



To Council - Oct 22, 2007
To Planning - Oct 16, 2007
Date: October 1, 2007

To: Planning Committee

From: Cecilia Achiam
Acting Director of Development

File: TU 07-372359

Re: **Application by Dunbar Equipment Ltd. for a Temporary Commercial Use Permit at 8540 River Road**

Staff Recommendation

1. That the application of Dunbar Equipment Ltd. for a Temporary Commercial Use Permit for property at 8540 River Road be considered at the November 19, 2007 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall, and that the following recommendation be forwarded to that meeting for consideration.

“That the Temporary Commercial Use Permit be issued to Dunbar Equipment Ltd. to allow the retail sale of outdoor power equipment at 8540 River Road.”

Cecilia Achiam
Acting Director of Development

EL:blg
Att.

FOR ORIGINATING DEPARTMENT USE ONLY
CONCURRENCE OF GENERAL MANAGER

Staff Report

Origin

Dunbar Equipment Ltd. has applied to the City of Richmond for a Temporary Use Permit (TUP) in order to permit the retail sale of outdoor power equipments at 8540 River Road (**Attachment 1**). The business requesting the TUP has had to vacate the property they were previously located at (8611 Beckwith Road) due to a property acquisition arising from the Canada Line. If approved, this TUP application would allow (on a temporary basis for a maximum of two years) retail sale of outdoor power equipment at 8540 River Road until a permanent location is found. The business, Don Dickey Supplies, has operated in Richmond for approximately 38 years.

Findings Of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

The subject site is located in a transitioning area within the Bridgeport Area Plan, which is currently characterized by industrial, commercial and tourist oriented types of development. The subject property is surrounded by industrial properties zoned Light Industrial District (I2).

Related Policies & Studies

Official Community Plan (OCP)

The subject site is designated as "Mixed Use" in the Generalized Land Use Map and is located in the West Bridgeport Sub-Area within the Bridgeport Area Plan. The West Bridgeport is an area in transition, and land use policies for this area are being studied as part of the City Centre Area Plan (CCAP) Update. The CCAP Update and Implementation Strategy are ongoing.

The City of Richmond's OCP permits Temporary Commercial Use Permits in those areas designated "Commercial", "Neighbourhood Service Centre", "Local Commercial", "Business and Industry", "Limited Mixed-Use", "Mixed Use" and "Airport" where deemed appropriate by Council and subject to conditions suitable to the proposed use and surrounding area.

Local Government Act (LGA)

The Local Government Act (LGA) specifically identifies that Temporary Commercial Use Permits are valid for a period no greater than two years from the date of issuance of the Permit. It also identifies that Temporary Commercial Use Permits can only be renewed once with the same two-year time limit applying.

Official Community Plan (OCP) Aircraft Noise Sensitive Development (ANSD) Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area within a designation that new aircraft noise sensitive land uses are prohibited. As the site is affected by Airport Noise Contours, an aircraft noise sensitive use covenant is required to be registered on title prior to issuance of the Temporary Commercial Use Permit.

Staff Comments

The applicant has actively been searching for a permanent location for their existing business in Richmond since being notified of the forthcoming Canada Line property acquisition. Unfortunately, no property has been found or identified that would meet their long-term needs and desire to remain in Richmond. As no site has been identified, the applicant is requesting a TUP to allow the existing business to operate while the search continues for a permanent site.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, registration of a Flood Indemnity Covenant on title is required prior to issuance of the Temporary Commercial Use Permit.

Analysis

Subject Property Zoning – Light Industrial District (I2)

The subject site is zoned Light Industrial District (I2). The uses permitted in the zone relate to light industry (contained within a building) and custom workshops, trades and services. Custom workshops, trades and services is limited to businesses who produce or service specialized goods or provide specialized services, but does not include businesses which primarily sell mass produced goods at retail. As Retail is not a permitted use under the Light Industrial District (I2), a TUP application is being made to allow the retail sale of outdoor power equipment.

