



**City of Richmond**  
Planning and Development Department

**Report to Committee**

**To:** Planning Committee  
**From:** Brian J. Jackson, MCIP  
Director of Development  
**Date:** February 9, 2012  
**File:** TU 11-595782  
**Re:** **Application by Firework Productions Ltd. for a Temporary Commercial Use Permit at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592) for 2012, 2013 and 2014**

**Staff Recommendation**

1. That the application of Firework Productions Ltd. for a Temporary Commercial Use Permit for property at 8351 River Road and Duck Island be considered at Public Hearing to be held on March 19, 2012 at 7:00 pm in the Council Chambers of Richmond City Hall, and that the following recommendation be forwarded to that meeting for consideration:

“That a Temporary Commercial Use Permit be issued to Firework Productions Ltd. for the property at 8351 River Road and Duck Island for the purposes of permitting an evening night market event between May 18, 2012 to October 8, 2012 (inclusive), May 17, 2013 to October 14, 2013 (inclusive) and May 16, 2014 to October 13, 2014 (inclusive) subject to the fulfillment of all terms, conditions and requirements outlined in the Temporary Commercial Use Permit and attached Schedules.”

2. That the Public Hearing notification area include all properties to the north of Bridgeport Road and west of Great Canadian Way as shown in **Attachment 4** to the staff report dated February 9, 2012 from the Director of Development.

Brian J. Jackson, MCIP  
Director of Development

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Att.

**FOR ORIGINATING DEPARTMENT USE ONLY**

ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Business Licences	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Engineering	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Community Bylaws	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Fire Rescue	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
RCMP	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Building Approvals	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Transportation	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	
Environmental Sustainability	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>	

## Staff Report

### Origin

Firework Productions Ltd (Raymond Cheung) has applied to the City of Richmond for a Temporary Commercial Use Permit (TCUP) at 8351 River Road and Duck Island (Lot 87 Section 21 Block 5 North Range 6 West Plan 34592)(the “subject site”) for the purposes of operating a seasonal night market event during the specified periods for 2012, 2013 and 2014 (Please refer to **Attachment 1** for a location map).

A rezoning application (RZ 12-598104) has also recently been submitted that proposes a comprehensive development plan for the subject site. This site will remain generally in its current vacant state as processing of the rezoning occurs.

The event organizer (Raymond Cheung c/o Firework Productions Ltd.) has obtained authorization from the property owner to apply for a TCUP to operate a seasonal night market event on the subject site from 2012 to 2014 as an ‘interim’ use as it goes through the necessary development application processes.

### Event Dates and Hours of Operation

	Opening and Closing Dates	Days of Operation	Hours of Operation
<b>2012</b>	May 18 to October 8	<ul style="list-style-type: none"> <li>Friday, Saturday, Sunday and Statutory Holidays.</li> <li>68 operation days proposed.</li> </ul>	<ul style="list-style-type: none"> <li>May, June, September and October               <ul style="list-style-type: none"> <li>7pm-12am: Friday and Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> </ul> </li> <li>July and August (Peak Season)               <ul style="list-style-type: none"> <li>7pm-12am: Friday.</li> <li>7pm-1am: Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> </ul> </li> </ul>
<b>2013</b>	May 17 to October 14	<ul style="list-style-type: none"> <li>Friday, Saturday, Sunday and Statutory Holidays.</li> <li>71 operation days proposed.</li> </ul>	<ul style="list-style-type: none"> <li>May, June, September and October               <ul style="list-style-type: none"> <li>7pm-12am: Friday and Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> </ul> </li> <li>July and August (Peak Season)               <ul style="list-style-type: none"> <li>7pm-12am: Friday.</li> <li>7pm-1am: Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> </ul> </li> </ul>
<b>2014</b>	May 16 to October 13	<ul style="list-style-type: none"> <li>Friday, Saturday, Sunday and Statutory Holidays.</li> <li>June 30 (Monday preceding July 1 Canada Day).</li> <li>72 operation days proposed.</li> </ul>	<ul style="list-style-type: none"> <li>May, June, September and October               <ul style="list-style-type: none"> <li>7pm-12am: Friday and Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> <li>6pm-11pm: June 30.</li> </ul> </li> <li>July and August (Peak Season)               <ul style="list-style-type: none"> <li>7pm-12am: Friday.</li> <li>7pm-1am: Saturday.</li> <li>6pm-11pm: Sunday and Statutory Holidays.</li> </ul> </li> </ul>

### Subject Site Background

The site was previously owned by Lehigh Cement, which operated a cement manufacturing plant. Due to the operations of the industrial use and related storage of aggregate materials (gravel and sand), a majority of the site was either occupied by buildings/structures/equipment or

was utilized for storage of gravel and sand. In 2011, demolition of existing structures and buildings was undertaken. Remaining portions of the 20 acre site were graded level and existing sand and gravel surface materials were compacted.

### Surrounding Development

To the north: Fraser River and foreshore.

To the east: Fraser River and foreshore; River Rock Casino, hotel and parking facilities.

To the south: River Road and a closed rail line on property owned by the City. On the opposite side of River Road, Light Industrial (IL) zoned properties.

To the west: Bridgeport Road and bridge to Sea Island.

### Findings Of Fact

Item	Existing	Proposed
Owner	Sanhurgon Investment Ltd.	No change
Applicant	Firework Productions Ltd. (Raymond Cheung)	No change
Site Size	78,424 sq.m (19.4 acres)	No change
Land Uses	<ul style="list-style-type: none"> <li>Currently vacant gravel/sand lot that has been levelled and graded.</li> <li>Existing Canada Line airport route guide way.</li> </ul>	Proposed temporary evening market consisting of food/retail vendors, on-site entertainment, supporting services and dedication off-street parking stalls.
OCP Designation – General Land Use Map	Commercial and Park	No change proposed.
City Centre – Bridgeport Village Sub Area Plan Designation	Urban Centre (T5)	
Zoning	Light Industrial (IL)	No change

### Comprehensive Rezoning Proposal for Duck Island – Potential Impacts to TCUP

Through the processing of the comprehensive rezoning application for Duck Island, a number of City requirements involving land transactions and dedications for various road, dike and park works and upgrades will likely be secured if approved by Council. Depending on the timing of rezoning application approval and completion of these land transactions, this may have an impact on the proposed night market event. Staff will review these rezoning requirements in conjunction with the night market event in the future to determine impacts to any granted TCUP to determine if it potentially requires additional approvals from Council.

### Night Market Event at 12631 Vulcan Way (Lions Communication Inc.)

A TCUP application for 12631 Vulcan Way by Lions Communication Inc. has been recently submitted to the City (application received February 10, 2012) and proposes a market event on the site similar to previous years. The previous TCUP issued to Lions Communication for an event on 12631 Vulcan Way expired at the end of the 2011 season. Staff review of the application and required consideration by Council through the normal Temporary Commercial Use Permit process is required.

### **Temporary Commercial Use Permit – Duck Island Night Market Event Description (Fireworks Production Ltd.)**

The following summarizes proposed uses, event configuration and operations:

- The site plan for the proposed market event and supporting off-street parking areas is contained in **Attachment 2**.
- 228 general retail vendor booths plus 80 food vendor booths (308 vendors total).
- The event market area consisting of the retail/food vendors, on-site entertainment and supporting uses (administrative areas, first aid, washroom trailers etc.) is situated on the southwest portion of the site.
- The event market and off-street parking area will be enclosed with a perimeter fence.
- Remaining portions of the subject site will be utilized for off-street parking.
- 1,458 parking stalls can be accommodated on the subject site. Transportation staff require:
  - 1,150 stalls for market attendees (maximum 500 stall allocated to pay parking).
  - 300 stalls dedicated to event vendors and staff.
- The vehicle access to and exit from the off-street parking areas on the subject site will be from No. 3 Road. Traffic control and management is outlined in the latter sections of this report.
- Surface treatment of the entire subject site will remain unchanged, except for portions of the food court that are required to be surfaced with an acceptable hard surface treatment for health, sanitation and food safety requirements. All other existing surfaces on the site generally consisting of compacted gravel and sand will be utilized in off-street parking and market event areas outside of the food court area.
- Pedestrian access will be from No. 3 Road along the southern edge of the site adjacent to River Road. This route will also serve as the primary emergency response route to the event market area. The pedestrian access and primary emergency access will be separated by fencing to ensure it remains unobstructed.

Event staffing provided by the proponent is summarized as follows (does not include traffic control personnel required by the Traffic Management Plan as approved by the City):

- Dedicated on-site security personnel.
- Janitorial staff.
- General operations, administrative and promotion staff.
- Dedicated staff patrolling and monitoring on-site parking lot areas
- Dedicated on-site first-aid attendants to respond to any immediate medical issues.

### **Local Government Act – Temporary Land Uses**

The Local Government Act (LGA) enables municipalities the ability to:

- Designate areas where temporary commercial uses may be considered.
- Issue temporary use permits through Council resolution.
- Undertake public notification on the proposed temporary use.
- Specify terms and conditions applicable to the proposed temporary use.

Maximum time periods that a TCUP is valid for is 3 years. Upon expiration, a renewal can be applied for a maximum of 3 years (Note: The LGA was recently amended to increase the time



period of temporary use permits from 2 to 3 years). The proposed TCUP for a market event from 2012 to 2014 complies with the provisions of the LGA.

### **Related Policies and Land Use Designations**

#### Official Community Plan – Temporary Use Permits

The subject site is designated for 'Commercial' and 'Park' uses in the Official Community Plan (OCP)-General Land Use Map and the City Centre Area Plan (Bridgeport Village Sub Area). Schedule 1 of the OCP permits TCUP's to be considered in a wide range of OCP land use designations, including commercially designated land. The event market area, containing all of the proposed temporary commercial uses, is contained on the 'Commercial' OCP designated portions of the site. Based on provisions of the Local Government Act and OCP regulations relating to temporary commercial uses, a TCUP for the proposed night market event can be considered on the subject site.

#### Environmentally Sensitive Area and Fraser River Foreshore

The subject site has an Environmentally Sensitive Area (ESA) designation in relation to its proximity to the foreshore of the Fraser River. The existing site has been extensively modified from the previous industrial land use. The proposed night market and parking uses are located on the already modified lands. Required paving associated with the location of the food court is outside of the ESA area. As a result of the minimal modification of land and temporary nature of structure/building associated with the night market event, no ESA Development Permit is required as part of the proposed TCUP. To mitigate any impact, parking areas will be fenced and setback from the existing foreshore habitat area based on the strategy developed by an environmental consultant and approved by Fraser River Estuary Management Program (FREMP) agencies. A comprehensive approach and mitigation/compensation program to addressing ecological habitat associated with the Fraser River Foreshore will be developed as part of the ultimate plans submitted in the rezoning application.

#### Official Community Plan – FREMP Approval

The OCP requires that all proposed land uses and construction activities outside of the dike require application to and approval from FREMP agencies. In conjunction with the environmental consultant working on the Duck Island site, City staff are communicating with FREMP agencies in their review of the proposed night market event and associated land uses on the subject site.

### **Public Consultation and Notification**

#### Public Consultation Undertaken by Event Organizer

The event organizer has undertaken public consultation with properties in the surrounding area of the proposed event site. The organizer discussed the proposed event directly with people who were available and provided information handouts to property owners/tenants/residents for the area bounded between Bridgeport Road, Great Canadian Way and the Fraser River. A summary of the consultation feedback and materials is shown in **Attachment 3**. A majority of comments related to traffic, parking and vehicle access in and around the area during event operations. Concerns raised through the public consultation completed by the event organizer are addressed in latter sections of the report.

### Public Hearing and Notification by the City of Richmond

Processing of the Temporary Commercial Use Permit requires that the land use application be forwarded to a Public Hearing for comments and a decision by Council. A public hearing notification area generally bounded by Bridgeport Road to the south, Great Canadian Way to the East and Fraser River to the west and north is recommended by staff (refer to **Attachment 4** for a notification area map).

### **Public Correspondence and Dialogue with Surrounding Businesses**

The River Rock Casino has discussed the proposed event with the proponent and met with City staff to communicate concerns and comments on the night market event. The primary concern of the River Rock Casino relates to the impact of increased traffic and parking demand as a result of the proposed event and the potential impacts this will have on the casino's operations and existing parking facilities. The River Rock Casino has noted that the proposed night market event hours and days of operation correspond directly with their expected peak business periods. A letter from River Rock Casino summarizing their concerns is contained in **Attachment 5**. Concerns raised by the River Rock Casino are addressed in the 'Examination of Issues' section of this report.

### **City Staff and Stakeholder Comments**

#### Transportation

Transportation staff have also worked with the applicant and their consultant to develop a Traffic Management Plan (TMP), which addresses the routing of vehicles to and from the site and any personnel, signage and traffic control to be implemented to support the plan. Details of the TMP are discussed in latter sections of this report. A list of transportation requirements is contained in **Attachment 6** and discussed in greater detail in the "Examination of Issues" section of the report.

City staff have also forwarded information to Ministry of Transportation and Infrastructure (MOTI) staff on the event and supporting TMP as some of the intersections with proposed traffic control are under MOTI jurisdiction. MOTI is currently reviewing the proposal. Any comments or requirements from the Ministry will be incorporated into the TMP proposed for applicable intersections.

#### RCMP

Based on previous night market events held in Richmond and the resulting large numbers of attendees, a minimum of 2 RCMP members are required to be present at all times during the hours of operation of the night market. As in previous events, the role of the RCMP members will be to provide a policing presence, oversee event attendees and vendor operations, monitor operation of the TMP and intervene if necessary. Having RCMP on-site during event hours also facilitates a quick response in the event of an emergency. RCMP member attendance at the night market event will be in addition to the existing RCMP deployment in Richmond, with the proponent responsible for all costs of RCMP members dedicated to the night market event. A summary of RCMP costs is contained in the "Financial Impact" section of this report.

### Community Bylaws

Community Bylaw officers are required for the purposes of monitoring and enforcing on-street parking and related City roadway regulations around the night market event site (i.e., blocking fire hydrant or emergency vehicle access routes; blocking driveways). Dedicated Community Bylaw officers to patrol the surrounding night market event area are recommended to be a minimum of six hours of bylaw officer patrol during all event hours of operation, which would provide sufficient coverage. The proponent is responsible for the costs of the 6 hours of Community Bylaw officer(s) patrol each night the event is in operation, with scheduling of hours at the discretion of Community Bylaws staff. A summary of Community Bylaw costs is contained in the "Financial Impact" section of this report.

### Richmond Fire Rescue

Richmond Fire Rescue (RFR) staff have reviewed the market event site plan and parking area to ensure that provisions for primary and secondary means of emergency access is available and general provision of safety and firefighting requirements are met.

