¹
1-Bedroom	7	50 m ² (535 ft ²)	\$875	\$35,000 or less ²
2-Bedroom	6	80 m ² (860 ft ²)	\$1,063	\$42,500 or less ²
TOTAL	13	-	-	-

1 Household income may be increased annually by the Consumer Price Index.

2 Denotes 2009 amounts. Amounts may be adjusted periodically as provided for under adopted City policy.

13. Registration of a legal agreement preventing final Building Permit* inspection granting occupancy such that in the event the subject development is phased:
 - 13.1. There shall be a maximum of two phases; and
 - 13.2. On a phase-by-phase basis final Building Permit* inspection granting occupancy shall not be granted until such time as construction of a proportional share of the required affordable housing subject to the Housing Agreement(s) referenced above is complete and has received final Building Permit* inspection granting occupancy (i.e. the combined habitable floor area of affordable housing units shall comprise at least 5% of the subject development's residential building area in each phase), as determined to the satisfaction of the City.
14. **(REVISED January 4, 2012)** City acceptance of the developer's offer to voluntarily contribute \$106,745 (i.e. \$0.60/ft² per buildable square footage, excluding affordable housing) in the form of a cash contribution to the City's public art reserve fund for the future provision of public art within the proposed neighbourhood park situated adjacent to the planned Capstan Canada Line station. When the City determines that public art initiative(s) in respect to the neighbourhood park should proceed, the developer shall be invited (but not required) to participate in the public art selection process.
15. City acceptance of the developer's offer to voluntarily contribute \$44,477 (i.e. \$0.25/ft² of buildable square footage, excluding affordable housing) to the City's community planning program reserve fund, as set out in the City Centre Area Plan.
16. Discharge and registration of additional right-of-ways and legal agreements, as determined to the satisfaction of the Director of Development and Director of Engineering.
17. Registration of a restrictive covenant and/or alternative legal agreement(s), to the satisfaction of the City, securing that "no development" will be permitted on the subject site and restricting Development Permit* issuance until, the developer enters into legal agreement(s) in respect to the developer's commitment to:

17.1. District Energy Utility (DEU): Connect the subject development to the proposed City Centre DEU, including the operation of and use of the DEU and all associated obligations and agreements as determined by the Director of Engineering, including, but not limited to:

- a) Design and construction of the development's buildings to facilitate hook-up to a DEU system (e.g., hydronic water-based heating system); and
- b) Entering into a Service Provision Agreement(s) and statutory right-of-way(s) and/or alternative legal agreements, to the satisfaction of the City, that establish DEU for the subject site; and

17.2. Sanitary Pump Station: Design and construction of the sanitary pump station proposed for the north side of Capstan Way, as set out in the Engineering SA* Requirements forming part of these Rezoning Considerations for the subject site. The sanitary pump station services a significant area of development. While design and construction of the pump station will be a requirement of any development within the catchment area served by the proposed Capstan Way sanitary pump station, the City's objective is to have an equitable distribution of costs to the benefiting properties to the extent possible using available tools such as latecomer agreements or developer cost sharing agreements.

18. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development including, among other things:

Submission of a Landscape Plan prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation. The Landscape Plan should, among other things, provide for replacement tree planting on and around the subject site, based on the City-approved tree replacement plan, including at a minimum:

Tree Location	Existing Trees	Trees Retained	Trees Relocated (1)	Trees Removed/Replaced		
				Trees Removed	Replacement Trees	Min. Caliper of Replacement Deciduous Trees
On-Site	22	2 (#2113 & #2114, in west walkway)	0	18	36	6 – 10 cm
				2	4	15 cm
3371 Sexsmith Road Owned by the developer for future development	10	N/A	N/A	10	20	6 – 10 cm
Off-Site Road right-of-way	13	0	9 (2)	2 (4)	2	Value @ 6 cm
				2 (4)	4	\$3,900 6+ cm
Total	45	2	9	34	66 (3)	Varies

(1) Trees shall be relocated at the sole cost of the developer. If it is determined to the satisfaction of the Manager, Park Operations that one or more of the trees identified for relocation shall instead be removed/replaced, 2 replacement trees shall be planted for each tree removed.

(2) Existing Capstan Way street trees.

(3) Street trees required to be planted by the developer along Capstan Way and Sexsmith Road via the subject development's Servicing Agreement* shall be in addition to the replacement trees indicated in the table.

(4) Off-site trees that may be removed include:
 - for replacement @ 1:1: #2070 & #2068
 - for replacement @ 2:1: #2069 & #2011

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution is required for off-site replacement tree planting:

- For "On-Site" and "3371 Sexsmith Road": \$500/tree, payable to the City's Tree Compensation Fund; and
- For "Off-Site (Road right-of-way)": \$650/tree, payable to Richmond Parks.

19. In respect to trees identified for retention:

- Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site 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 provisions for the Arborist to submit a post-construction assessment report to the City for review.
- Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

20. Enter into a Servicing Agreement (SA)* for the design and construction, at the developer's sole cost, of full upgrades across the subject site's street frontages, together with construction of a sanitary pump station and various other engineering, transportation, and park works.
- Prior to rezoning adoption, all works identified via the SA must be secured via a Letter(s) of Credit, to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, Senior Manager, Parks, and Manager, Environmental Sustainability.
 - No phasing of off-site works will be permitted. All works shall be completed prior to final Building Permit inspection granting occupancy for the subject development or, if it is determined that the subject development will be phased, prior to final Building Permit inspection granting occupancy for the first phase.
 - Development Cost Charge (DCC) credits may apply.

Servicing Agreement* (SA) works will include, but may not be limited to, the following:

- 20.1. Engineering SA* Requirements: All water, storm, sanitary upgrades determined via the Capacity Analysis processes are to be addressed via this SA process. The City requires that the proposed design and related calculations are included on the SA design drawing set. As per the completed capacity analyses and related studies, the City accepts the developer's recommendations as follows:

- a) ***Sanitary Sewer Upgrades:*** Based on consultation with the developer and the developer's Sanitary Capacity Analysis submitted:

- i) Gravity Sewer: The developer is solely responsible for the following upgrade requirements (i.e., no late comer program will apply):
- to design and construct a new 450mm dia. sanitary gravity sewer fronting their development site on Sexsmith Road (from 75m north of the Capstan Way and Sexsmith Road intersection to the Capstan Way and Sexsmith Road intersection).
 - to design and construct new sanitary gravity sewer fronting their development site on Capstan Way (from 160m West of Sexsmith Road and Capstan Way intersection to the Capstan Way and Sexsmith Road intersection). Breakdown as follows:
 - Approximately 75m of 450mm dia. Sanitary Sewer
 - Approximately 40m of 450mm dia. Sanitary Sewer
 - Approximately 30m of 525mm dia. Sanitary Sewer
 - Approximately 15m of 600mm dia. Sanitary SewerThe exact length of the sanitary sewer and the location of manholes are to be finalized during the Servicing Agreement design.
 - to abandon the existing sanitary gravity sewer system (remove pipes) that is being replaced by the propose sanitary sewer system.
- ii) New Pump Station: (**REVISED January 4, 2012**) The developer is responsible for the design and construction of the new Capstan sanitary pump station. The pump station shall be located approximately 125 m west of the Capstan Way and Sexsmith Road intersection. The new sanitary pump station is intended to service all the developments on the east side of No. 3 Road within the existing Skyline sanitary catchment. The new Capstan sanitary catchment boundaries are No. 3 Road, Cambie Road, Garden City Road, and Sea Island Way. The sanitary pump station services a significant area of development. While design and construction of the pump station will be a requirement of any development within the catchment area served by the proposed Capstan Way sanitary pump station, the City's objective is to have an equitable distribution of costs to the benefiting properties to the extent possible using available tools such as latecomer agreements or developer cost sharing agreements.

- b) **Storm Sewer Upgrades:** The developer is solely responsible for all upgrade requirements listed below (i.e., no late comer program will apply).
- i) According to the developer's calculations and assessment, the "Existing + Phase One + Instream" scenario indicates that the storm sewers fronting the development site are undersized. The pipes also do not meet the minimum pipe size requirement. The City accepts the developer's recommendations to upgrade the existing storm sewer:
 - fronting the development site on Sexsmith Road (from STMH 10036 located approximately 75m north of the Sexsmith Road and Capstan Way intersection to propose MH at the Sexsmith Road and Capstan Way intersection). The existing storm sewer system shall be replaced with a single 1050mm storm sewer running down the center of Sexsmith Road.
 - fronting the development site on Capstan Way (from STMH 5908 located approximately 130m west of the Sexsmith Road and Capstan Way intersection to propose MH at the Sexsmith Road and Capstan Way intersection) to minimum size of 600mm.
 - ii) The developer is required to build a temporary storm sewer transition to connect the propose storm sewer on Sexsmith Road to the existing twin system to the north of development. The developer is also required to build a temporary storm sewer transition from the proposed MH at the Sexsmith Road and Capstan Way intersection to connect to the existing twin storm sewer system south of Capstan Way.
 - iii) The developer is required to abandon the existing storm sewer system (i.e. remove pipes, infill ditches) that is being replaced by the proposed storm sewer system.
- c) **Water System Upgrades:** The developer is responsible to upgrade the existing water system fronting the development site on Sexsmith Road from existing 150mm dia. to 200mm dia. (from 75 m north of the Capstan Way and Sexsmith Road intersection to the Capstan Way and Sexsmith Road intersection).
- d) **Encroachments:** Registration of right-of-way agreements for private utilities, street trees, sidewalk encroachments, and/or other requirements, as determined via the SA review and approval process, to the satisfaction of the Director of Development, Director of Engineering, and Director of Transportation.
- e) **Utility Undergrounding:** As per City Centre policy, the developer is responsible for facilitating the undergrounding of the existing private utility pole line, to the satisfaction of the City, along the Sexsmith Road and Capstan Way frontages of the subject site, together with affected areas.(No DCC credits are applicable.)

