



# City of Richmond

## Report to Council

**To:** Richmond City Council

**From:** W. Glenn McLaughlin  
Chief Licence Inspector & Risk Manager

**Re:** **Business Licence Refusal Reconsideration**

**Date:** June 2, 2015

**File:** 12-8275-20-AMANDA  
#/2015-Vol 01

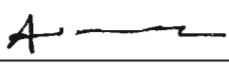


### Staff Recommendation

That Council uphold the decision to refuse the application from 0806352 B.C. Ltd. to relocate its Food Service Establishment business licence to Unit 110-4020 Bayview Street.



W. Glenn McLaughlin  
Chief Licence Inspector & Risk Manager  
(1-604-276-4136)

Att. 7

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
<b>REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE</b>	<b>INITIALS:</b> 	<b>APPROVED BY CAO</b> 

## Staff Report

### Origin

0806352 B.C. Ltd. (the “Applicant”) currently has a business licence to operate a food service establishment (restaurant), Steveston Seafood House, at 3951 Moncton Street. The Applicant has submitted an application (Attachment 1) to relocate the restaurant at Unit 110-4020 Bayview Street (the “Proposed Property”). City staff has refused to issue a business licence to the Applicant (Attachment 2) for the Proposed Property on the basis that a restaurant is not a permitted use under the existing Zoning for the Proposed Property.

Under the *Community Charter* Section 60 - Business licence authority:

*60 (5) If a municipal officer or employee exercises authority to grant, refuse, suspend or cancel a business licence, the applicant or licence holder who is subject to the decision is entitled to have the council reconsider the matter.*

The Applicant has requested that Council reconsider the decision to refuse his Business Licence application. (Attachment 3)

### Analysis

Under the Richmond Business Licence Bylaw No.7360:

*1.6 All premises in the City from which an applicant proposes to conduct business must be approved by the Licence Inspector for compliance with the Zoning Bylaw, the Building Regulation Bylaw, the Fire Prevention Bylaw, and any other applicable City bylaws and regulations before any licence is granted.*

The Applicant’s existing business licence is categorized an Assembly Use Category (Group 1) – Food Service Establishment (see Attachment 4), and captured under the City’s Zoning Bylaw as a restaurant, which is defined as follows:

**Restaurant** means a facility for the sale of prepared foods and beverages to the public for consumption on or off **site** which includes restaurants, coffee, donut, bagel or sandwich shops, ice cream parlours and dessert shops, but does not include **drive-through restaurants** and **banquet halls**.

The current zoning for the Proposed Property is Steveston Maritime Mixed Use (ZMU12) and restaurant is not a permitted use in this zone. The zone permits the following uses:

#### Permitted Uses

- education
- housing, apartment
- manufacturing, custom indoor
- maritime
- office

- parking, non-accessory
- personal service

#### **Secondary Uses**

- boarding and lodging
- community care facility, minor
- home business

The Applicant submits that a restaurant use would be permitted as a maritime use under ZMU12 because “we directly support the local fishing industry by buying and serving approximately \$200,000 worth of seafood every year” (see Attachment 5).

The maritime use is defined in the City’s Zoning Bylaw as follows:

**“Maritime** means **uses** which are part of the **maritime** economy, with an emphasis on **uses** which support primarily the commercial fishing fleet and other services related to the **maritime** industry”.

The maritime use under the Zoning Bylaw was introduced to implement the land use description of a “maritime mixed use” as part of the City’s Official Community Plan (OCP). The definition of “Maritime Mixed Use” in the Steveston Area Plan matches the definition of maritime under the Zoning Bylaw and lists the following as examples of such uses:

- i) Custom Workshops;  
Enclosed Storage Facilities;  
Fish Auction and Off-loading;  
Laundry and Drycleaning;  
Light Industrial;  
Maritime Educational Facilities;  
Moorage;  
Offices;  
Other Services Related to Maritime Uses;  
Parking;  
Service and Repair of Boats and Marine Equipment.

(see Attachment 6 – excerpts from the Steveston Area Plan)

Restaurants and other food and beverage establishments are not identified in the OCP definition of “Maritime Mixed Use” as being uses that would support the maritime economy and commercial fishing fleet, and issuing a Business Licence for a restaurant at this site would be inconsistent with the OCP designation for the Proposed Property.

The City has the authority to interpret the definitions of a permitted use that best fits a proposed business. Richmond Zoning Bylaw 8500 requires a use to be “included in that use which is most appropriate in character and purpose, as determined by the City”. Section 3.3.3 of this Bylaw reads as follows:

3.3.3. *Where a specific **use** applied for does not conform to the wording of any **use** or generally conforms to the wording of two or more **uses**, the **use** shall be deemed to conform to and be included in that **use** which is most appropriate in character and purpose, as determined by the **City**.*

In the case of Steveston Seafood House, the zoning definition of “Restaurant” most appropriately describes its use in character and purpose and staff are of the opinion that the proposed intent is not permitted in the existing Zone.

Further, the Proposed Property is one of the properties included in an existing development application to amend the OCP and Zoning Bylaw to permit a number of non-maritime uses on the site (see Attachment 7). Amongst the proposed non-maritime related amendments are the inclusion of “General retail and service uses ...” in the definition of “Maritime Mixed Use” in the Official Community Plan (Steveston Area Plan) and including “restaurant” as a Permitted Use under the ZMU12 zone in the Zoning Bylaw. The need for these bylaw amendments supports the interpretation that restaurant and other general service uses are currently not permitted within the “maritime” use in ZMU12.


### **Financial Impact**

There is no financial impact associated to this report.

### **Conclusion**

In order to issue a Business Licence for a property, the proposed use must fall within the Permitted Uses set-out in the City’s Zoning Bylaw for the property. The use of the Proposed Property for a restaurant is not permitted under the Steveston Mixed Maritime Use ZMU12 zone and not contemplated by the Official Community Plan designation of the property as “Maritime Mixed Use”.

As the Applicant’s intended use of the Proposed Property does not comply with the City’s Zoning Bylaw, staff recommend that Council uphold the decision to refuse the application to relocate the business licence for Steveston Seafood House to Unit 110-4020 Bayview Street.



W. Glenn McLaughlin  
Chief Licence Inspector & Risk Manager  
(1-604-276-4136)

Att:

1. Business Licence application
2. Licence refusal letter
3. Applicant’s request for appeal
4. Current business licence
5. Applicant’s initial inquiry
6. Excerpts from Steveston Area Plan
7. Rezoning staff report dated November 4, 2013



City of Richmond

Business Licence Application

Business Licence Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

www.richmond.ca

Business Licence Division 604-276-4328 Fax: 604-276-4157

Office Use Only:
Business Licence Number: 80606 - suspended

Change of Address selected

Have you previously applied for a business licence in Richmond? Yes

Business Type: Commercial/Industrial Premises selected

Proposed Start Date: August 1 2015

BUSINESS INFORMATION (All to complete)

Corporation selected \*\*Copy of Certificate to be submitted with application\*\*

Business or Trade Name: Steveston Seafood House

Registered Company Name: 0806352 B.C. LTD

Business Address: 4020 Bayview St Unit No: 110

City: Richmond Province: B.C. Postal Code: V7E

Bus. Tel.: 604-271-5252 Fax: 604-271-5252

Cell: [Redacted] Email: info@stevestonseafoodhouse.com

Mailing Address: Unit No:

City: Province: Postal Code:

Describe All Business Activities/Services In Richmond:

Stevestons Seafood House is a full service upscale restaurant open from approx 11:00 a.m. to 11:00 p.m. The restaurant operates 7 days a week with a food primary liquor licence.

Number of Employees (To include owners): (FT): 6 (PT): 16

\*\*Copy of contractor TQ to be submitted with application\*\*

Contractors TQ No.: TQ Holder's Name: Ken Yashikawa

Gas Contractors Bond No.:

Commercial & Home Occupation Uses Only

Are goods sold to the general public? No selected

Is any part of the business sub-contracted? No selected

Are goods, vehicles, or equipment stored on premises? Yes selected

Food

\* Transfer of Business Licence Appendix D to be completed and submitted with this application.

Handwritten notes: 237/13, MM12

**Commercial/Industrial Business** (Premises in Richmond only)

Liquor Licence?  Yes  No If yes, type?  Food Primary  Liquor Primary  With Endorsement

No. Seats (Restaurants & liquor establishments): 140 No. Merchandise Machines: \_\_\_\_\_

No. Amusement Machines: \_\_\_\_\_

Describe any Structural Changes to Business Premises:  Proposed  Completed  None  
Space would be custom built for restaurant \_\_\_\_\_

Sharing Premises With: \_\_\_\_\_

Floor Area (In sq. ft.): Retail: 3700 Wholesale: \_\_\_\_\_  
Office: \_\_\_\_\_ Warehouse: \_\_\_\_\_  
Outside: \_\_\_\_\_

**NOTE:** Zoning Bylaw No. 8500 – On-Site Vehicle Parking – Part A, Section 7.1.1 requires that sufficient parking is available for commercial/industrial businesses.

Do you have the sufficient parking:  Yes  No

Richmond Representative for Business: Shane Dagan

Title: Owner Tel.: \_\_\_\_\_

Emergency Contact Name: \_\_\_\_\_ Tel.: \_\_\_\_\_  
After Hours Number

**OWNERSHIP INFORMATION** (All to complete. Additional owners can be submitted on separate paper.)

Name: Shane Dagan Title/Position: Owner  
First Last

Home Address: \_\_\_\_\_

City: Richmond Province: B.C. Postal Code: \_\_\_\_\_

Tel.: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: info@stevestonseafthouse.

I hereby make application for a business licence in accordance with the above-stated information and declare that the statements are true and correct. I agree, if granted a licence, to comply with all relevant bylaws now in force or which may come into force in the City of Richmond.

Name: Shane Dagan Title: Owner

Signature: \_\_\_\_\_ Date: 22/01/2015

*Note: This application will not be processed without the application fee. In order to receive the fee amount, please contact the Licence Division. Business Licences are public records and are available for inspection on request at City Hall. The City also makes business licence information available in various additional publications on the City website and/or in hard-copy format. If you do not wish your business information to be made available in any additional publications, a request in writing to decline publication must be received by the Licence Inspector. All information gathered for business licencing purposes is managed in accordance with the Freedom of Information and Protection of Privacy Act.*

<b>Office Use Only:</b>			
Folder Type: _____	Sub Type: <u>Change of add</u>	Fee: <u>None taken</u>	<u>92.</u>
Folder Type: _____	Sub Type: _____	Fee: _____	
Received by: _____	<u>mv</u>	Date: <u>mar 23/15</u>	
Approved by Chief Licence Inspector: _____		Date: _____	



Section I BC Fire Code Regulations may apply to your business if you store, or handle any of the following Hazardous Materials: (Check all applicable boxes.) Note: A permit, in accordance with the City Fire Prevention Bylaw, may be required for such storage or handling.