Business Operations

The business (Don Dickey Supplies) generally operates as a retail trade and service centre providing services and parts to outdoor power equipment including lawn mowers, grass trimmers, generators and water pumps, etc. The total leaseable floor area of the existing building on-site is approximately 318 m² (3,425 ft²). A majority of the space allocated in the existing building on-site is to store parts and equipments. The retail component (showroom) of the business assumes approximately 1/5th of the total floor area of the existing building on-site.

The applicant indicates that equipment sales comprise approximately 60% of the dollar volume annually; in which, 40% of the sales transactions are made up of retail customers and 60% are made up of government sales, industrial customers, such as Vancouver International Airport, and by local businesses, such as contractors, lumber mills shipyards, marinas, and landscaping companies.

Parking

Ten (10) parking spaces are required for the proposed Retail Trade and Services under Division 400 (Off-Street Parking and Loading) of Zoning Bylaw No. 5300. Five (5) parking spaces will be provided in front of the existing building on-site along River Road, and another five (5) parking spaces will be provide at the rear portion of the property along the back lane.

Staff note that the parking spaces in front of the building are located less than 3 m (9.843 ft.) from the property line which abuts a public road (River Road). This is contrary to the development and maintenance standards for off-street parking under Section 405 of Zoning Bylaw No. 5300. Considering the existing building on-site is constructed in 1977, and this parking arrangement predates the above-mentioned parking standards, staff have no objections to this parking arrangement for the proposed business on-site.

Future Development

Permanent development of the site is premature because of the anticipated changes in the City Centre Area Plan. It is recognized by both the applicant and the City that in the future, this area will be developed for high-density mixed-uses. However, in the meantime, a trade and service centre with limited retail sales is a compatible interim use of the land.

Staff have no objections to the proposal and recommend that a Temporary Commercial Use Permit be issued on the clear understanding that this Permit will expire in two years. Should the applicant wish to continue to operate the retail sales of outdoor power equipment on-site beyond the two-year period, an application for extension would be required.

Financial Impact

None.

Conclusion

The application is being initiated as a result of a Canada Line property acquisition. The property located at 8540 River Road will serve as a temporary location to operate their business while they continue to search for a permanent location in Richmond. It is recommended that the attached Temporary Commercial Use Permit be issued to Dunbar Equipment Ltd. to allow temporary retail sales of outdoor power equipment at 8540 River Road.