20.2. **Transportation SA* Requirements:** All transportation improvements identified in the Transportation Impact Analysis (TIA) are to be addressed via the Servicing Agreement* process for this development. Complete and detailed road and traffic management design is subject to final functional design approval by the Director of Transportation. Transportation-related Servicing Agreement* works will include, but are not limited to the following:

- a) **Capstan Way:** The developer is responsible for the design and construction of the following Interim Cross-Section, to the satisfaction of the City, taking into consideration the following Ultimate Cross-Section in the design and construction of those road works. The developer is required to design and construct improvements across the subject site's entire Capstan frontage and a transition between those improvements and the existing condition west of the subject site (at a minimum 20:1 taper rate), to the satisfaction of the City.
- i) **Interim Cross-Section:** The developer is responsible for the design and construction of the following (described from south to north):
 - Existing curb on the south side of the street to be maintained;
 - 2.5 m wide eastbound parking lane;
 - 3.3 m wide eastbound vehicle travel lane;
 - 3.3 m wide left-turn lane/ landscaped median;

- 3.3 m wide westbound vehicle travel lane;
- 2.5 m wide westbound parking lane;
- 0.15 m wide curb;
- 2.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre street lights, benches and furnishings, pedestrian crossings, and a minimum 2.0 m wide continuous trench for tree planting (i.e. to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system);
- 2.5 m wide bike path (asphalt with +/-0.2 m wide concrete bands along each edge);
- 0.5 m wide buffer strip, incorporating permeable paving, pedestrian lighting, decorative planting, and furnishings; and
- 2.5 m wide saw-cut concrete sidewalk.

ii) Ultimate Cross-Section: The developer is required to take into consideration the following ultimate cross-section in the design and construction of required road works (described from north to south):

- The curb on the north side (established as noted above);
- 6.6 m (2 lanes @ 3.3 m) wide westbound vehicle travel lanes;
- 3.3 m wide left-turn lane / landscaped median;
- 6.6 m (2 lanes @ 3.3 m) wide eastbound vehicle travel lanes;
- 0.15 m wide curb;
- 2.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre street lights, benches and furnishings, pedestrian crossings, and a minimum 2.0 m wide continuous trench for tree planting (i.e. to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system);
- 2.5 m wide bike path (asphalt with +/-0.15 m wide concrete bands along each edge);
- 0.5 m wide buffer strip, incorporating permeable paving, pedestrian lighting, decorative planting, and furnishings; and
- 2.5 m wide saw-cut concrete sidewalk.

b) ***Sexsmith Road***: The developer is responsible for the design and construction of the following Interim Cross-Section, to the satisfaction of the City, taking into consideration the following Ultimate Cross-Section in the design and construction of those road works. The developer is required to design and construct improvements across the subject site's entire Sexsmith Road frontage and a transition between those improvements and the existing condition north of the subject site (at a minimum 20:1 taper rate), including provisions for temporary recycling pick up (e.g., designated loading and recycling cart areas), to the satisfaction of the City.

i) Interim Cross-Section: From west to east:

- 2.0 m wide concrete sidewalk;
- 0.6 m wide buffer strip, incorporating permeable paving, pedestrian lighting, decorative planting, and furnishings;
- 2.0 m wide bike path (asphalt with +/-0.15 m wide concrete bands along each edge);
- 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre street lights, benches and furnishings, pedestrian crossings, and a minimum 1.5 m wide continuous trench for tree

planting (i.e. to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system);

- 0.15 m wide curb;
- 2.5 m wide southbound parking lane;
- 3.3 m wide southbound vehicle travel lane;
- 3.3 m wide left-turn lane / landscaped median;
- 3.3 m wide northbound vehicle travel lane; and
- minimum 1.0 m wide shoulder.

ii) Ultimate Cross-Section: From the 3.3 m wide northbound vehicle travel lane to the east:

- 2.5 m wide northbound parking lane;
- 0.15 m wide curb;
- 1.5 m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre street lights, benches and furnishings, pedestrian crossings, and a minimum 1.5 m wide continuous trench for tree planting (i.e. to facilitate innovative storm water management measures aimed at improving the quality of run-off and reduce the volume of run-off entering the storm sewer system);
- 2.0 m wide bike path (asphalt with +/-0.15 m wide concrete bands along each edge);
- 0.6 m wide buffer strip, incorporating permeable paving, pedestrian lighting, decorative planting, and furnishings; and
- 2.0 m wide concrete sidewalk.

c) ***Traffic Signals***:

- i) Installation of a new traffic signal at the Capstan Way / Sexsmith Road intersection, including, but not limited to, the following:
- Signal pole, controller, base and hardware;
 - Pole base (City Centre decorative pole and luminaire);
 - Detection, conduits (e.g., electrical and communications), and signal indications and communications cable, electrical wiring, and service conductors; and
 - APS (Accessible Pedestrian Signals) and illuminated street name sign(s).

d) ***Special Crosswalk***:

- i) Installation of a special crosswalk with downward lighting and associated equipment on Capstan Way, approximately midway between Sexsmith Road and Hazelbridge Way.

20.3. Parks SA* Requirements: All park improvements identified via the subject rezoning application review process and secured via a statutory right-of-way(s) are to be addressed via the Servicing Agreement* process for this development. Complete and detailed park design is subject to final conceptual design approval by the Senior Manager, Parks, and Director of Development. Park-related Servicing Agreement* works will include, but are not limited to the following:

- a) ***Pedestrian Pathway & Greenway Widening***: The design and construction of public access and landscaped areas intended to enhance public use and enjoyment of the Capstan Greenway and provide the first phase of a pedestrian link (to be extended/widened by others) providing access to future public amenities and destinations north of the subject site, which shall be as generally described in respect to the proposed Pedestrian Pathway & Greenway Widening right-of-way (described in these Rezoning Considerations) and include, but not be limited to, some combination of decorative paving, trees, lighting, furnishings, related landscape features, and innovative, integrated storm water management measures, to the satisfaction of the City. The design of the right-of-way will be confirmed

via the subject site's Development Permit* and Servicing Agreement* approval processes, to the satisfaction of the City.

- b) **Temporary Park:** The design and construction of the Temporary Park situated within the area secured by a statutory right-of-way for public park and related uses in association with the developer's residential marketing centre and described by the Temporary Park Terms of Reference (**Schedule C**), to the satisfaction of the City.

Prior to a Development Permit* being forwarded to the Development Permit Panel for consideration, the developer is required to:

1. Submission of a report and recommendations prepared by an appropriate registered professional, which demonstrates that interior noise levels and thermal conditions comply with the City's Official Community Plan requirements for Aircraft Noise Sensitive Development. The standard required for air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers, and acoustic ducting) is the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard and subsequent updates as they may occur. Maximum interior noise levels (decibels) within the dwelling units must achieve CMHC standards as follows:

Portions of Dwelling Units	Noise Levels (decibels)
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways, and utility rooms	45 decibels

2. Granting of any additional Public Right of Passage statutory right-of-ways required on the subject site, in addition to those statutory right-of-ways granted prior to rezoning adoption and indicated in **Schedule B**, as needed to satisfy the density bonus provisions of the Capstan Station Bonus in respect to Zoning Bylaw requirements for the developer's provision of suitably landscaped public open space at a rate of at least 5 m² per dwelling unit. The area of any such right-of-way, terms of use, construction, maintenance, provisions/restrictions for building encroachments and utilities, and related considerations shall be determined to the satisfaction of the City as specified in the Development Permit.

Prior to Building Permit* issuance, the developer must complete the following requirements:

1. As per the restrictive covenant and/or other legal agreements registered on the subject site to the satisfaction of the City, the developer's voluntary contribution to the Capstan station reserve or as otherwise provided for via the Zoning Bylaw, as per the Richmond Zoning Bylaw in effect at the date of Building Permit* approval.
2. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
3. Incorporation of accessibility measures in Building Permit* (BP) plans as determined via the Rezoning and/or Development Permit processes.
4. Obtain a Building Permit* (BP) 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 Division at 604-276-4285.

Note:

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.

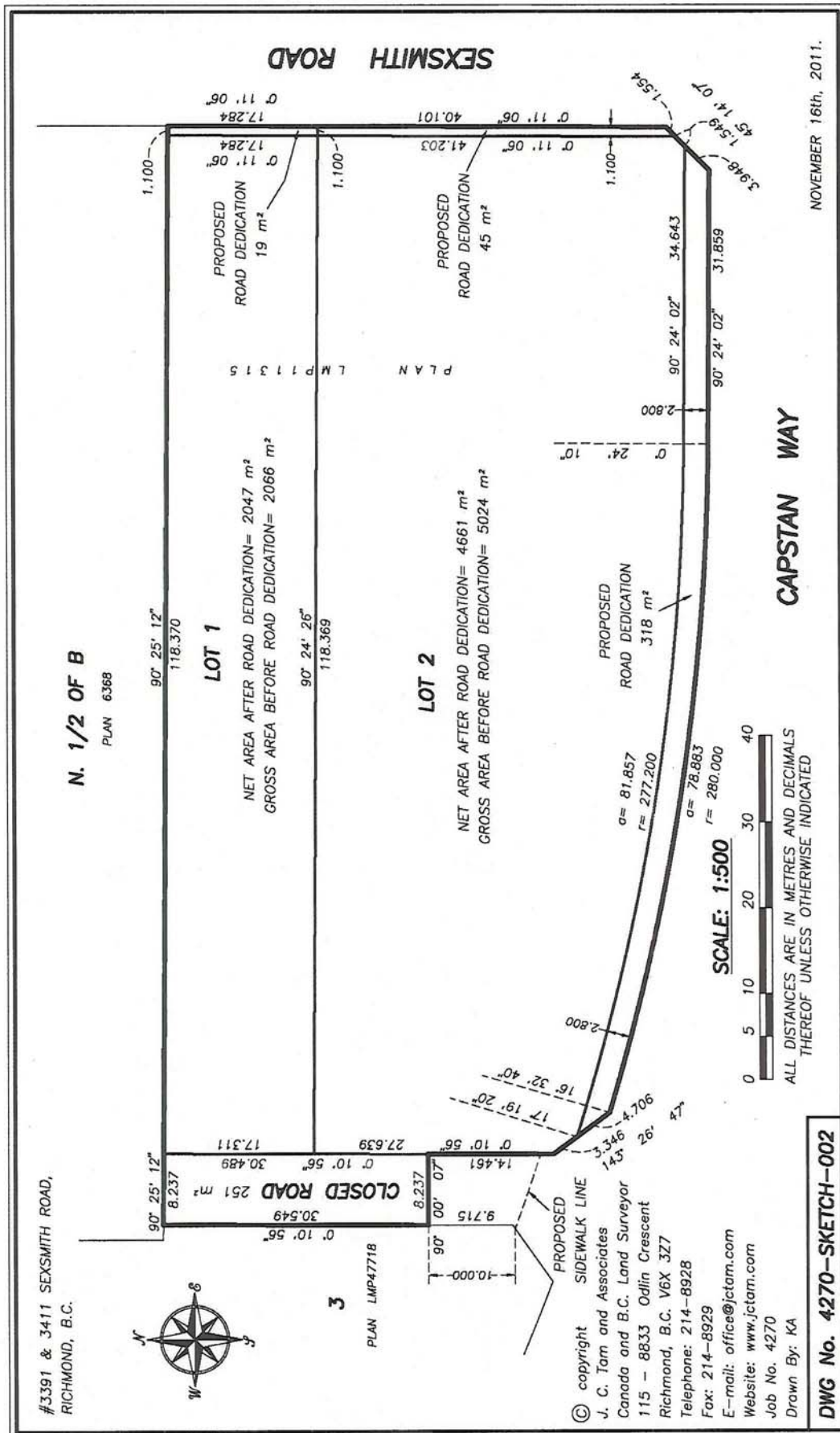
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director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

* This symbol indicates that the item requires a separate application.

Signed original on file

Signed _____

Date _____



PLN - 221



Temporary Park Development Concept Requirements
RZ 10-544729

Purpose

To provide guidance for the design and construction of a Temporary Park on lands owned by the developer within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way, but excluding the subject site, intended to help ensure that residents of Capstan Village in general and the subject site in specific will have convenient access to attractive public open space amenities complementary to on-site outdoor residential amenity space in advance of the completion of the City's acquisition and construction of adequate permanent neighbourhood park space within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way.

Right-of-Way Objectives

- a) Provide for the Temporary Park to be designed and constructed, via the City's standard Servicing Agreement * process (secured via Letter(s) of Credit), as per this Temporary Park Terms of Reference, to the satisfaction of the City;
- b) Provide for 24 hour-a-day, universally accessible, public access for pedestrians and cyclists, together with emergency and service vehicles, related park uses and features, and City bylaw enforcement;
- c) Prohibit building encroachments above finished grade;
- d) Require the design, construction, and maintenance of the right-of-way to be at the sole cost of the developer, to the satisfaction of the City;
- e) Upon pre-approval from the City, permit the developer, at the developer's sole cost, to relocate or otherwise alter the right-of-way and Temporary Park works to accommodate building construction and related activities, as determined to the satisfaction of the City; and
- f) Provide for the Temporary Park to remain in effect until permanent neighbourhood park space, the area of which is equal to or greater than that of the Temporary Park, is secured for public use within the area bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way, as generally indicated in the City Centre Area Plan as amended by OCP Amendment Bylaw No. 8841, to the satisfaction of the City.