The primary emergency response route will be from the event site's main access point from No. 3 Road along a secured, unencumbered drive-aisle that runs along the south edge of the site and entire east adjacent to the market event area. Provisions for a secondary emergency access located at the intersection of River Road and West Road is also required in the event of a blockage at the primary event access location. This also facilitates RFR access to water hydrants situated at River Road and West Road for firefighting provisions within the market event area.

Submission and approval of a Fire Safety Plan by RFR staff is required prior to the night market event opening that includes fire safety provisions associated with the general event operations, fire safety measures for retail and food vendors and compliance with applicable Building Code and Fire Code for all buildings, structures and appliances (hot water tanks, cooking equipment, electrical appliances and machinery etc.).

### Engineering

Minimal change to the subject site's permeable compacted gravel and sand surface is proposed. The site servicing approach to handle storm water on the subject site is to grade the site to minimize any pooling of water and implement minor drainage works (small conveyances and drainage pipes to diffuse water across the large site that is primarily surfaced with permeable sand and gravel). Therefore, no connection to a City storm sewer system is required, as existing permeable surfaces will remain unchanged.

Based on the previous industrial operations, the site has existing water and sanitary sewer service. Existing connection points to water and sanitary sewer service will be utilized to service the night market event. Water and sanitary service are primarily required for the food vendors and washroom trailers. The proponents on-site servicing design drawing (including water and sanitary connections) is required to be reviewed and approved by Engineering and Building Approval's staff. All connections to City servicing is at the proponent's cost.

The proposed location of the secondary emergency access at the intersection of River Road and West Road (**Attachment 2** – Market event site plan) to enable emergency vehicle access to market event area is required to go over the existing Dike right-of-way (ROW) structure that is situated on the subject site. As a result, a bermed ramp is required to be constructed from



River/West Road intersection over the City road allowance containing the closed rail line and over the Dike ROW structure. To implement the required secondary emergency access at this location, the following is required:

- Design submission of the emergency access by the proponent's consulting engineer for review and approval by Engineering and Transportation staff.
- Forwarding the emergency access design to the Provincial Diking Authority for review and approval (preliminary discussions have been undertaken with Ministry staff who have noted no concerns with the proposal so long as there is no decrease in dike elevation and construction activities do not disturb the existing dike.
- The construction of the approved emergency access design to be undertaken through the appropriate process (i.e., City Work Order or other process) prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event.
- Entering into an appropriate agreement between the City and proponent that covers typical issues related to construction, removal (upon conclusion of the event), maintenance and right of access prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event.
- All costs for the design, construction, maintenance and removal of the secondary emergency access is the event organizer's responsibility.

Minor works on or across City roads/properties to implement asphalt walkways, temporary crosswalks and driveway crossings (for secondary emergency access) to service the proposed event on the site is required to be completed based on an approved City design through a City Work Order (or other approved process) at the event organizer cost.

#### Building Approvals

Building permits are required for all buildings and structures proposed for the event site. Temporary and mobile buildings also require building permits to ensure they are sufficiently tied down and secured to the ground and ensure that the mobile buildings adhere to the City's Building Regulation Bylaw and BC Building Code. The Flood Plain Designation and Protection Bylaw requires permanent buildings to be constructed at the required Flood Construction Level (FCL)(4.35m for the subject site as it is outside the Dike). Buildings and structures that are considered temporary if they are not utilized for a period of more than 12 months and removed from the event site sometime during the off-season are not required to be constructed to an FCL of 4.35 m. Prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event, completion of a legal agreement will be a requirement of the TCUP to:

- Identify that the subject site containing the night market event area and off-street parking is outside of the dike and susceptible to flooding.
- Release and indemnify the City for any damage to building, structures, property, equipment and servicing on the subject site in the event of flooding.

Site servicing and plumbing permits are also required for all on-site water and sanitary sewer service provided for the food court vendors and any other buildings/structures that require water and sanitary sewer service. The site servicing permit will confirm provisions for on-site drainage and diffusion depending on the extent of works proposed by the event's engineering consultant, including provisions for the capture and diffusion of storm water from the proposed hard-surfaced area of the food court.



Council approval of the TCUP for the subject site is required prior to issuance of any building or site servicing permits related to the night market event.

#### Business Licensing

All commercial retail and food vendor booths operating at the night market event are required to apply for and obtain Business Licenses to operate. The event proponent (Raymond Cheung C/O Firework Productions Ltd.) is also required to obtain an appropriate Business License for the purposes of operating the night market event. Each vendor at the night market is required to obtain a Business License for each year of operation.

#### Vancouver Coastal Health (Richmond)

All vendors involved in the selling or handling of food and beverage product at the event are required to obtain appropriate permits to operate from Vancouver Coastal Health (VCH) to ensure compliance with food safety, sanitation and food handling requirements. VCH will determine requirements associated with provisions for food vendors having access to water (hot and cold), access to appropriate refrigeration and food safety measures that the event organizer and each food vendor booth is responsible for compliance.

Upon preliminary review, VCH staff have noted the requirement for the site to have sufficient power supply to ensure that food vendor booths are provided with refrigeration and provisions for hot water. The proponent has engaged an electrical consultant to confirm the available power supply to food vendor booths and are working to address VCH comments on the proposal. VCH has an application and inspection process to ensure compliance with their regulations, which they implement prior to food vendors opening at the event. Any deficiencies or infractions are required to be resolved by the food vendors or event proponent prior to opening of the food court.

#### Environmental Sustainability – Foreshore Habitat

The subject site is currently outside the crest of the dike. Foreshore habitat areas are located along the site's Fraser River adjacency. The proposed temporary land use proposal involves minimal modification of the site. Furthermore, the property is subject to a rezoning application that will require an application to FREMP whereby all associated agency approvals for the foreshore and Fraser River are coordinated.

On this basis, the proponent has engaged an environmental consultant to recommend a strategy minimizing any impacts to foreshore habitat associated with the proposed temporary uses of a night market event (i.e., minimum setback of night market activities from the high-water mark; fencing to ensure no encroachment into setback areas; no change in existing surface treatments). The environmental consultant is discussing this approach to protect the foreshore area from the temporary uses with FREMP agencies to identify a site configuration that conforms to applicable foreshore setbacks and other agency requirements. City staff and the environmental consultant for Duck Island are in the process of liaising with FREMP agencies and will provide updates to Council as information becomes available.

The night market event is required to comply with all components of the consultant's strategy to protect the foreshore along with requirements identified by FREMP agencies as outlined in the Terms and Conditions associated with the TCUP.

## Examination of Issues

### Public Transit – Canada Line and Bus Service

The location of the night market event site has the benefit of being in close proximity to a major piece of public transit infrastructure. The Bridgeport Station for the Canada Line is situated approximately 500 m walking distance from the station to the entrance to the market event area and has the potential to serve as a main means of public transportation to and from the event for attendees across the region. Furthermore, Bridgeport Station also serves as a main terminus for bus service, which can also assist in providing transit options for night market attendees. The Bridgeport Station and related bus service terminus is a significant positive feature of the night market site's location and provides an opportunity of reducing vehicle dependency.

The organizer is also planning promotions and marketing incentives aimed at encouraging attendees to take public transit including:

- Providing discounted transit tickets for night market attendees during the late night periods (after 8:30pm) on the weekends to improve transit trips to the site and also to improve transit rider ship during the time which demands are generally low.
- Providing small reimbursements to night market attendees if valid transit tickets are shown.
- Offering promotional gifts to the night market attendees if valid transit tickets are shown.
- Discussing with future vendors to offer discounted food or drink items if customers can show valid transit tickets.
- Setting up special gift draws to be entered only by the attendees with valid transit tickets.
- Promoting the night market event location and its accessibility by transit through TV commercials, radio commercials and newspaper advertisements.

Transportation Division staff approval of the marketing and promotion plan to encourage use of public transit by attendees is required prior to opening day of the event.

### Transportation Requirements

A consolidated list of transportation requirements associated with the night market TCUP is contained in **Attachment 6**.

#### *Off-Street Parking*

A total of 1,450 off street parking stalls are provided on the subject site. 1,150 stalls are required to be dedicated to market attendees of which a maximum of 500 of these stalls can be pay parking and the remaining 650 stalls are required to be free. The remaining 300 stalls are to be allocated to night market vendors and event staff, which are also to be free parking. In summary, a total of 950 free parking stalls are required to be maintained on the subject site. The night market event site can provide the required number of off-street parking stalls identified by City staff.

The maximum 500 pay parking stalls are required to be situated as close to the market event area (southwest portion of parking lot "A" – see **Attachment 2**). Pay booths for the pay parking area are also required to be located as far into parking lot "A" as possible to maximize the queue length for vehicles entering the site. The Transportation Division supports these off-street parking requirements for the night market event. Based on the estimated yearly operational bond amounts required from the event organizer, the following are the additional amounts based on 20% required contingency fund:

- 2012 – \$30,000.
- 2013 – \$31,000.
- 2014 – \$32,000.

Refer to the “Financial Impact” section of the report for information on the total operational bond amount required from the event organizer.

#### *Contingency Fund*

A 20% contingency fund is required in addition to the yearly operation bond amount required for the night market event. This contingency fund will be utilized to implement additional traffic control and monitoring and roadway improvements if deemed necessary by City Transportation staff in consultation with impacted stakeholders in the area.

#### *Traffic Management Plan (TMP) Vehicle Routing - Operations and Logistics*

The TMP has been prepared by a professional traffic control company (ATC Traffic Management Ltd.) to develop a TMP for applicable to traffic routes to and from the event site that includes provisions for staffing by trained professional traffic control staff and placement of directional/warning signage.

City staff support the provisions of the TMP prepared for the night market event (refer to **Attachment 7** for a copy of the TMP). If the night market is approved, monitoring of the TMP by City staff, the event organizer and traffic control company will occur along with consultation and feedback from stakeholders (i.e., surrounding businesses). The TMP can be revised through the provisions of the TCUP based on the above referenced monitoring, stakeholder feedback and approval by City Transportation staff. All costs for implementation of the TMP is the responsibility of the event organizer.

The TMP includes provisions for signage throughout the area to direct night market event traffic in the area and warn vehicles of traffic control persons or traffic pattern changes. A majority of the required traffic control persons are stationed at the access point to the event site at No. 3 Road and River Road. Traffic personnel are stationed at this location to facilitate traffic movement into the event site parking area, pedestrian movements across No. 3 Road and monitor the vehicle entrance to the River Rock Casino parkade, pedestrian/vehicle safety and ensure night market patrons are not parking at in River Rock Casino parking facilities. The other main location for dedicated traffic personnel is at the intersection of River Road and Sexsmith Road, which is the main pedestrian crossing point from the Bridgeport Canada Line Station to the night market event area. Traffic personnel at this location will ensure safe crossing for pedestrians going between the Canada Line station, night market site and Casino.

The TMP also includes provisions for ‘stand-by’ traffic control personnel at main intersections that may be impacted during peak event hours. If these intersections function normally and are not adversely impacted by traffic, additional personnel will not be required. However, if congestion at these intersections does occur, on-site RCMP and/or the on-site supervisor of the traffic control company can require deployment of the traffic personnel in accordance with the provisions of the TMP. The three ‘stand-by’ locations are at the No. 3 Road/Bridgeport Road, No. 3 Road/Sea Island Way and Bridgeport Road/Great Canadian Way intersections.



### Pedestrian Movements

Increased pedestrian traffic is expected in between the event market site, Bridgeport Canada Line station and River Rock Casino. This is accounted for in the TMP as signage and personnel will be stationed to guide pedestrians safely to and from the event site. At the subject site's No. 3 Road entrance, works are being proposed to install a temporary asphalt walkway as a continuance of the sidewalk treatment along River Road and implementation of a temporary crosswalk across No. 3 Road to gain access to the main pedestrian walkway along the south of the subject site. The TMP proposes personnel at the No. 3 Road entrance to coordinate vehicle movements to and from the site with pedestrian crossings.

### Strategy to Mitigate Event Traffic and Parking Impacts to Surrounding Businesses

#### *Trash/Litter Removal*

The event organizer is proposing the following provisions to address trash and litter in the areas surrounding the event site:

- Scheduled litter/garbage removal by the night market event staff on an hourly basis along the pedestrian routes between the night market site, Canada Line station and River Rock Casino. Garbage bins will also be placed along these routes by the organizer upon commencement of the event and removed at the conclusion of each night. Garbage bins are required to be regularly emptied by night market staff.
- At the conclusion of each evening, night market staff will undertake garbage removal in the surrounding area of the event site.

#### *Access for Employees/Clients of Existing Businesses*

A parking pass system will be implemented where special passes are distributed by the event organizer to businesses that operate in the surrounding area so that vehicles with these passes can be identified by traffic control personnel to facilitate access to and from businesses.

### Product Counterfeiting (Canadian Anti-Counterfeiting Network)

The event organizer has developed a strategy to address the retailing of illegal counterfeit goods that includes the following components:

- Liaise with agencies involved with intellectual property rights (Canadian Anti-Counterfeiting Network – CACN) to develop and communicate their strategy.
- Include specific provisions in vendor contracts that prohibit retailing of counterfeit, pirated and other illegal products with clauses on vendor booth termination and removal from the event and product seizure and turnover to the RCMP or Intellectual Property representatives if illegal goods are found.
- Partner with RCMP and Intellectual Property representatives to undertake education with vendor booth operators to ensure they are aware of the counterfeit good restrictions and related consequences (i.e., vendor booth contract termination).
- Have dedicated, trained night market staff to inspect and monitor retailers to ensure no counterfeit or pirated products are being sold.

The comprehensive strategy to deter and prevent the retailing of illegal counterfeit goods is designed to put the responsibility on the event organizer to police and enforce with the oversight of Intellectual Property representatives and the RCMP commercial crimes unit. Based on this approach, staff recommend that a contingency fund be added to the operational bond to cover any enforcement and inspections undertaken by RCMP to address this issue. The contingency fund amount is based on the average dollar amount of RCMP resources (approximately \$5,000 in

2011) dedicated to previous night market events in Richmond to combat or investigate counterfeit retailers. If the event organizer polices this matter effectively during event operations and there is no need for intervention by RCMP commercial crimes staff, the contingency fund amount will be returned to the organizer.

### **Financial Impact**

#### Cost Recovery – City and RCMP Expenses

The proposed night market is a privately operated event that is open to the general public. Due to the significant popularity of past events hosted on other sites in Richmond and increasing draw of attendees from across the region and visiting tourists, presence from RCMP members, Community Bylaw Officers and various staff from other divisions is required with costs to be paid by the event organizer. This enables existing service levels for policing and bylaws across the City to be maintained. In summary, a cost recovery model relating to City and RCMP expenses is applied for the proposed night market event.

