



**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** March 16, 2022  
**File:** RZ 14-672055

**Re:** Request to Revise Rezoning Considerations for the Application by Bene (No. 3) Road Development Ltd. for Rezoning of the Property at 4700 No. 3 Road from the “Auto-Oriented Commercial (CA)” Zone to a New “High Rise Office Commercial (ZC44) – Aberdeen Village” Zone

**Staff Recommendation**

That the request to revise the rezoning considerations associated with Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, for the creation of a new “High Rise Office Commercial (ZC44) – Aberdeen Village” zone and for the rezoning of 4700 No. 3 Road from the “Auto-Oriented Commercial (CA)” zone to the new “High Rise Office Commercial (ZC44) – Aberdeen Village” zone, to remove the rezoning consideration limiting the subdivision of office space, be denied.

Wayne Craig  
Director, Development  
(604-247-4625)

WC/SB:js  
Att. 3

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

## Staff Report

### Origin

Bene (No. 3) Road Development Ltd. has requested a revision to the rezoning considerations associated with the rezoning of 4700 No. 3 Road from the “Auto-oriented Commercial (CA)” zone to a new site-specific zone, “High Rise Office Commercial (ZC44) – Aberdeen Village”. The rezoning is to facilitate development of a 10-storey commercial and office mixed use building on a property in the Aberdeen Village of the City Centre Area Plan (CCAP). The rezoning included the provision of additional density in exchange for ensuring the development would provide large floorplate leasable office space. The rezoning considerations include registration of a legal agreement limiting subdivision (including stratification and/or air space parcels) of the office floor area within the proposed building to not more than one strata lot or one air space parcel per storey.

The applicant is requesting the rezoning consideration limiting subdivision be removed to allow office floor area to be subdivided. If this restriction is removed, the applicant would be permitted to subdivide the office space into distinct legal lots of any area (strata lot or air space parcel) without any City input. Effectively, the applicant is requesting the ability to keep the additional density granted without having to fulfill the primary condition (i.e. creation of large floorplate leasable office space) that was secured in exchange for the increase in density.

### Findings of Fact

#### Background

On December 11, 2017, Council granted First Reading to Official Community Plan (OCP) Bylaw 7100, Amendment Bylaw 9215, and Richmond Zoning Bylaw 8500, Amendment Bylaw 9216 associated with the subject rezoning application. The purpose of the OCP and Zoning Amendment Bylaw is to increase the Village Centre Bonus (VCB) permitted density bonus allowed on the subject site to facilitate the creation of large floorplate leasable office space. The bylaws were granted Second and Third Reading at the Public Hearing on January 22, 2018. The original Report to Council, dated November 20, 2017, is provided (Attachment AA – Attachment A).

The applicant was required to enter into a legal agreement prohibiting any form of subdivision (including stratification and/or air space parcels) of office space within the proposed building as a consideration of rezoning in exchange for the additional density granted through the VCB increase. Maintaining the office floor area as a single real estate entity was secured to facilitate large floorplate leasable office space in close proximity to transit and amenities. Leasable office space is well-suited to the needs of both large and small businesses as the space is easily adjusted to suit tenant needs and is thus attractive to firms looking to minimize capital investment and accommodate future growth. Firms in key City economic sectors such as Information Technology, Clean Tech and Digital Creatives are examples of industries that seek leasable office space in close proximity to transit. Providing large floorplate leasable office space in the City Centre can help to ensure a diversified and resilient local economy by facilitating the attraction, retention and expansion of a wide range of businesses with varying space needs.

On June 17, 2019, Council adopted OCP Bylaw 7100, Amendment Bylaw 10034, which amended the VCB provisions in the City Centre Area Plan. This policy requires that subdivision of office use within the VCB area be limited to one strata lot or one air space parcel per storey or a minimum floor area of 1,858 m<sup>2</sup> (20,000 ft<sup>2</sup>) where the VCB is increased beyond the 1.0 floor area ratio (FAR) allowed or when the VCB is added to a site that does not currently have this designation. This restriction is applied on sites that benefit from the provision of additional density as a way of encouraging the creation of large floorplate leasable office space close to transit and city centre amenities.

In light of adoption of the above referenced OCP Bylaw (Bylaw 10034), the applicant requested that the original rezoning consideration be amended to be consistent with the newly adopted OCP Policy. On July 22, 2019, Council approved the revision of the rezoning consideration from prohibiting any form of subdivision (stratification and/or air space parcels) of office space within the proposed building to limiting the subdivision of the office space to no more than one strata lot or one air space parcel per storey. The Report to Council regarding the revision request, dated June 24, 2019, is provided (Attachment AA).