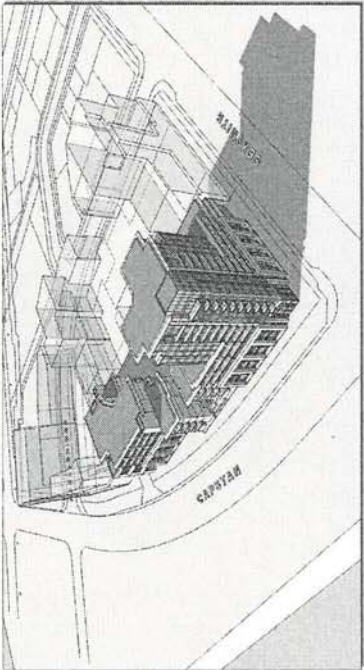
General Park Design Objectives

The park should be:

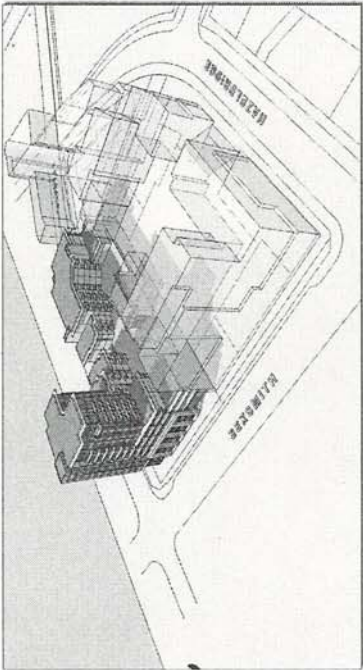
- a) A "green sanctuary" – a quiet, accessible place within which people can sit, walk, run, and play;
- b) Located abutting the developer's residential marketing centre (e.g., marketing building, parking, perimeter landscaping, and associated vehicle and pedestrian access) or as otherwise determined to the satisfaction of the City, and have direct public pedestrian and bike access from at least one fronting public street and from any driveway and/or pathway provided for the purpose of accessing the developer's marketing centre or other nearby uses;
- c) Roughly 4,047.0 m² (1.0 ac) in size (exclusive of areas required for marketing centre purposes) and roughly square in shape, so that the centre of the park is well buffered from busy fronting streets and park users can enjoy feeling in touch with nature;
- d) Focussed around a central, green lawn framed by some combination of trees for shade and shelter and landscaped areas providing seasonal elements of colour, scent, and texture;
- e) Designed/sited to provide for the retention and enhancement of existing trees and landscape features; and
- f) Designed/located to satisfy Crime Prevention through Environmental Design (CPTED) principles and related public safety considerations.

Park Features

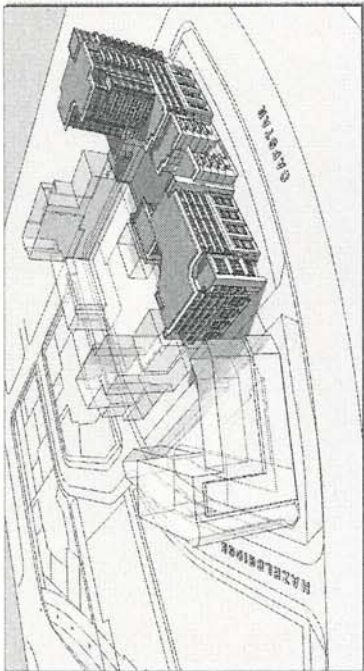
- a) Accessible pathways: 1.8 m wide, for walking and jogging.
- b) Benches: 6 minimum; surface mounted on a hard surface pad (for ease of maintenance); style/manufacturer to be determined to the City's satisfaction.
- c) Picnic tables: 3 minimum (including at least 1 accessible type); surface mounted on a hard surface pad (for ease of maintenance); style/manufacturer to be determined to the City's satisfaction.
- d) Trash receptacles: 1 minimum; style/manufacturer to be determined to the City's satisfaction.
- e) Storm drainage infrastructure: As required.
- f) Fencing: Chain link or wood, 1.8 m in height. The fence should be designed/located to mark the park entries, separate the park from adjacent properties/land uses, and protect and visually screen park users from nearby construction activities.
- g) Lighting: Pedestrian scale; pole mounted at appropriate height; style/manufacturer to be determined to the City's satisfaction.
- h) Trees: Some combination of conifers and ornamental deciduous trees, with a variety of sizes and ages.
- i) Lawn: Main area to be formally mowed and maintained.



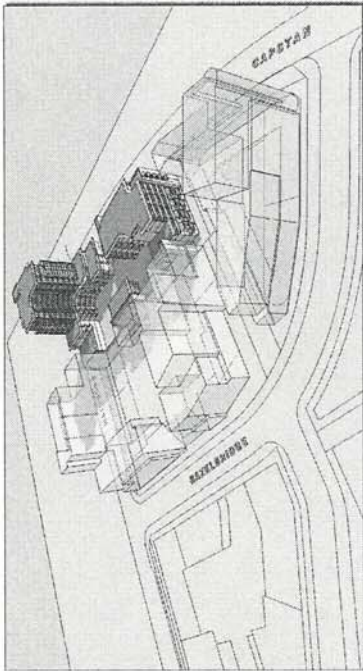
Aerial View from South East (Capstan & Sexsmith)



Aerial View from North East (Sexsmith & Hazelbridge)



Aerial View from South West (Capstan & Hazelbridge)



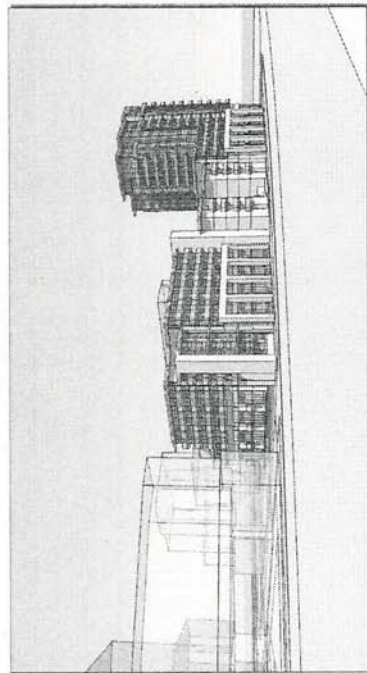
Aerial View from North West (Capstan & Hazelbridge)

MASSING CONCEPT

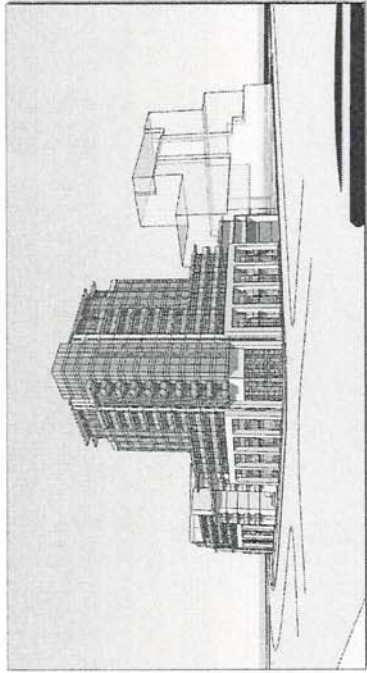
Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

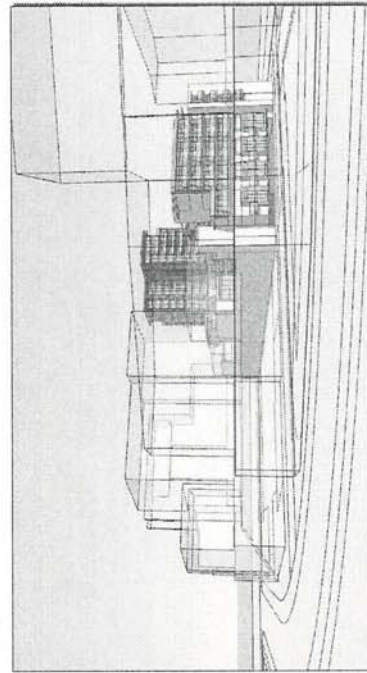
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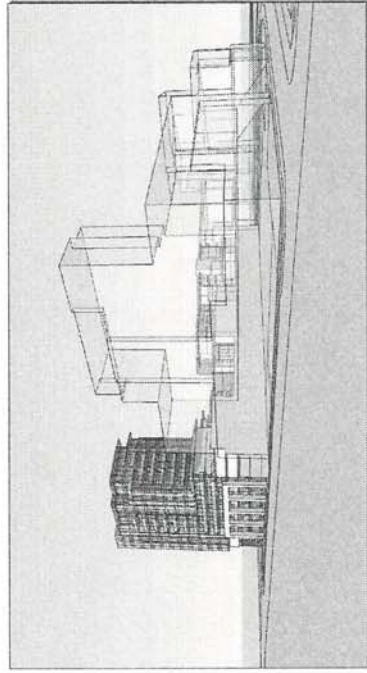
Street View from South West (Capstan & Hazelbridge)



Street View from South East (Capstan & Sexsmith)



Street View from North West (Capstan & Hazelbridge)



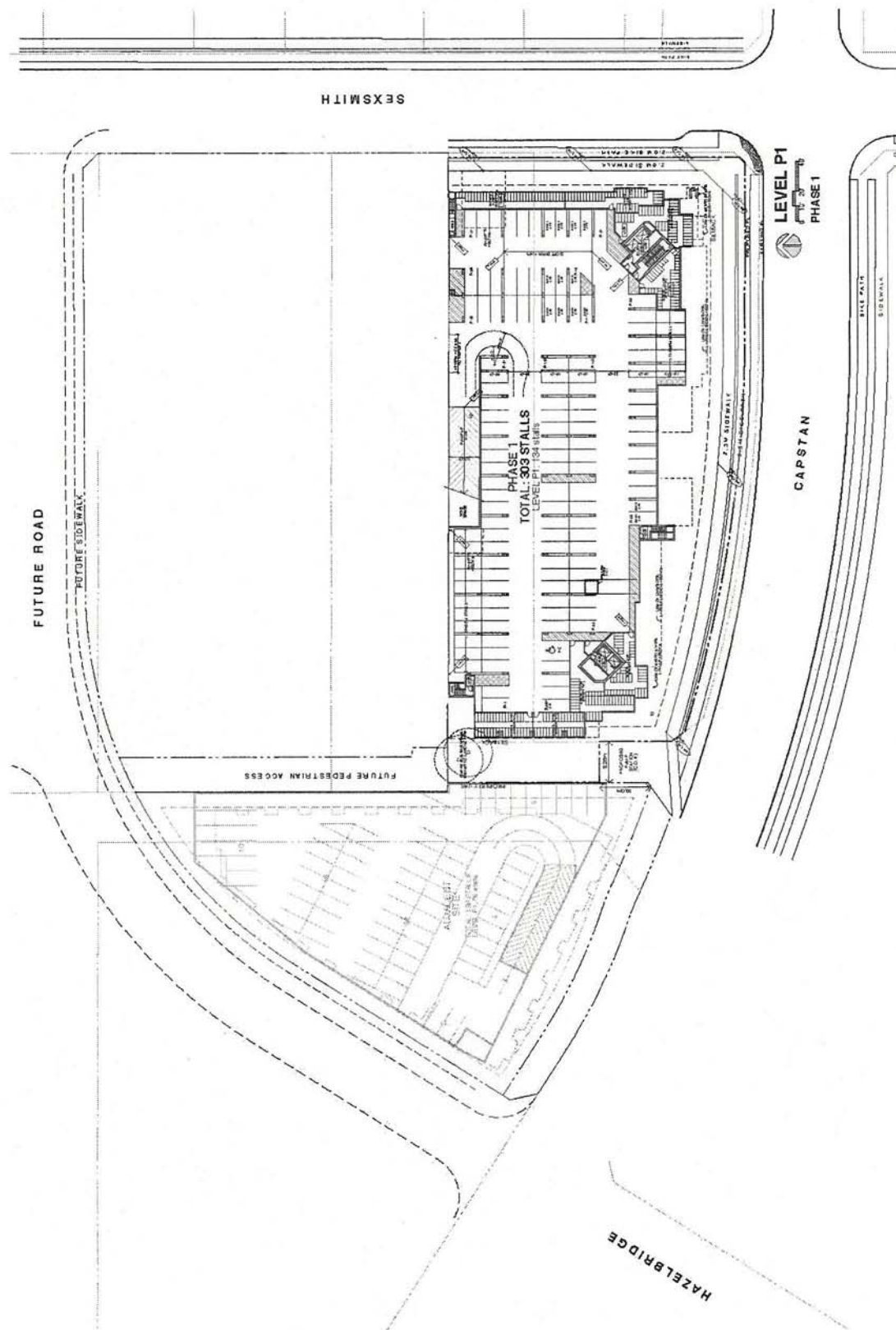
Street View from North East (Sexsmith & Hazelbridge)