#### Operational Security Bond Requirements

Based on a cost recovery model, City staff have undertaken a detailed examination of known and anticipated City costs to be incurred from the proposed event for 2012, 2013 and 2014. The estimated costs for each year will be submitted prior to Council consideration of the TCUP at Public Hearing (March 19, 2012) for the first year of operation and one month in advance of the event opening date for subsequent years (2013 and 2014). A breakdown of the costs and expenses to the City is as follows and forms the basis for the operational security bond required to be submitted to the City.

- 2 RCMP members assigned to the night market event each day of operation and during all hours of operation at the applicable overtime rate (commute time to and from the event is included).
- RCMP commercial crimes unit resources and staff hours to supplement event organizer policing and enforcement of counterfeit products and other illegal goods.
- Community Bylaws – 6 hours (based on the applicable overtime rate) of dedicated patrol by Community Bylaw Officers for each day of operation for the night market event (scheduling of hours is at the discretion of Community Bylaws).
- A 20% contingency fund in addition to the base operational security bond for each year of event operation.
- Attendance by City staff to oversee and monitor implementation of the TMP and general event operations.
- Production, posting and takedown of night market directional signage by City staff.
- Night market days of operation for each year.

Security bond requirements are as follows:

- 2012 – \$148,000 (base amount) + \$30,000 (20% contingency) = **\$178,000**.
- 2013 – \$156,000 (base amount) + \$31,000 (20% contingency) = **\$187,000** (Adjusted for additional days of operation and anticipated wage increases).
- 2014 – \$159,000 (base amount) + \$32,000 (20% contingency) = **\$191,000** (Adjusted for additional days of operation and anticipated wage increases).

Upon conclusion of the night market event for each year, any surplus is required to be returned to the event proponent. Provisions are also included in the TCUP to require monies outstanding (in excess of the estimated security bond amount) to be paid in full for the event to operate.

The Procedure Bylaw for Council consideration of Temporary Commercial Use Permits (Bylaw 7273), requires that security bonds be submitted prior to Council consideration of the of the TCUP at Public Hearing. As a result, the following security bond submission deadlines dates apply to the propose night market TCUP:

- For 2012 – \$178,000 to be submitted prior to March 19, 2012 as the initial security bond amount.
- For 2013 – \$187,000 to be submitted prior to April 19, 2013.
- For 2014 – \$191,000 to be submitted prior to April 18, 2014.

### **Terms and Conditions**

All requirements associated with the night market TCUP are contained in the TCUP Terms and Conditions, attached to the TCUP (reference **Schedule “A”** attached to the permit). These Terms and Conditions have been reviewed and agreed to by the event organizer. In the event that the Terms and Conditions of the Temporary Commercial Use Permit for the proposed night market event on the subject site are not complied with, the permit is considered void and no longer valid.

### **Conclusion**

The proposed night market event on the 20 acre subject site has addressed all technical components and met all City requirements related to hosting a seasonal event on this site from 2012 to 2014. The subject property is well serviced by public transit and the event organizer has also provided the required amount of off-street parking and traffic management measures to support the night market. Staff recommend approval of the Temporary Commercial Use Permit for the subject site.



Kevin Eng  
Planner 1

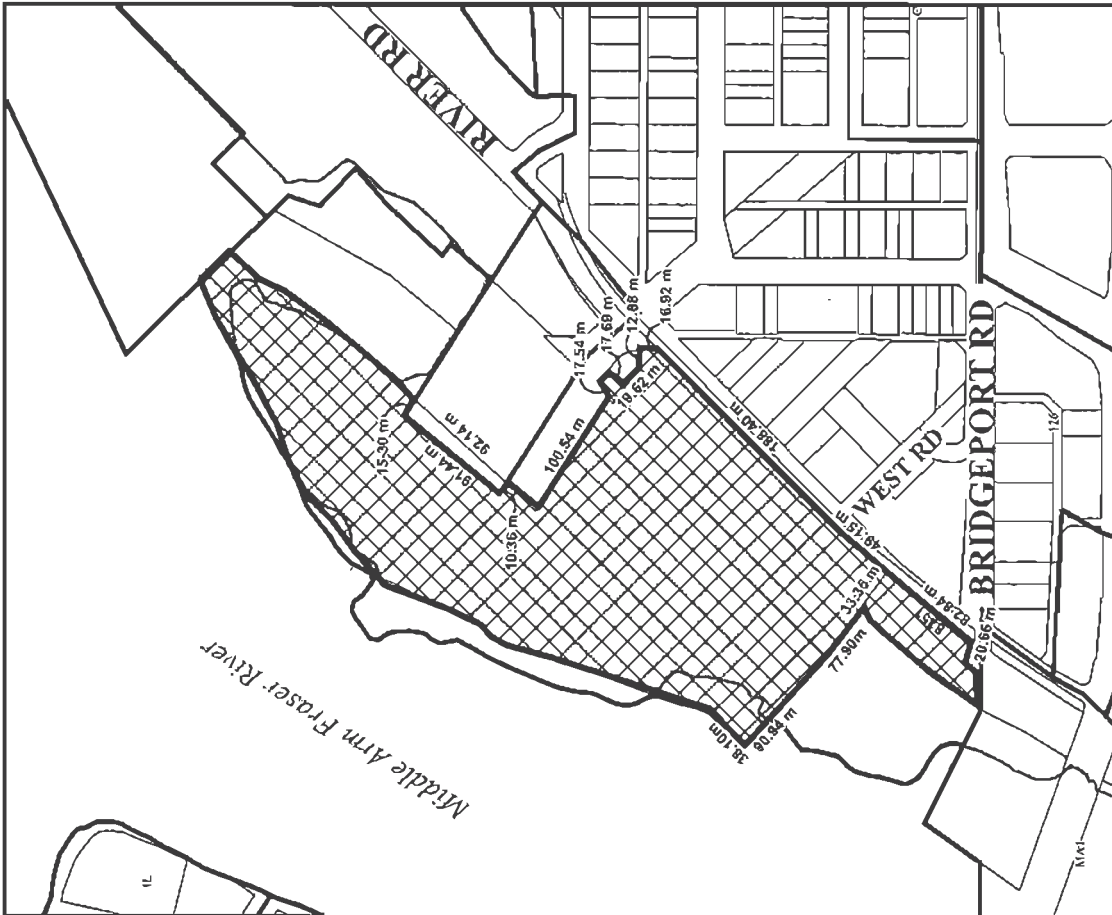
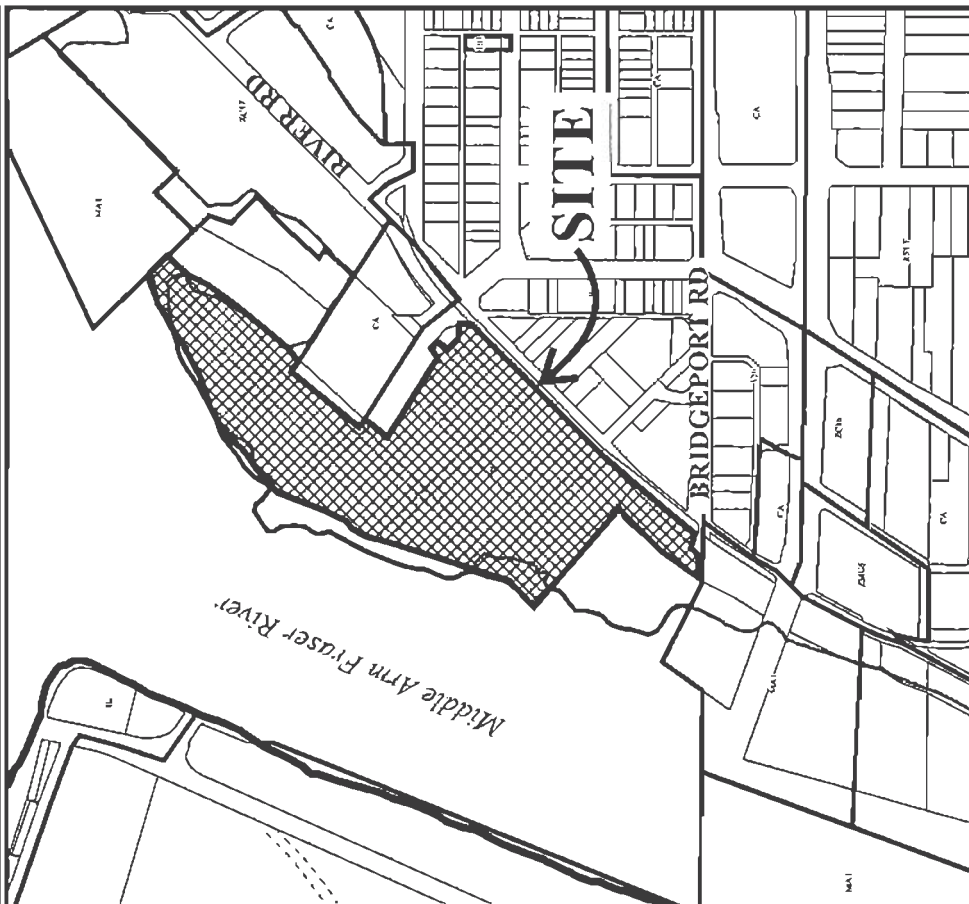
KE:cas

- Attachment 1 – Location Map
- Attachment 2 – Night Market Site Plan
- Attachment 3 – Consultation Summary by Event Organizer
- Attachment 4 – Public Hearing Notification Area Map
- Attachment 5 – Correspondence from River Rock Casino
- Attachment 6 – Transportation Requirements
- Attachment 7 – Traffic Management Plan





# City of Richmond



Original Date: 02/06/12  
Revision Date: 02/08/12  
Note: Dimensions are in METRES

TU 11-595782



TU 11-595782

Original Date: 02/10/12

Amended Date:

Note: Dimensions are in METRES

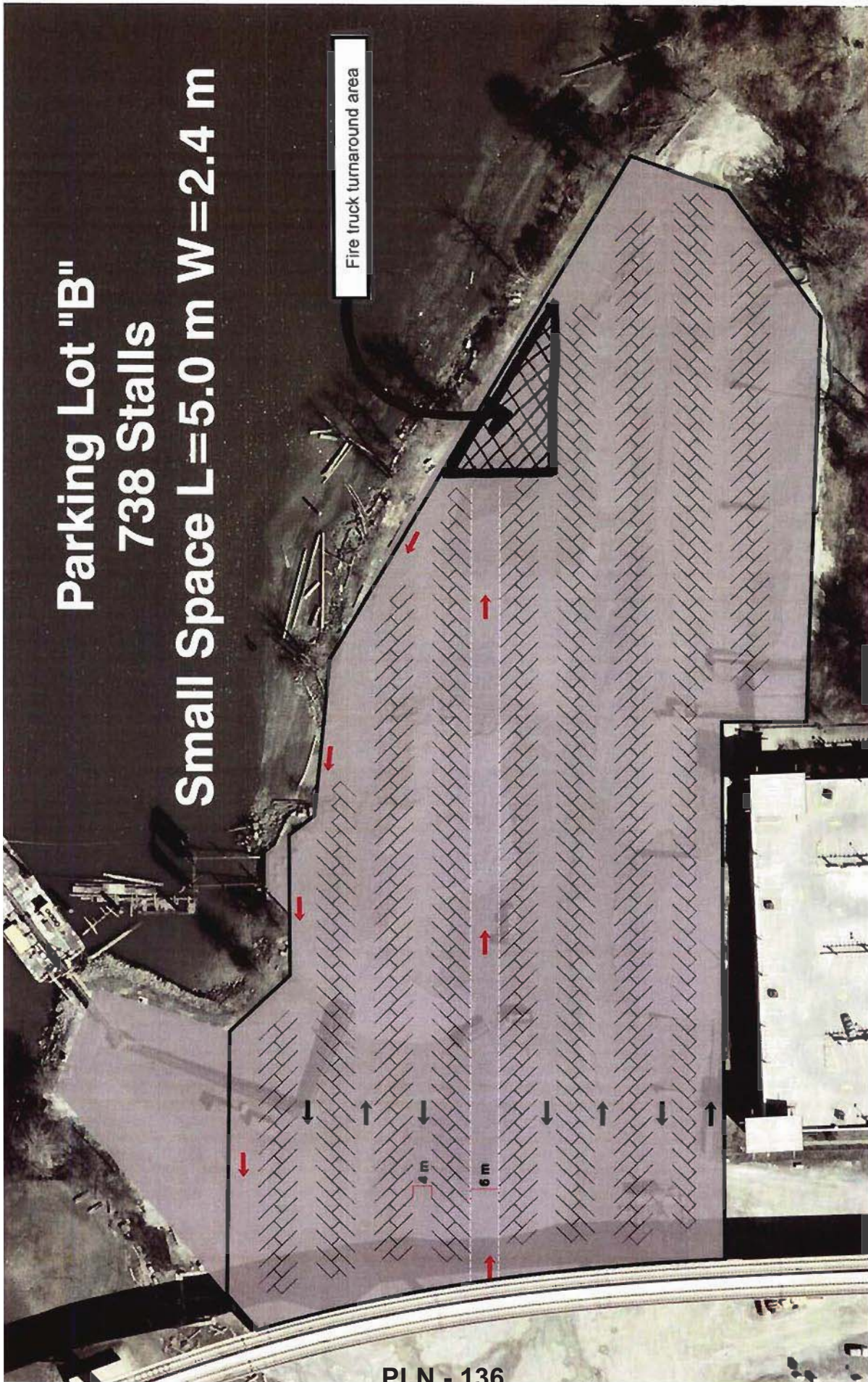


## ATTACHMENT 2





**Parking Lot "B"**  
**738 Stalls**  
**Small Space  $L=5.0\text{ m}$   $W=2.4\text{ m}$**



# Summary of Neighbour Consultation Schedule D

	Name of Street	Unit/ Building	Company	Contact Person	Phone No.	Comments	Support (S)	Not-support (NS)
1	No. 3	2561A	Hans	Kevin Nielsen	6042785232	No comment	S	
2	No. 3	2651	Auto Body One	Paul Chan	6042707123	Suggested to provide more chairs at the site	S	
3	No. 3	2651 #3	Top Tech	Deepak Oberoi	6043041111	Considering sponsoring the event	S	
4	No. 3	2700	Bridgeport collision	Russ	6042732766	No Concerns	S	
5	No.3	2780		Darrell	6042782939	No Concerns	S	
6	No.3	2800	Store Closed		6049988609	Left Neighbour Consultation Letter to contact us		
7	No.3	2800	Houstone Enterprises	Carmen Lo	7782976398	Request "Special Event Parking Pass" from us	S	
8	No.3	2820	Vacant	For sale				
9	No.3	2840	Express Lube & Tune	Steve Lewis	6042781018	No Concerns	S	
10	No.3	2880		Al Nortman	6042781737	No Concerns	S	
11	No.3	2920		Al Nortman	6042781731	No Concerns	S	
12	No.3	2980	A.B.C. Traders Ltd.	Al Nortman	6042781731	No Concerns	S	
13	River Road	8480	Shaw Cable	Jerry	N/A	Suggest to have wifi on site	S	
14	River Road	8500	Wing Moulding	N/A	N/A	Staff to inform owner/No Comment	S	
15	River Road	8520	Canada Post	Wayne	N/A	Staff to inform superior/No Comment	S	
16	River Road	8540	Don Dickey Supplies	Thomas Fairbrother	6042737112	Suggested on-site pay parking at lower rate	S	
17	River Road	8560	The Barn	Jayker Holdings Ltd.	6042441106	Request garbage removed from its front yard nightly	S	
						Chain to block its front parking after shop closed		
						Interested in joining our Crafters Section		
18	River Road	8570	Juan's Auto Service	N/A	6042412848	No Concerns	S	
19	Bridgeport Road	8571	MJ Fasions Ltd	Candelita Yip	6042739233	Suggested free on-site parking/Traffic jam		NS
						Visitors might park at its front parking area		
20	Bridgeport Road	8811	Hampton Inn	George Tu	6042325505	No Concerns	S	