The Development Permit application (DP 16-754766) associated with the rezoning application was endorsed by Development Permit Panel on January 29, 2020.

The applicant is now requesting a further revision to the rezoning considerations to allow any form of subdivision of the proposed office space within the proposed building (Attachment BB). No modifications are proposed to the development design as a result of the request.

Recently, on January 24, 2022, Council reaffirmed the existing OCP Policy limiting the subdivision of office space in situations where additional density is provided as part of the consideration of the report titled "Referral Response: Review of Office Stratification Regulations" and dated December 18, 2021. The Report indicated that within the City Centre, office space in close proximity to the Canada Line provides attractive and viable opportunities for leased office space. Council endorsed the staff recommendations that no further restrictions on the stratification and airspace subdivision of office space be considered at this time and that staff continue to monitor the effectiveness of the existing incentive based Office Stratification Policy and report back in two years. The applicant's request is in direct contradiction to the incentive based policy for achieving leasable office space in exchange for additional density.

### **Related Policies & Studies**

#### Official Community Plan/City Centre Area Plan

The CCAP includes an incentive based density bonus approach to encourage the creation of large floorplate leasable office space close to transit and city centre amenities by limiting subdivision of all office use to one strata lot or one air space parcel per storey or a minimum floor area of 1,858 m<sup>2</sup> (20,000 ft<sup>2</sup>) where the VCB is increased beyond 1.0 FAR or when the VCB is added to a site that does not currently have this designation.

The request to remove office space subdivision limitations while maintaining the additional density granted through the rezoning application is inconsistent with the CCAP as the proposed development involves increasing the VCB from 1.0 FAR to 1.5 FAR.

Should the applicant wish to pursue the development without the limitations on subdivision of the office space they should remove the additional density permitted by the additional 0.5 FAR density bonus (1,041 m<sup>2</sup> [11,205 ft<sup>2</sup>]) to comply with the requirements of the CCAP.

### **Analysis**

As noted in the original Staff Report (Attachment AA – Attachment A), the CCAP amendment and rezoning propose a total density of 3.5 FAR, including a VCB of 1.5 FAR limited to office floor area only. The development proposal includes total floor area of approximately 7,285 m<sup>2</sup> (78,416 ft<sup>2</sup>) comprised of commercial space on the bottom two floors and 5,897.4 m<sup>2</sup> (63,478.5 ft<sup>2</sup>) office space on the top six floors. The upper floor plate sizes are approximately 799 m<sup>2</sup> (8,600 ft<sup>2</sup>) on the 5<sup>th</sup> floor, and 1,002 m<sup>2</sup> (10,791 ft<sup>2</sup>) on the 6<sup>th</sup> to 10<sup>th</sup> floors.

### **Applicant Requested Change**

The applicant submitted a letter, dated August 18, 2021 (Attachment BB) requesting the removal of the rezoning consideration limiting subdivision of office space (item #7 of the rezoning considerations).

The applicant advises that in the midst of the Covid-19 pandemic, they have not been able to secure sales for the current floor size office units and construction costs have further increased.

The applicant also advises that in response to market demand for smaller office units, the rezoning consideration change is requested to provide smaller office units and conceptual draft strata subdivision sketches (Attachment CC) have been provided. The proposed office space is located on the 5<sup>th</sup> to 10<sup>th</sup> floor levels and the applicant proposes to create office space strata lots with approximate sizes of between 58.1 m<sup>2</sup> (625 ft<sup>2</sup>) and 173.6 m<sup>2</sup> (1,869 ft<sup>2</sup>).

### **Next Steps**

In response to the applicant request, staff provide the following three options for Council consideration:

1. That the applicant's request to amend the rezoning considerations be denied (recommended). This option is consistent with the OCP incentive based policy to secure large floorplate leasable office space close to rapid transit and city centre amenities when additional density is granted. The applicant would be required to satisfy the rezoning considerations prior to final adoption of the rezoning bylaw.
2. Remove the additional 0.5 FAR density bonus from the project. Without the provision of bonus density, there is no policy basis to limit subdivision of the office floor area. This option is consistent with the CCAP. The proposed zoning and OCP bylaws, rezoning considerations and proposed Development Permit would need to be amended accordingly. A new Public Hearing would be required on the revised rezoning bylaw and the Development Permit would need to be revised and represented to the Development Permit Panel for their consideration.