MASSING CONCEPT

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

DECEMBER 14, 2011



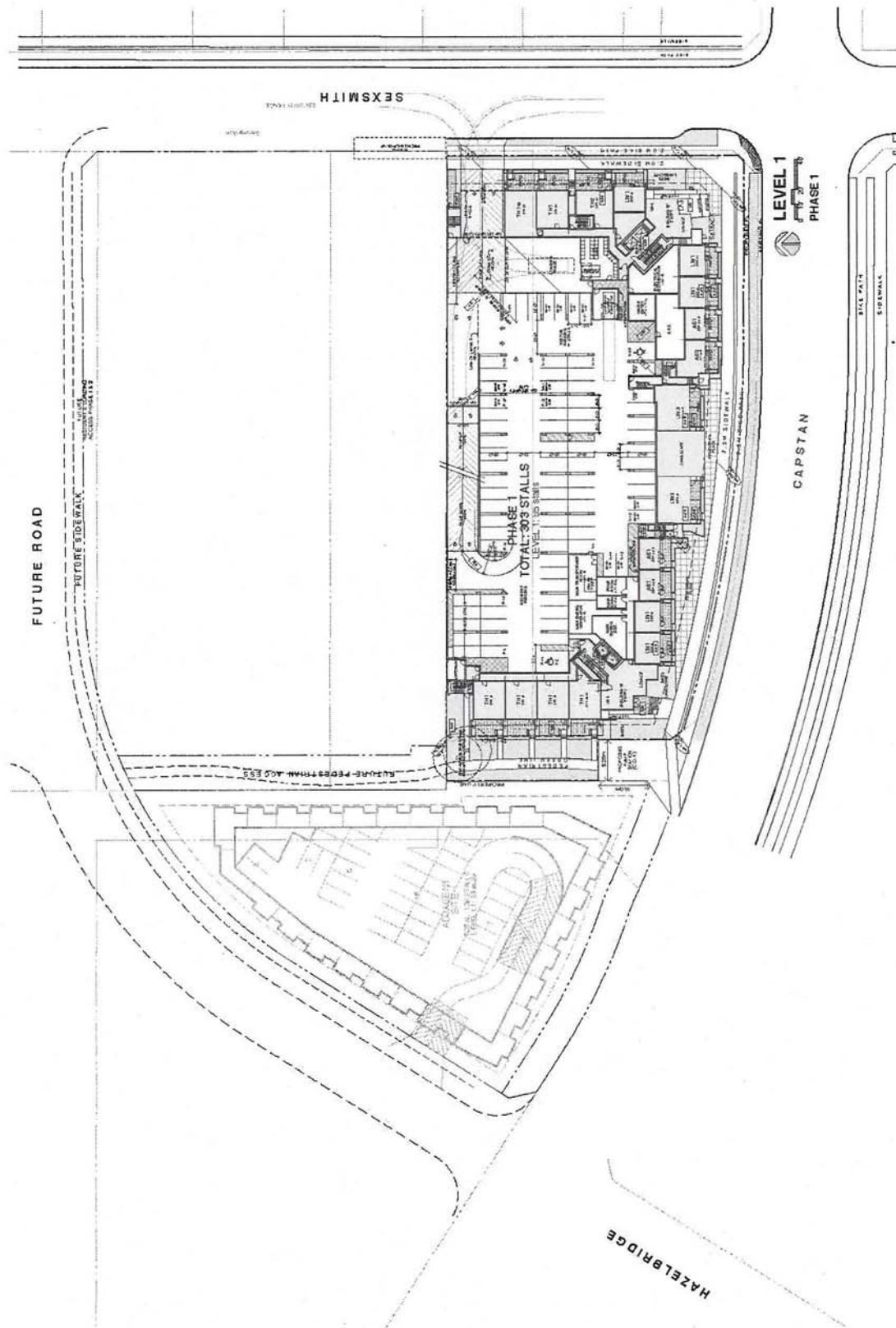
PLN - 227

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011



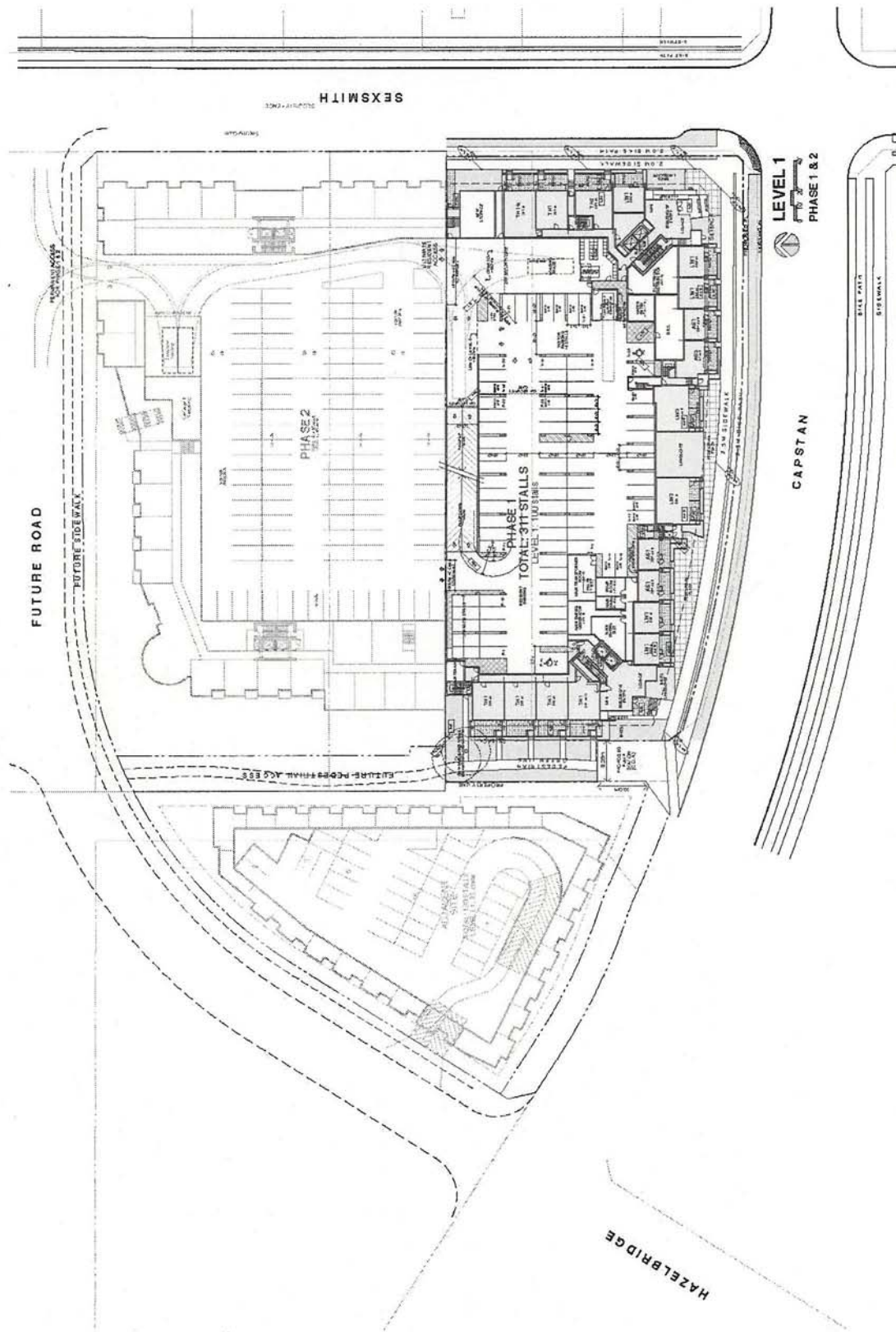


PLN - 229

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011