PLN - 137



# Summary of Neighbour Consultation Schedule D

	Name of Street	Unit/ Building	Company	Contact Person	Phone No.	Comments	Support (S)	Not-support (NS)
21	Beckwith Road	8711		Arbutus	6043221059	No Concerns	S	
24	Beckwith Road	8791	Store Closed			Left Neighbour Consultation Letter to contact us		
25	Beckwith Road	8811	Store Closed			Left Neighbour Consultation Letter to contact us		
26	Beckwith Road	8820	J&R	Kim Langton	6042470337	No Concerns	S	
27	Beckwith Road	8851	Canadian Pacific Seafood	N/A	N/A	No Concerns	S	
28	Beckwith Road	8860		No Answer		Left Neighbour Consultation Letter to contact us		
29	Beckwith Road	8888	Bouchard Projects Ltd	Cindy Lee	6042779890	No Concerns	S	
30	Beckwith Road	8931	A&A Engine	No Answer				
31	Beckwith Road	8960 #120	Richmond Quilting	Angela	N/A	Very supportive/so happy that she is near us	S	
32	Beckwith Road	8960 #220	Lucy's Creative Designs	Lucy Quinn	N/A	Parking Concern	S	
33	Beckwith Road	8960	Excel Custom Cabinets	No Answer		Left Neighbour Consultation Letter to contact us		
34	Beckwith Road	8971	Triton Environmental Consultant	John Rilhale	6042792093	No Concerns	S	
35	Beckwith Road	9051	Enterprise rent a car	Kyle Chatterley	6043031117	No Concerns	S	
36	Beckwith Road	9094	Household	No Answer		Left Neighbour Consultation Letter to contact us		
37	Beckwith Road	9111	Household	N/A	N/A	No Concerns	S	
38	Beckwith Road	9131	Household	No Answer		Left Neighbour Consultation Letter to contact us		
39	Beckwith Road	9151	Household	No Answer		Left Neighbour Consultation Letter to contact us		
40	Beckwith Road	9231	Starry Night	N/A	7782975399	Staff to inform owner/No Comment	S	
41	Smith	2630	Household	N/A	N/A	No comment	S	
42	Smith	2640	Household	No Answer				
43	Smith	2651	Household	N/A		No comment	S	
44	Smith	2660	Household	Mike	N/A	No comment	S	
45	Smith	2680	Household	Marlina	N/A	No comment		



# Summary of Neighbour Consultation Schedule D

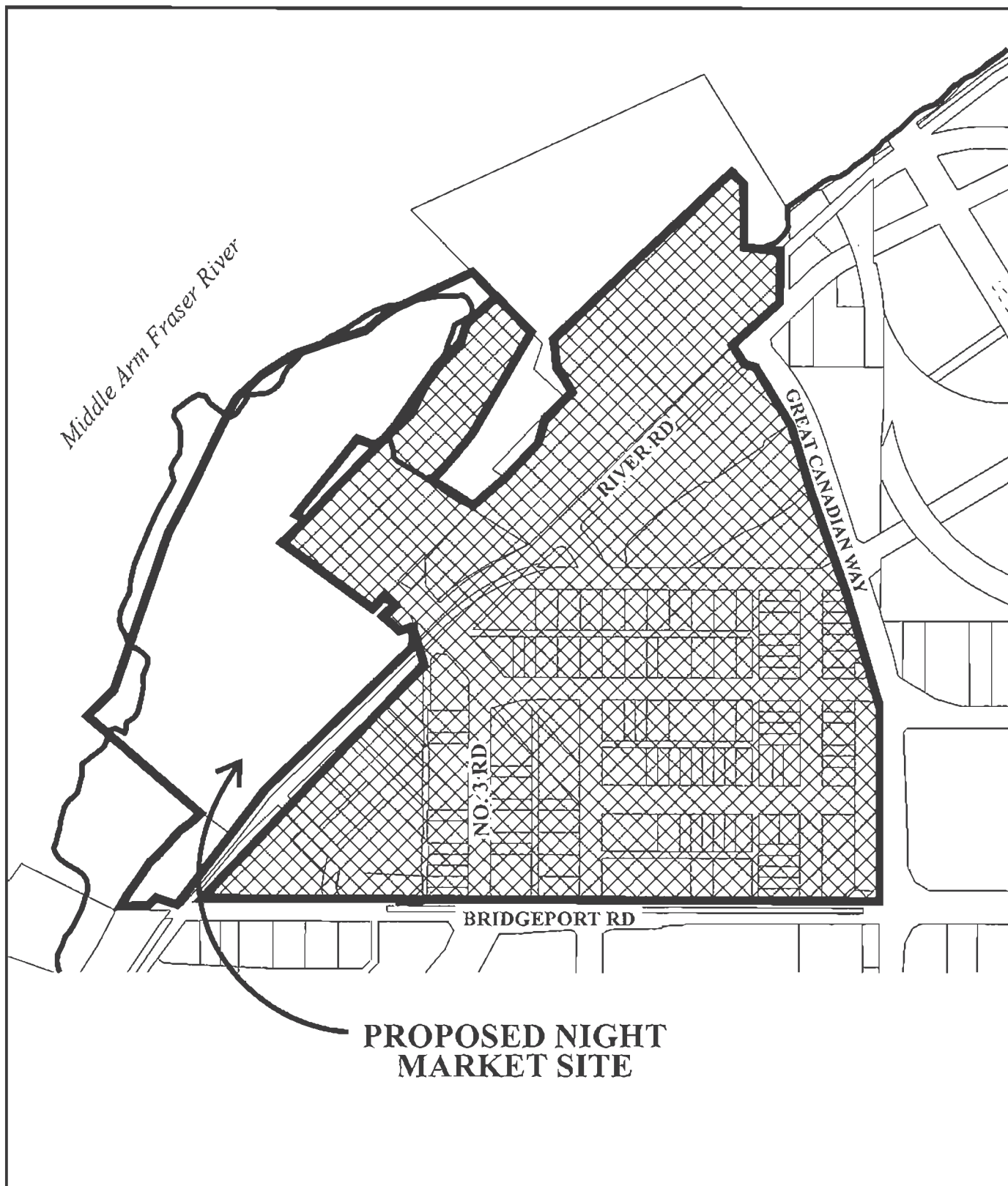
	Name of Street	Unit/ Building	Company	Contact Person	Phone No.	Comments	Support (S)	Not-support (NS)
46	Smith	2691	Household	No Answer		Left Neighbour Consultation Letter to contact us		
47	Smith	2711	Household	No Answer		Left Neighbour Consultation Letter to contact us		
48	Smith	2720	Household	Dominion	6042768231	No comment	S	
49	Smith	2731	Household	Vacant --For lease				
50	Smith	2751	Boss Automotive Ltd	Danny	N/A	Very happy to have Night Market & very supportive	S	
51	Smith	2900	Island Carpet Sales Ltd	Brad Dotchuk	6042305212	Staff to inform owner/No Comment	S	
52	Smith	2900 #4	Toxik design lab	Toxik Harold	6042727840	Interested in renting a retail booth	S	
53	Smith	2900 #5	Higmore Sports	Eric	N/A	No Comment	S	
54	Smith	2900 #8	BPG Tuning	Jason	6042784142	Interested in renting a retail booth and sponsorship	S	
55	Smith	8980	No Answer			Left Neighbour Consultation Letter to contact us		
56	Smith	9011	YOGA	No Answer		Left Neighbour Consultation Letter to contact us		
57	Sexsmith	2840	Days Inn Vancouver Airport	Ravindra Jadhav	6042078000			
58	Sexsmith	2851	A.B.C. Traders Ltd.	Al Nortman	6042781731	No Concerns	S	
59	Sexsmith	2891	A.B.C. Traders Ltd.	Al Nortman	6042781731	No Concerns	S	
60	Sexsmith	2971	A.B.C. Traders Ltd.	Al Nortman	6042781731	No Concerns	S	
61	Sexsmith	2971	Household	Coan	6048210040	No Concerns	S	
62	Sexsmith	8771	Store Closed					
63	Douglas	8851	Household	N/A	N/A	Looking forward to it	S	
64	Douglas	8940	Household	N/A	N/A	No Concerns	S	

# Summary of Neighbour Consultation

Schedule D

	Street Name	Unit/Building	Contact Person	Phone No.	Comments	Support(S)	Not-Support(NS)
1	BeckWith	5971			No Answers/ Off business hour		
2	BeckWith	8931	Yoshi Yanagitani/ A&A	604-278-4289	Visitors park at its parking area	S	
3	BeckWith	Unit 220-8911	Easy Way Trading Ltd	604-278-7489	No comment	S	
4	BeckWith	Unit 230-8911	Alex Wang/ Notary Public	604-270-8384	No Comment	S	
5	Smith	2571			No Answers/Off business hour		
6	Smith	2611	Drobdsch	604-273-3423	Concern noise level, visitors park at their parking area & garbage		NS
7	Douglas	8960	Household		No Comment	S	
8	Douglas	8970			No Answers/Off business hour		
9	Bridgeport	8971	Kevin Smith/ Fountain Tire	604-273-3751	No comment	S	

\*Note: No access to a household on Douglas Street( Could not get house number)



# Public Hearing Notification Area

Original Date: 02/08/12

Revision Date: 02/09/12

Note: Dimensions are in METRES





# GREAT CANADIAN GAMING CORPORATION

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February 9, 2012

**Mr. Victor Wei**  
Director, Transportation  
Transportation Division  
City of Richmond  
6911 No.3 Road  
Richmond, BC V6Y 2C1

**BY EMAIL:** [wei@richmond.ca](mailto:wei@richmond.ca)

Dear Mr. Wei:

Thank you for the recent opportunity to address our concerns related to the proposed Night Market to be located immediately west of our River Rock Casino property.

We had the opportunity to meet with the Night Market proponents on January 6<sup>th</sup> and 13<sup>th</sup>, we have reviewed the information they have filed with the City and we have had an opportunity to review the memo they commissioned through R.F. Binnie & Associates.

After doing so, our concerns have escalated to a point where we felt compelled to outline our most material concerns, recognizing that the City is reviewing the merits of the Night Market application at this juncture.

Prior to doing so, it is worth noting that we sincerely want to work with the Night Market proponents and that we welcome development in the surrounding neighbourhood that may be synergistic with the River Rock Casino. We remain unconvinced at this time, however, that this is a realistic outcome based on what we know today about the proposed nature of the Night Market operation. Despite this overriding belief, we have attempted to compile a list of concerns and suggested consequent actions to mitigate those concerns:

- Some quantification of the number of parking stalls available on their site for their visitors after their plan has been reviewed and endorsed by City staff. In other words, we are concerned the current parking plan is unrealistic for reasons better outlined by Bunt & Associates in their report dated February 8<sup>th</sup>.

- Similarly, some quantification of the expected visitation pattern and how that reconciles with the number of parking stalls offered on their site for their visitors. To date, we do not have an approximation as to how many daily visitors the Night Market is expecting and whether their on-site parking is sufficient to accommodate.
- The nature of their on-site parking needs to be substantially the same as what we offer in our two parkades; namely, it is free, of a firm surface (particularly for inclement weather days) if not paved, lit, convenient to negotiate, and offers more than one entrance/exit point. If not, we strongly believe that it will be virtually impossible to avoid a material impact on the use of our parkades by Night Market visitors.
- Of particular importance to the factors cited above, on-site parking for Night Market visitors needs to be free of any charge. That differs from the notion of some area of the on-site parking be reserved for some type of charge, but we struggle to appreciate how that might be practical, and will only further compromise the Night Market's attempts to provide enough on-site parking for their visitors without relying on neighbouring facilities like the River Rock parkades.
- Any queuing on to River Road needs to be avoided. If not, a natural chokepoint could easily develop immediately in front of our west parkade, which will only further invite potential abuse of its use by non-River Rock visitors.
- Moreover, we are alarmed by Binnie's suggestion that westbound traffic generated by the Night Market should be directed up Great Canadian Way and across River Road; in other words, right past the main entrance point for River Rock and its two parkades. Again, this could cause a natural chokepoint for our operations and lead to further abuse of the parkades.
- Similarly, we are very alarmed by Binnie's reference to the belief that Night Market visitors will have the "option" of using our south parkade. That is absolutely not the case- we are bound by contract with Translink for the restricted use of that parkade- and this was explicitly discussed in our meetings of January 6<sup>th</sup> and 13 with Night Market representatives. Similarly, it is important to note that documentation submitted to the City by the Night Market representatives makes a similar claim, and we have been contacted by at least one prospective Night Market vendor who was informed that Night Market visitors will have use of our south parkade. Respectfully, these continued misrepresentations cause us significant concern.
- Several proposed measures are suggested in the Binnie report related to restricting access to our west parkade to mitigate Night Market visitors from utilizing it. As stated

in the Bunt report, we don't feel those are practical, but regardless, we feel it should be the Night Market proponent's obligation to work with us on a plan that we deem acceptable in addressing our concerns (acting reasonably) that minimizes abuse of both parkades, not just the west one.