- 1. Explosives (e.g., black powder, distress flares, fireworks, blasting agents, etc. in any quantity).
2. Compressed Gas Cylinders (e.g., acetylene, argon, oxygen, chlorine, propane, etc., in any quantity).
3. Flammable Liquids (e.g., gasoline, turpentine, acetone, solvents, etc. exceeding 1 litre quantity).
4. Combustible liquids (e.g., motor oil, some solvents, etc. exceeding 150 litres quantity).
5. Flammable Solids (e.g., sulphur, carbon, calcium carbide, etc. exceeding 50 kg quantity).
6. Oxidizers (e.g., sodium nitrate, ammonium nitrate, peroxides, etc. exceeding 100 kg or 100 litre quantity).
7. Poisonous Materials (e.g., pesticides, herbicides, fumigants, cyanides, etc., in any quantity).
8. Radioactive Material (e.g., cobalt, cesium, molybdenum, etc., in any quantity).
9. Corrosive Material (e.g., acids, caustic soda, potassium hydroxide, etc. exceeding 100 kg or 100 litre quantity).
10. Miscellaneous Dangerous Goods (as defined in Transportation of Dangerous Goods Regulations).
11. Aerosols Having A Flammable Base Product (e.g., paints, cleaners, insecticides, etc. exceeding 1 pallet load).

Section II Modification to your building may be required if any of the following hazardous processes or equipment are applicable: (Check all applicable boxes.) Note: A Building Permit may be required to provide the necessary level of protection.

- 1. Dust Producing Processes (e.g., woodworking, fibreglassing, paper processing, grain storage, etc.).
2. Processes Involving Flammable/Combustible Liquids (e.g., dip tanks, quench tanks, spray painting, industrial ovens, aboveground or underground tanks, dry powder finish, flow or roll coat, etc.).
3. Industrial Ventilation System (for dusts, flammable vapours, dangerous goods, etc.).
4. Laboratory (involving use of dangerous goods, flammable or combustible liquids).

Section III The storage, manufacture or processing of any of the following, may affect the level of fire protection or equivalent measures required for your building: (Check all applicable boxes.)

- 1. Pallet storage (Indoor storage exceeding 1.2 m height AND 10 m² area total).
2. Combustible fibres. (Indoor storage exceeding 3m³ volume).
3. Plastic Storage. (Indoor storage pile exceeding 1.5 m height AND 250 m² area).
4. Tire Storage (Indoor exceeding 1.5 m height).
5. Outdoor Storage of pallets, combustible fibres, plastics, tires (within 15 m of any building or property line).

Note: Any required corrective measures may require plans, permits and inspections for occupancy approval, as may be required by City Building Bylaw.

(Please print)

Business Name: 0806352 B.C LTD Dbc. Steveston seafoodhouse

Business Address: 4020 Bayview St.

Postal Code: Business Tel.: 604-271-5252

Contact Person: Shane Dagan Contact Tel.:

Email Address: info@stevestonseafoodhouse.com

Please check one of the following:

- I declare that none of the above items are applicable, OR
The information checked above is applicable and a representative of our firm will contact the Richmond Fire-Rescue Department, for further information, prior to occupancy. Contact the Richmond Fire-Rescue Department, Fire Prevention Division – 6960 Gilbert Road, Richmond, BC V7C 3V4, or by Telephone 604-278-5131 or by Fax 604-278-0547.

Signed: [Signature] Date: March 23, 2015



BRITISH  
COLUMBIA

The Best Place on Earth

Number: BC0806352

**CERTIFICATE  
OF  
INCORPORATION**

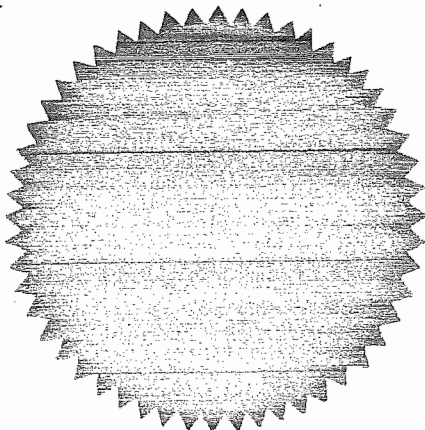
*BUSINESS CORPORATIONS ACT*

I Hereby Certify that 0806352 B.C. LTD. was incorporated under the Business Corporations Act on October 23, 2007 at 02:00 PM Pacific Time.

*Issued under my hand at Victoria, British Columbia*

*On October 23, 2007*

**RON TOWNSHEND**  
*Registrar of Companies*  
Province of British Columbia  
Canada



**CNCL - 119  
(Special)**





City of  
Richmond

6911 No. 3 Road,  
Richmond, BC V6Y 2C1  
www.richmond.ca

March 24, 2015  
File: 15 000237

Finance and Corporate Services Department  
Business Licences  
Telephone: 604-276-4328  
Fax: 604-276-4157

STEVESTON SEAFOOD HOUSE  
3951 MONCTON ST  
RICHMOND BC V7E 3A7

Shane Dagan:

**Re: Steveston Seafood House**  
4020 Bayview St Unit 110

We have reviewed your application and regret that a Business Licence cannot be issued because the proposed business use does not comply with the Zoning Bylaw 8500.

The location at which you intend to pursue your business is zoned Steveston Maritime Mixed Use (ZMU12). A restaurant is not one of the permitted uses in this zoning district. A copy of the permitted uses for this address is enclosed for your information.

You are reminded that operation of a business in contravention of the Zoning Bylaw and without a valid Business Licence are offences, and may be subject to prosecution.

If you should have any questions regarding this application, please telephone 604-276-4155. Further, our **Zoning Section** at 604-276-4613 would be pleased to assist you in identifying zoning districts which would be appropriate for your business location.

Yours truly,

  
Joanne Hikida  
Supervisor, Business Licence

JMH: jmh

Encl.

Pc: Onni Development (Imperial Landing) Corp.  
300-550 Robson St  
Vancouver, B.C. V6B 2B7

# STEVESTON SEAFOOD HOUSE

March 30<sup>th</sup>, 2015  
File: 15 000237

City Of Richmond  
6911 No. 3<sup>rd</sup>  
Richmond B.C.  
V6Y 2C1  
Finance and Corporate Services Department

CITY OF RICHMOND

MAR 07 2015

RECEIVED

Glen McLaughlin:

**RE: Steveston Seafood House  
4020 Bayview St Unit 110**

Thank you for taking the time to review my business Licence application. I do understand that my licence was rejected as a result of its intended use not complying with zoning bylaw 8500. I would however like to exercise my right to appeal this decision and bring the matter to the general purpose committee.

I would greatly appreciate assistance in putting this matter in motion. Please reply by email [info@stevestonseafoodhouse.com](mailto:info@stevestonseafoodhouse.com) or by phone **778-869-4212** at your earliest convenience to discuss moving forward.

Thank you in advance,  
Sincerely,



Shane Dagan  
Steveston Seafood House

3951 Moncton St  
Richmond B.C  
V7E3A7  
Canada

PHONE 604-271-5252  
FAX 602-271-5252  
EMAIL [info@stevestonseafoodhouse.com](mailto:info@stevestonseafoodhouse.com)  
WEB SITE [www.stevestonseafoodhouse.com](http://www.stevestonseafoodhouse.com)



# BUSINESS LICENCE

Attachment 4

## CITY OF RICHMOND

6911 No. 3 Road, RICHMOND, B.C. V6Y 2C1

# JAN/16

The holder of this licence is licenced to carry on the business or businesses stipulated in a lawful manner until Midnight on the date shown below from or within the premises stated unless otherwise cancelled, revoked, or suspended. It is unlawful to carry on business in the City of Richmond in or from premises other than those stated on this licence.

IF ANY CHANGE IN THE NATURE OF YOUR BUSINESS, TRADE, OCCUPATION, OR CALLING OR ANY CHANGE IN OWNERSHIP OR ADDRESS HAS OCCURRED, YOU ARE REQUIRED TO NOTIFY THE LICENCE INSPECTOR IMMEDIATELY.

**LICENCE FOR PERIOD ENDING MIDNIGHT JANUARY 01, 2016**

**Business Address: 3951 Moncton St**

15 000237

Acct #: 1132911

SUBSCRIBER ID: 415314

Assembly Use Group 1  
Food Service Establishment  
Food Primary Licence

Business Licence Fee	\$420.00
Liquor Licence Fees	\$334.00
<b>Total Fee:</b>	<b>\$754.00</b>

**Steveston Seafood House**

0806352 BC Ltd  
3951 MONCTON ST  
RICHMOND BC V7E 3A7

Restaurant

CHIEF LICENCE INSPECTOR



**CNCL - 122  
(Special)**

To Whom it May concern ,


Because we are so closely tied and identified with the local fishing industry, we ask that you approve our application to move our business license from our current location on Moncton Street to one and a half block away at 4020 Bayview St, unit 110, otherwise known as Imperial Landing. With our current lease in a 73 year old building greatly in need of work, set to expire and the new rent too much of a stretch, we hope a waterfront location in a sound, new building with a great location will help us not only maintain our business but grow it into the future. The Steveston Seafood House has always been told we would attract more customers if we only had a view of the fishing fleet. We understand that for you to approve our application, we need to show maritime use.

We directly support the local fishing industry by buying and serving approximately \$200,000 worth of seafood every year. That's what we are about. We serve what our local fisherman catch. The city of Richmond's definition of Maritime reads "uses which are part of the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet and other services related to the maritime industry."

Our current building puts constraints on our business as exposure is limited and the building is showing its age at 73 years. In order to expand and increase revenue we will need to relocate

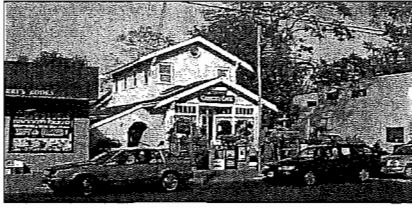
This is simply a relocation of a 37 year old local business, owned by a Steveston resident which does support the maritime industry to an existing building and hence falls under the current zoning of Maritime.

Thank you for your consideration,



**Shane Dagan**  
Owner  
Stevetson Seafood House  
3951 Moncton St  
Richmond BC  
604-271-5252

cell 778-869-4212  
info@stevestonseafoodhouse.com



*The Cannery Cafe on Moncton*



*Mixed use development in the Steveston downtown core*

- b) Encourage a wide range of commercial, industrial and institutional uses;
- c) Encourage residential units as part of mixed commercial/residential developments;
- d) Where mixed commercial/residential uses occur, residential uses are encouraged to be above the first floor or behind the commercial uses;
- e) Assist property owners in developing and implementing area parking strategies that will ensure a sufficient parking supply to meet the area's needs;
- f) Provide incentives to the private sector to conserve buildings and sites designated as having significant heritage value in the Steveston Village;
- g) Encourage the development of the old Tin Shed site as a public plaza which supports and respects the locational significance of the Gulf of Georgia Cannery, National Historic Site.