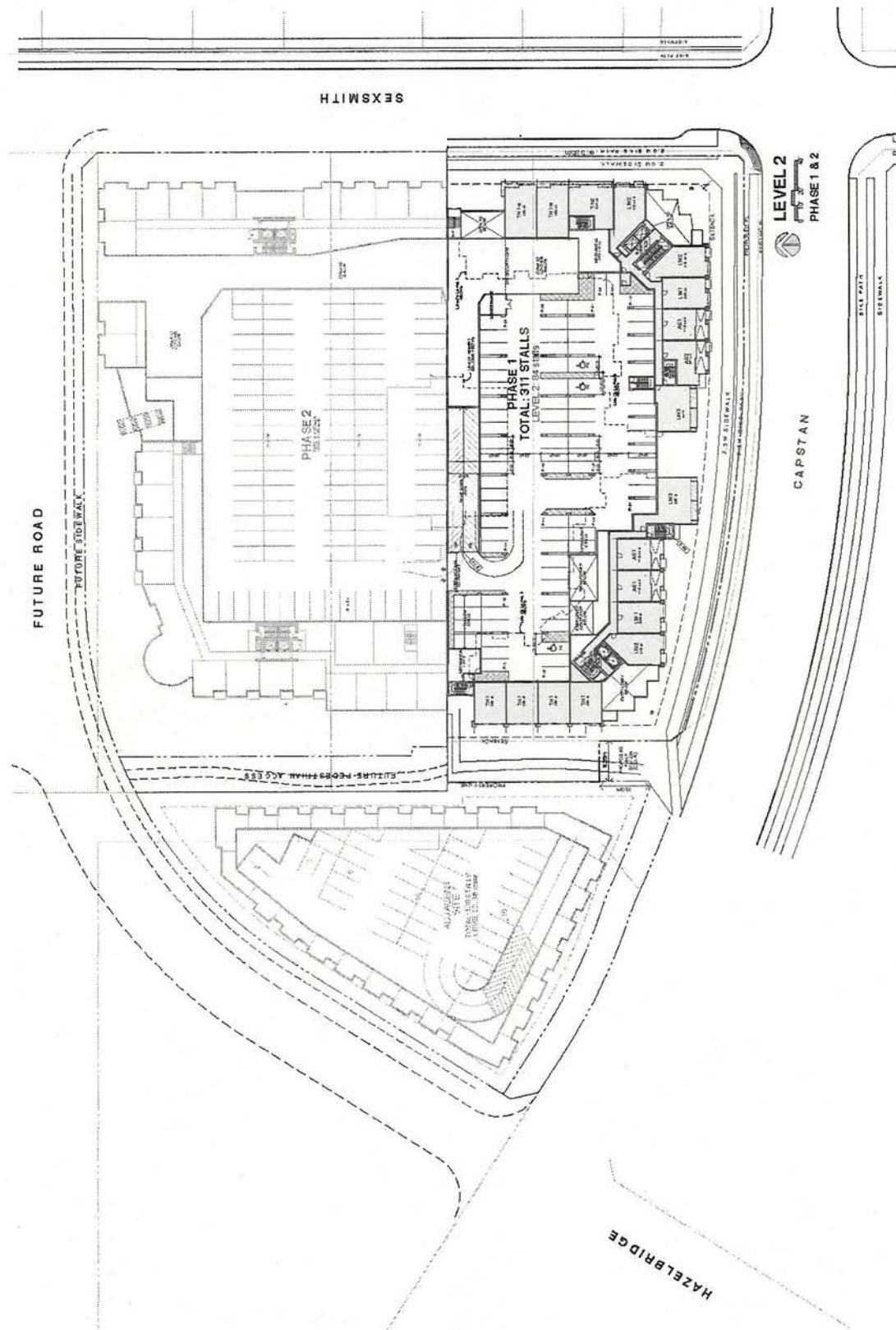


PLN - 230

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011

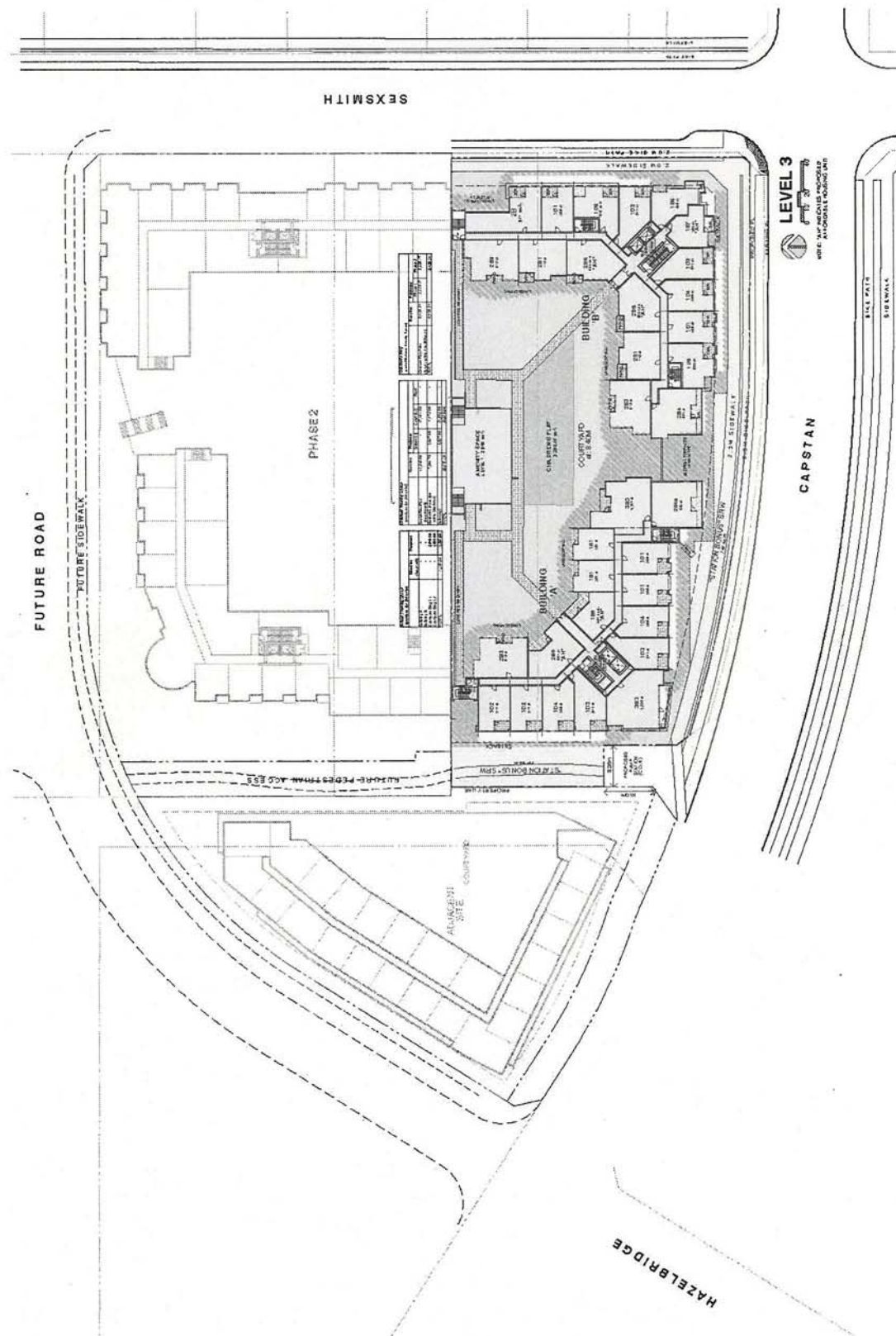


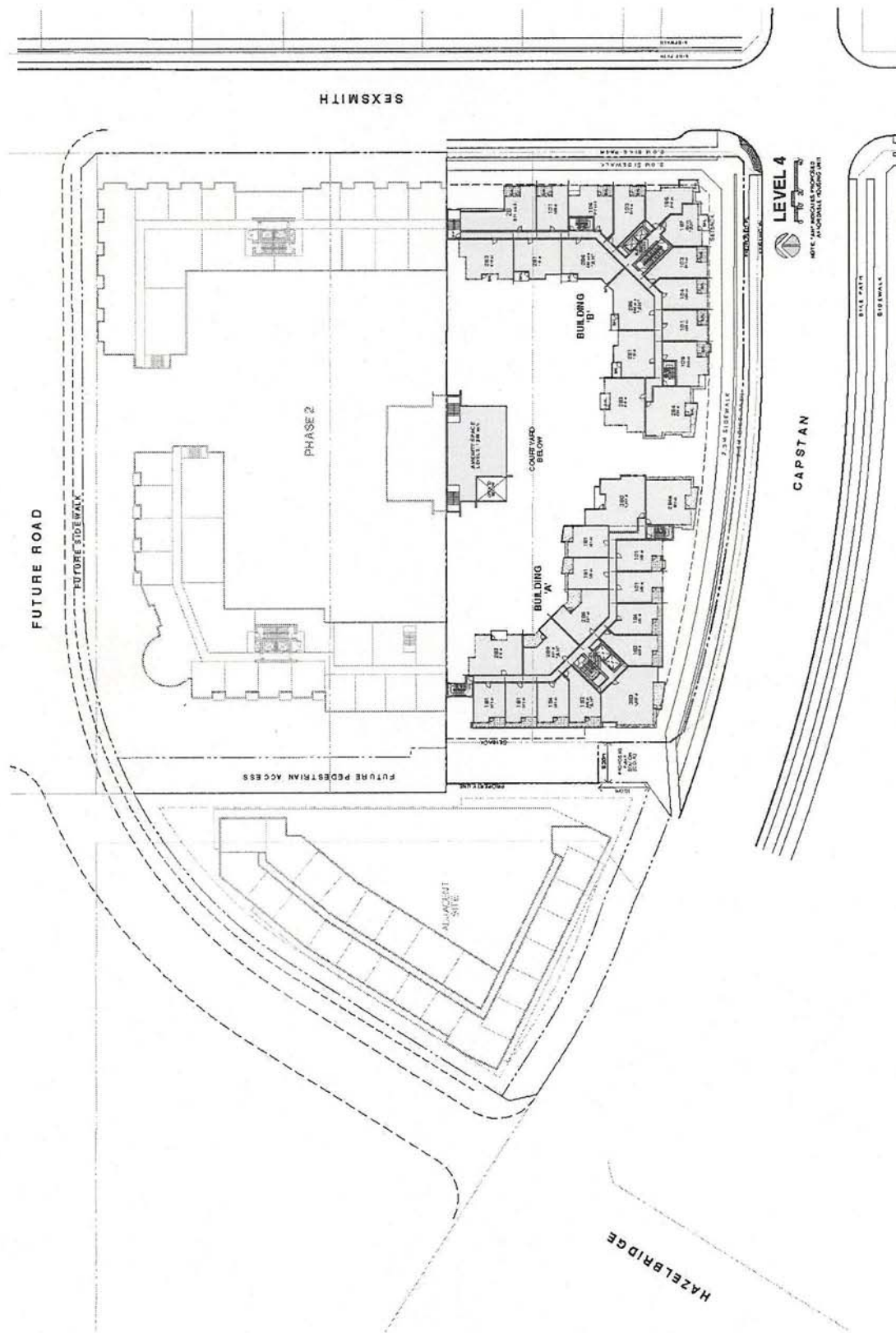
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Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011