- What actions can be taken to ensure any qualifying commitments relative to the traffic management and parking plan are delivered upon (or not)? This is also a material concern for us, recognizing that the application is deemed a "temporary" event by definition, and thus, the application process is theoretically less rigorous. Again, respectfully, we do not deem this a temporary event when one considers the fact the Night Market is proposed for up to three years, almost six months per year, and three days a week during our prime operating periods.

Again, we appreciate the opportunity to address our concerns and we are committed to working with the City and the Night Market proponents to mitigate the impact of the Night Market as currently proposed. We have experience with similar events conducted adjacent to some of our other properties, and because of this, we don't feel we are embellishing the potential consequences on River Rock. Our two parkades are near capacity now during our prime operating periods, and any decrease in visitation because of a lack of parking or perceived traffic congestion will compromise business levels, which includes the stream of revenue the City currently receives from the operation.

Sincerely,

**GREAT CANADIAN GAMING CORPORATION**



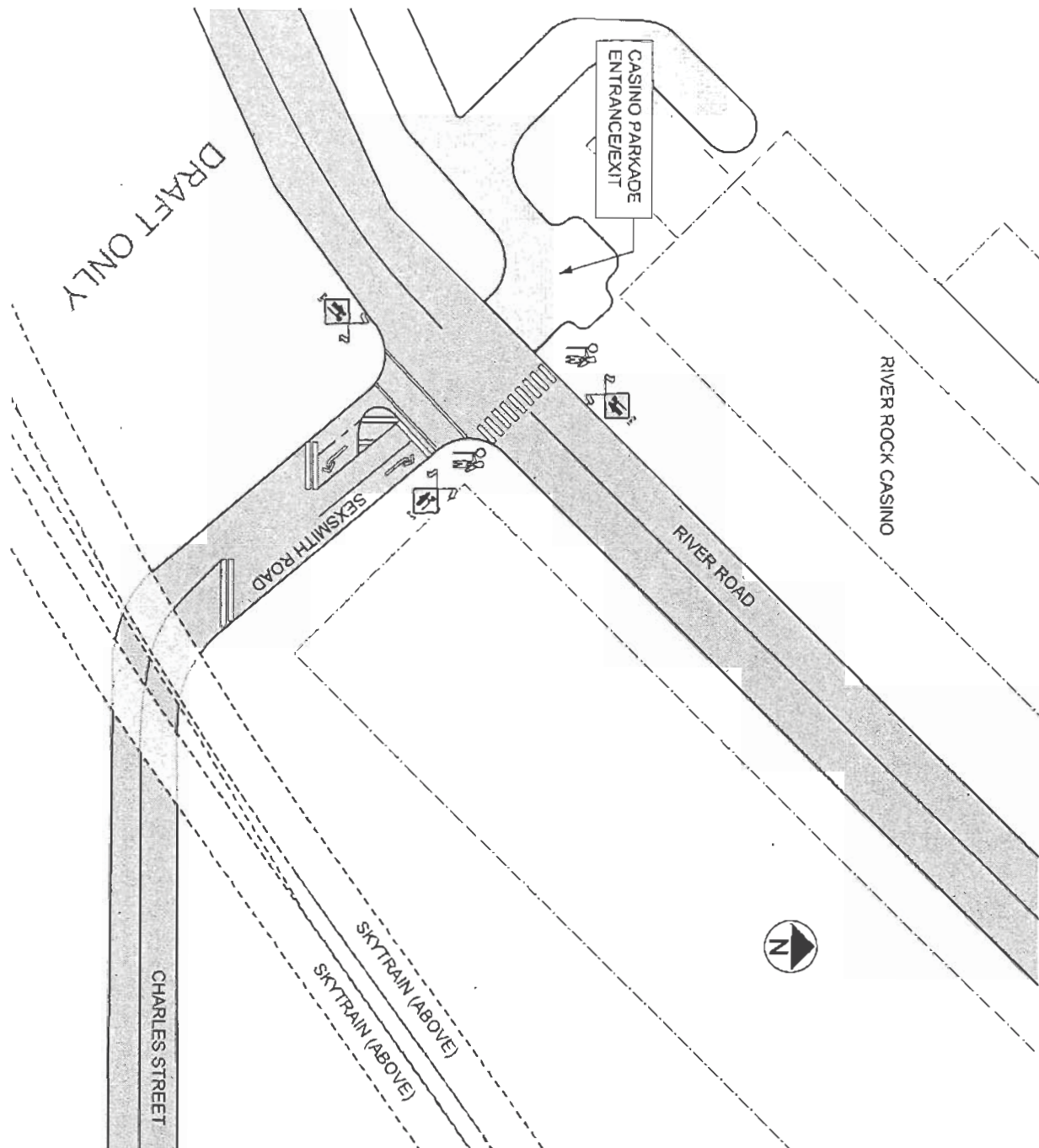
Chuck Keeling  
Executive Director, Stakeholder Relations



2012 Richmond Night Market

## Transportation Requirements

- A maximum of 500 spaces of Lot “A” located at the south end closest to the event entrance maybe identified as pay parking with all the remaining parking available for free. Or, provide a written agreement with the River Rock Casino outlining a mutually acceptable arrangement for the event parking;
- A 20% contingency to be applied to the amount of the bonding fee;
- A minimum of 1150 parking stalls for night market attendees and additional parking required for vendors (300) and event staff. Total of 1450 stalls;
- Provide on-site bicycle parking facilities for a minimum of 50 bicycles;
- Detailed plan required to address parking intrusion into nearby businesses (Casino Parkade & Park Ride) and residential areas as outlined in the attached TMP drawings;
- Traffic control and operations during the event is to be in accordance with the TMP approved by the City’s Transportation Division outlined in the attached TMP drawings;
- Operation of the TMP is to be undertaken by a professional Traffic Control Company with the appropriate trained and certified staff. Costs associated with operations and running of the TMP is the responsibility of the event organizer;
- The TMP is to be monitored by the City’s Transportation Division in consultation with on-site RCMP and Community Bylaws staff and is subject to revision and changes (i.e., alteration of the plan; additional Traffic Control staff) should the need arise. All at the cost of the applicant;
- Posting of signage and erection of barricades and road markings will be undertaken based on the TMP and is to be at the cost of the event organizer;
- The Event organizer is required to implement a marketing and promotion strategy (approved by Transportation Division staff) that encourages night market patrons to take public transit to the event. Specific initiatives to be undertaken by the event organizer is as follows:
  - Discounted transit tickets for night market attendees during the late night periods (after 8:30pm) on the weekends to improve transit trips to the site and also to improve transit rider ship during the time which demands are generally low.
  - Provide small reimbursements to night market attendees if valid transit tickets are shown.
  - Offer promotional gifts to the night market attendees if valid transit tickets are shown.
  - Discuss with future vendors to offer discounted food or drink items if customers can show valid transit tickets.
  - Set up special gift draws to be entered only by the attendees with valid transit tickets.
  - Promote the night market event location and its accessibility by transit through TV commercials, radio commercials and newspaper advertisements.

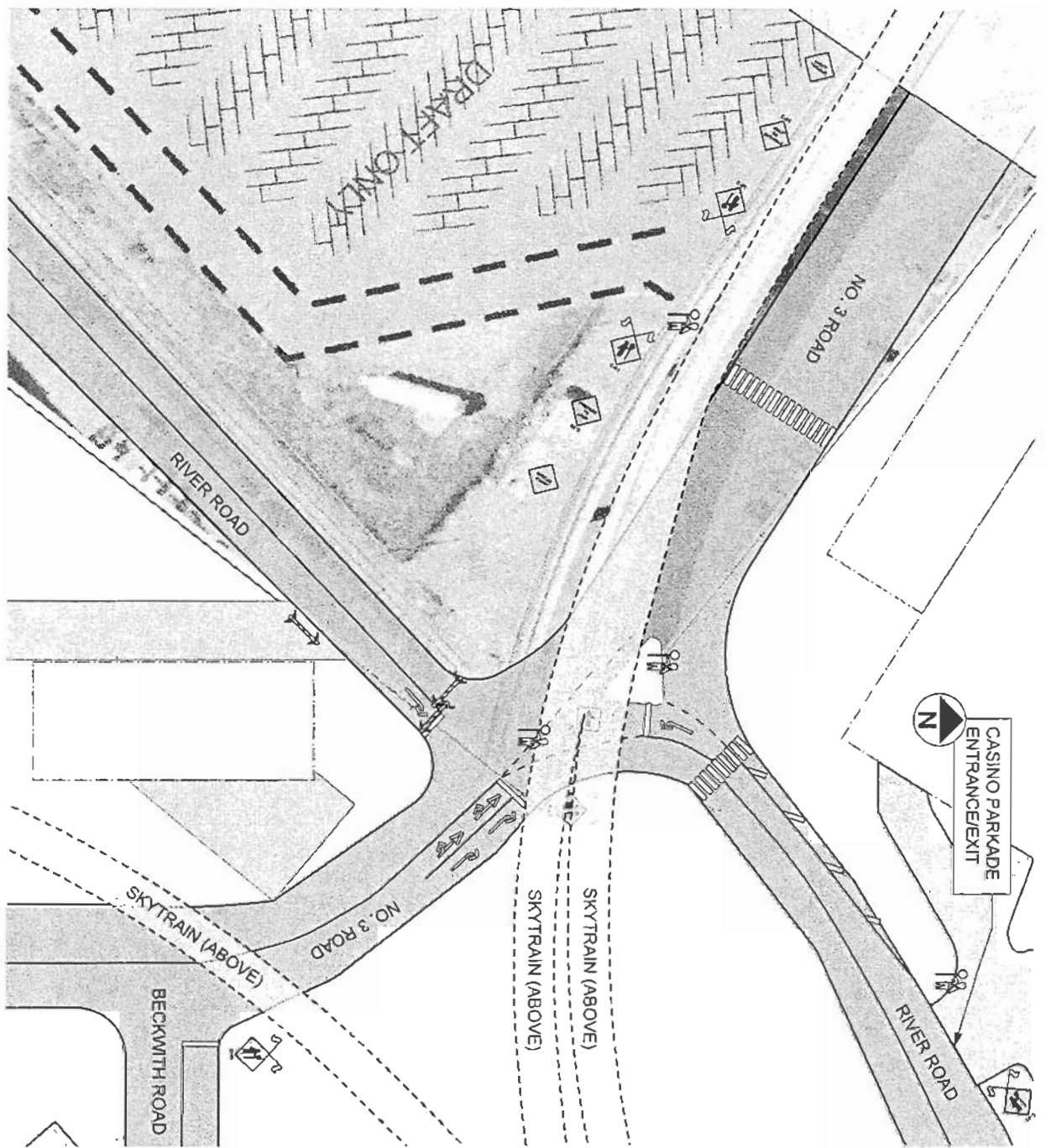


CLIENT: FIREWORK PRODUCTIONS  
LOCATION: RICHMOND, BC  
TRAFFIC MANAGEMENT REQUIRED: 1T6P

DRAWING TITLE: PROPOSED 2012 NIGHT MARKET SITE  
[LOCATION: RIVER ROAD & SEXSMITH/CHARLES STREETS]

DATE: JANUARY 9TH, 2012  
SCALE: NTS  
DRAWN BY: TR  
CHECKED BY: LP

TMP-05



CLIENT: FIREWORK PRODUCTIONS  
LOCATION: RICHMOND, BC  
TRAFFIC MANAGEMENT REQUIRED: 1T6P

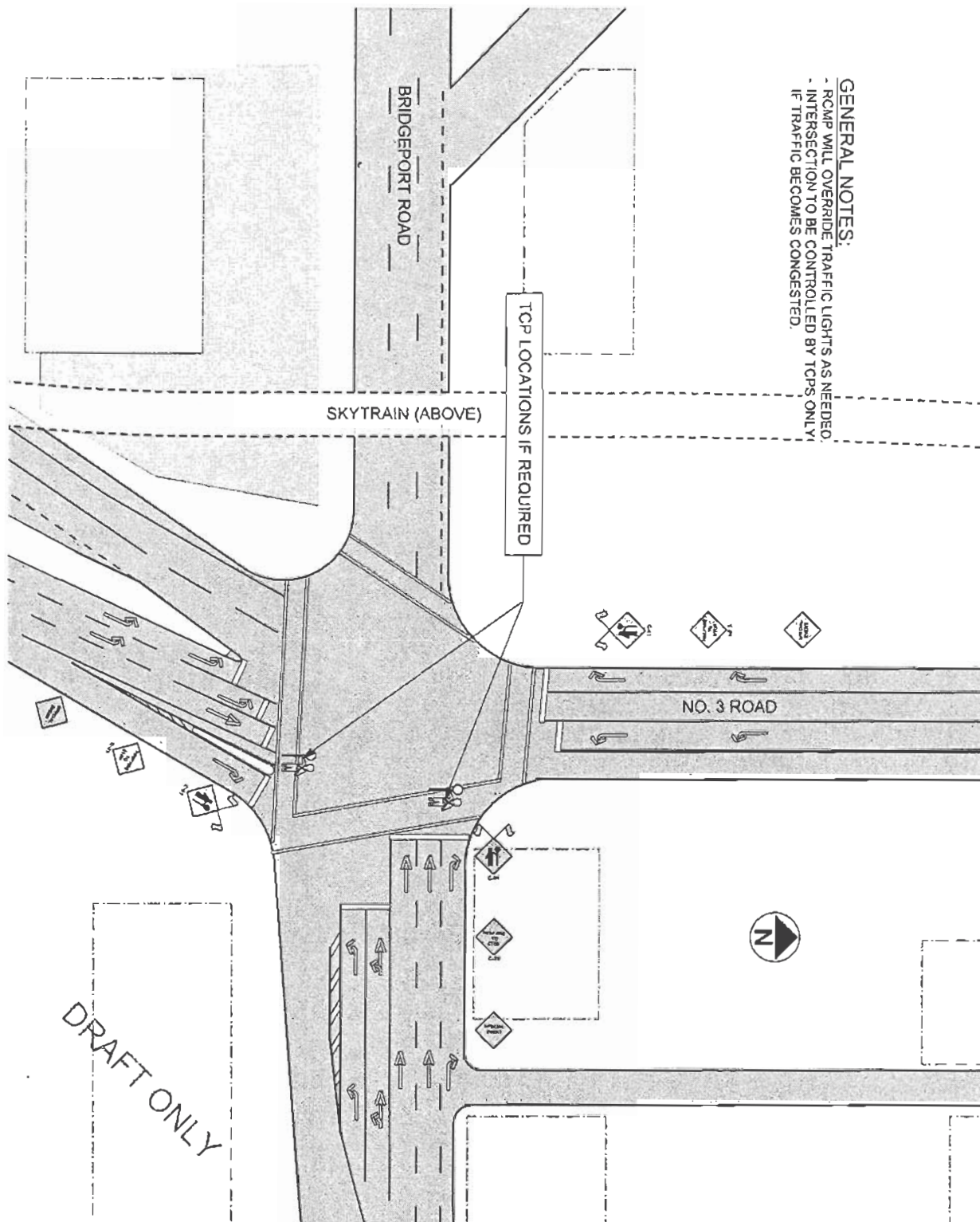
DRAWING TITLE: PROPOSED 2012 NIGHT MARKET SITE  
[LOCATION: NO. 3 AND RIVER ROAD] **PLAN - 147**

