



City of Richmond

Report to Committee

To: Planning Committee
From: Brian J. Jackson, MCIP
Director of Development

Date: February 3, 2011

File:

Re: Milltown Marina and Boatyard Application to Port Metro Vancouver

Staff Recommendation

That staff be directed to:

1. Convey Richmond's strong preference that Port Metro Vancouver submit a formal application for Rezoning of the Richmond Island site to accommodate the proposed uses outlined in the Milltown Marina and Boatyard Application;
2. Request that Port Metro Vancouver provide the City of Richmond with appropriate documentation indemnifying the City for any and all possible flooding or water damage to Richmond Island;
3. That Port Metro Vancouver include a request for an Area Designation Agreement amendment with their submission to the Fraser River Estuary Management Program (FREMP), and;
4. That staff be directed to work with the various agencies and the City of Vancouver to resolve any service provision and tax agreements for this development as necessary.

Brian Jackson

Brian J. Jackson, MCIP
Director of Development
(604-276-4138)

Att. 2

FOR ORIGINATING DEPARTMENT USE ONLY		
CONCURRENCE OF GENERAL MANAGER		
<i>[Signature]</i>		
REVIEWED BY TAG	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
REVIEWED BY CAO	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Staff Report

Origin

Port Metro Vancouver (PMV) has invited the City to comment on an application by Bastion Development and the Musqueam Indian Band to develop a marina at Richmond Island and has provided staff with the proponent's comprehensive submission document. A location map is provided in **Attachment 1**.

Although Richmond Island lies within Richmond's City boundaries, the site is owned by North Fraser Terminals Inc. (NFT) which is a wholly-owned subsidiary of Port Metro Vancouver. PMV have advised City staff that, pursuant to the Canada Marine Act, PMV will be handling all development reviews and that no applications would be submitted to the City for this site.

Staff are seeking direction from Council prior to making a response to Port Metro Vancouver or engaging in further dialogue on the proposal.

Development Proposal Overview

The proposed development involves both waterside and upland components. On the waterside, the proponents propose to dredge the Richmond Island slough to facilitate the installation of marina docks supporting up to 170 boat slips. The upland portion of the project includes covered boat storage rack facilities for up to 300 boats up to 9.15m (30 ft.) in length, 141 at-grade vehicle parking stalls and up to 2,026 m² (21,800 ft²) of building space for a marina centre and marine trades work areas. A boat gantry crane and walkway ramps will link the water components to the upland area. A conceptual site plan is provided in **Attachment 2**.

Key Elements

- dredging of 70,000m³ from the adjacent slough channel
- 7,000 to 9,000 linear ft. of dock space accommodating up to 170 boat slips
- a boat gantry crane and walkway ramps connecting to the water from Richmond Island
- several landside structures including a 12,000 ft² marine trades building, a 7,000 ft² marina centre, covered boat storage racks to accommodate up to 300 boats to 30 ft in length and 141 vehicle parking stalls
- foreshore vegetation compensation planting (details to be determined)
- overall site area 191,000 ft² including buildings, parking and traffic circulation
- estimated value of the development is \$13 million.

Proposed upland uses on the site include marine workshops, a marina office and sales centre, a restaurant, a commercial retail unit, lounge, caretakers residence and a design studio.

Findings Of Fact

As shown on **Attachment 1** Richmond Island is physically linked to the City of Vancouver via a connecting causeway. Both the island and the connecting causeway lie just west of the Arthur Laing Bridge on the North Arm of the Fraser River.

The land portion of Richmond Island is approximately 8.089 ac in area while the Richmond portion of the causeway is approximately 0.644 ac. The causeway supports an existing loading ramp used to transfer soils from development sites onto barges for transport elsewhere. Apart from the loading facility the island currently has no significant physical improvements.

Richmond's Official Community Plan (OCP) designates the island and causeway as 'Business and Industry'. The proposed use conforms to the City's existing OCP designation. The site is currently zoned for 'Light Industrial (IL)' use. The proposed use does not conform to the site's current zoning designation.

Under FREMP the southern side of the island is designated as 'Yellow' and 'Green' coded habitat. The inner slough channel is designated as 'Red' coded habitat. Any compensation requirements have not yet been worked out by the applicant or Port Metro Vancouver.

The Area Designation Agreement between FREMP and the City designates the southern side of the island for 'Industrial' uses and the area within the slough for 'Log Storage'. The proposed use does not conform to the current Area Designation Agreement.

Richmond does not currently provide any utility services to Richmond Island.