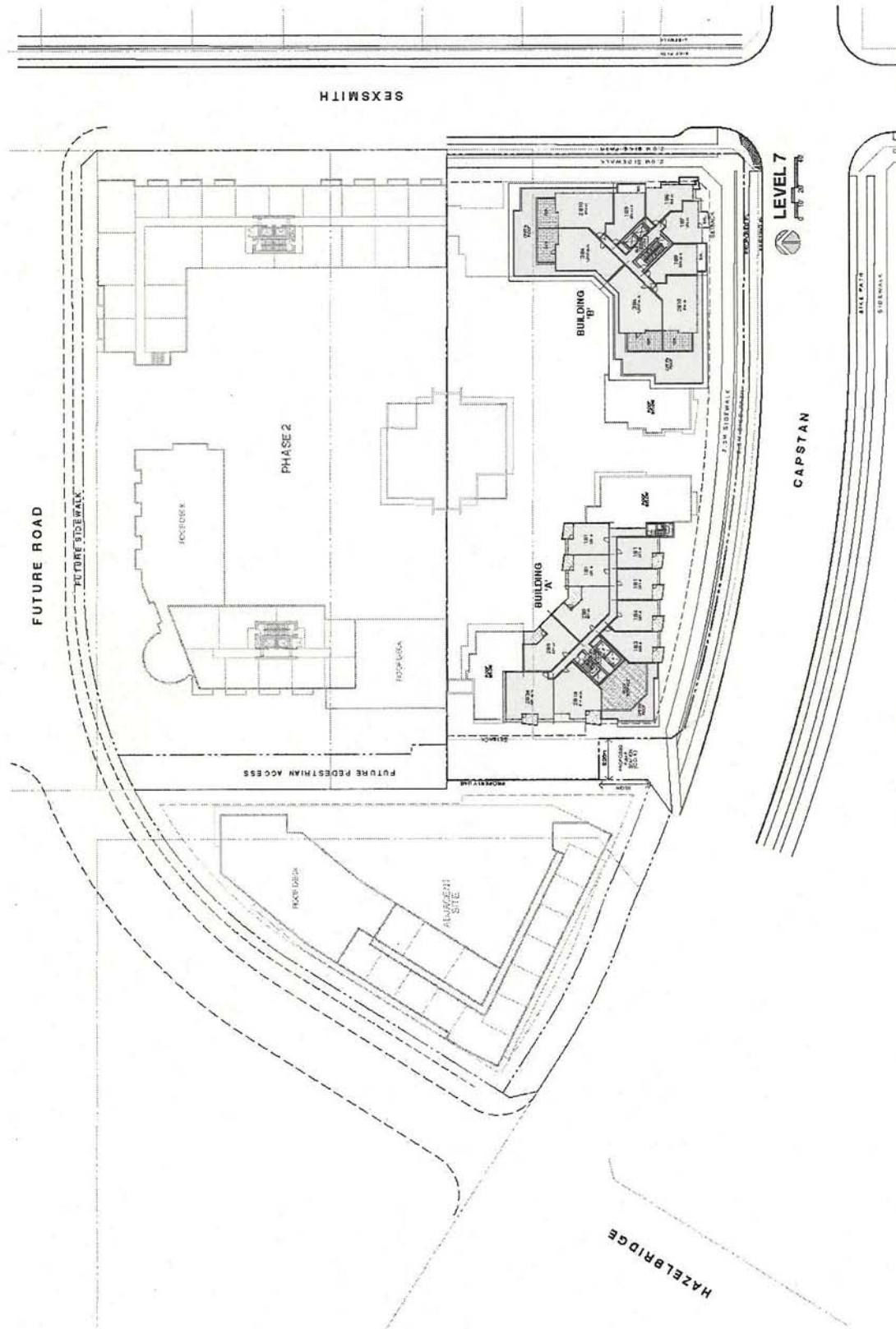


PLN - 233

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011

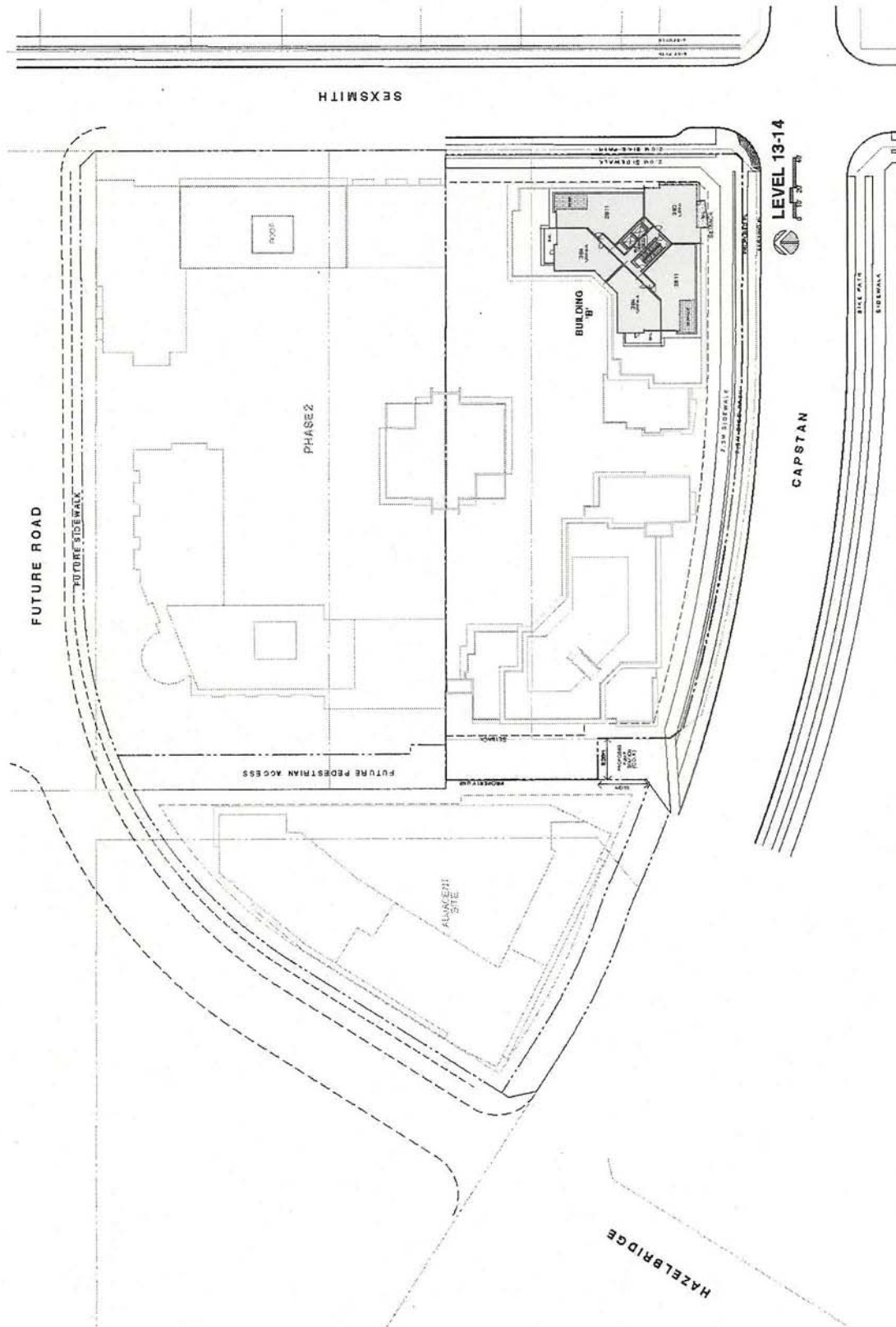


PLN - 234

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011

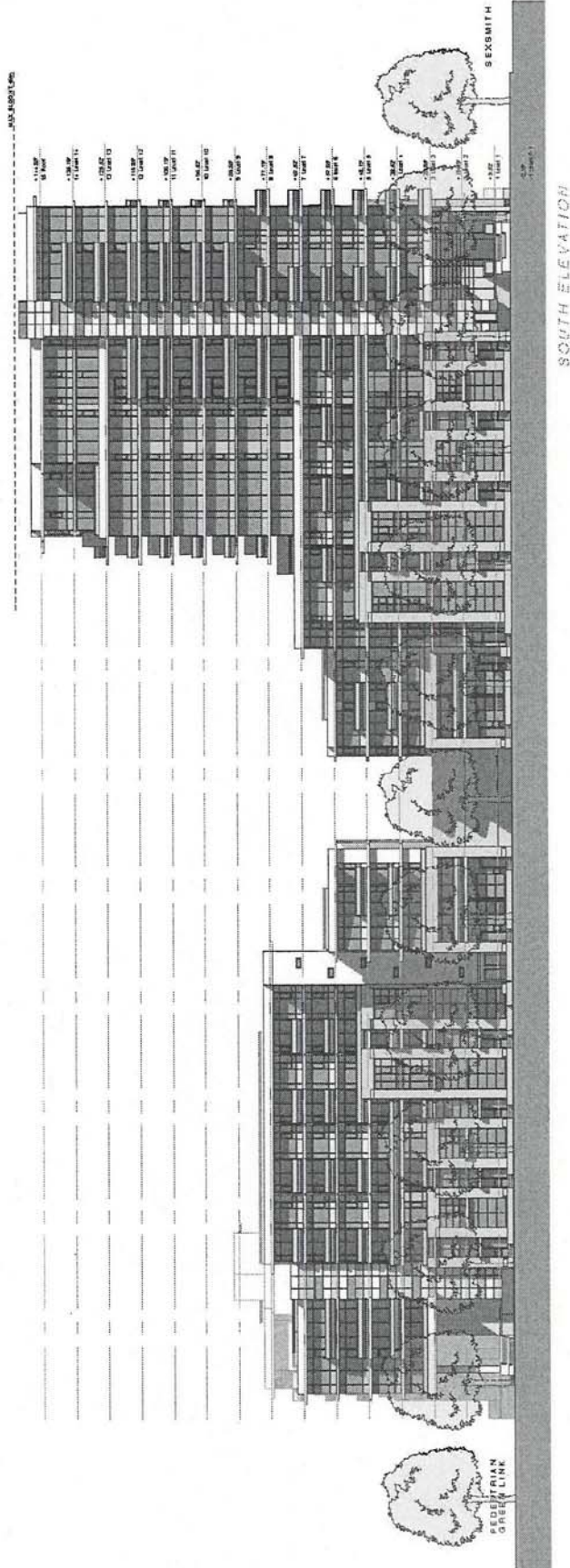


PLN - 235

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011

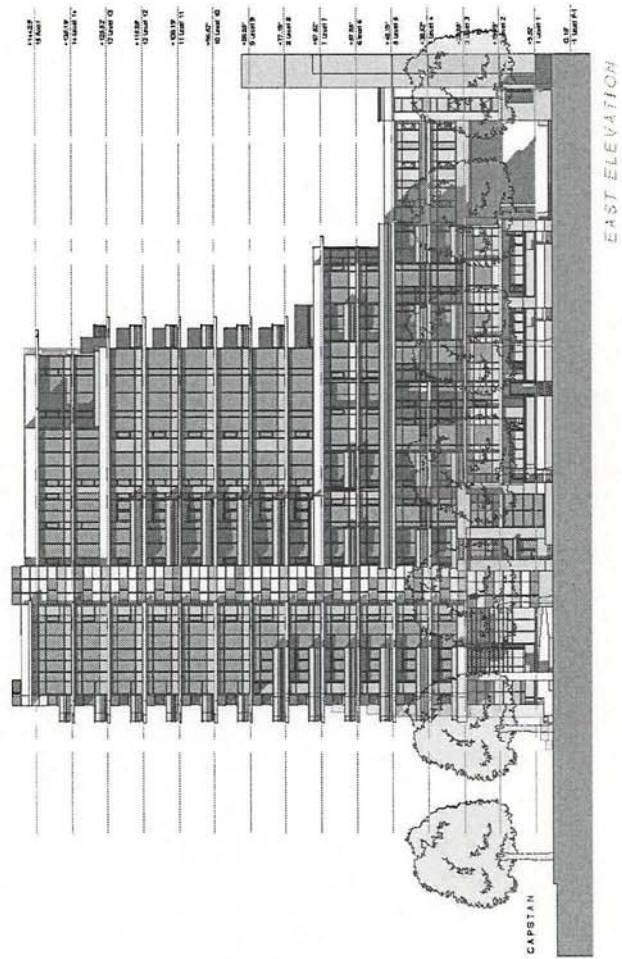
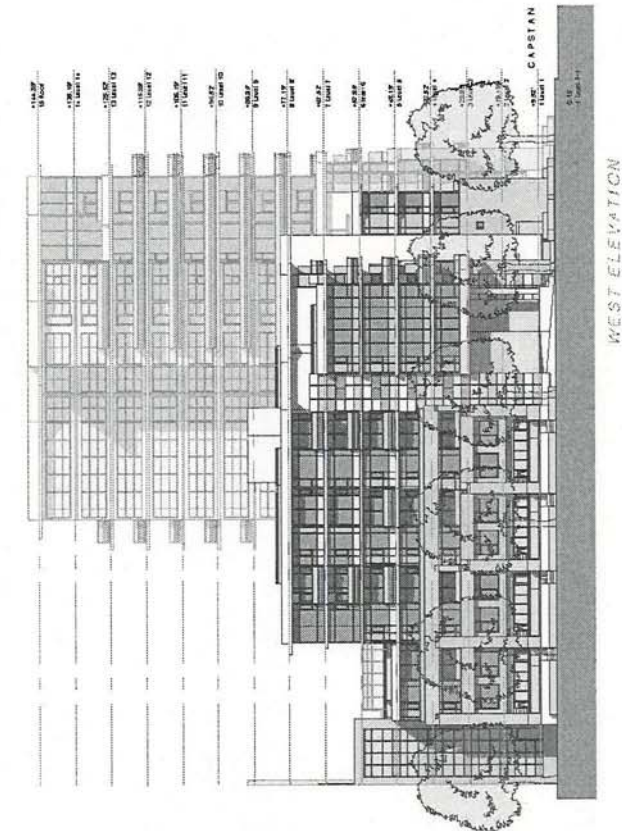