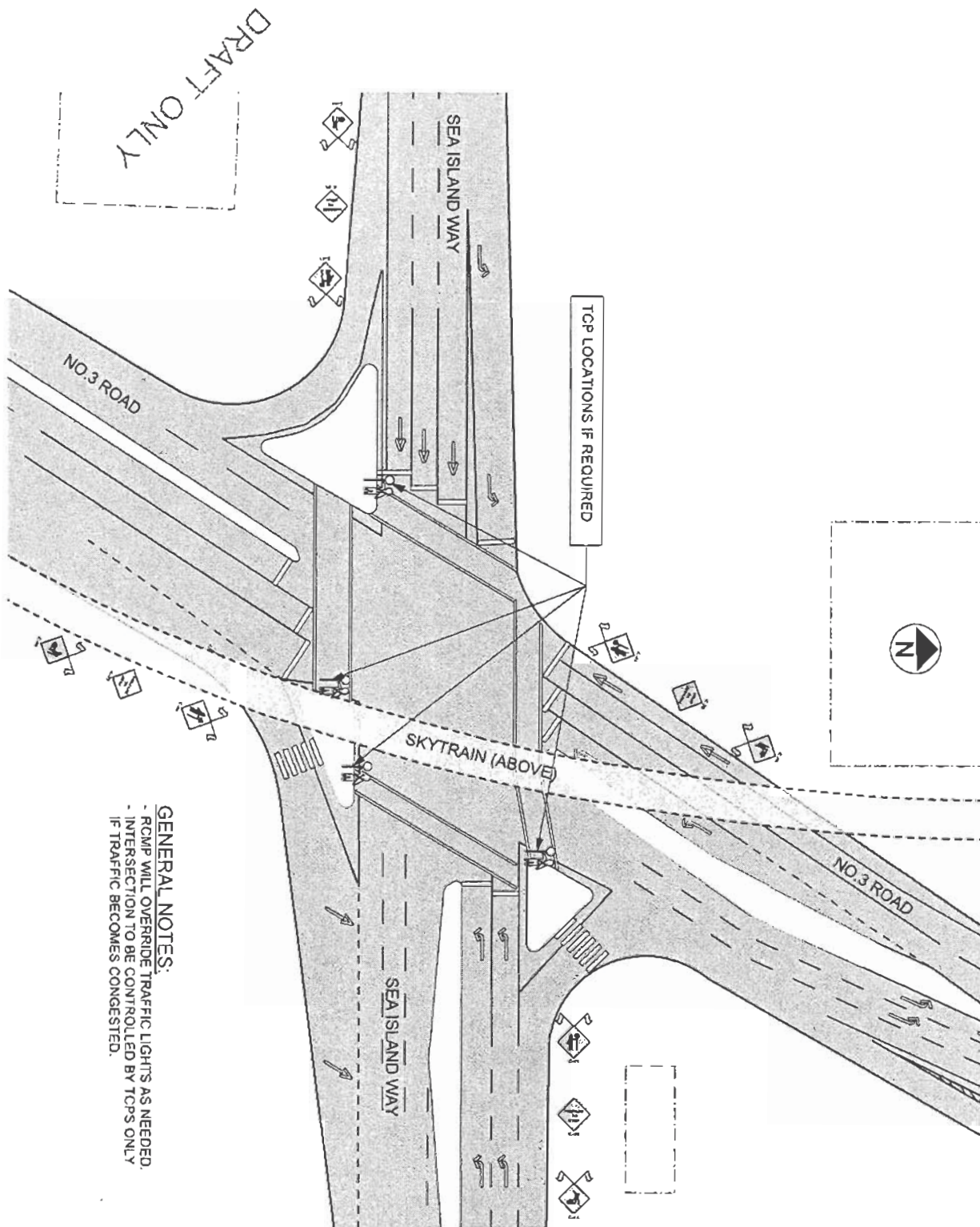
DATE: JANUARY 8TH, 2012  
SCALE: NTS  
DRAWN BY: TR  
CHECKED BY: LP

**TMP-04**

THIS DRAWING HAS BEEN PREPARED FOR SNC LAVALIN ENVIRONMENT TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES. ATC TRAFFIC MANAGEMENT LTD., ITS EMPLOYEES AND AGENTS ACCEPT NO RESPONSIBILITY TO ANY OTHER PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STOCKHOLDERS OR THEIR EMPLOYEES OR AGENTS FOR LOSS OR LIABILITY INCURRED AS A RESULT OF THEIR USE OF THESE DRAWINGS.







GENERAL NOTES:  
 - RCMP WILL OVERRIDE TRAFFIC LIGHTS AS NEEDED.  
 - INTERSECTION TO BE CONTROLLED BY TCPs ONLY  
 IF TRAFFIC BECOMES CONGESTED.



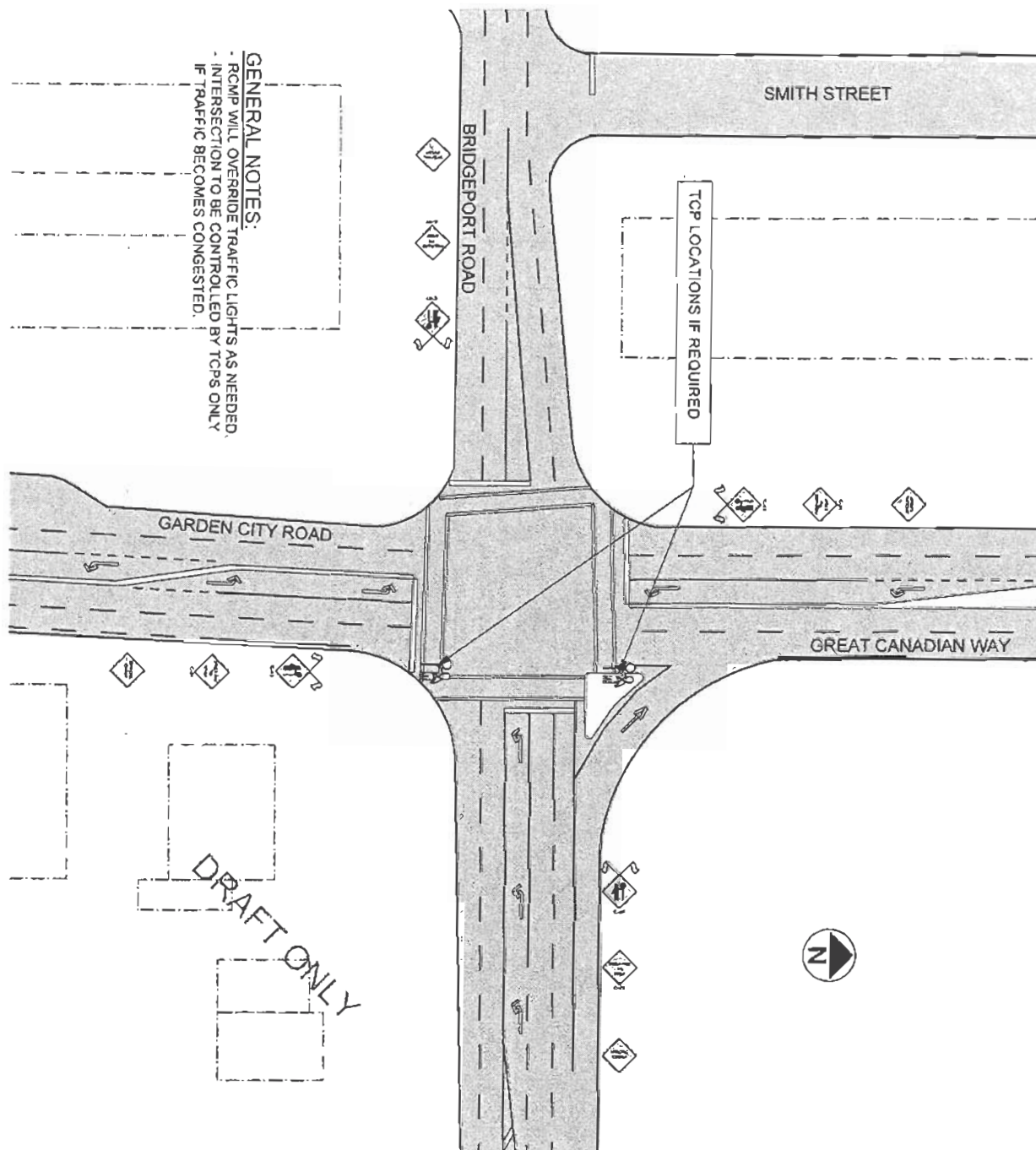
CLIENT: FIREWORK PRODUCTIONS  
 LOCATION: RICHMOND, BC  
 TRAFFIC MANAGEMENT REQUIRED: 1T6P

DRAWING TITLE: PROPOSED 2012 NIGHT MARKET SITE  
 [LOCATION: SEA ISLAND WAY & NO. 3 ROAD]

DATE: JANUARY 9TH, 2012  
 SCALE: NTS  
 DRAWN BY: TR  
 CHECKED BY: LP

TMP-06



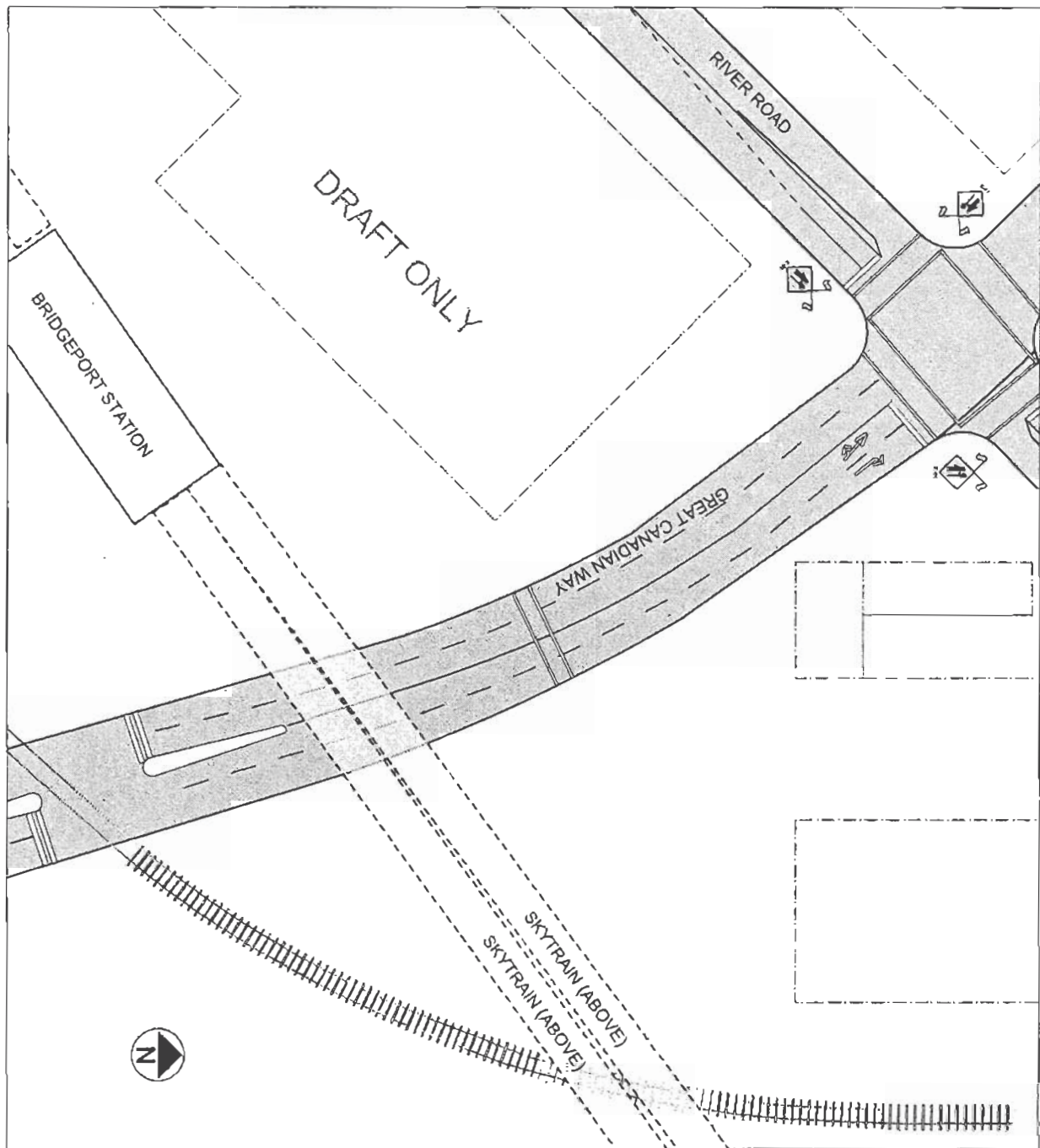


CLIENT: FIREWORK PRODUCTIONS  
LOCATION: RICHMOND, BC  
TRAFFIC MANAGEMENT REQUIRED: 1T6P

DRAWING TITLE: PROPOSED 2012 NIGHT MARKET SITE  
[LOCATION: BRIDGEPORT AND GARDEN CITY.]