### 3.2.4 Steveston Park Node

#### ISSUE:

This node includes both the Steveston Park and Community Centre facilities as well as the properties west to No. 1 Road, currently the site of properties including the Army, Navy, Air Force (ANAF) Veterans facility and seniors housing. The small former Steveston Telephone Exchange is now used as an office.

This node will continue as a major centre for indoor and outdoor community facilities. The future relocation of the branch library and community policing station will be considered in conjunction with development in the BC Packers node.

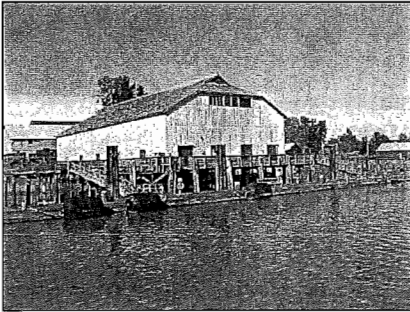
#### POLICIES:

- a) Maintain this area as the focus of public services within the Steveston area;
- b) Explore opportunities for a new location for a branch library;
- c) Investigate the provision of public parking to serve both this area and the Steveston Downtown Node.

### 3.2.5 BC Packers Node

#### ISSUE:

This node has historically focused on the fishing industry; its role is now changing. The BC Packers fish processing plant, which has historically occupied this site, has closed. Since the land area occupied by the plant is now available for redevelopment, a new mixed use neighbourhood will be created on the site. Key elements of the vision for the site are as follows:



*Seine net loft - BC Packers*

1. Greater public access to the water's edge has long been an important objective for the redevelopment of the waterfront. Therefore, continuous and unobstructed public access to, and along, the water's edge will be a main feature of the redevelopment of this area.
2. The water areas will continue to provide moorage for all uses and a portion of the immediate uplands will provide certain land based services for the maritime uses. It will be important that these maritime related services complement rather than compete with the Village.
3. The upland area will be redeveloped to support a mix of uses including residential, retail and non-retail commercial, maritime mixed use and a waterfront park.
  - The majority of the residential uses are to be located north of the proposed Bayview Street extension and away from the foreshore. A limited amount of above grade residential will be supported as a secondary use within the Maritime Mixed Use area between Phoenix Pond and No. 1 Road.
  - General retail uses would be located along No. 1 Road while other commercial uses, both retail and non-retail uses associated with the maritime industry would be located south of the proposed Bayview Street extension.
  - Half of the area east of Phoenix Pond and south of Westwater Drive would accommodate multiple-family residential - no greater than four-storeys over parking. The remaining half of this area will accommodate a public waterfront park and up to a half acre parking lot serving both visitors to the park and fishing related activities at the Phoenix Net Loft.
4. Because of its long standing economic prominence in this province, the BC Packers site is a major heritage resource. It is important that the redevelopment of the BC Packers site recognizes the significance of the BC Packers legacy in the preservation of Steveston's character and history. Developers will be encouraged to incorporate these elements into their developments.
5. A coordinated network of roads will provide pedestrian and vehicular access through the site while a network of trails and greenways will link the neighbourhood to adjacent areas.



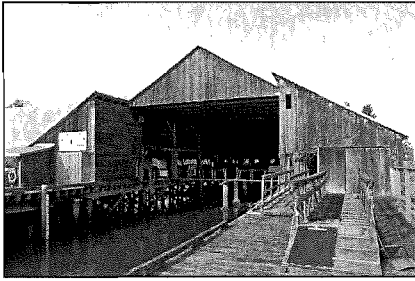
The BC Packers Land Use Map reflects the proposed distribution of many of the features discussed above.

**POLICIES:**

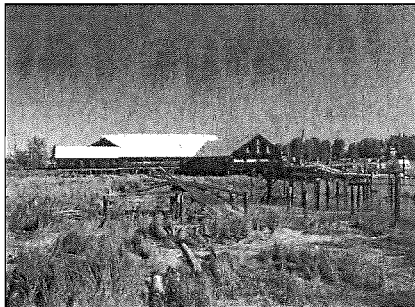
- a) Maximize continuous and unobstructed public access to and along the waterfront. Where buildings or structures extend out over the water, developers will be encouraged to incorporate innovative designs to ensure public access along the water side of these developments;
- b) Encourage the development of commercial and industrial uses that support or complement the maritime economy within a 3.5 ac. "Maritime Mixed Use" area adjacent to the waterfront west of Phoenix Pond. Accommodation for a half acre of parking to support these uses is included in the 3.5 ac.;
- c) Require a master plan be completed to the City's satisfaction for the Maritime Mixed Use area west of Phoenix Pond prior to any development approvals being issued for this area. The central purpose of the master plan will be to ensure that the objectives of the Maritime Mixed Use area will be met as development proceeds;
- d) Support the continued use of the Phoenix Net Loft for fishing related activities and the provision of up to a half acre of parking near the Net Loft to accommodate both the users of these facilities as well as users of the waterfront park;
- e) Support the provision of land to accommodate the development of a Community Mixed Use facility of approximately 2,322.5 m<sup>2</sup> (25,000 ft<sup>2</sup>) near the Steveston Community Centre. The facility would primarily serve as new public library but could accommodate uses such as Community Policing offices, childcare, public parking and other operations of benefit to the local community;
- f) Encourage a mix of housing forms ranging from single-family residential to four-storeys over parking apartment forms in the areas designated for residential use. Residential structures taller than four-storeys over parking are not supported within the BC Packers Node;
- g) Encourage the development of innovative, ground oriented housing that reflects the historic building patterns of the original Steveston townsite within the areas designated as "residential";
- h) Encourage lower overall development densities toward the south and east areas of the node and higher development densities to be located toward the north and west areas of the node;

- i) Ensure that, at the first stage of development, a road is built connecting Bayview Street at No. 1 Road and Moncton Street. Other local roads, a tram route, parking lots, and traffic calming measures are to be accommodated in the node;
- j) Consider the inclusion of one or more pedestrian crossings of Moncton Street between the BC Packers Site and Steveston Park;
- k) Investigate the provision of public parking in conjunction with residential development on this site to serve both the water-oriented uses and the Steveston Village;
- l) Encourage public awareness about the importance of natural habitats to fish, birds and other animals and to the commercial fishing industry;
- m) Retain and enhance the natural upland and foreshore features surrounding Phoenix Pond and seek opportunities to enhance the natural habitats along the entire foreshore;
- n) Require a Heritage Interpretive Plan for the BC Packers site as a key component to the development of the site;
- o) Encourage BC Packers to include within their Interpretive Plan:
  - How the “BC Packer’s story” will be told including which historic buildings and materials will be utilized as reminders of the site’s rich social and cultural heritage;
  - The restoration and adaptive re-use of a number of the smaller industrial/utility buildings (e.g. the fire hall, the evaporation building and the boiler building) and artifacts currently on the site in order to develop a cluster of buildings aimed at evoking the site’s historic industrial character;
  - The retention of the Phoenix Net Loft for the fishing fleet;
  - Accommodate a Heritage Tram route in existing and new road allowances;
- p) Require feasibility studies of the 1903 portion of the Imperial Cannery before a decision is made on the viability of its conservation or adaptive re-use (e.g. structural analysis, cost estimates, uses);
- q) Encourage additional facilities for childcare as part of residential neighbourhoods and in conjunction with the site of Community Mixed Use space;





*Slipway at the Britannia Heritage Shipyard (c. 1889-1890)*



*Britannia Heritage Shipyard and Cannery complex (c. 1889-1890)*

- r) Support the designation of up to half of the BC Packer's property east of Phoenix Pond and south of Westwater Drive for residential development of up to four-storeys over one-storey of parking. The remaining lands within this area are supported for a public waterfront park and up to a half acre parking lot serving both visitors to the park and fishing related activities at the Phoenix Net Loft.

### **3.2.6 Britannia Node**

#### **ISSUE:**

The focus of this node is a working heritage shipyard and public park which is owned by the City and operated by a non-profit society. The site provides an important heritage, education and public recreation function. The area's future development has been outlined in a Master Plan.

#### **POLICIES:**

- a) Maintain the Britannia Shipyard area as a major public heritage resource;
- b) Maintain Britannia Heritage Park as part of the heritage site;
- c) Re-evaluate the Britannia Heritage Shipyard Master Plan that was approved by Council in 1994 to examine the possibility of future development and coordination with other uses along the water.