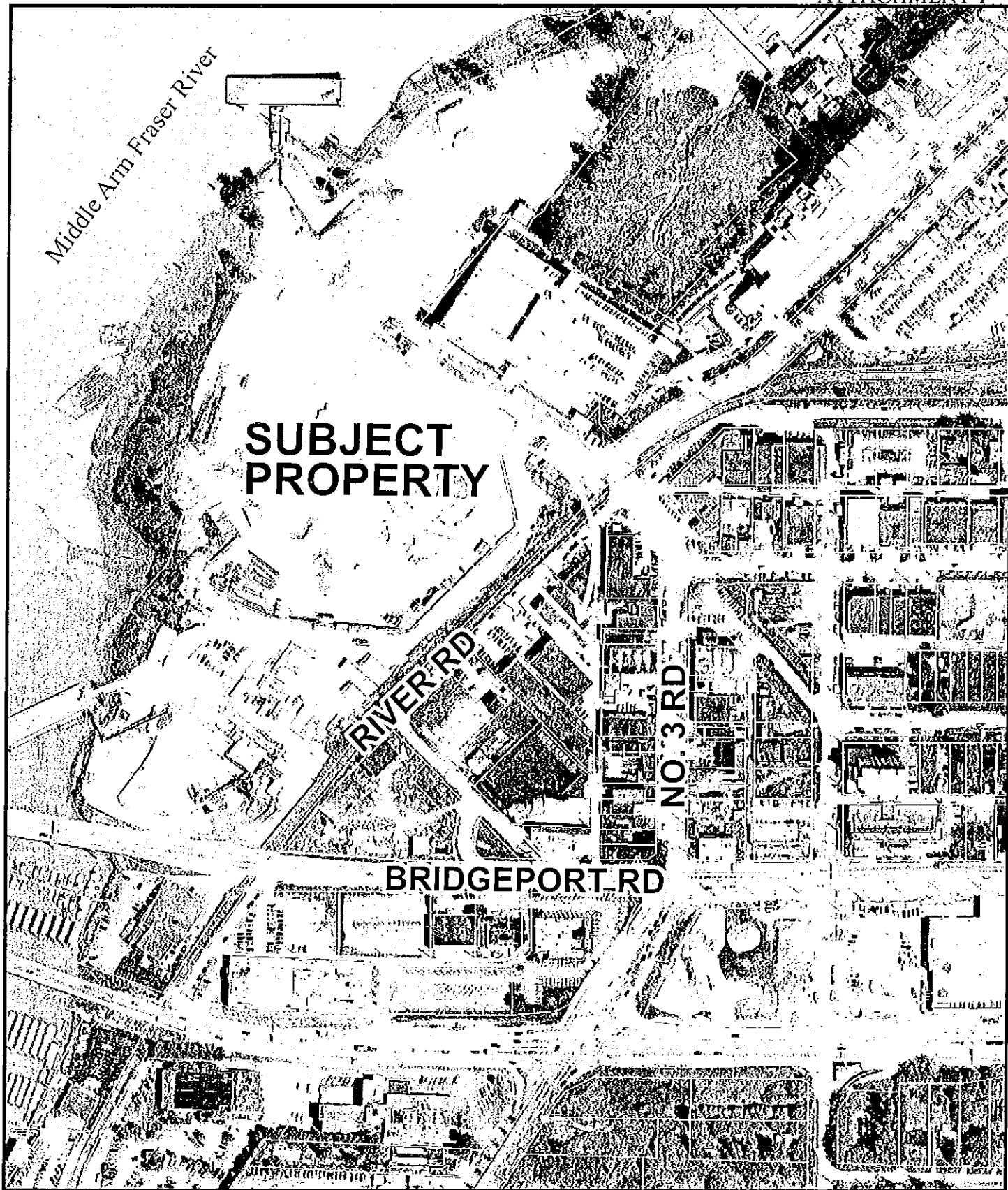


Edwin Lee
Planning Technician – Design
(Local 4121)

EL:blg

Prior to Council issuance of the Temporary Commercial Use Permit, the following requirements must be completed:

1. Registration of an aircraft noise sensitive use covenant on title.
2. Registration of a flood indemnity covenant on title.



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Original Date: 09/20/07

Amended Date:

Note: Dimensions are in METRES



City of Richmond

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

**Development Application
 Data Sheet**

TU 07-372359

Attachment 2

Address: 8540 River Road

Applicant: Dunbar Equipment Ltd.

Planning Area: Bridgeport Area (Schedule 2.12)

	Existing	Proposed
Owner:	Opus Mobile Sound Ltd.	No Change
Site Size (m²):	827 m ²	No Change
Land Uses:	Light Industrial	No Change
OCP Designation:	Mixed-Use	No Change
Area Plan Designation:	To be determined	No Change
Zoning:	Light Industrial District (I2)	No Change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0	0.28	none permitted
Lot Coverage – Building:	Max. 60%	22.75%	none
Road Setback (m):	Min. 6 m	7.9 m	none
Off-street Parking Spaces – Retail Trade and Services:	10 stalls	10 stalls	none
Off-street Parking Spaces – Accessible:	n/c	none	none



No. TU 07-372359

To the Holder: DUNBAR EQUIPMENT LTD.
Property Address: 8540 RIVER ROAD
Address: C/O MR. THOMAS FAIRBROTHER
8540 RIVER ROAD
Richmond, BC V6X 1Y4

1. This Temporary Commercial Use Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
3. The subject property may be used for the following temporary Commercial uses:
Retail sale of outdoor power equipment.
4. Any temporary buildings, structures and signs shall be demolished or removed and the site and adjacent roads shall be maintained and restored to a condition satisfactory to the City of Richmond, upon the expiration of this permit or cessation of the use, whichever is sooner (refer to Schedule "B").
5. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
6. This Permit is valid for a maximum of two years from the date of issuance.
This Permit is not a Building Permit.