DATE: JANUARY 9TH, 2012  
SCALE: NTS  
DRAWN BY: TR  
CHECKED BY: LP  
**TMP-02**





CLIENT: FIREWORK PRODUCTIONS  
 LOCATION: RICHMOND, BC  
 TRAFFIC MANAGEMENT REQUIRED: 1T6P

**DRAWING TITLE:** PROPOSED 2012 NIGHT MARKET SITE  
 [LOCATION: GARDEN CITY TO GREAT CANADIAN WAY.]

DATE: JANUARY 9TH, 2012  
 SCALE: NTS  
 DRAWN BY: TR  
 CHECKED BY: LP

**TMP-03**

THIS DRAWING HAS BEEN PREPARED FOR SNC LAVALIN ENVIRONMENT TO MEET THE STANDARDS AND REQUIREMENTS OF THE APPLICABLE PUBLIC AGENCIES. ATC TRAFFIC MANAGEMENT LTD., ITS EMPLOYEES AND AGENTS ACCEPT NO RESPONSIBILITY TO ANY OTHER PARTY, INCLUDING CONTRACTORS, SUPPLIERS, CONSULTANTS AND STOCKHOLDERS OR THEIR EMPLOYEES OR AGENTS FOR LOSS OR LIABILITY INCURRED AS A RESULT OF THEIR USE OF THESE DRAWINGS.



**No. TU 11-595782**

To the Holder: Firework Productions Ltd.  
Sanhurgon Investment Ltd., Inc. No. BC908774

Property Address: 8351 River Road and Duck Island (Lot 87 Section 21 Block 5  
North Range 6 West Plan 34592)

Address: C/O Mr. Raymond Cheung  
3063 – 8700 McKim Way  
Richmond, B.C. V6X 4A5

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 is issued subject to compliance with all the items outlined on the attached Schedule "A" to this permit.
3. Should the Holder fail to adhere and comply with all the terms and conditions outlined in Schedule "A", the Temporary Commercial Use Permit Shall be void and no longer considered valid for the subject site.
4. This Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "B" to this permit.
5. The subject property may be used for the following temporary commercial uses:

A night market event on the following dates:

- May 18, 2012 to October 8, 2012 inclusive (as outlined in the attached Schedule "C" to this permit); and
- May 17, 2013 to October 14, 2013 inclusive (as outlined in the attached Schedule "C" to this permit).
- May 16, 2014 to October 13, 2014 inclusive (as outlined in the attached Schedule "C" to this permit).

The night market event dates and hours of operation shall be in accordance with the attached Schedule "C" to this permit.

The night market event shall be in accordance with the site plan as outlined in Schedule "D" to this permit.

To the Holder: Firework Productions Ltd.  
Sanhurgon Investment Ltd., Inc. No. BC908774

Property Address: 8351 River Road and Duck Island (Lot 87 Section 21 Block 5  
North Range 6 West Plan 34592)

Address: C/O Mr. Raymond Cheung  
3063 – 8700 McKim Way  
Richmond, B.C. V6X 4A5

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6. 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.
7. As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder, or should the Holder carry out the temporary commercial use permitted by this permit within the time set out herein and comply with all the undertakings given in Schedule "A" attached hereto, the security shall be returned to the Holder.
  - A cash security (or acceptable letter of credit) in the amount of \$178,000 must be submitted prior to March 19, 2012 for the purposes of operating an evening market event during the specified dates set out in Schedule "C" in 2012.
  - A cash security (or acceptable letter of credit) in the amount of \$187,000 must be submitted prior to April 19, 2013 for the purposes of operating an evening market event during the specified dates set out in Schedule "C" in 2013.
  - A cash security (or acceptable letter of credit) in the amount of \$191,000 must be submitted prior to April 18, 2014 for the purposes of operating an evening market event during the specified dates set out in Schedule "C" in 2014.
8. Should the Holder fail to provide the cash security by the dates specified in this permit, the Temporary Commercial Use Permit shall be void and no longer considered valid for the subject site.
9. 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.



To the Holder: Firework Productions Ltd.  
Sanhurgon Investment Ltd., Inc. No. BC908774

Property Address: 8351 River Road and Duck Island (Lot 87 Section 21 Block 5  
North Range 6 West Plan 34592)

Address: C/O Mr. Raymond Cheung  
3063 – 8700 McKim Way  
Richmond, B.C. V6X 4A5

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10. Monies outstanding and owed by the Holder to the City of Richmond for costs associated with the previous evening market event must be paid in full by the following dates:

- All monies outstanding from the 2012 event must be paid in full prior to April 19, 2013.
- All monies outstanding from the 2013 event must be paid in full prior to April 18, 2014.

Should the Holder fail to provide any outstanding monies by the date specified in this permit, the Temporary Commercial Use Permit shall be void and no longer considered valid for the subject site.

11. This Temporary Commercial Use Permit is valid for the dates specified in Schedule "C" for 2012, 2013 and 2014 only.

This Permit is not a Building Permit.

AUTHORIZING RESOLUTION NO.  
DAY OF , .

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF , .

---

MAYOR

---

CORPORATE OFFICER

## Schedule "A"

In consideration of the City of Richmond issuing a Temporary Commercial Use Permit (TCUP) for the purposes of operating a night market event for 2012, 2013 and 2014 on the subject site, the event organizer (Firework Productions Ltd. c/o Raymond Cheung) acknowledges and agrees to the following terms and conditions:

### Traffic Management Plan (TMP)

- Traffic control and operations during the event is to be in accordance with the TMP approved by the City's Transportation Division.
- Operation of the TMP is to be undertaken by a professional Traffic Control Company with the appropriate trained and certified staff. Costs associated with operations and running of the TMP is the responsibility of the event organizer.
- The TMP is to be monitored by the City's Transportation Division in consultation with on-site RCMP and Community Bylaws staff and is subject to revision and changes (i.e., alteration of the plan; additional Traffic Control staff) should the need arise.
- Posting of signage and erection of barricades and road markings will be undertaken based on the TMP and is to be at the cost of the event organizer.
- The Event organizer is required to implement a marketing and promotion strategy (approved by Transportation Division staff) that encourages night market patrons to take public transit to the event and is required to include the following provisions:
  - Providing discounted transit tickets for night market attendees during the late night periods (after 8:30pm) on the weekends to improve transit trips to the site and also to improve transit rider ship during the time which demands are generally low.
  - Providing small reimbursements to night market attendees if valid transit tickets are shown.
  - Offering promotional gifts to the night market attendees if valid transit tickets are shown.
  - Discussing with future vendors to offer discounted food or drink items if customers can show valid transit tickets.
  - Setting up special gift draws to be entered only by the attendees with valid transit tickets.
  - Promoting the night market event location and its accessibility by transit through TV commercials, radio commercials and newspaper advertisements.

### Off-Street Parking

- 1,450 total off-street parking stalls required for the night market event under the following provisions:
  - A maximum of 500 stalls can be allocated for pay parking and they must be situated close to the market event area (southwest portion of parking lot "A" as shown on **Schedule "D"**).
  - Pay booths for the pay parking area are required to be located as far into parking lot "A" as possible to maximize the queue length for vehicles entering the site.
  - 650 parking stalls on the night market event site are required to be free.
  - The remaining 300 parking stalls are required to be allocated to night market vendor and parking staff.

#### City of Richmond and RCMP Staffing

- A minimum of 2 RCMP members must be in attendance for each night the event is being held during the hours of operation for the purposes of providing a police presence and overseeing the TMP and general event operations (Note: Implementation and operation of the TMP is required to be undertaken by a professional traffic control company with appropriate trained and certified staff).
- Six (6) hours of dedicated patrol by Community Bylaw Enforcement Officers is required for each day the event is in operation with scheduling at the discretion of Community Bylaws.
- Periodic attendance by Transportation Division and City staff to monitor and oversee the operations of the event and TMP.
- All costs for RCMP members and City staffing at the applicable rates is the responsibility of the event organizers.

#### Implementation of Works on City Property

- Any works on City property is required as a result of the night market event must comply with the following requirements:
  - Works include, but are not limited to construction of asphalt walkways, temporary pedestrian crosswalks and a secondary emergency access to the market event area.
  - Design for works to be undertaken by the appropriate professional and approved by the City.
  - Construction of works to be undertaken through a City Work Order or other appropriate process prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event.
  - All costs associated with the design, construction, maintenance and removal (if required) of works is the responsibility of the event organizer.
  - Enter into the appropriate agreements where necessary for the above referenced works prior to issuance of the building permit(s) and/or on-site servicing permit for the night market event.

#### Required Approvals from External Agencies

Approval from the following external agencies is required prior to operating a night market event on the subject site:

- FREMP/DFO and PMV – The night market event will be required to comply with all components of the consultant's strategy to protect the foreshore along with any requirements/conditions identified by FREMP stakeholders, DFO and PMV. The night market site plan is subject to revision based on the developed strategy and any additional FREMP/DFO/PMV requirements.
- Approval from the Provincial Diking Authority for the secondary emergency access.
- Approval from the Ministry of Transportation and Infrastructure (MOTI) for traffic control provisions identified in the TMP for intersections under MOTI jurisdiction.

#### Flood Construction Level (FCL) Requirements

- All buildings and structures on the subject site must be temporary and cannot be utilized for a period of more than 12 months and must be removed from the event site sometime during the off-season.
- If these criteria are met, temporary buildings and structures are not required to comply with the minimum FCL of 4.35 m.



- Buildings and structures that do not meet these criteria are required to be constructed at a minimum FCL of 4.35 m.

#### Required Legal Agreements

- Completion of a legal agreement will be a requirement of the TCUP to:
  - Identify that the subject site containing the night market event area and off-street parking is outside of the dike and susceptible to flooding.
  - Release and indemnify the City for any damage to building, structures, property, equipment and servicing on the subject site in the event of flooding.
  - This legal agreement is required to be completed prior to issuance of a building permit(s) and site servicing permit for the night market event.

#### Required Permits/Licenses from the City of Richmond and Stakeholders

- Building Permits and on-site servicing permits.
- Business Licenses for all commercial/food vendors to operate at the night market event (including the event operator).
- Vancouver Coastal Health (VCH) permits and licenses for the overall food court area and all food and beverage vendors to operate at the night market event, including inspection approval by VCH staff.

#### Richmond Fire Rescue (RFR) Requirements

- Implementation of a primary emergency response route for access to the event market area. This response route is required to remain clear and unimpeded at all times.
- Implementation of a secondary emergency access at a location approved by Richmond Fire Rescue (i.e., intersection of River Road and West Road) to facilitate access for emergency vehicles, personnel and equipment.
- Implementation of a dedicated approved emergency response route for RFR truck access and turnaround to facilitate access to the proposed parking lot “B” as shown in the night market site plan attached as **Schedule “D”** to the TCUP. This fire access lane is required to be designed to support the expected loads imposed by firefighting equipment to permit accessibility under all climatic conditions.
- Submission and approval of a Fire Safety Plan by Richmond Fire Rescue for the night market event.

#### Night Market Site Plan

- Implementation of the event in accordance to the night market site plan as shown in the TCUP report and attached as **Schedule “D”** to the TCUP.
- Amendments to the night market site plan can be considered if they are required/deemed necessary by City staff or other external agencies/stakeholders (FREMP/DFO/PMV; Provincial Diking Authority; MOTI). Any changes to the night market site plan approved by the City of Richmond will be considered the approved site attached to and forming part of the TCUP.

#### Night Market Operations

- The event organizer is required to provide dedicated event security, parking lot patrollers, event liaison staff and certified first aid staff.

- The event organizer is responsible for providing adequate means of communication amongst event staffing, security, first aid, traffic control personnel, RCMP members and Community Bylaw Officers.
- Clean up and litter removal before, during and after the evening market event each night of operation. Clean-up and litter removal is to be conducted by the event organizers and is to include the subject property as well as surrounding areas impacted by the evening market event.

#### Night Market Event Cancellation Procedure

- In the event of an evening market event closure on any identified operational day, event organizers are responsible for notifying appropriate City staff and RCMP members a minimum of 24 hours prior to the start of the event. Should event cancellation notification be within the 24 hour time period, staffing costs will be incurred based on minimum call out times.
- The event organizer is responsible for notifying all vendors of any event cancellation.

#### Security Bond Requirements

- The event organizer is required to submit an operational security bond to the City in accordance with the terms and conditions identified in the TCUP.
- The operation security bond is required to cover City costs and expenses as a result of the night market event, which includes a contingency fund to address any issues arising during event operations.
- The event organizer is required to pay for additional City costs, in the event that costs exceed the amount submitted in the operational security bond.

#### General Provisions

- At the conclusion of each event operation day, any road modifications (temporary signage, barriers, cones) associated with the TMP must be removed and original road conditions restored to the satisfaction of the Transportation Division staff.
- Upon expiration of this permit or cessation of the permitted use, whichever is sooner, the following shall be completed:
  - The property described in **Schedule "B"** shall be restored to its original condition.
  - Adjacent roads shall be maintained and restored to a condition satisfactory to the City of Richmond.