### **3.2.7 Paramount Node**

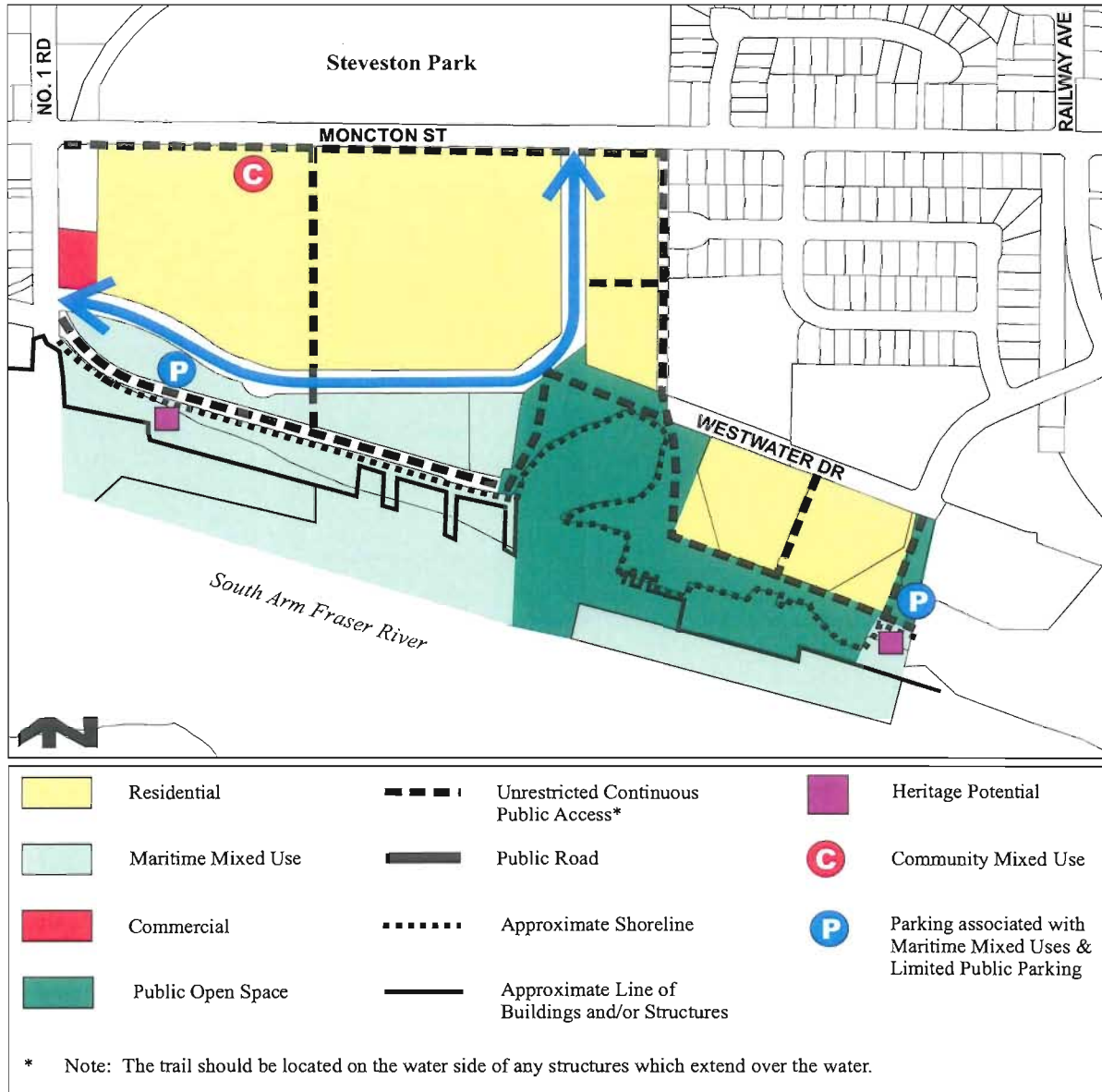
#### **ISSUE:**

This node is focused entirely on the commercial fishing industry. It is a central component of the Steveston home port. The area is owned and managed by the Harbour Authority to serve the commercial fleet. The home port function of this area will continue as long as there is a west coast commercial fishing fleet of any appreciable size - a situation that will certainly persist until 2021. This node will anchor the home port function of the Waterfront Neighbourhood. It will provide moorage for the commercial fishing fleet, and land based services to support that fleet.

#### **POLICIES:**

- a) Encourage the development of maritime oriented commercial and industrial uses that support the commercial fishing fleet;
- b) Encourage a new road connection from the Paramount Pond Dyke Road to No. 2 Road at the extreme north east corner of this node;

## BC Packers Land Use Map



**Maritime Mixed Use**

Means an area set aside to support the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet, including:

- i) Custom Workshops;  
Enclosed Storage Facilities;  
Fish Auction and Off-loading;  
Laundry and Drycleaning;  
Light Industrial;  
Maritime Educational Facilities;  
Moorage;  
Offices;  
Other Services Related to Maritime Uses;  
Parking;  
Service and Repair of Boats and Marine Equipment.
- ii) Retail uses are accommodated as accessory uses in the Maritime Mixed Use Area, between Phoenix Pond and No. 1 Road.
- iii) Between Phoenix Pond and No. 1 Road, residential uses are accommodated above grade and only over the dry land portions of the Maritime Mixed Use area as a secondary use. In addition, residential uses are to be situated so as to minimize potential conflicts with other uses.

**Mixed Use (Commercial-Industrial with Residential & Office Above)**

A combination of commercial and industrial uses permitted within the same building, including residential and/or office uses above grade.

**Pedestrian Arcade**

Means an exterior pedestrian passageway, with or without a roof, typically abutting shop fronts.

**Residential**

Housing and uses associated with residential neighbourhoods including: single-family, two-family and multiple-family housing; childcare facilities; group homes; community uses; and home occupation. Local commercial uses of no more than 375 m<sup>2</sup> (4,036 ft<sup>2</sup>) may be provided as part of a residential development where they will complement adjacent uses, be conveniently accessible by local roads and pedestrian routes, and enhance the character of the neighbourhood.

**Single-Family Residential**

Means a detached building used exclusively for residential purposes, containing one dwelling unit only. A second dwelling unit may be permitted under special policy and zoning controls.



City of  
Richmond

Report to Committee  
Planning and Development Department

To: Planning Committee  
From: Wayne Craig  
Director of Development

Date: November 4, 2013  
File: RZ 13-633927

Re: Application by Onni Development (Imperial Landing) Corp. for a Zoning Text Amendment at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (formerly 4300 Bayview Street) to amend Steveston Maritime Mixed Use (ZMU12) and Steveston Maritime (ZC21)

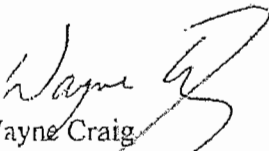
**Staff Recommendation**

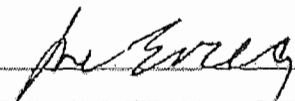
1. That Official Community Plan Bylaw 7100, Amendment Bylaw 9062, to repeal and replace the land use definition of "Maritime Mixed Use" by adding a range of commercial uses in Appendix 1 (Definitions) to Schedule 2.4 of Official Community Plan Bylaw 7100 (Steveston Area Plan), be introduced and given first reading.
2. That Bylaw 9062, 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 9062, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby deemed not to require further consultation.

4. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9063, to:

- a) Amend "Steveston Maritime Mixed Use (ZMU12)" by widening the range of permitted commercial uses; and
- b) Amend "Steveston Maritime (ZC21)" by widening the range of permitted uses on 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street;

be introduced and given first reading.

  
 Wayne Craig  
 Director of Development  
 SB:blg  
 Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Policy Planning Transportation	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

## Staff Report

### Origin

Onni Development (Imperial Landing) has applied to the City of Richmond to amend the "Steveston Maritime Mixed Use (ZMU12)" zone and the "Steveston Maritime (ZC21)" zone to permit additional commercial uses in the non-residential spaces of each of the six (6) existing buildings on the subject site at 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (Attachments 1 & 2).

### 2041 Official Community Plan

The 2041 Official Community Plan designates the subject site as "Mixed Use". No amendment is necessary.

### Proposed 2041 OCP Steveston Area Plan Text Amendment

The Official Community Plan designates the subject site as "Maritime Mixed Use" (MMU) (Attachment 3). The application includes a proposed amendment to the Official Community Plan (OCP) Bylaw 7100 Schedule 2.4 Steveston Area Plan to change the land use definition of "Maritime Mixed Use" (MMU) by retaining all existing Maritime Mixed Use (MMU) uses and adding a range of non-maritime related uses (e.g. commercial, retail, service). The intent of the proposed area plan text amendment is to better serve the needs of residents.

### Proposed Zoning Text Amendments

The application proposes to amend the "Steveston Maritime Mixed Use (ZMU12)" zone and the "Steveston Maritime (ZC21)" zone to allow additional uses in the non-residential areas of the six (6) existing buildings on the subject site. These new proposed uses, along with the existing permitted Maritime Mixed Use (MMU), would be located in spaces located on the ground floor of all six (6) existing buildings on the subject site and on the second floor of the 4080 Bayview Street building on the subject site.

## Findings of Fact

### The Site

The proposed development site is in the Maritime Mixed Use (MMU) area of the former BC Packers site. Site construction and landscaping (permitted by DP 08-414809) are nearly finished by Onni Development (Imperial Landing) Corp. for a development including:

- Four (4) three-storey mixed use buildings with two (2) levels of apartment housing over ground level MMU space located in buildings addressed 4020, 4180, 4280 and 4300 Bayview Street.
- One (1) two-storey MMU building west of Easthope Avenue located in the building addressed 4080 Bayview Street.
- One (1) one-storey MMU building east of Easthope Avenue in the building addressed 4100 Bayview Street.
- A total of 52 residential apartment units and 5,542 m<sup>2</sup> (59,648 ft<sup>2</sup>) of non-residential MMU space.

- Two (2) underground parking structures located east and west of Easthope Avenue.
- Public plaza space in rights-of-way at the South ends of No. 1 Road and Easthope Avenue that is pedestrian-oriented.
- Public plaza space in rights-of-way at the South ends of English Avenue and Ewen Avenue that include public parking, controlled vehicle access to the dike, outdoor performance space and pedestrian-oriented areas.

A Development Application Data Sheet providing details about the development is included as **Attachment 4**. Diagrammatic site plan and floor plans are enclosed for reference as **Attachment 5**.

### Project Description

- General

The proposal would amend the range of commercial (e.g. retail, service) uses to achieve what the developer advises is a more economically viable range of compatible land Maritime Mixed Use (MMU) area commercial uses and public amenities which are beneficial to Steveston (See Analysis section below).

The existing Maritime Mixed Use (MMU) land uses include the service and repair of boats and marine equipment, custom workshops, enclosed storage facilities, fish auction and off-loading, laundry, drycleaning, light industrial, maritime educational facilities, offices and parking.

The proposed additional land uses include: convenience, general and secondhand retail; financial, business support, household repair and massage services; restaurant; minor health service (e.g. medical, dental, acupuncture, counselling and massage services); indoor recreation; commercial education; child care; library and exhibit; animal grooming and veterinary service.

The proposal includes retaining all existing Maritime Mixed Use (MMU) permitted uses and adding retail and service uses in the following areas of the six (6) buildings constructed on the site: the four (4) three-storey mixed use buildings at the ground floor level only (4020, 4180, 4280 and 4300 Bayview Street); the two-storey non-residential building west of Easthope Avenue (4080 Bayview Street), and the one-storey non-residential building east of Easthope Avenue (4100 Bayview Street) (**Attachment 5**).

- Proposal Highlights

- The total density remains unchanged from before this proposed zoning text amendment.
- The distribution of residential and non-residential areas remains unchanged from before this proposed zoning text amendment.
- Two (2) common underground, tanked parking structures are constructed on the site, and provide adequate on-site parking for the proposed uses.
- The open spaces and pedestrian passages on the site remain unchanged from before this proposed zoning text amendment.

- The public spaces on the site at the ends of No. 1 Road, Easthope Avenue, English Avenue, and Ewen Avenue, remain unchanged from before this proposed zoning text amendment.
- Public Parking

Public parking spaces are provided on the site in surface parking lots located in public-rights-of-passage (PROP) right-of-ways (ROW) on the subject site, aligned with the south ends of English Avenue and Ewen Avenue.