ELEVATION CONCEPT

Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

DECEMBER 14, 2011



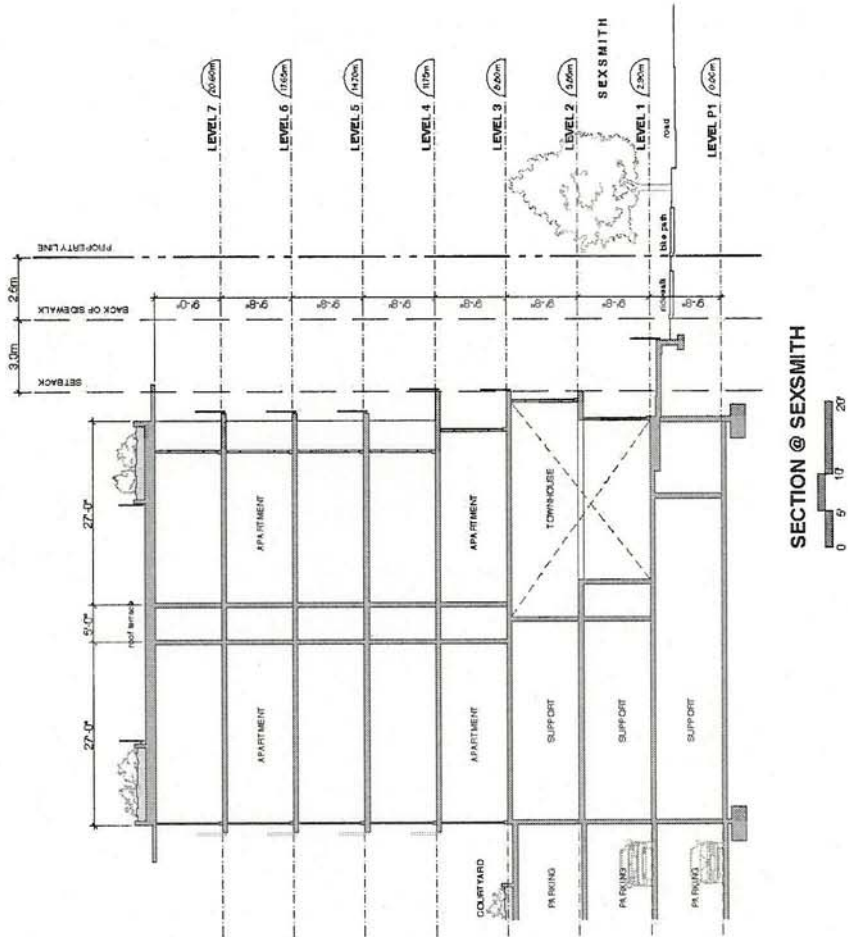
PLN - 237

ELEVATION CONCEPT

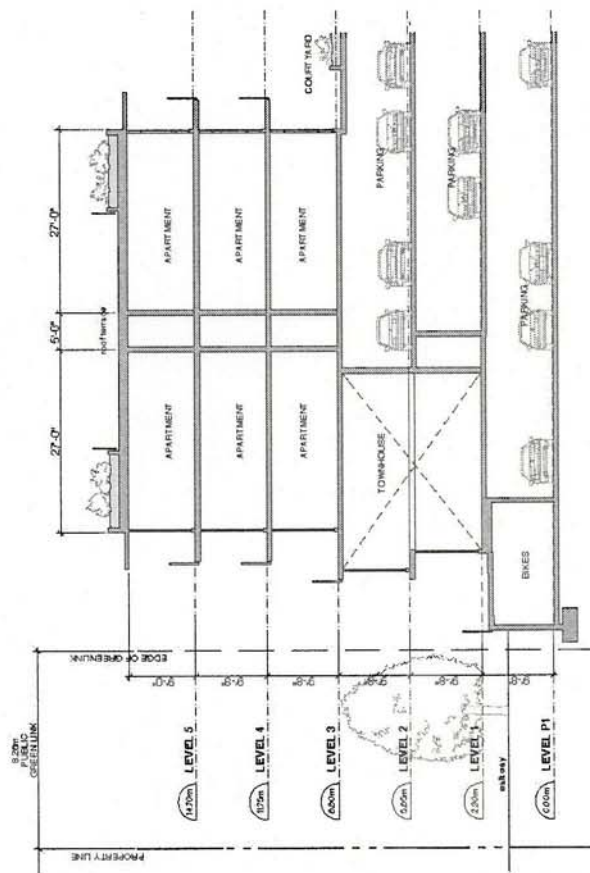
Pinnacle Centre
@ Capstan Station
Phase 1
Richmond BC

PINNACLE INTERNATIONAL
BINGHAM HILL ARCHITECTS

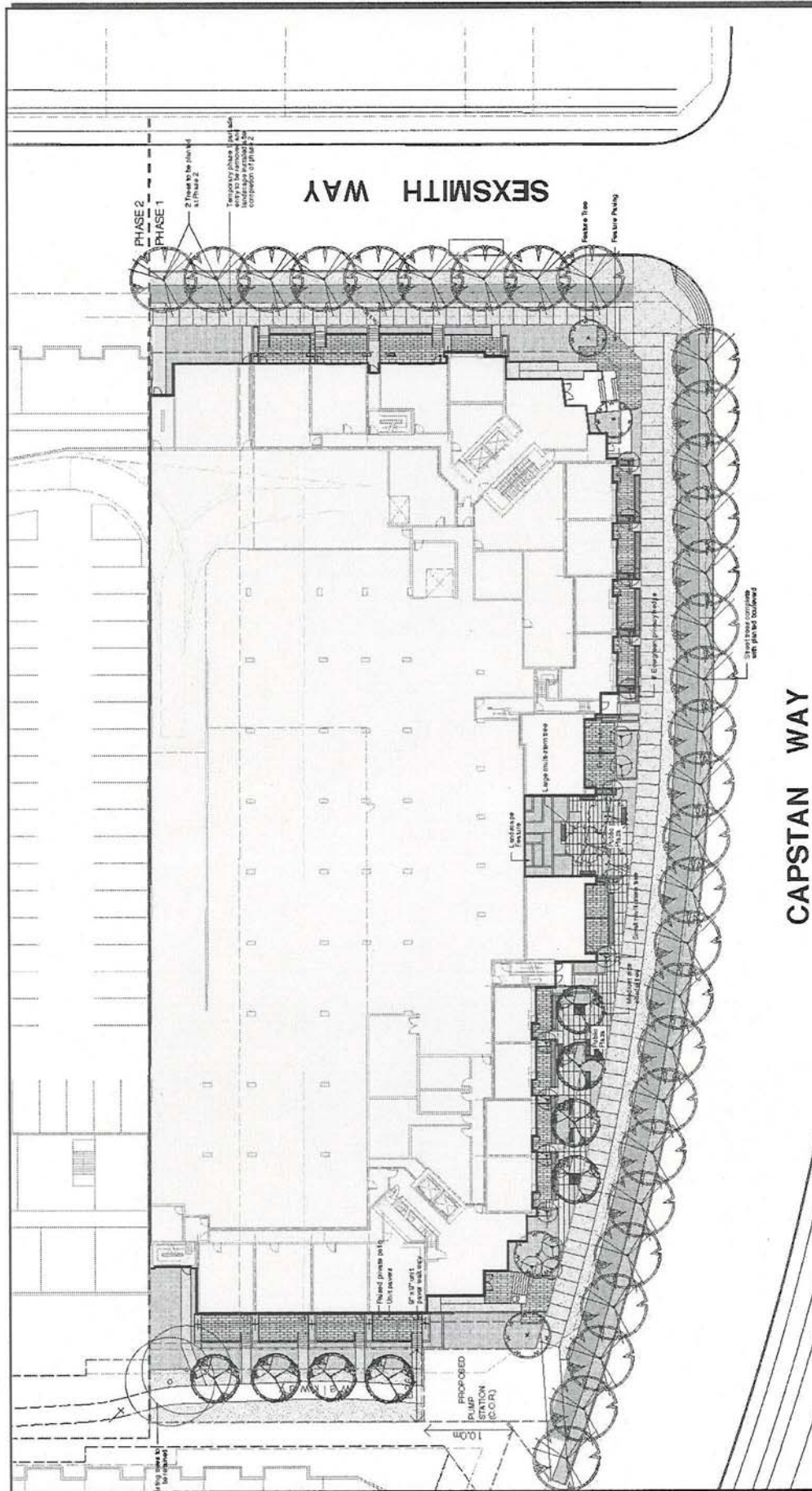
DECEMBER 14, 2011



SECTION @ SEXSMITH



SECTION @ PEDESTRIAN ACCESS



DURANTEK LTD. LANDSCAPE ARCHITECTS
100-1037 West 56 Avenue, Vancouver, B.C. V6J 1N5
Tel: 604-684-9017
Fax: 604-684-9018
www.durantek.ca

LEVEL 1 LANDSCAPE PLAN PINNACLE CENTRE AT CAPSTAN STATION PHASE 1

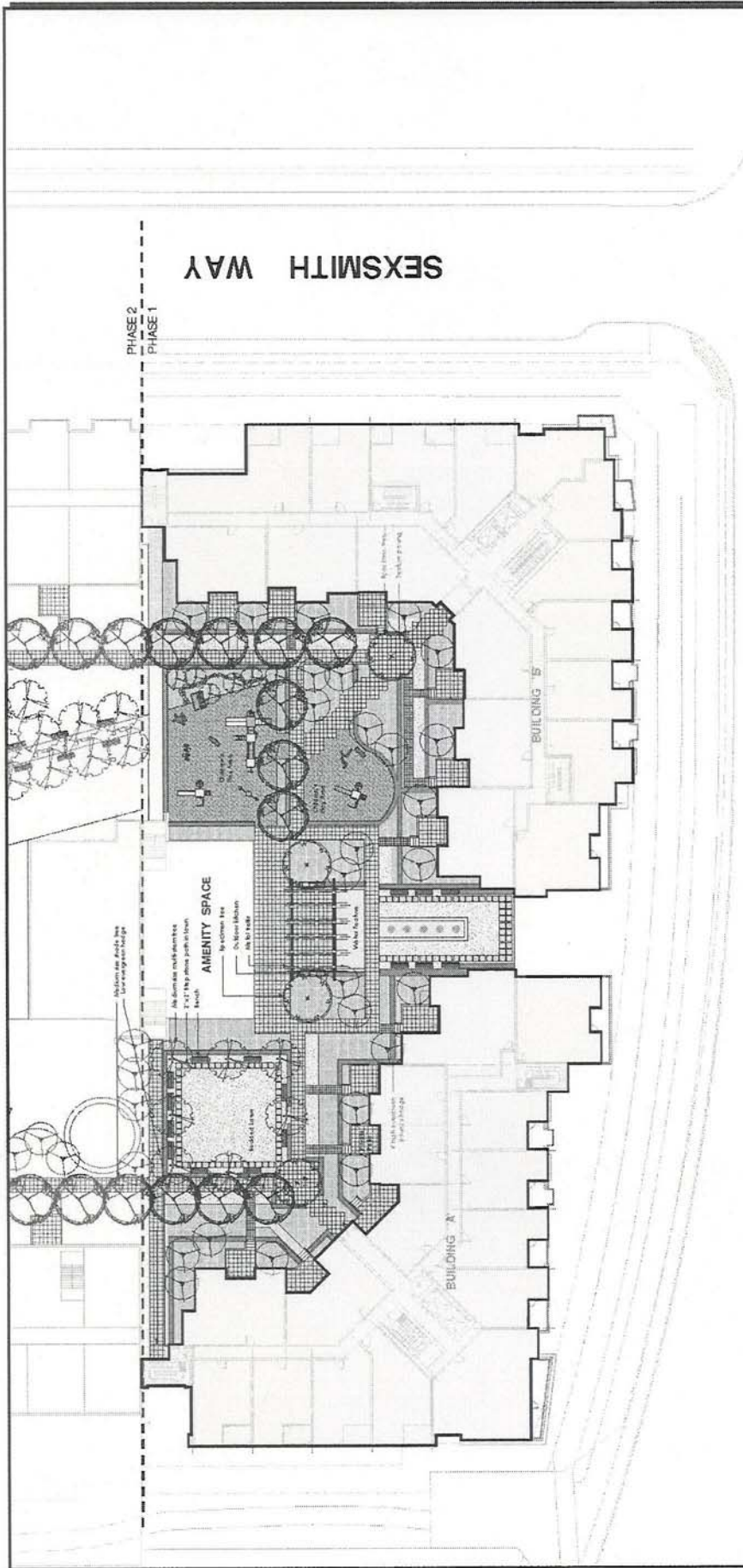
CAPSTAN WAY

SEXSMITH WAY

L01

DRAWN BY: AL
PROJECT NUMBER: 101115

DATE: 12 DEC 2011
SCALE: 1/8" = 1' 0"