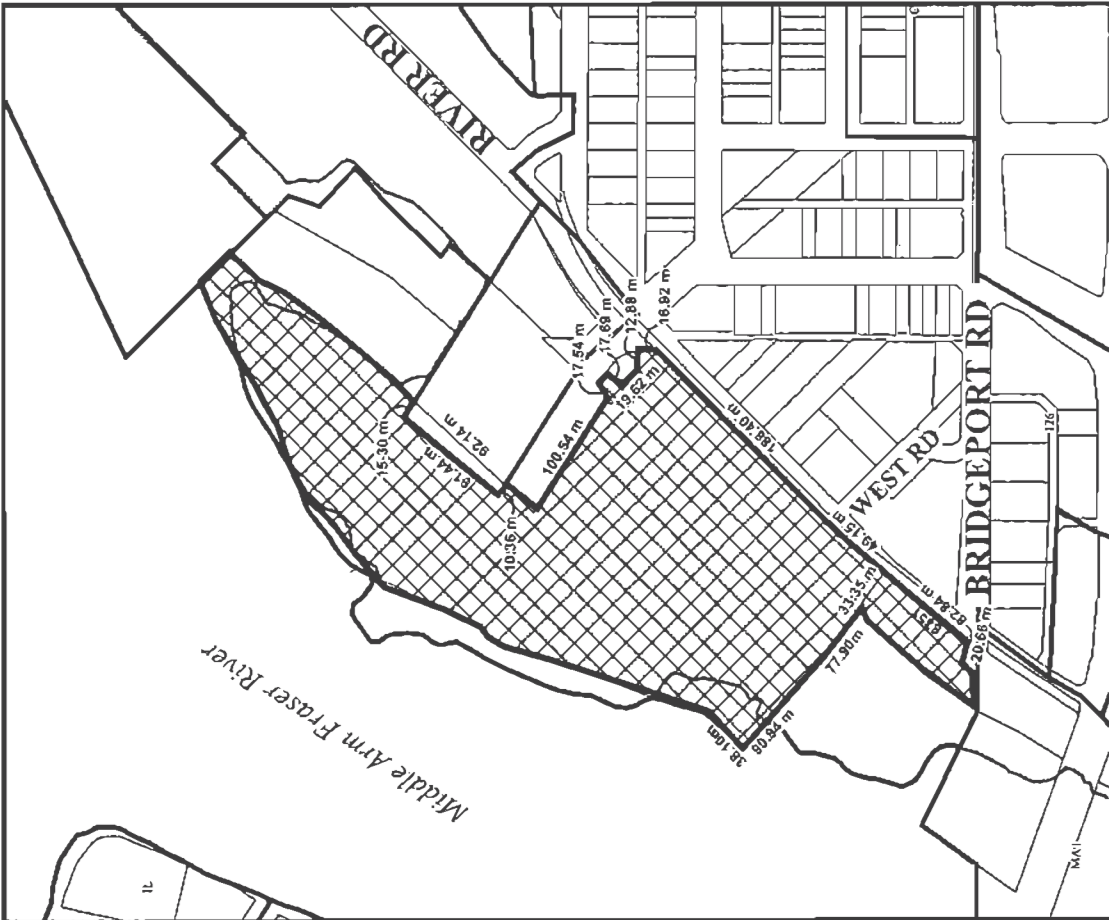
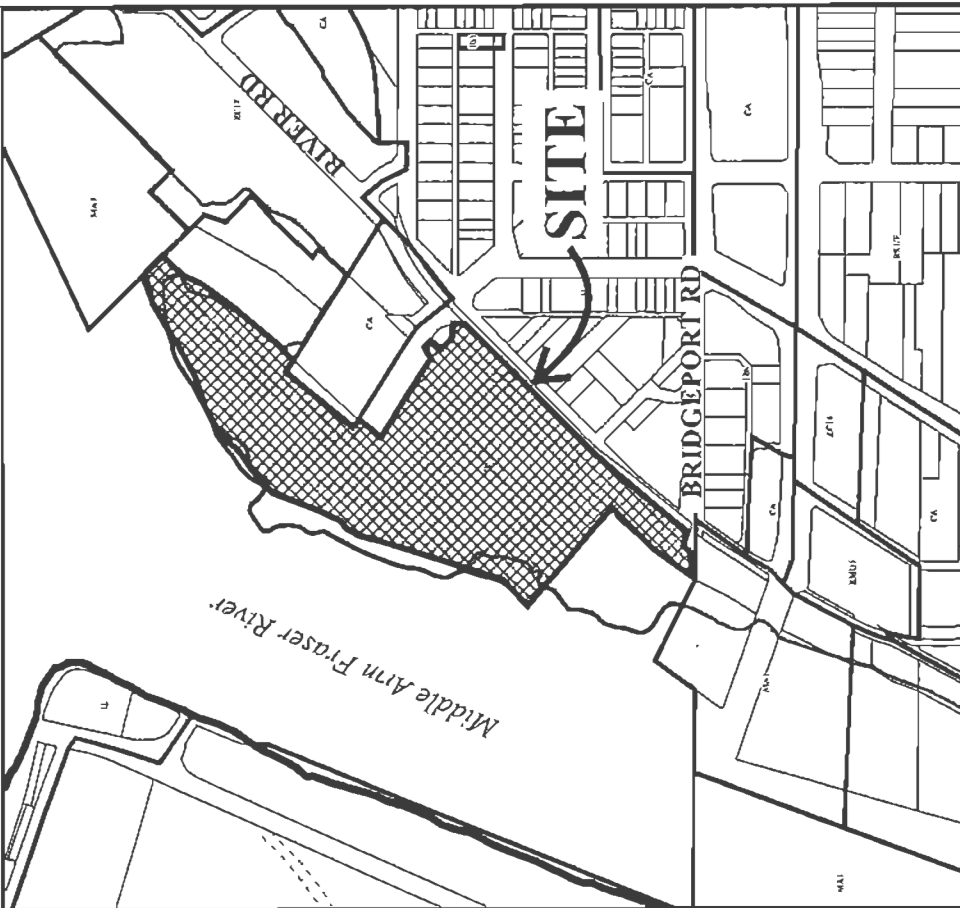
#### Undertaking

- 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 "B"**; 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.

Firework Productions Ltd.  
by its authorized signatory

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Raymond Cheung  
Firework Productions Ltd.



TU 11-595782

**Note:** Dimensions are in METRES



## Schedule "C"

### Evening Market Event Schedule of Dates for 2012

Month	Day	Event Hours	Month	Day	Event Hours
May (7 Days)	18	7pm-12am	June (14 Days)	1	7pm-12am
	19	7pm-12am		2	7pm-12am
	20	6pm-11pm		3	6pm-11pm
	21	6pm-11pm		8	7pm-12am
	25	7pm-12am		9	7pm-12am
	26	7pm-12am		10	6pm-11pm
	27	6pm-11pm		15	7pm-12am
				16	7pm-12am
				17	6pm-11pm
				22	7pm-12am
				23	7pm-12am
				24	6pm-11pm
				29	7pm-12am
				30	7pm-12am
July (14 Days)	1	6pm-11pm	August (14 Days)	3	7pm-12am
	2	6pm-11pm		4	7pm-1am
	6	7pm-12am		5	6pm-11pm
	7	7pm-1am		6	6pm-11pm
	8	6pm-11pm		10	7pm-12am
	13	7pm-12am		11	7pm-1am
	14	7pm-1am		12	6pm-11pm
	15	6pm-11pm		17	7pm-12am
	20	7pm-12am		18	7pm-1am
	21	7pm-1am		19	6pm-11pm
	22	6pm-11pm		24	7pm-12am
	27	7pm-12am		25	7pm-1am
	28	7pm-1am		26	6pm-11pm
	29	6pm-11pm		31	7pm-12am
September (15 days)	1	7pm-12am	October (4 Days)	5	7pm-12am
	2	6pm-11pm		6	7pm-12am
	3	6pm-11pm		7	6pm-11pm
	7	7pm-12am		8	6pm-11pm
	8	7pm-12am			
	9	6pm-11pm			
	14	7pm-12am			
	15	7pm-12am			
	16	6pm-11pm			
	21	7pm-12am			
	22	7pm-12am			
	23	6pm-11pm			
	28	7pm-12am			
	29	7pm-12am			
	30	6pm-11pm			
Total Number of Event Operation Days - 68					

### Evening Market Event Schedule of Dates for 2013

Month	Day	Event Hours	Month	Day	Event Hours
May (8 Days)	17	7pm-12am	June (14 Days)	1	7pm-12am
	18	7pm-12am		2	6pm-11pm
	19	6pm-11pm		7	7pm-12am
	20	6pm-11pm		8	7pm-12am
	24	7pm-12am		9	6pm-11pm
	25	7pm-12am		14	7pm-12am
	26	6pm-11pm		15	7pm-12am
	31	7pm-12am		16	6pm-11pm
				21	7pm-12am
				22	7pm-12am
		23		6pm-11pm	
		28		7pm-12am	
		29		7pm-12am	
		30		6pm-11pm	
July (13 Days)	1	6pm-11pm	August (15 Days)	2	7pm-12am
	5	7pm-12am		3	7pm-1am
	6	7pm-1am		4	6pm-11pm
	7	6pm-11pm		5	6pm-11pm
	12	7pm-12am		9	7pm-12am
	13	7pm-1am		10	7pm-1am
	14	6pm-11pm		11	6pm-11pm
	19	7pm-12am		16	7pm-12am
	20	7pm-1am		17	7pm-1am
	21	6pm-11pm		18	6pm-11pm
	26	7pm-12am		23	7pm-12am
	27	7pm-1am		24	7pm-1am
	28	6pm-11pm		25	6pm-11pm
		30		7pm-12am	
		31		7pm-1am	
September (14 days)	1	6pm-11pm	October (7 Days)	4	7pm-12am
	2	6pm-11pm		5	7pm-12am
	6	7pm-12am		6	6pm-11pm
	7	7pm-12am		11	7pm-12am
	8	6pm-11pm		12	7pm-12am
	13	7pm-12am		13	6pm-11pm
	14	7pm-12am		14	6pm-11pm
	15	6pm-11pm			
	20	7pm-12am			
	21	7pm-12am			
	22	6pm-11pm			
	27	7pm-12am			
	28	7pm-12am			
	29	6pm-11pm			
Total Number of Event Operation Days - 71					

### Evening Market Event Schedule of Dates for 2014

Month	Day	Event Hours	Month	Day	Event Hours
May (9 Days)	16	7pm-12am	June (14 Days)	1	6pm-11pm
	17	7pm-12am		6	7pm-12am
	18	6pm-11pm		7	7pm-12am
	19	6pm-11pm		8	6pm-11pm
	23	7pm-12am		13	7pm-12am
	24	7pm-12am		14	7pm-12am
	25	6pm-11pm		15	6pm-11pm
	30	7pm-12am		20	7pm-12am
	31	7pm-12am		21	7pm-12am
				22	6pm-11pm
				27	7pm-12am
				28	7pm-12am
				29	6pm-11pm
				30*	6pm-11pm
July (13 Days)	1	6pm-11pm	August (16 Days)	1	7pm-12am
	4	7pm-11am		2	7pm-1am
	5	7pm-12am		3	6pm-11pm
	6	6pm-11pm		4	6pm-11pm
	11	7pm-12am		8	7pm-12am
	12	7pm-1am		9	7pm-1am
	13	6pm-11pm		10	6pm-11pm
	18	7pm-12am		15	7pm-12am
	19	7pm-1am		16	7pm-1am
	20	6pm-11pm		17	6pm-11pm
	25	7pm-12am		22	7pm-12am
	26	7pm-1am		23	7pm-1am
	27	6pm-11pm		24	6pm-11pm
				29	7pm-12am
		30	7pm-1am		
		31	6pm-11pm		
September (13 days)	1	6pm-11pm	October (7 Days)	3	7pm-12am
	5	7pm-12am		4	7pm-12am
	6	7pm-12am		5	6pm-11pm
	7	6pm-11pm		10	7pm-12am
	12	7pm-12am		11	7pm-12am
	13	7pm-12am		12	6pm-11pm
	14	6pm-11pm		13	6pm-11pm
	19	7pm-12am			
	20	7pm-12am			
	21	6pm-11pm			
	26	7pm-12am			
	27	7pm-12am			
	28	6pm-11pm			
	Total Number of Event Operation Days - 72				

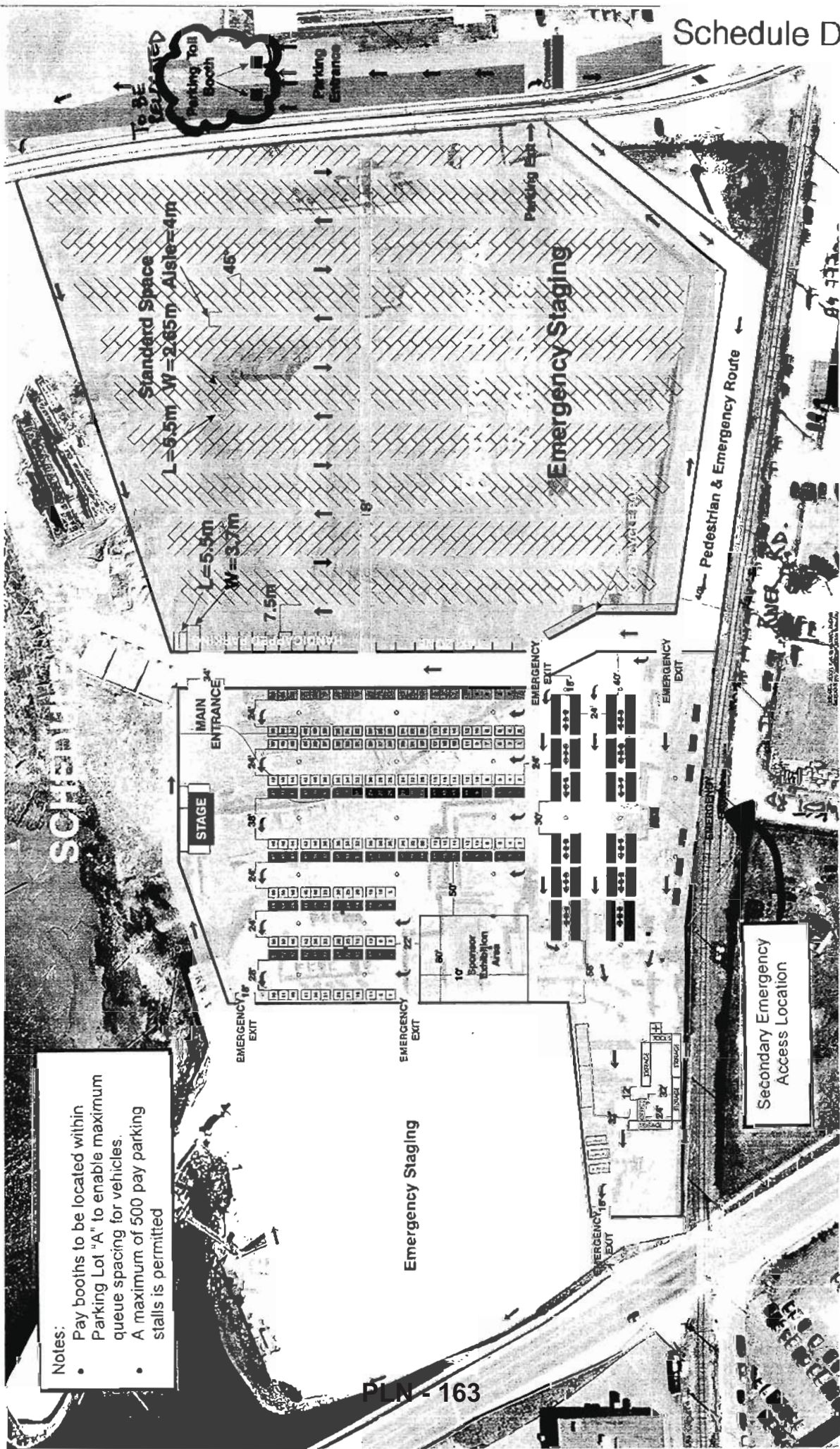


# 2012 RICHMOND NIGHT MARKET PROPOSED SITE PLAN

Schedule D

## Notes:

- Pay booths to be located within Parking Lot "A" to enable maximum queue spacing for vehicles.
- A maximum of 500 pay parking stalls is permitted



- 228 - 9' x 9' Retail Booth
- 80 - 9' x 9' Food Booth
- First Aid
- Emergency Route
- Fountain
- Garbage Bin
- Fence



**Parking Lot "B"**  
**738 Stalls**  
**Small Space  $L=5.0\text{ m}$   $W=2.4\text{ m}$**