3. Amend the rezoning considerations to remove the limitation on the subdivision of office space while maintaining the currently proposed density. This option is not recommended as it is inconsistent with the CCAP. Proceeding in this fashion will undermine the current incentive based office stratification policy and likely generate similar requests from other developments that are proceeding in accordance with the policy. There are currently two other rezoning applications in the City Centre (RZ 18-807640 and RZ 18-821103) that could seek similar amendments to their rezoning considerations should the applicant's request be approved. In order to proceed in accordance with this option, Council must provide direction to staff direction to amend the rezoning considerations associated with Richmond Zoning Bylaw 8500, Amendment Bylaw 9216 by removing the rezoning consideration limiting subdivision of office space within the building (item #7 of the rezoning considerations). An additional Public Hearing would not be required, as this option would not change land use or density. The applicant would be required to satisfy the revised rezoning considerations prior to final adoption of the rezoning bylaw.

### Conclusion

Bene (No. 3) Road Development Ltd. has requested to revise the rezoning considerations associated with the application to rezone the property at 4700 No. 3 Road from the "Auto-oriented Commercial (CA)" zone to a new site-specific zone, "High Rise Office Commercial (ZC44) – Aberdeen Village", in order to remove limitations on the subdivision (including stratification and/or air space parcels) of office floor area, and proceed with the development of a high-density, mixed commercial and office use building in City Centre's Aberdeen Village.

Council granted Second and Third Reading to the Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, associated with the subject application, at the Public Hearing on January 22, 2018.

The rezoning consideration revision requested by the applicant is not consistent with OCP Policy, which requires that subdivision of office use within the VCB area be limited to one strata lot or one air space parcel per storey or a minimum floor area of 1,858 m<sup>2</sup> (20,000 ft<sup>2</sup>) where the VCB is increased beyond the 1.0 FAR allowed or when the VCB is added to a site that does not currently have this designation. On this basis, it is recommended that the applicant request to amend rezoning considerations be denied.



Sara Badyal  
Planner 3  
(604-276-4282)

SB:js

### Attachments:

- Attachment AA: Report to Council dated June 24, 2019 (including Original Staff Report, dated November 20, 2017, Location Map, Aerial Photo)
- Attachment BB: Letter from Applicant dated August 18, 2021
- Attachment CC: Draft Strata Subdivision Sketches dated January 10, 2022



# City of Richmond

## Report to Committee

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** June 24, 2019  
**File:** RZ 14-672055

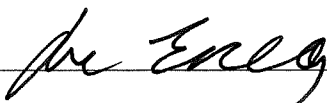
**Re:** Revised Rezoning Considerations for the Application by Bene (No. 3) Road Development Ltd. for Rezoning of the Property at 4700 No. 3 Road from the "Auto-Oriented Commercial (CA)" Zone to a New "High Rise Office Commercial (ZC44) – Aberdeen Village" Zone

### Staff Recommendation

That the rezoning considerations associated with Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, for the creation of a new "High Rise Office Commercial (ZC44) – Aberdeen Village" zone and for the rezoning of 4700 No. 3 Road from the "Auto-Oriented Commercial (CA)" zone to the new "High Rise Office Commercial (ZC44) – Aberdeen Village" zone, be revised to change the rezoning consideration from prohibiting subdivision (including stratification and/or air space parcels) of office space within the proposed building to limiting the subdivision of office space to no more than one strata lot or one air space parcel per storey.

  
Wayne Craig  
Director, Development  
(604-247-4625)

WC:sb  
Att. 2

<b>REPORT CONCURRENCE</b>
<b>CONCURRENCE OF GENERAL MANAGER</b>


## Staff Report

### Origin

Bene (No. 3) Road Development Ltd. has requested to revise the rezoning considerations associated with Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, for the rezoning of 4700 No. 3 Road from “Auto-oriented Commercial (CA)” to a new site-specific zone, “High Rise Office Commercial (ZC44) – Aberdeen Village”. The rezoning is to facilitate development of a 10-storey commercial and office mixed use building on a property in the City Centre’s Aberdeen Village. The rezoning considerations include a restriction prohibiting subdivision (including stratification and/or air space parcels) of office floor area (single owner for office space). The applicant is requesting the rezoning consideration be revised to allow office floor area to be subdivided to no more than one strata lot or one air space parcel per storey.

On December 11, 2017, Council granted first reading to Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, to rezone the subject property to permit the development of a high-density, mixed commercial and office use building. Amendment Bylaw 9216 was subsequently granted Second and Third Reading at the Public Hearing on January 22, 2018. The original Report to Council, dated November 20, 2017, is provided (Attachment B). The Development Permit application (DP 16-754766) associated with the rezoning application is currently being reviewed by staff.

As a consideration of rezoning, the applicant was required to enter into a legal agreement prohibiting subdivision (including stratification and/or air space parcels) of the office space. However, the City Centre Area Plan was subsequently recently revised on June 17, 2019, allowing limited subdivision of office use within the higher density Village Centre Bonus area and construction costs have increased, resulting in the applicant requesting revised rezoning considerations to allow limited subdivision of the proposed office space. No modifications are proposed to the development design as a result of the request.