CAPSTAN WAY

LEVEL 3 COURTYARD LANDSCAPE PLAN CAPSTAN VILLAGE



**Richmond Official Community Plan Bylaw 7100
Amendment Bylaw No. 8841 (RZ 10-544729)
3391 and 3411 Sexsmith Road and a Portion of City Lane on the
North Side of Capstan Way Between Sexsmith Road and No. 3 Road**

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

1. Richmond Official Community Plan Bylaw 7100, Schedule 1, is amended by repealing the existing land use designation in Attachment 1 (Generalized Land Use Map) thereof of the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road and by designating the area as “Mixed Use”, except designating the portion of the area identified as “Park” on “Schedule A attached to and forming part of Bylaw No. 8841” as “Public and Open Space Use”.
2. Richmond Official Community Plan Bylaw 7100, Schedule 2.10 (City Centre Area Plan), as amended by Official Community Plan Amendment Bylaw No. 8837, is amended by:
 - 2.1. On page 2-20, on the Pedestrian-Oriented Retail Precincts Map, in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Retail High Streets & Linkages” and “Secondary Retail Streets & Linkages” map designations and inserting the following map designations in the locations indicated in “Schedule A attached to and forming part of Bylaw 8841”:
 - a) “Retail High Streets & Linkages” in the locations indicated as “Pedestrian-Oriented Retail Precincts – High Street & Linkages”; and
 - b) “Secondary Retail Streets & Linkages” in the locations indicated as “Pedestrian-Oriented Retail precincts – Secondary Retail Streets & Linkages”.
 - 2.2. On page 2-27, on the Street Network Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Minor Streets” map designations, and inserting “Minor Streets” map designations in the locations indicated as “Proposed Streets” on “Schedule A attached to and forming part of Bylaw No. 8841”.
 - 2.3. On page 2-36, on the Pedestrian Environment Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Green Link (Future)” map designation, and inserting “Green Link (Future)” map designations in the locations indicated as “Pedestrian Linkages” along Capstan Way and aligned north-south, mid-block between No. 3 Road and Sexsmith Road, on “Schedule A attached to and forming part of Bylaw No. 8841”.

- 2.4. On page 2-65, on the Base Level Parks & Open Space Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Neighbourhood Park (Future to 2031)” and “Green Link (Future)” map designations, and inserting the following map designations in the locations indicated in “Schedule A attached to and forming part of Bylaw 8841”:
- a) “Neighbourhood Park (Future to 2031)” in the location indicated as “Park”; and
 - b) “Green Link (Future)” in the locations indicated as “Pedestrian Linkages” along Capstan Way and aligned north-south, mid-block between No. 3 Road and Sexsmith Road.
- 2.5. On page 2-68, on the Neighbourhood Parks Map, in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Neighbourhood Park (Future to 2031)” map designation and inserting a “Neighbourhood Park (Future to 2031)” map designation in the location indicated as “Park” in “Schedule A attached to and forming part of Bylaw No. 8841”.
- 2.6. On page 2-71, on the Pedestrian Linkages Map, in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Green Link (Future)” map designation and inserting “Green Link (Future)” map designations in the locations indicated as “Pedestrian Linkages” along Capstan Way and aligned north-south, mid-block between No. 3 Road and Sexsmith Road, on “Schedule A attached to and forming part of Bylaw No. 8841”.
- 2.7. On page 2-88, on the Public Realm Areas Map, in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “High Streets & Linkages (Highest Priority)” and “Secondary Streets & Linkages (Priority Areas)” map designations and inserting the following map designations in the locations indicated in “Schedule A attached to and forming part of Bylaw 8841”:
- a) “High Streets & Linkages (Highest Priority)” in the locations indicated as Retail High Streets & Linkages”; and
 - b) “Secondary Streets & Linkages (Priority Areas)” in the locations indicated as “Secondary Retail Streets & Linkages”.
- 2.8. On page 4-6, on the Proposed New Transportation Improvements Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Minor Street, New Street” map designations and inserting “Minor Street, New Street” map designations in the locations indicated as “Proposed Streets” on “Schedule A attached to and forming part of Bylaw No. 8841”.
- 2.9. On page 4-10, on the Parks & Open Space Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the “Neighbourhood Park (Future to 2031)” map designation and inserting a “Neighbourhood Park (Future to 2031)” map designation in the location indicated as “Park” on “Schedule A attached to and forming part of Bylaw No. 8841”.

- 2.10. On the Generalized Land Use Map (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the "Urban Centre T5", "Park", "Village Centre Bonus", and "Proposed Streets" designations and inserting those map designations in the locations indicated on "Schedule A attached to and forming part of Bylaw No. 8841".
- 2.11. On the Specific Land Use Map: Capstan Village (2031), in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, repealing the land use designations and replacing them as indicated on "Schedule A attached to and forming part of Bylaw No. 8841".
- 2.12. Updating document formatting and mapping as required to accommodate the identified bylaw amendments.
3. This Bylaw may be cited as **"Richmond Official Community Plan Bylaw 7100, Amendment Bylaw No. 8841"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

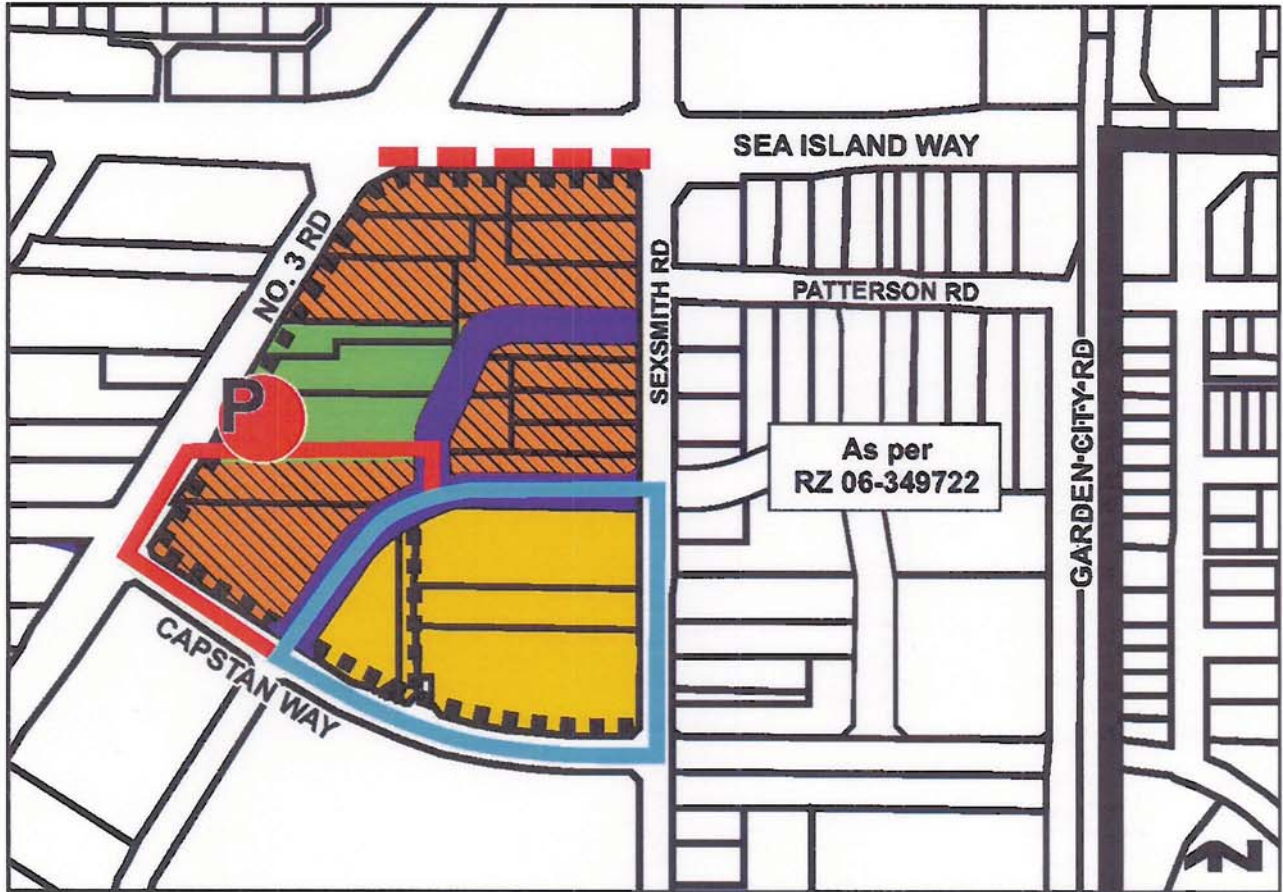
MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by

APPROVED by Manager or Solicitor


CCAP Amendment Pinnacle RZ 10-544729



- | | | |
|---|---|--|
| General Urban T4 (25m) | Marina (Residential Prohibited) | Proposed Streets |
| Urban Centre T5 (45m) | Marina (Waterborne Residential Permitted) | Pedestrian-Oriented Retail Precincts-High Street & Linkages |
| Urban Centre T5 (35m) | Village Centre Bonus | Pedestrian-Oriented Retail Precincts-Secondary Retail Streets & Linkages |
| Urban Centre T5 (25m) | Institution | Richmond Arts District |
| Park | Pedestrian Linkages | Capstan Station Bonus |
| Park-Configuration & location to be determined | Waterfront Dyke Trail | Canada Line Station |
| Village Centre: No. 3 Road & Capstan Way Intersection | Enhanced Pedestrian & Cyclist Crossing | Transit Plaza |



Richmond Zoning Bylaw 8500
Amendment Bylaw No. 8842 (RZ 10-544729)
3391 and 3411 Sexsmith Road and a Portion of City Lane on the
North Side of Capstan Way Between Sexsmith Road and No. 3 Road

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and designating it **RESIDENTIAL/LIMITED COMMERCIAL (RCL4)**, as amended by Richmond Zoning Amendment Bylaw No. 8842:

That area shown as cross-hatched on "Schedule A attached to and forming part of Bylaw No. 8842".

2. This Bylaw may be cited as "**Richmond Zoning Bylaw 8500, Amendment Bylaw No. 8842**".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION &
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by

APPROVED by Manager or Solicitor


Note: Dimensions are in METRES

RZ 10-544729