### Surrounding Development

The site is the last development parcel of the former BC Packers site developed by Onni as part of their Imperial Landing development. It is in the “B.C. Packers” waterfront neighbourhood and surrounding land uses are as follows:

- To the northwest, across Bayview Street at the corner of No. 1 Road, is a three-storey mixed use building with commercial at grade and residential units above at 4111 Bayview Street (permitted under DP 03-230077), zoned “Steveston Commercial (ZMU11)” with a permitted density of 1.6 floor area ratio (FAR) and a maximum building height of 12 m.
- To the north, across Bayview Street are seven (7) multi-family buildings. Between No. 1 Road and Easthope Avenue are two (2) four storey residential apartment buildings at 4211 and 4233 Bayview Street (permitted under DP 03 230076), zoned “Low Rise Apartment (ZLR12) – Steveston (BC Packers)”, with a permitted density of 1.5 FAR and a maximum building height of 15 m. Between Easthope Avenue and Bayview Street, are five (5) three-storey townhouse buildings at 12333 English Avenue, 12300 English Avenue and 4311 Bayview Street, zoned “Town Housing (ZT41) – Bayview Street/English Avenue (Steveston)” with a permitted density of 0.7 FAR and a maximum building height of 12 m.
- To the east, is Phoenix Pond and its surrounding public open space; including the City dike, walkway, observation tower and pedestrian bridge, zoned “School and Institutional Use (SI)”.
- To the south, is the City dike with walkway zoned “School and Institutional Use (SI)”, and further south is a City-owned “Maritime Mixed Use” (MMU) waterfront lot with development potential, zoned “Steveston Maritime (ZC21)” with a permitted density of 0.8 FAR and a maximum building height of 12 m. The proposal will not change the uses permitted on this site.
- To the west, at the south end of No. 1 Road, is a public plaza, entry to the BC Packers public dike walkway, dock, and pump station with observation deck. The dock extends out into the Fraser River and maritime development extends westward along the river’s edge. Across the No. 1 Road plaza, is the Federally/Provincially-owned one-storey Department of Fisheries and Oceans office, zoned “Light Industrial (IL)” with a permitted density of 1.0 FAR.



### Consultation with School District No. 38 (Richmond)

This application was not referred to School District No. 38 (Richmond) because it does not include additional residential units.

### Public Input

Development signs have been posted on the subject site as notification of the intent to rezone this property and the statutory Public Hearing will provide the community with an additional opportunity to comment on the application.

Onni's public consultation regarding this proposal has involved two (2) separate open house meetings held on-site on July 11, 2013 and July 13, 2013. A summary report prepared by the developer, was submitted to the City, including copies of the sign-in sheets (**Attachment 7**). The open house meetings were advertised in the Richmond Review and the Richmond News and invitations were mailed to 1935 residences and 252 businesses in the surrounding neighbourhood. At the meetings, information about the proposed uses, non-residential areas of the site, parking and truck loading, as well as road network improvements were presented. For both open house meetings, a total of 329 people signed the attendance sheets and 208 feedback forms and form letters were submitted. The feedback forms and form letters represent 176 Richmond households, with 139 households (79%) in support of the proposal, 26 households (15%) not in support of the proposal and 11 households (6%) unsure.

Maps prepared by staff are attached to this report showing household locations for public input submitted to Onni during the open houses, public correspondence submitted by Onni to the City, and public correspondence submitted directly to the City (**Attachment 8**).

The City has received a significant amount of correspondence from the public regarding the subject site over the years. Regarding the proposal to add new commercial uses into the existing development, the City received emails and letters representing 131 Richmond households, with 99 households (76%) in support of the proposal and 32 households (24%) not in support of the proposal. The following have been included in this report (**Attachment 9**) for Council consideration:

- Letters and emails submitted to the City before the buildings were constructed and outside of any City development application process in response to meetings facilitated by the developer in the Byng elementary school gymnasium on February 23, 2012 and February 25, 2012; and
- Letters and emails submitted to the City after the subject zoning text amendment application was received, from March 27, 2013 up to the time of writing this staff report.

In summary, the majority of respondents supported the proposal regarding the subject zoning text amendment. A mix of concern and support were expressed by the public regarding the potential of a wide range of commercial land uses. The correspondence includes the following concerns raised by the public relating to land use, safety and transportation (staff comments are included in '*bold italics*')

- A desire for the following community amenities – Affordable Housing, community centre space, community police station, library space, marine museum, arts performance space, public art, visitor information centre and public washrooms. *The proposal does not include adding new residential units to the existing 52 apartments on the subject site, so the proposal does not include Affordable Housing units or a voluntary contribution towards Affordable Housing. However, the developer is currently renting out the apartments, which supports a spectrum of housing options in the City. The developer has agreed to provide a voluntary contribution of \$1,500,000 toward the City's Leisure Facilities Fund, for Council to use at its discretion.*
- Concern regarding the impact of new commercial space on the economic viability of Steveston Village. *The developer has submitted a retail analysis report, prepared by Hume Consulting Corporation, addressing this concern and indicating that the proposal should support the economic viability of Steveston Village, and should not have a negative impact. Please see the 'Extending the Commercial Uses East of No. 1 Road' section of this staff report.*
- Concern regarding the viability of the current MMU land uses and potential vacant stores. *This concern is shared by the developer and is the rationale for the developer's request to widen the range of permitted commercial uses on the subject site.*
- Safety concerns regarding the ground conditions and changes in ground level on the site. *The subject site is still under construction and is required to provide all markings, guard rails and handrails required by the BC Building Code.*
- A desire for free parking. *The developer has not yet determined whether a fee would be charged for commercial parking spaces on this site. As part of the ongoing management of commercial units, Onni would review parking usage and what if any fees should be charged. City controlled public parking is provided in the surface parking areas aligned with the South ends of English Avenue and Ewen Avenue in City rights-of-way.*
- A desire for parking for people with disabilities. *Disabled parking spaces are provided in accordance with the City's zoning bylaw in the underground parking structures. In addition, there are disabled parking spaces in the surface public parking areas on the subject site at the south ends of English Avenue and Ewen Avenue.*
- A desire for bicycle parking. *The developer has agreed to install additional bicycle parking racks outside of the proposed commercial units as a condition of the zoning text amendment.*

- A desire for higher frequency transit service. *This request has been brought to the attention of Translink.*
- Transportation Related Concerns: increased parking demand; narrow street width, increased traffic and traffic mitigation; and truck traffic impact on residential streets, safety, noise and timing. *The developer has submitted a Traffic Impact Study, addressing these concerns and indicating that the proposal supports the expected parking demand, and that with identified improvements, the surrounding road network can support the proposal. Please see the "Vehicle Access, Parking and Truck Delivery" section of this staff report.*
- Concerns relating to commercial operations, such as the amount of garbage, hours of operation and safety and security. *The development includes secure interior garbage and recycling storage areas for the residents and for the business operators inside the buildings and parking structures. The hours of operation are not yet known, but commercial truck delivery hours of operation are proposed to be limited. Please see the "Vehicle Access, Parking and Truck Delivery" section of this staff report.*
- Concerns relating to the architectural form and character of the existing development, including provision of views and open space, and the impact of signage. *The proposal does not include any new construction. However, any new businesses would be required to apply for and obtain a sign permit before installing any business signage.*
- A desire to restrict all residential uses to the portion of the site east of Easthope Avenue, to restrict all commercial uses to the portion of the site west of Easthope Avenue, to demolish the 4100 Bayview Street building and increase public open space as previously proposed by the developer as part of an older rezoning application (RZ 04-287989). *The older rezoning application was withdrawn by the developer and instead the current development was constructed (permitted by DP 08-414809), which includes built non-residential spaces throughout the site.*
- Concern regarding the proximity of a possible child care facility to convenient drop-off/pick up parking. *Onni has received interest to lease a portion of the second floor of the 4080 Bayview Street building for a child care facility. The development does provide the required parking and elevator access from the parking level up to the second floor. Before a child care facility can be established, an operator is first required to meet provincial requirements and obtain a community care facilities license from the Vancouver Coastal Health authority.*
- Clarity regarding the required provision of indoor amenity space for residents. *As part of the approved Development Permit, Onni was required to register a legal agreement on title to secure indoor amenity space for the use of the residents living on the subject site. This indoor amenity room is located on the second floor of the 4080 Bayview Street building.*

## Staff Comments

Based on staff's review of the subject application, including the developer's Transportation Impact Study (TIS), staff are supportive of the subject zoning text amendment, provided that the developer fully satisfies the considerations of the zoning text amendment (**Attachment 6**).

## Analysis

### 1. Reasons for the Proposal

The developer has provided the following justification of the proposal:

- The subject site is the last phase of Onni's redevelopment of the former BC Packers site.
- Onni considered ways to make the current OCP/Steveston Area Plan and zoning designations viable.
- Viability was not achieved because most "Maritime Mixed Use" land uses need to be related to the commercial fishing industry and economical uses have not been found;
- After several years, Onni is now proposing a revised range of what they advise will be viable uses while still retaining all uses in the existing "Maritime Mixed Use" definition.
- The proposed range of land uses still allows for all original uses in the ZMU12 and ZC21 zones.

### 2. Proposed Uses and Layout

To achieve viability, the applicant is requesting that a range of commercial land uses be allowed in addition to retaining all existing Maritime Mixed Use (MMU) uses in the existing non-residential spaces located on the ground floor of all six (6) existing buildings on the site, and on the second floor of the 4080 Bayview Street building.

The developer advises that this proposal is beneficial because it supports the viability of the village and provides community amenities.

### 3. 2041 Official Community Plan

The site is designated "Mixed Use" in the City of Richmond 2041 OCP Land Use Map, which provides for residential, commercial, industrial, office and institutional uses. Marina uses, waterborne housing and limited commercial uses, facilities and services are permitted on the waterfront, in which case the retail sales are limited to boats, boating supplies and equipment, and related facilities and services for pleasure boating and the general public. The proposal is consistent with the 2041 OCP, as it aims at achieving a more viable village waterfront (e.g. a more viable range of uses, continued public access along the waterfront, public parking and area character).

#### 4. Current and Proposed OCP Steveston Area Plan Bylaws

The site is designated "Maritime Mixed Use" in the Steveston Area Plan (Schedule 2.4 to OCP Bylaw 7100). As the proposal does not comply with the current area plan "Maritime Mixed Use" land use definition, an amendment is required to enable a wider range of commercial uses in the "Maritime Mixed Use" (MMU) area.

"Maritime Mixed Use" is currently defined in the Steveston Area Plan as "an area set aside to support the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet, including:

- i) Custom Workshops
  - Enclosed Storage Facilities
  - Fish Auction and Off-loading
  - Laundry and Drycleaning
  - Light Industrial
  - Maritime Educational Facilities
  - Moorage
  - Offices
  - Other Services Related to Maritime Uses
  - Parking
  - Service and Repair of Boats and Marine Equipment
- ii) Retail uses are accommodated as accessory uses in the Maritime Mixed Use Area, between Phoenix Pond and No. 1 Road.
- iii) Between Phoenix Pond and No. 1 Road, residential uses are accommodated above grade and only over the dry land portions of the Maritime Mixed Use area as a secondary use. In addition, residential uses are to be situated so as to minimize potential conflicts with other uses."

The developer has requested that the OCP/Steveston Area Plan definition of Maritime Mixed Use be changed to:

- Retain all existing uses including maritime related uses.
- Permit additional neighbourhood commercial uses in the "Maritime Mixed Use" area, between Phoenix Pond and No. 1 Road.