The applicant has requested that Council revise the original rezoning considerations prior to the rezoning application proceeding to final adoption. Due to the proposed changes being minor and not impacting land use or density, the revised proposal does not require a new Public Hearing.

### Findings of Fact

Please refer to the original Staff Report dated November 20, 2017 (Attachment A) for detailed information regarding the rezoning application.

## **Analysis**

### Original Proposal

As noted in the original Staff Report (Attachment A), the City Centre Area Plan (CCAP) amendment and rezoning include a total density of 3.5 floor area ratio (FAR), including a Village Centre Bonus of 1.5 FAR limited to office floor area only. The development proposal includes total floor area of approximately 7,285.4 m<sup>2</sup> (78,415.5 ft<sup>2</sup>) comprised of approximately 1,387.7 m<sup>2</sup> (14,937 ft<sup>2</sup>) or 0.67 FAR of commercial space and 5,897.4 m<sup>2</sup> (63,478.5 ft<sup>2</sup>) or 2.83 FAR of office space. The office space is proposed over six storeys on the 5<sup>th</sup> to 10<sup>th</sup> floors, with floor plate sizes of approximately 799 m<sup>2</sup> (8,600 ft<sup>2</sup>) on the 5<sup>th</sup> floor, and 1,002 m<sup>2</sup> (10,791 ft<sup>2</sup>) on the 6<sup>th</sup> to 10<sup>th</sup> floors.

The original rezoning considerations included the requirement to enter into a legal agreement prohibiting subdivision of the office floor area (including stratification and/or air space parcels).

### Proposed Changes

Subsequent to the Public Hearing for the subject rezoning application, the City Centre Area Plan was amended. On June 17, 2019, Council adopted Official Community Plan Bylaw 7100, Amendment Bylaw 10034, which amended the “Village Centre Bonus” definition, requiring that subdivision of all office use within the Village Centre Bonus (VCB) area be limited to one strata lot or one air space parcel per storey or a minimum floor area of 1,858 m<sup>2</sup> (20,000 ft<sup>2</sup>) where the VCB exceeds 1.0 FAR.

As the City Centre Area Plan has recently changed, and construction costs have increased significantly, the applicant has requested the rezoning considerations be amended to allow for limited subdivision of the proposed office floor area to one strata lot or one air space parcel per storey (Attachment B). A red-lined version of the proposed revised rezoning considerations is provided in Attachment C, which revises the office floor area subdivision prohibition requirement (item #7 of the rezoning considerations) to allow limited office floor area subdivision to no more than one strata lot or one air space parcel per storey, consistent with the City Centre Area Plan.

In order to move forward with the development, the applicant has requested to revise the rezoning considerations. An additional Public Hearing is not required, as the revised proposal does not impact land use or density and is relatively minor. No additional conditions from the previous rezoning considerations are proposed to change, other than that identified in this Report and the revised rezoning considerations provided in Attachment C.

### Next Steps

Should Council wish to proceed with the revised rezoning considerations, the applicant would be required to satisfy the revised rezoning considerations prior to final adoption of the Rezoning Bylaw.



The Development Permit application (DP 16-754766) associated with the rezoning application is currently being reviewed by staff. A Staff Report will be forwarded to the Development Permit Panel in the future and public notification, consistent with City procedures, will be provided through the Development Permit process to notify surrounding residents of the Development Permit application.

### **Conclusion**

Bene (No. 3) Road Development Ltd. has requested to revise the rezoning considerations associated with the application to rezone the property at 4700 No. 3 Road from “Auto-oriented Commercial (CA)” to a new site-specific zone, “High Rise Office Commercial (ZC44) – Aberdeen Village”, in order to allow limited subdivision (including stratification and/or air space parcels) of office floor area, and proceed with the development of a high-density, mixed commercial and office use building in City Centre’s Aberdeen Village.

Council granted Second and Third Reading to the Richmond Zoning Bylaw 8500, Amendment Bylaw 9216, associated with the subject application, at the Public Hearing on January 22, 2018.

The revised rezoning considerations are consistent with recent amendments to the City Centre Area Plan to allow limited subdivision of all office use within the Village Centre Bonus (VCB) area.

On this basis, it is recommended the rezoning considerations be amended.



Sara Badyal, M. Arch, MCIP, RPP  
Planner 2  
(604-276-4282)

SB:blg

Attachment A: Original Report to Council dated November 20, 2017

Attachment B: Letter from Applicant dated July 3, 2019

Attachment C: Red-lined Version of the Revised Rezoning Considerations