Analysis

Anticipated External Approvals

The marina development by Bastion Development and the Musqueam Indian Band is expected to require a number of external agency reviews and approvals. These include the following:

- The tenancy and use application will be reviewed by Port Metro Vancouver.
- The proponents have reportedly made an application for dredging to Environment Canada.
- Storm water discharges, dredging and compensation planting plans will be reviewed by Fisheries and Oceans.
- FREMP will review the proposed use and potentially any Area Designation Agreement amendment.
- The City of Vancouver will review any requests for utility services plus fire and police services requested.

PMV staff have advised that a Canadian Environmental Assessment (CEAA) review will be triggered because the Port is making the non-Crown lands available for the project. It is expected that the dredging request will also be reviewed through the CEAA review. The project is also subject to a Provincial Environmental Assessment but the proponent is applying for a waiver to this requirement.

Typical City Approvals

Given the proposed uses a development such as that proposed would typically trigger a rezoning to a site specific designation and a request for amendment to the FREMP Area Designation agreement to change the site use from Industrial and Log Storage to a more appropriate designation. Rezoning conditions would typically include a flood indemnity covenant, and a requirement to enter into servicing agreements for basic utilities and offsite improvements. Rezoning approval would typically be followed by building permit submissions by the proponent.

Port Metro Vancouver's Position

As noted at the beginning of this report, PMV staff have advised that, although Richmond Island is not federal Crown property, federal regulatory land-use controls within the Canada Marine Act related to shipping and navigation apply in this case.

PMV staff have further advised that no building or development permits will be sought from the City as PMV will review and issue any relevant permits as necessary. City staff note that without a Building Permit, Richmond will not have an avenue for collection of Development Cost Charges.

City staff attempted unsuccessfully to meet with PMV staff on January 27, 2011, to discuss the proposal and seek acceptable solutions to a number of concerns. Key PMV staff failed to attend the meeting and only a few details were discussed.

PMV representatives have indicated their expectation that their tenants on this site would be expected to pay local taxes. The exact arrangements for such payments have yet to be worked out, especially as services such as water, sanitary utilities, police and fire services will likely be sought from the City of Vancouver by the proponent.

Should the development proceed without Richmond reviews and approvals the City will be unable to ascertain the standards employed on various issues such as flood protection, utility or construction standards.

Recommendations**OCP, Zoning and Area Designation Status**

In terms of the City's Official Community Plan, the general marina use conforms with the City's Business and Industry designation. From a Zoning Bylaw perspective, however, the use does not conform with the Light Industry designation. The proposed use also does not conform to the FREMP Area Designation Agreement to which the Port is a signatory agency. Staff are recommending that the City convey its strong preference for a formal Rezoning application be submitted to Richmond and further that PMV include with its FREMP application a request to amend the Area Designation Agreement with Richmond to an appropriate designation that will accommodate the proposed uses at the Richmond Island site.

Flood Protection and Liability

Engineering staff have advised that there are no dikes in place for Richmond Island however the upland portions of the site are relatively high and foreshore armouring is in place. While the risks may be less than in other locations around Richmond staff recommend that the City formally

request PMV provide appropriate documentation indemnifying the City for any and all possible flooding or water damage to Richmond Island.

Service Agreements and Tax Payments

Richmond currently does not provide any utility services to Richmond Island and would face significant obstacles and expense doing so. Logically, it makes sense for the proponent to acquire water, sanitary and other services from the City of Vancouver. The City of Vancouver is currently reviewing the request for provision of services and the implications of the use to their road networks. It is recommended that Council direct staff to work with the various agencies and the City of Vancouver to resolve any service provision and tax agreements as necessary for this development.

Financial Impact

None.

