



**Richmond Zoning Bylaw 8500
Amendment Bylaw No. 8839 (RZ 06-349722)
8800, 8820, 8840, 8880, 8900, 8920, 8940 and 8960 Patterson Road and
3240, 3260, 3280, 3320 and 3340 Sexsmith Road
(Capstan Station)**

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

1. Richmond Zoning Bylaw 8500 is amended by:

- 1.1. Inserting in Section 3.4 the following:

"Capstan station reserve means the statutory Capital Reserve Fund created by Reserve Fund Establishment Bylaw No. 8854."

- 1.2. Inserting Section 5.19 as follows:

"5.19 Capstan Station

- 5.19.1 Where an **owner** pays into the **Capstan station reserve** according to the **density bonusing** provisions of this bylaw:

- a) An **owner** shall pay the sum to the **City** for deposit into the **Capstan station reserve** prior to Building Permit issuance for the **site**;
 - b) the number of **dwelling units** to which payment applies shall be the total number of **dwelling units** authorized on the **site** by the Building Permit; and
 - c) the sum payable shall be \$7,800 per **dwelling unit**, adjusted annually beginning at the end of September 2011 by any increase in the CPI Inflation Index as at the end of September 2010, wherein CPI Inflation Index shall mean for the purposes of this bylaw the All-items Consumer Price Index for British Columbia, not seasonally adjusted, as published by Statistics Canada (or its successor government department or agency), or such substitute index as is formally designated by the Government of Canada or, if no index is published or designated by the Government of Canada in substitution therefore, such substitute index as the **City** considers, in its discretion, most closely approximating the All-items Consumer Price Index for British Columbia. Whenever the Official Time Base (currently 2002 = 100) is changed or a substitute index is designated, historical value will be rebased through the use of a conversion factor as published by the Government of Canada or, in the absence of such publication, such conversion factor shall be the conversion factor that the **City** considers, in its discretion, best achieves comparability.

- 1.3. Replacing the designation on Map 7.9.1A shown as “2A” with “1A”.
- 1.4. Replacing the headings in Tables 7.9.3.1, 7.9.4.1, and 7.9.5.1 shown as “Zone 2 & 2A” with “Zone 2”.

- 1.5. Inserting Section 7.9.6 as follows:

“7.9.6 Where the zoning of a **lot** in Zone 1A would permit a **building** to be used for any of the **uses** listed in Table 7.9.3.1, 7.9.4.1, or 7.9.5.1, the minimum **parking space** requirements shall be as identified for Zone 1; except that prior to the Capstan Canada Line station being operational, for a development comprised of two or more phases on one or more **lots** the minimum **parking space** requirements shall be as follows:

- a) The combined total **parking space** requirements for all phases in the development shall be as identified for Zone 1;
- b) Notwithstanding Section 7.9.6.a), for the initial phase or phases of the development, as determined to the satisfaction of the City:
 - i) Zone 2 **parking space** requirements shall apply; and
 - ii) **parking spaces** provided in excess of Zone 1 requirements:
 - shall be secured for the temporary use of **uses** occurring at the initial phase or phases of the development; and
 - may be used to satisfy the **parking space** requirements of **uses** occurring in the subsequent phase or phases of the development.”

- 1.6. Repealing Section 9.4.1 and replacing it with the following:

“9.4.1 Purpose

The **zone** accommodates mid- to high-rise apartments within the **City Centre**, plus a limited amount of **commercial use** and compatible **secondary uses**. The **zone** is divided into 5 sub-zones: RCL1 for **sites** zoned low density, high-rise apartments; RCL2 which provides for a **density bonus** that would be used for rezoning applications to help achieve the **City’s** affordable housing objectives; RCL3 which provides for an additional **density bonus** that would be used for rezoning applications in the Village Centre Bonus Map area of the **City Centre** in the **City Centre** Area Plan to achieve **City** objectives for **child care**, amenity, and **commercial use**; and, RCL4 and RCL5 which provide for a **density bonus** that would be used for rezoning applications in the Capstan Station Bonus Map area designated by the **City Centre** Area Plan to achieve, among other things, **City** objectives in respect to the Capstan Canada Line station.”

- 1.7. Inserting “**park**” in Section 9.4.3 Secondary Uses.
- 1.8. Replacing Sections 9.4.4.2, 9.4.4.3, 9.4.4.4, and 9.4.4.5 as follows:

- “2. For residential/limited commercial sites zoned RCL2, RCL3, RCL4, or RCL5, the maximum **floor area ratio** is 1.2, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate **amenity space**, and 0.1 **floor area ratio** provided that it is entirely used to accommodate **community amenity space**.
3. Notwithstanding Section 9.4.4.2, the reference to “1.2” is increased to a higher **density** of “2.0” in the RCL2 zone and RCL3 zone if:
- a) for rezoning applications involving 80 or less **apartment housing dwelling units**, the owner pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw at the time Council adopts a zoning amendment bylaw to include the **owner’s lot** in the RCL2 zone or RCL3 zone; or
 - b) for rezoning applications involving more than 80 **apartment housing dwelling units**, and prior to first occupancy of the **building**, the owner:
 - i) provides in the **building** not less than four **affordable housing units** and the combined **habitable space** of the total number of **affordable housing units** would comprise at least 5% of the total **building area**; and
 - ii) enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against the title to the **lot**, and files a notice in the Land Title Office.
4. Notwithstanding Section 9.4.4.2, the reference to “1.2” is increased to a higher **density** of “2.5” in the RCL4 zone and RCL5 zone if:
- a) the **site** is located in the Capstan Station Bonus Map area designated by the **City Centre Area Plan**;
 - b) the **owner** pays a sum into the **Capstan station reserve** as specified in Section 5.19 of this bylaw;
 - c) the **owner** grants to the **City**, via a statutory **right-of-way**, **air space parcel**, or fee simple, as determined at the sole discretion of the **City**, rights of public use over a suitably landscaped area of the **site** for **park** and related purposes at a rate of 5.0 m² per **dwelling unit**; and
 - d) for rezoning applications involving:
 - i) 80 or less **apartment housing dwelling units**, the **owner** pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw at the time Council adopts a zoning amendment bylaw to include the **owner’s lot** in the RCL4 zone or RCL5 zone; or
 - ii) more than 80 **apartment housing dwelling units**, and prior to first occupancy of the **building**, the **owner**:
 - provides in the **building** not less than four **affordable housing units** and the combined **habitable space** of the total number of **affordable housing units** would comprise at least 5% of the total **building area**; and

- enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against the title to the **lot**, and files a notice in the Land Title Office.

5. If an **owner** of a **lot** in the **RCL3 zone** or **RCL5 zone** has contributed to the **affordable housing reserve** or provided **affordable housing units** under Section 9.4.4.3 or provided amenities and contributed to the **affordable housing reserve** or provided **affordable housing units** under Section 9.4.4.4, so as to increase the maximum **floor area ratio** to 2.0 or 2.5 respectively, an additional 1.0 **density bonus floor area ratio** is permitted, provided that:
 - a) the lot is located in the Village Centre Bonus Area designated by the **City Centre Area Plan**;
 - b) the **owner** uses the additional 1.0 **density bonus floor area ratio** only for non-residential purposes, which non-residential purposes shall provide, in whole or in part, for **convenience retail uses** (e.g., large format grocery store; drug store), **minor health services**, pedestrian-oriented **general retail**, or other **uses** important to the viability of the Village Centre and as determined to the satisfaction of the **City**;
 - c) the **owner** uses a maximum of 49% of the **gross floor area** of the **building**, including the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building area**), for non-residential purposes; and
 - d) the **owner**:
 - i) uses at least 5% of the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building area**), for **child care** or **uses** that provide a community amenity to the satisfaction of the **City** (e.g., community recreation, **library and exhibit**, heritage); or
 - ii) at the time Council adopts a zoning amendment bylaw to include the **owner's lot** in the **RCL3 zone** or **RCL5 zone**, pays into the **child care reserve fund** or alternative funds the sum specified in Section 5.16 of this bylaw.”

1.9. Inserting Section 9.4.5.3 as follows:

- “3. The maximum **lot coverage** for **buildings** and landscaped roofs over **parking spaces** on **sites** zoned **RCL4** and **RCL5** is 90%, exclusive of portions of the **sites** the **owner** grants to the **City**, via a statutory **right-of-way**, **air space parcel**, or alternative means satisfactory to the **City**, for **park** or **road** purposes.”

1.10. Replacing Sections 9.4.7.1 and 9.4.7.2 with the following:

- “1. The maximum **height** for **buildings** zoned RCL1, RCL3, and RCL5 is 47.0 m geodetic.
2. The maximum **height** for **buildings** zoned RCL2 and RCL4 is:
 - a) for **buildings** with a **floor area ratio** of 1.2 or less: 15.0 m;
 - b) for **buildings** with a **floor area ratio** of greater than 1.2: 25.0 m, except in specific areas identified in the **City Centre Area Plan** where a maximum **height** of 35.0 m is permitted for **buildings** with a **floor area ratio** of up to 2.0; and
 - c) for **buildings** in the Capstan Station Bonus Map area designated by the **City Centre Area Plan** with a **floor area ratio** of greater than 2.0: 35.0 m, except the maximum **height** for **buildings** may be increased to 47.0 m geodetic if a proper interface is provided with adjacent **buildings** and areas secured by the **City** for **park** purposes, as approved by the **City**.”

1.11. Replacing Section 9.4.8.1.c) with the following:

“c) 45.0 m for **sites** zoned RCL3, RCL4, and RCL5.”

1.12. Replacing Section 9.4.8.2.c) with the following:

“c) 40.0 m for **sites** zoned RCL2 that have a **floor area ratio** of greater than 1.2 and **sites** zoned RCL3, RCL4, and RCL5.”

1.13. Replacing Section 9.4.8.5 with the following:

- “5. The minimum **lot area** is 4,000.0 m² for **sites** zoned RCL3, RCL4, and RCL5.”

1.14. Replacing Sections 9.4.11.1 and 9.4.11.2 with the following:

- “1. For the RCL1 **zone**, RCL2 **zone**, and RCL4 **zone** only:
 - a) **Secondary uses** shall be limited to the following:
 - **boarding and lodging**
 - **community care facility, minor**
 - **health service, minor**
 - **home-based business**
 - **home business**
 - **housing, town**
 - **library and exhibit**
 - **office**
 - **recreation, indoor**
 - **retail, convenience**

- retail, general
 - service, personal
 - studio
- b) Convenience retail, general retail, indoor recreation, library and exhibit, minor health service, office, personal service, studio, and town housing must be located on the first storey of the building.
- c) For the RCL1 zone, convenience retail, general retail, indoor recreation, library and exhibit, minor health service, office, personal service, and studio are limited to a maximum gross leasable floor area of 200.0 m².
2. For the RCL3 zone and RCL5 zone only, congregate housing and apartment housing must not be located on the first storey of the building, exclusive of interior entries, common stairwells, and common elevator shafts."
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw No. 8839".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

JAN 23 2012

FEB 20 2012

FEB 20 2012

FEB 20 2012

CITY OF RICHMOND
APPROVED by

APPROVED by Manager or Solicitor


MAYOR_____
CORPORATE OFFICER