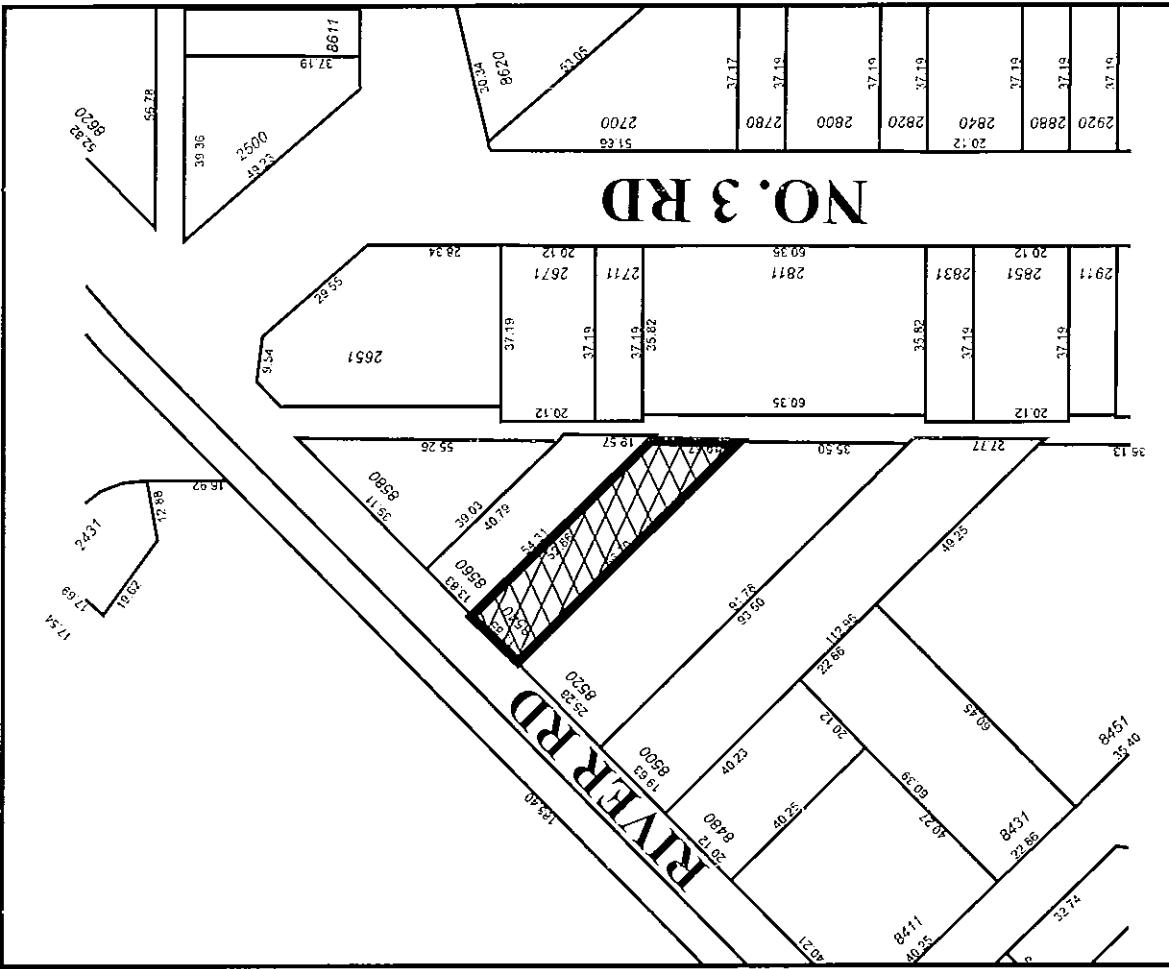
AUTHORIZING RESOLUTION NO.
DAY OF

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF

MAYOR

CITY CLERK

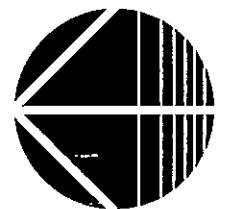
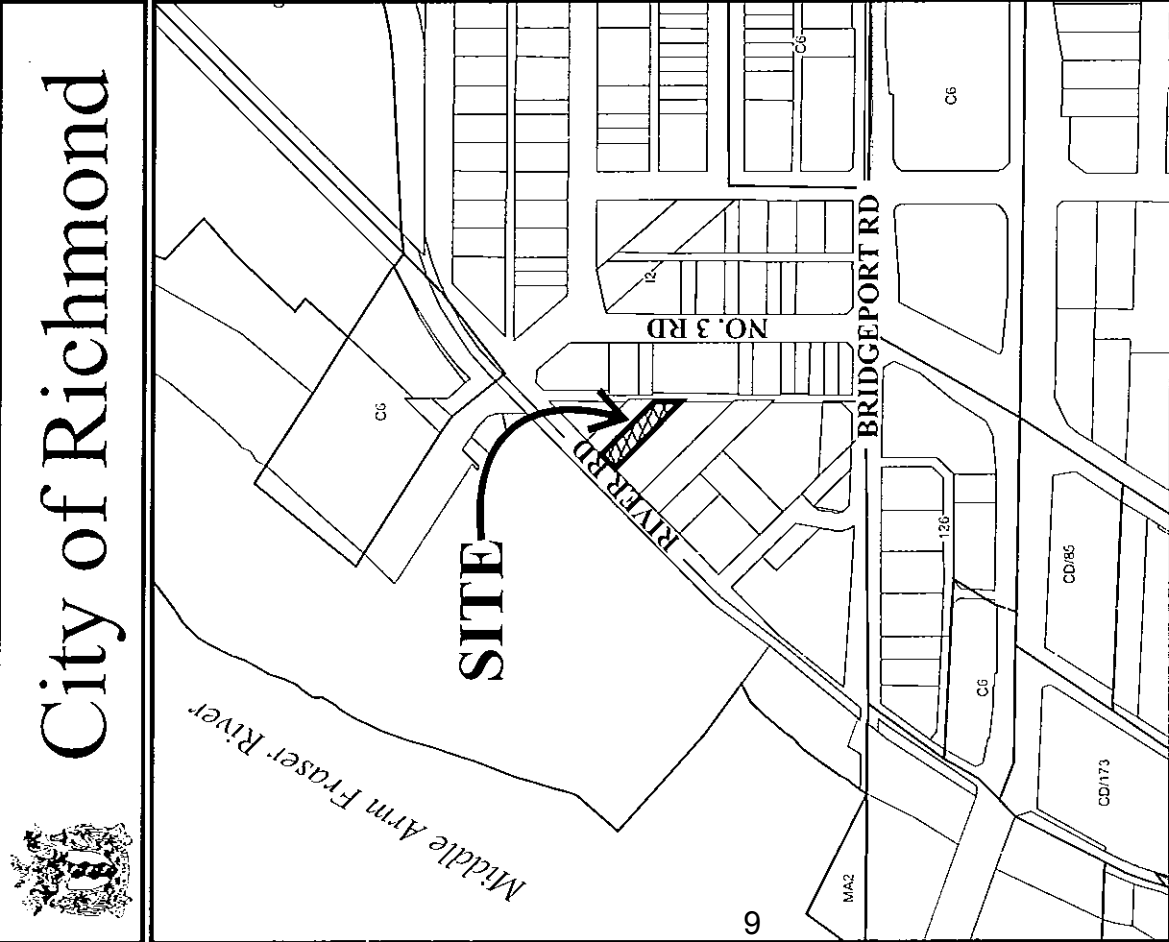


Original Date: 09/19/07

Revision Date:

Note: Dimensions are in METRES

TU 07-372359



Undertaking

In consideration of the City of Richmond issuing the Temporary Commercial Use Permit, we the undersigned hereby agree to demolish or remove any temporary buildings, structures and signs; to restore the land described in Schedule A; and to maintain and restore adjacent roads, to a condition satisfactory to the City of Richmond upon the expiration of this Permit or cessation of the permitted use, whichever is sooner.

Dunbar Equipment Ltd.
by its authorized signatory

[signed copy on file]

Thomas Fairbrother