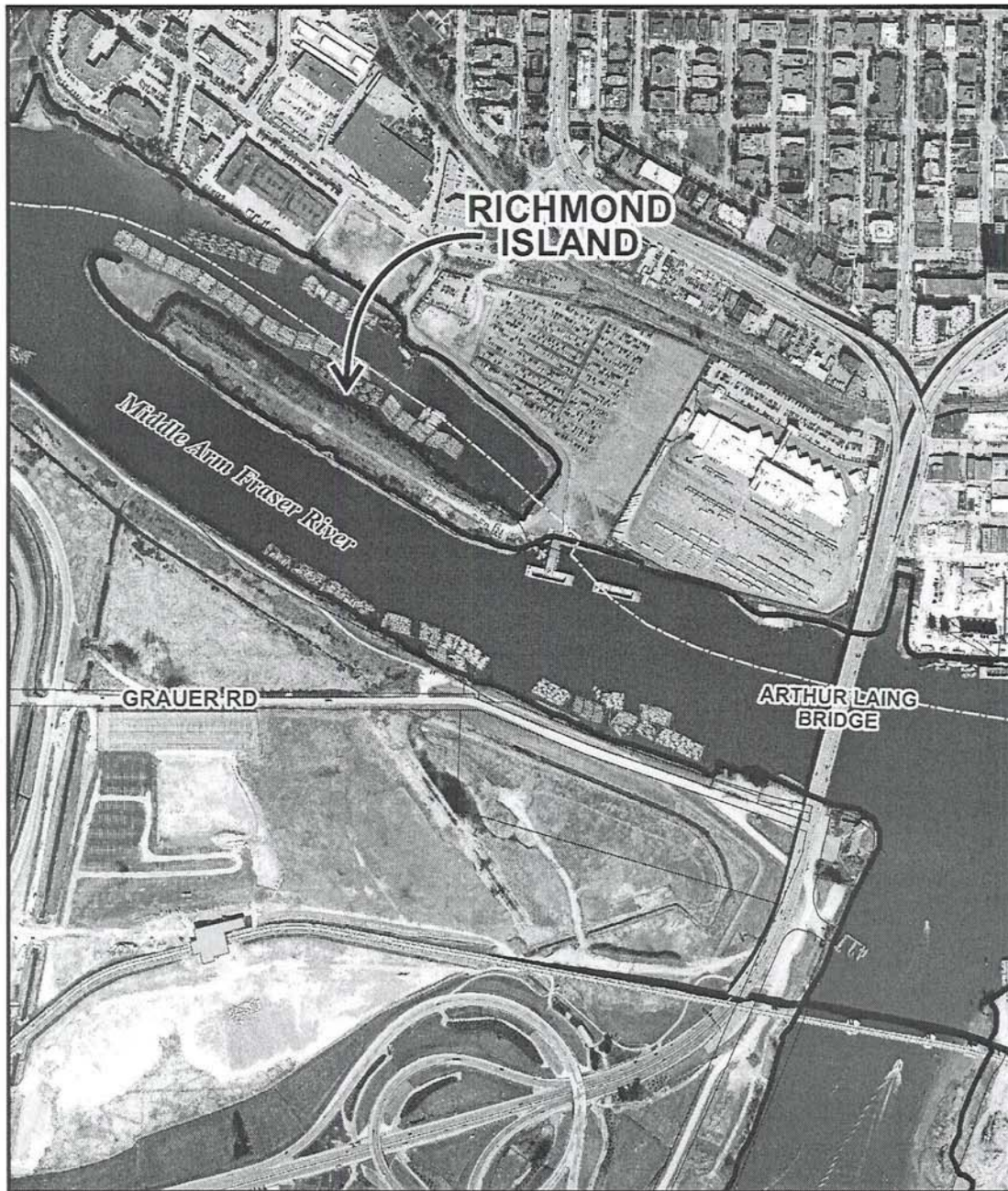
Conclusions

Richmond has, and expects to continue having a good working relationship with Port Metro Vancouver. The proposed Milltown Marina and Boatyard proposal has merit but also raises a number of concerns which need to be addressed. A number of recommendations have been suggested as a means to help move in this direction.



David Brownlee
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DCB:cas



Richmond Island

Original Date: 12/15/10

Revision Date: 12/17/10

Note: Dimensions are in METRES



BASTION
DEVELOPMENT CORPORATION



milltown marina & boatyard
richmond island, richmond b.c.

QUESTIONS OF DOCUMENTS: ALL REMAINING, SURETY-BINDINGS AND INCASSOS ARE FORWARDED TO THE ADVOCATE FOR THE PROSECUTION OF THE CASES OF THE VICTIMS OF THE MURDER OF MARTIN LUTHER KING, JR. THE PROSECUTOR OF THE DISTRICT OF COLUMBIA HAS REQUESTED THAT THE ADVOCATE FOR THE PROSECUTION OF THE CASES OF THE VICTIMS OF THE MURDER OF MARTIN LUTHER KING, JR. BE KEPT ADVISED OF ANY DEVELOPMENTS IN THE PROSECUTION OF THE CASES OF THE VICTIMS OF THE MURDER OF MARTIN LUTHER KING, JR. THE ADVOCATE FOR THE PROSECUTION OF THE CASES OF THE VICTIMS OF THE MURDER OF MARTIN LUTHER KING, JR. WILL BE KEPT ADVISED OF ANY DEVELOPMENTS IN THE PROSECUTION OF THE CASES OF THE VICTIMS OF THE MURDER OF MARTIN LUTHER KING, JR.

preliminary architectural plans



Scale: 1:1500
Date: Nov 2010