With the proposed "Maritime Mixed Use" definition text amendment, the proposal is regarded as being consistent with the Steveston Area Plan neighbourhood vision. The neighbourhood vision envisions development would: support a "homeport" for the commercial fishing fleet; provide a place where people can live, work and play; ensure public access along the waterfront; enable residents and visitors to shop and enjoy the heritage, recreation, commercial fishing fleet, private moorage where appropriate, natural amenities and waterfront activities; cater to local residents and visitors through a diversity of mutually compatible land uses providing opportunities for

employment, shelter, commerce, community services, recreation, tourism and entertainment; provide safe and comfortable pedestrian and vehicular circulation while providing ready access throughout the area and especially to the water's edge; sensitively link and buffer nodes of activity with strong connections to the foreshore; and manage urban development.

## 5. Current and Proposed Zoning Bylaws

### Existing Zoning

The site is currently zoned:

- “Steveston Maritime Mixed Use (ZMU12)” (formerly “Comprehensive Development District (CD/104)”) at the east and west ends of the site.
- “Steveston Maritime (ZC21)” (formerly “Comprehensive Development District (CD/105)”) in the middle.

This zoning was put in place under rezoning application RZ 98-153805, which was adopted in 2001.

The current zoning permits only:

- “Maritime Mixed Use” that supports local fishing industries which Onni advises has proven to not adequately be economically viable.
- Residential dwelling units at the east and west ends of the site, limited to 40 dwelling units and 62.5% of the building floor area.

### Proposed Zoning Amendments

The “Steveston Maritime Mixed Use (ZMU12)” zone applies only to portions of the subject site, therefore the proposed changes will not apply to any other property in Richmond. The “Steveston Maritime (ZC21)” applies to a portion of the subject site and the City owned water lot located to the south. The proposed changes would not affect the City's water lot. Zoning text amendments are proposed to both zones to allow a wider range of non-residential uses on the subject site.

To accommodate the developers proposal, “Steveston Maritime Mixed Use (ZMU12)” and “Steveston Maritime (ZC21)” are proposed to be amended to:

- Include conventional commercial uses in both zones that are intended to accommodate the shopping, personal service, business, entertainment, recreational, community facility and service needs of area residents.
- Retain all of the Maritime Mixed Uses permitted in the existing “Steveston Maritime Mixed Use (ZMU12)” zone.
- Retain all of the Maritime Mixed Uses permitted in the existing “Steveston Maritime (ZC21)” zone.
- Limit the proposed new uses in the “Steveston Maritime (ZC21)” zone to the subject site only.

Staff worked with Onni to reduce the number of additional land uses. Staff requested indoor recreation not be included given the proximity to Steveston Community Centre. After consideration, Onni is requesting the addition of indoor recreation use to accommodate the type of recreation facility they may be able to secure, which they feel would provide services complementary to those currently provided in the neighbourhood.

## 6. Extending the Commercial Uses East of No. 1 Road

In 1997-1998, when the OCP/Steveston Area Plan was prepared, Village entrepreneurs did not want non-maritime related uses (e.g. pure commercial) to extend east of No. 1 Road, as there were concerns that such uses and their location outside the village may weaken the economic viability of the village.

This approach can now be reviewed because:

- The existing limited Maritime Mixed Use (MMU) uses have proven not to be economically viable.
- There has been an increase in Steveston's population which appears able to support both existing and new commercial uses and services.

Staff requested that Onni meet with the Steveston Merchants Association to review the proposal. Onni has been in contact with the association for a number of months and a meeting has been scheduled for late November. Staff will provide Council with an update of information arising from the meeting.

On behalf of the applicant, Hume Consulting Corporation submitted *Imperial Landing Preliminary Retail Analysis*, dated September 2013. This retail analysis report supports the proposal, indicating that:

- The 5,536 m<sup>2</sup> (or approximately 59,500 ft<sup>2</sup>) of Maritime Mixed Use and commercial space is small relative to the amount of retail floor area warranted by local and visitor demand, as modelled by the consultant.
- The proposed addition of an additional approximate 1,440 m<sup>2</sup> (15,500 ft<sup>2</sup>) grocery store is expected to help keep local shoppers from leaving Steveston to shop at other shopping centres anchored by a large format grocery store.
- A successful retail component on the subject site is expected to help retain more shopping trips within the community, helping to generate spin-off shopping trips to other nearby businesses within Steveston Village.
- Steveston Village includes a large number of businesses. It is unlikely that the proposed 10-12 businesses on the subject site will have a significant impact on existing businesses in Steveston.
- Many of the proposed businesses will be complementary to the existing business mix in Steveston Village.
- The strong market interest by prominent retailers and service providers indicates that the subject site is an attractive and viable location and will be sustainable.

## 7. Vehicle Access, Parking and Truck Delivery

The existing zoning and building design permits large trucks to access the site. A number of off-site improvements were provided to address anticipated traffic volumes to the site. Given the proposed change in use, additional off-site improvements are being provided to enhance pedestrian and cycling safety and Transportation Impact Study findings as identified below.

The elongated development site has four (4) vehicle accesses from Bayview Street, providing access to the development underground parking structures, truck loading bays, public parking areas, and controlled vehicle access to the City dike.

On behalf of the applicant, the consulting engineering firm MMM Group Limited prepared a Transportation Impact Study, dated October 2013. Transportation staff have reviewed the study and accept the findings that the existing parking and loading facilities, in combination with the proposed road network improvements and truck traffic restrictions, can accommodate the proposed addition of new commercial uses on the subject site. The study identifies that parking is provided on the site as follows:

- A total of 270 spaces are provided in two (2) parking structures on the site, including 81 spaces for the use of residents, 17 spaces for visitors and 172 spaces for the non-residential Maritime Mixed Use and commercial uses on the site.
- The parking supply exceeds the zoning bylaw requirement and will meet the parking demand of the existing uses permitted on the site, as well as the proposed commercial uses.

In addition, a total of 35 public parking spaces are provided on the site in public rights-of-ways aligned with the south ends of English Avenue and Ewen Avenue.

The developer has agreed to enter into a legal agreement to manage truck traffic as a consideration of zoning text amendment. The proposed legal agreement will identify that:

- Large delivery trucks are prohibited from accessing or entering the site, including tractor-trailer WB-17 size trucks.
- Truck delivery hours of operation for non-residential uses are limited to 7:00 am to 5:00 pm, Monday through Friday; 8:00 am to 5:00 pm on Saturday; and 9:00 am to noon on Sunday.
- Truck activity on the site is required to comply with the City's Noise Regulation Bylaw.

To address the future potential impact of truck traffic, the developer has agreed to provide a Letter of Credit security in the amount of \$15,000 as a consideration of zoning text amendment. The security would be held by the City for 18 months to allow for future traffic calming and truck activity mitigation that may be required after the commercial area is occupied.

A Servicing Agreement is a consideration of the zoning text amendment and will include design and construction of road improvements to address the proposed increased traffic on Bayview Street as a result of the development. Works include, but may not be limited to:



- Upgrading the No. 1 Road and Bayview Street intersection by raising this intersection and adding a bollard treatment similar to the No. 1 Road and Moncton Street intersection and installing decorative crosswalk surface treatment.
- Upgrading the crosswalks along Bayview Street:
  - a) At the two (2) midblock crosswalks between No. 1 Road and Moncton Street, providing raised crosswalks.
  - b) At the three (3) crosswalks at the Easthope Avenue traffic circle, removing a 1.5 m section of the granite cobble pavers from each end of the crosswalk (near curbs), replacing with an extension of the existing square concrete panels and installing decorative crosswalk surface treatment. This will create a 1.5 m wide smooth path at either end of the crosswalks for cyclists.
  - c) At the six (6) crosswalks at English Avenue and Ewen Avenue, removing the raised granite pavers and installing decorative crosswalk surface treatment to provide consistency between the crossings on Bayview Street.
- Installing 30 kph posted speed limit signs on Bayview Street from No. 1 Road to Moncton Street, Easthope Avenue, English Avenue and Ewen Avenue.
- Add “sharrows” pavement markings to identify that Bayview Street is shared by vehicles and bicycles from No. 1 Road to Moncton Street in both directions.

## 8. Heritage

Heritage and archaeological considerations of the site were completed with the original rezoning (RZ 98-153805). These included providing the City with interpretive materials, industrial artifacts and commemorative retention or allusion to former cannery and support facilities. Some bottles and shells post settlement (not First Nations) materials were also retrieved and are presently in the Richmond Museum collection.

The application was not referred to the City’s Heritage Advisory Committee the proposal does not include any new construction and the subject site is located outside of the Steveston Village Heritage Conservation Area.

## 9. Environmentally Sensitive Areas

There are no Environmentally Sensitive Area (ESA) concerns with the proposed development, as the site does not extend into the foreshore area waterfront or associated riparian vegetation. ESA concerns for the uplands were addressed in the original BC Packers Development Permit (permitted under DP 98-153807) to protect the river edge ESA.

## 10. Community Benefits

The benefits of the proposal identified by the developer include:

- Roadway improvements, and additional bike racks to enhance walking and cycling.
- Registration of a legal agreement to ensure parking garage entry gates remain open during business hours, providing commercial customers and residential visitors with access to parking on the site.
- Truck traffic restrictions to prohibit large delivery trucks from accessing or entering the site, and to limit truck delivery hours of operation for non-residential uses.
- Traffic calming and truck activity mitigation Letter of Credit security.
- Voluntary community amenity contribution in the amount of \$1,500,000 towards the City's Leisure Facilities fund to be allocated at the discretion of Council.
- Voluntary Development Cost Charge contribution in the amount of \$136,206 to go towards development of Road Works DCC projects for the conversion of Maritime Mixed Use space to commercial space.
- Voluntary Development Cost Charge contribution in the amount of \$605 to go towards development of Storm Drainage DCC projects for the conversion of Maritime Mixed Use space to commercial space.
- The development design and total density remain unchanged from before this proposed zoning text amendment. The construction of the buildings and open spaces is nearing completion.
- View corridors, pedestrian passage and vehicle passage linking the BC Packers neighbourhood with the public dike walkway remain unchanged from before this proposed zoning text amendment.
- Publicly accessible open space along the south edge of the proposed residential buildings adjacent to the public dike walkway remain unchanged from before this proposed zoning text amendment.
- Public plazas at the south end of No. 1 Road and Easthope Avenue, and public parking at the south end of English Avenue and Ewen Avenue remain unchanged from before this proposed zoning text amendment.

**Financial Impact or Economic Impact**

None.

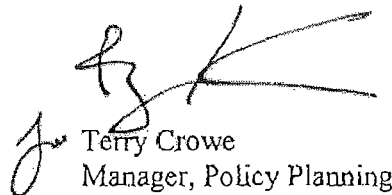
**Conclusion**

Omni Development (Imperial Landing) Corp. is requesting that the City allow a wider range of uses on their Maritime Mixed Use (MMU) site for improved economic viability and to enhance the community with uses to serve resident's needs. While the proposal can be considered under the City's 2041 OCP, an amendment to the Steveston Area Plan is required to address the additional uses being requested by the applicant. It should be noted that the site design is not affected by the land use change within the buildings and responds to the architectural form and character, vision and objectives set out in the Steveston Area Plan. The roadway improvements to enhance pedestrian and cyclist safety will assist in making Steveston a walking and cycling community.

On this basis, staff recommend that Official Community Plan Bylaw 7100, Amendment Bylaw 9062; and Richmond Zoning Bylaw 8500, Amendment Bylaw 9063 be introduced and given first reading.



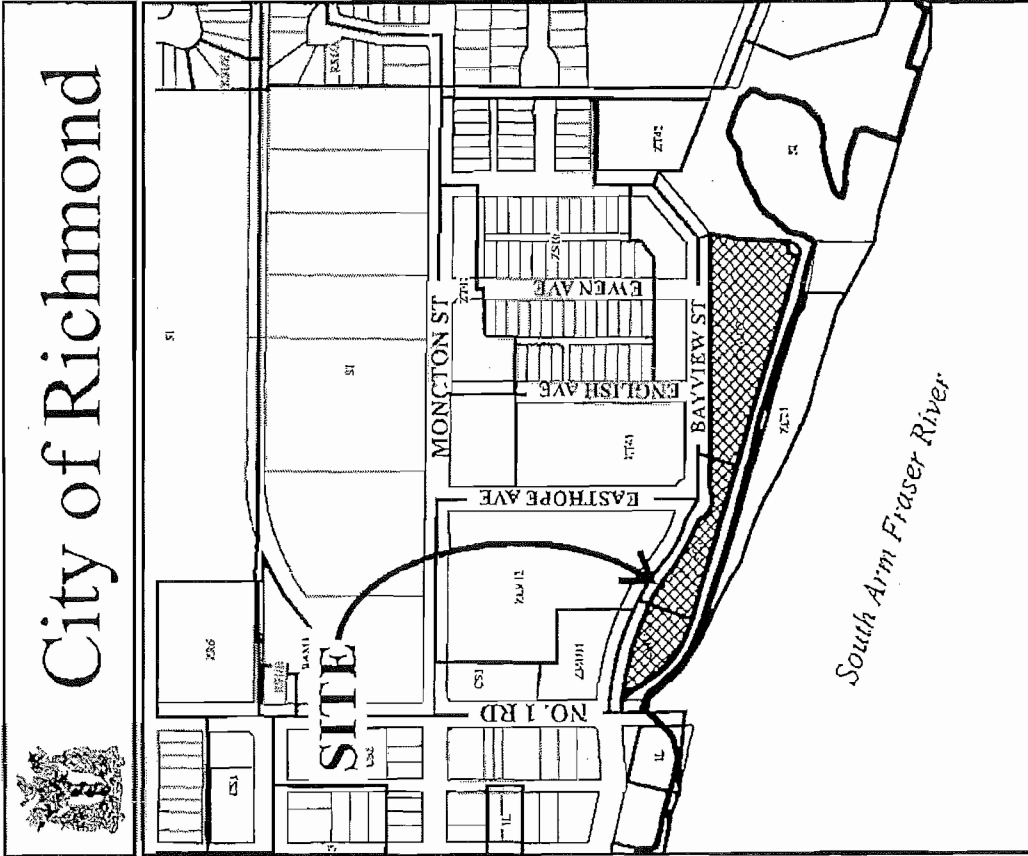
Sara Badyal, M. Arch, RPP  
Planner 2



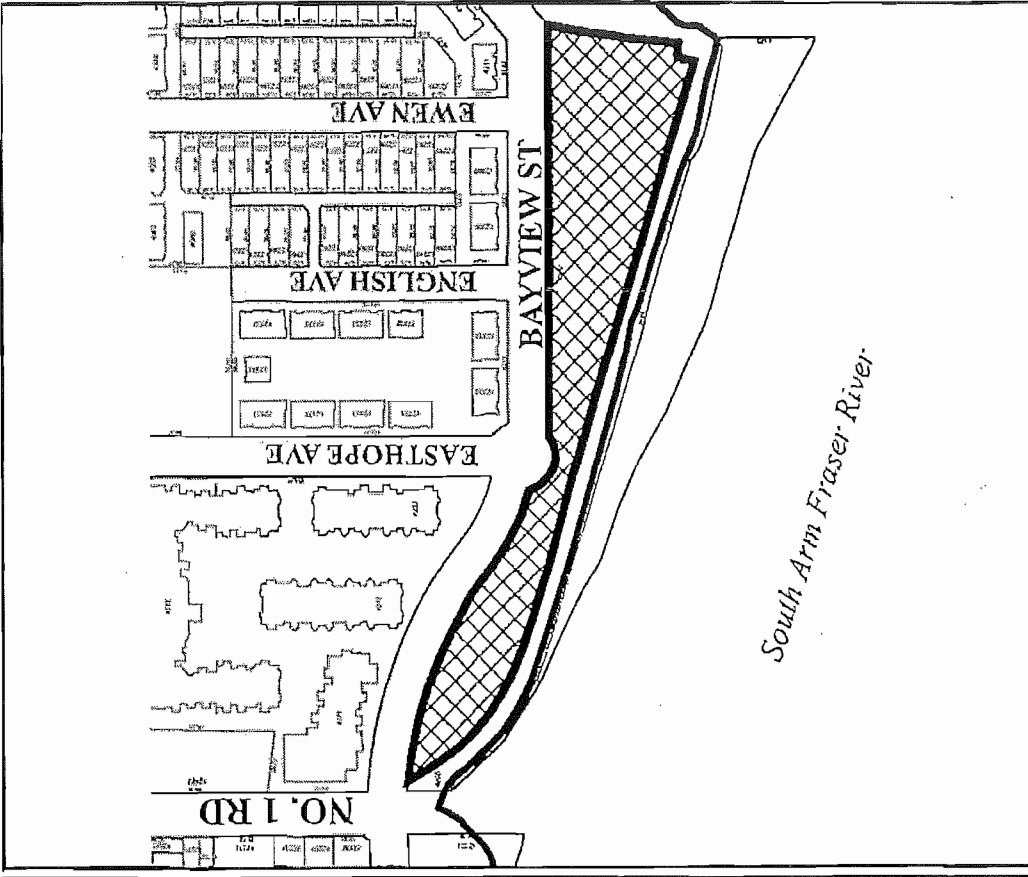
Terry Crowe  
Manager, Policy Planning

SB:blg

- Attachment 1: Location Map
- Attachment 2: Aerial Photo
- Attachment 3: BC Packers Land Use Map (Steveston Area Plan)
- Attachment 4: Development Application Data Sheet
- Attachment 5: Diagrammatic Site Plans and Floor Plans
- Attachment 6: Zoning Text Amendment Considerations
- Attachment 7: Public Open House Summary Report
- Attachment 8: Public Input Maps
- Attachment 9: Public Correspondence

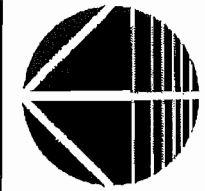


City of Richmond



South Arm Fraser River

South Arm Fraser River

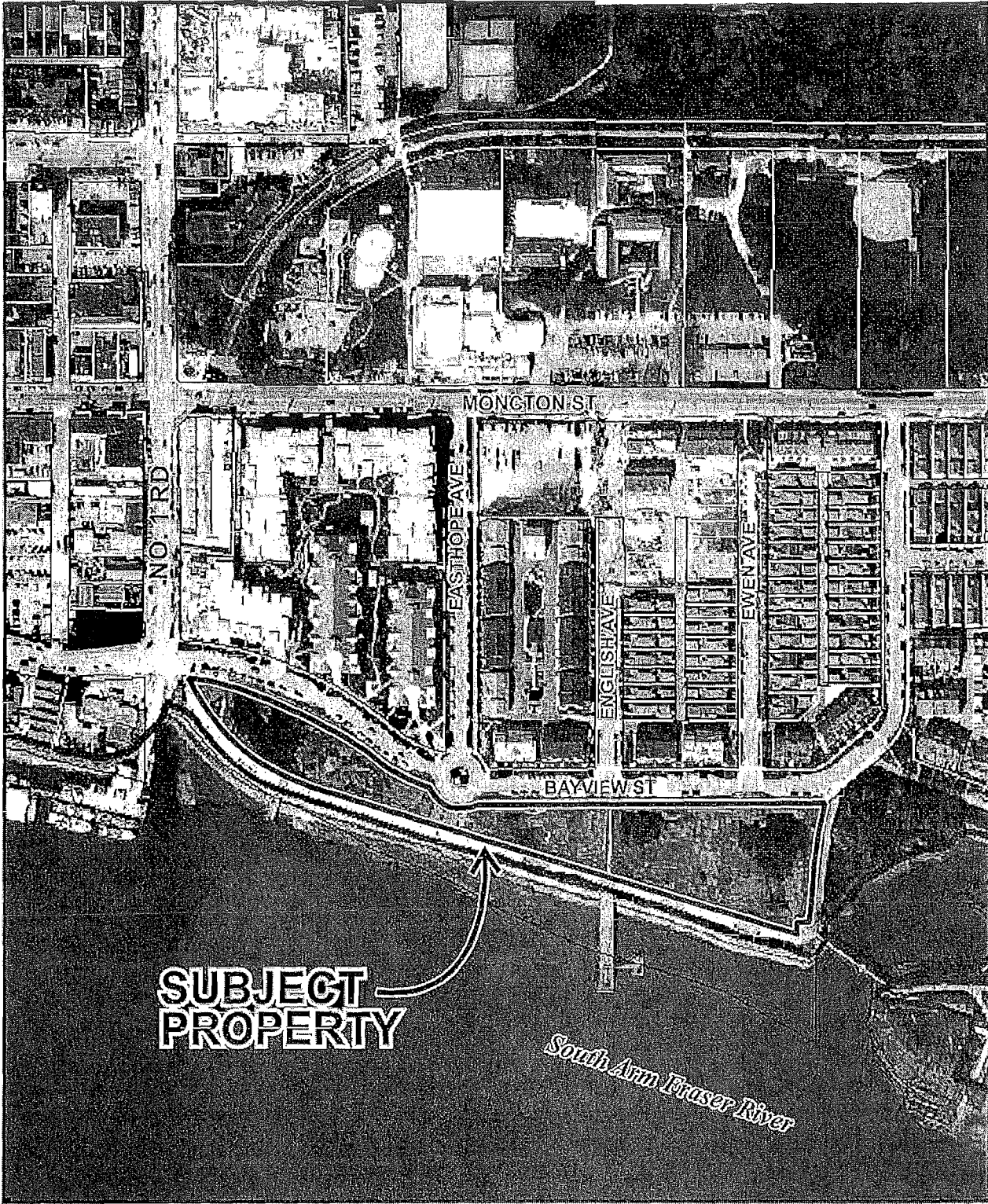


RZ 13-633927

Original Date: 04/08/13

Revision Date:

Note: Dimensions are in METRES



RZ 13-633927

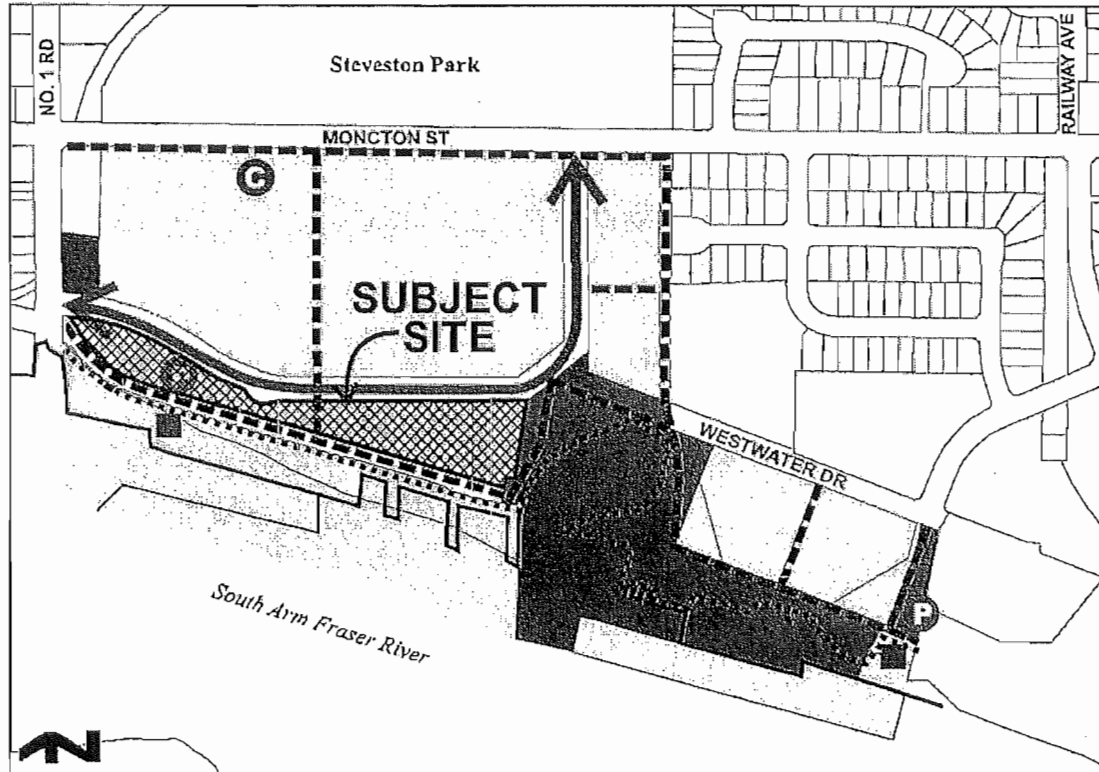
Original Date: 04/08/13

Amended Date:

Note: Dimensions are in METRES

CNCL - 148  
(Special)

BC Packers Land Use Map



	Residential		Unrestricted Continuous Public Access		Heritage Potential
	Maritime Mixed Use		Public Road		Community Mixed Use
	Commercial		Approximate Shoreline		Parking associated with Maritime Mixed Uses & Limited Public Parking
	Public Open Space		Approximate Line of Buildings and/or Structures		

□ Note: The trail should be located on the water side of any structures which extend over the water.



**RZ 13-633927**

**Attachment 4**

Address: 4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street (formerly 4300 Bayview Street)

Applicant: Onni Development (Imperial Landing) Corp.

Planning Area(s): BC Packers Waterfront Neighbourhood (Steveston Area Plan)

	Existing	Proposed																								
Owner:	Onni Development (Imperial Landing) Corp.	No change																								
Site Size (m <sup>2</sup> ):	14,042.7 m <sup>2</sup>	No change																								
Land Uses:	Mixed use	Mixed use																								
OCP Land Use Designation:	Maritime Mixed Use Parking associated with Maritime Mixed Use & Limited Public Parking	No change																								
Zoning:	Steveston Maritime Mixed Use (ZMU12) & Steveston Maritime (ZC21)	Amended Steveston Maritime Mixed Use (ZMU12) & Amended Steveston Maritime (ZC21)																								
Number of Units:	<table border="1"> <thead> <tr> <th>Building</th> <th>Dwelling units</th> <th>MMU</th> </tr> </thead> <tbody> <tr> <td>4020 Bayview St</td> <td>12</td> <td>631.2 m<sup>2</sup></td> </tr> <tr> <td>4080 Bayview St</td> <td>0</td> <td>2,125.1 m<sup>2</sup></td> </tr> <tr> <td>4100 Bayview St</td> <td>0</td> <td>165.5 m<sup>2</sup></td> </tr> <tr> <td>4180 Bayview St</td> <td>7</td> <td>559.9 m<sup>2</sup></td> </tr> <tr> <td>4280 Bayview St</td> <td>22</td> <td>1,278.8 m<sup>2</sup></td> </tr> <tr> <td>4300 Bayview St</td> <td>11</td> <td>867.9 m<sup>2</sup></td> </tr> <tr> <td>Total</td> <td>52</td> <td>5,536 m<sup>2</sup></td> </tr> </tbody> </table>	Building	Dwelling units	MMU	4020 Bayview St	12	631.2 m <sup>2</sup>	4080 Bayview St	0	2,125.1 m <sup>2</sup>	4100 Bayview St	0	165.5 m <sup>2</sup>	4180 Bayview St	7	559.9 m <sup>2</sup>	4280 Bayview St	22	1,278.8 m <sup>2</sup>	4300 Bayview St	11	867.9 m <sup>2</sup>	Total	52	5,536 m <sup>2</sup>	No change
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Total	52	5,536 m <sup>2</sup>																								

	Bylaw Requirement	Existing	New Variance
Floor Area Ratio	Max. 0.8	0.8	None permitted
Lot Coverage – Building	Max. 60%	39.7%	None
Building Setback	Min. 1 m	0 m Min. to ROW 1 m Min. to property line by approved DP	None
Height (m)	Max. 12 m & three-storey	12 m Max. & three-storey	None
Off-street Parking Spaces: Maritime Mixed Use & Commercial Resident Visitor (Accessible) Total	172 78 11 (6) 261	172 (1.6 ac.) 81 17 (7) 270	None
Public Parking Spaces	Limited	35 by approved DP	None
Small Car Parking Spaces	Max 50%	15% (39 spaces)	None
Amenity Space – Indoor	Min. 100 m <sup>2</sup>	Located in second floor of 4080 Bayview St. Building	None
Amenity Space – Outdoor	Min. 312 m <sup>2</sup>	1,295 m <sup>2</sup>	None



**Richmond Official Community Plan Bylaw 7100  
Amendment Bylaw 9062 (RZ 13-633927)  
4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street**

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

1. Richmond Official Community Plan Bylaw 7100 is amended by repealing and replacing the existing "Maritime Mixed Use" land use in Appendix 1 (Definitions) to Schedule 2.4 thereof with the following:

"Maritime Mixed Use means an area set aside to support the maritime economy, with an emphasis on uses which support primarily the commercial fishing fleet, including:

- i) Custom Workshops;  
Enclosed Storage Facilities;  
Fish Auction and Off-loading;  
Laundry and Drycleaning;  
Light Industrial;  
Maritime Educational Facilities;  
Moorage;  
Offices;  
Other Services Related to Maritime Uses;  
Parking;  
Service and Repair of Boats and Marine Equipment.
- ii) General retail and service uses are accommodated as additional uses in the Maritime Mixed Use Area, between Phoenix Pond and No. 1 Road.
- iii) Between Phoenix Pond and No. 1 Road, residential uses are accommodated above grade and only over the dry land portions of the Maritime Mixed Use area as a secondary use. In addition, residential uses are to be situated so as to minimize potential conflicts with other uses."



2. This Bylaw may be cited as "Richmond Official Community Plan Bylaw 7100, Amendment Bylaw 9062".

FIRST READING

\_\_\_\_\_

PUBLIC HEARING

\_\_\_\_\_

SECOND READING

\_\_\_\_\_

THIRD READING

\_\_\_\_\_

OTHER CONDITIONS SATISFIED

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ADOPTED

\_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER





Richmond Zoning Bylaw 8500  
Amendment Bylaw 9063 (RZ 13-633927)  
4020, 4080, 4100, 4180, 4280 and 4300 Bayview Street

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

- I. Richmond Zoning Bylaw 8500, as amended, is further amended:
  - (a) by inserting the following into subsection 20.12.2 (Permitted Uses):
    - “• **Animal Grooming**
    - **Child Care**
    - **Education, commercial**
    - **Health Service, minor**
    - **Library and exhibit**
    - **Recreation, indoor**
    - **Restaurant**
    - **Retail, convenience**
    - **Retail, general**
    - **Retail, secondhand**
    - **Service, financial**
    - **Service, business support**
    - **Service, household repair**
    - **Service, massage**
    - **Veterinary service”**
  - (b) by deleting subsection 20.12.11 (Other Regulations) and substituting the following:
    - “1. An **apartment housing building** is a **permitted use** in this zone only if there is no **habitable space** on the **building’s** ground floor.
    2. The following **secondary uses** shall be located only in **apartment housing**:
      - a) **boarding and lodging**;
      - b) **community care facility, minor**; and
      - c) **home business**.

3. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply."

(c) by inserting the following into subsection 22.21.2 (Permitted Uses):

- **Animal Grooming**
- **Child Care**
- **Education, commercial**
- **Health Service, minor**
- **Library and exhibit**
- **Recreation, indoor**
- **Restaurant**
- **Retail, convenience**
- **Retail, general**
- **Retail, secondhand**
- **Service, financial**
- **Service, business support**
- **Service, household repair**
- **Service, massage**
- **Service, personal**
- **Veterinary service"**

(d) by deleting subsection 22.21.11 (Other Regulations) and substituting the following:

1. The following permitted uses in this zone shall be restricted to **maritime** or commercial fishing related uses only on the site located at P.I.D. 025-077-929, LOT H SECTION 11 BLOCK 3 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN LMP 49897:

- a) **industrial, general;**
- b) **manufacturing, custom indoor;**
- c) **office; and**
- d) **parking, non-accessory.**

2. The following permitted uses in this zone are not permitted on the site located at P.I.D. 025-077-929, LOT H SECTION 11 BLOCK 3 NORTH RANGE 7 WEST NEW WESTMINSTER DISTRICT PLAN LMP 49897:

- **Animal Grooming**
- **Child Care**
- **Education, commercial**

- Health Service, minor
- Library and exhibit
- Recreation, indoor
- Restaurant
- Retail, convenience
- Retail, general
- Retail, secondhand
- Service, financial
- Service, business support
- Service, household repair
- Service, massage
- Service, personal
- Veterinary service

3. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply."

4. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9063".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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CITY OF RICHMOND
APPROVED by <i>B/C</i>
APPROVED by Director or Solicitor <i>al</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER