

City of Richmond

Planning and Development Department

Report to Committee

To:

Planning Committee

Date:

August 30, 2011

From:

Brian J. Jackson, MCIP

Director of Development

File:

ZT 11-565675

Re:

Application by Patrick Cotter Architect Inc. for a Zoning Text Amendment to Low Rise Apartment (ZLR14) – Riverport to Permit a Mixed-use Development

With Dedicated Rental Apartment Housing and Shared Parking at 14000 and

14088 Riverport Way

Staff Recommendation

That Bylaw No. 8811, for a zoning text amendment to "Low Rise Apartment (ZLR14) - Riverport" to permit a medium density mid-rise mixed-use development with market rental apartment housing, commercial and community amenity space, be introduced and given first reading.

Brian J. Jackson, MCIP Director of Development

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FOR ORIGIN	ATING DEPARTM	ENT USE ONLY
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	YMMD	1 6.00
Policy Planning Engineering Design & Construction	Y IM N L	- The week

Staff Report

Origin

Patrick Cotter Architect Inc. has applied to the City of Richmond for a zoning text amendment to Low Rise Apartment (ZLR14) – Riverport in order to permit a medium-density mid-rise mixed-use rental residential development at 14000 Riverport Way with a shared parking facility for 14000 and 14088 Riverport Way (Attachment 1).

The development includes a proposed 7-storey mixed-use building with 60 market rental dwelling units, ground level commercial (approximately 68 m²) and community meeting space (approximately 83 m²) at 14000 Riverport Way, and a proposed shared parking structure with a site specific rental residential parking requirement for the proposed mid-rise building and the previously approved 80-unit four-storey market rental residential building at 14088 Riverport Way (Attachment 2).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is included as Attachment 3.

A Servicing Agreement (SA 02-218175) was secured through the rezoning application for this waterfront community (RZ 03-234655) for the new Riverport Way road, Steveston Highway improvements from Entertainment Boulevard to a dike plaza, storm sewer and water distribution systems, dike walkway, viewing piers, float, and walkway and parking area in the City-owned lands to the north. The works are mostly constructed. The last remaining development lot at 14000 Riverport Way is surrounded with temporary frontage works, which are proposed to be completed with construction of the development.

A City sanitary sewer does not service the development. This waterfront community, including the proposed building, is tied into the private sewage treatment plant for the Riverport Sports and Entertainment Complex.

Background

The sites at 14000 and 14088 Riverport Way together are proposed to provide market rental accommodation for employees in the area, and the general public. The vacant site at 14000 Riverport Way is the last development parcel of the former industrial lands at 14791 Steveston Highway to be developed by Legacy Park Lands Limited as part of its waterfront community next to the Fraser River, CN rail lands, and the Riverport Sports and Entertainment Complex. The waterfront development has been the subject of several development applications; a chronology is included as Attachment 4. The existing waterfront residential community is characterized by three (3) existing four-storey market condominium buildings, a four-storey market rental building under construction, dike walkway with viewing piers, new Riverport Way public road, Steveston Highway terminus with plaza, pier and float, and walkway and parking improvements in the City-owned lands to the north.

The site at 14000 Riverport Way was originally envisioned as a mixed use site with commercial (office, retail and restaurant) and community meeting space, lift and storage facilities for boats, and dormitory facilities for athletes visiting the nearby Richmond Ice Centre and Watermania pool in the Riverport Sports and Entertainment Complex.

As a result of the construction of the hotel at Triangle Road and No. 6 Road, the previously envisioned dormitory for athletes is no longer needed. The owners have experienced a strong demand for the market rental units approved at 14000 Riverport Way. This led the owners to ask if the City would support the construction of additional market rental apartment housing instead of the previously envisioned dormitory facilities and other uses.

The original site contained contamination and has undergone soil remediation with the phases of development. The remaining subject site is in the process of applying to have the completed soil remediation work cleared to a residential standard. Prior to zoning text amendment approval, documentation is required from the Ministry of Environment, in the form of an appropriate instrument or Release under Section 40 of the Environmental Management Act, indicating that the City may approve zoning changes. Approval from the Ministry of Environment is a requirement of zoning text amendment.

Surrounding Development

Development surrounding the Fraser Lands Planning Area properties at 14000 and 14088 Riverport Way includes:

- To the northeast, is phase 1 of the waterfront community, consisting of three (3) four-storey
 market residential buildings at 14100, 14200 and 14300 Riverport Way, with a total of 144
 strata-titled apartments over a shared parking structure (DP 04-269797), also zoned Low Rise
 Apartment (ZLR14) Riverport;
- To the east, is dike property owned by the City and a water lot owned by Legacy Park Lands Limited, zoned Entertainment & Athletics (CEA), and the Fraser River;
- To the west, across Riverport Way, is CN Rail right-of-way and the Riverport Sports and Entertainment Complex beyond, zoned Entertainment & Athletics (CEA); and
- · To the south, across Steveston Highway, is Fraser Wharves land, zoned Light Industrial (IL).

Related Policies & Studies

Official Community Plan (OCP)

In the Official Community Plan (OCP), the subject sites are designated Limited Mixed Use, which supports the proposed residential, limited commercial, and community uses:

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Environmentally Sensitive Areas (ESAs)

The area between Riverport Way and the Fraser River is designated as an ESA, including the subject development site. The ESA aspect of the waterfront community shoreline was resolved through an approved Development Permit (DP 97-122639) prior to the rezoning, Servicing Agreement, and Development Permit for the waterfront community development. City and Department of Fisheries and Oceans staff agree that the proposed development does not impact the environmentally sensitive shoreline, as it is restricted to the inland side of the existing dike walkway.

Noise Sensitive Development

- As noted above, the subject site is in close proximity to industrial, commercial and railway
 lands. It is important to address the adjacency for the comfort of the future residents.
- A restrictive covenant was secured through the approved rezoning (RZ 03-234655) to ensure that residential buildings be built to CMHC Noise Transmission Criteria and to notify potential residents of nearby industrial, commercial and rail operations.
- Registration of a Noise Sensitive Use Restrictive Covenant is a requirement of zoning text
 amendment to ensure the following appropriate indoor sound levels determined by CMHC
 and industry standard thermal comfort levels are provided in the residential units. The
 covenant requires that a registered professional confirm compliance of the project design and
 construction of the dwelling units.

a) Indoor sound level criteria (with doors and windows closed):

Portion of Dwelling Unit	Maximum Noise Levels (decibels)
Bedrooms	35 dB
Living, dining, and recreation rooms	40 dB
Kitchen, bath, hallways, and utility rooms	45 dB

- Indoor thermal comfort standard (with doors and windows closed throughout all seasons): ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy",
- The required Noise Sensitive Use Restrictive Covenant for the subject development proposal is an improvement over some older covenants. The proposed covenant will include specifications for acceptable indoor noise levels, thermal comfort in the summer months, and the requirement to have construction measures designed and reviewed by registered professionals. The acceptable indoor noise levels are set for the different areas of the residential units, with bedrooms as the quietest rooms. Thermal comfort is needed for the summer months when residents would open their windows and lose the benefit of noise insulating construction measures.

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Affordable Housing Strategy

The City's Affordable Housing Strategy does not provide explicit reference to purpose-built rental housing requirements. However, the strategy does acknowledge the importance of preserving and maintaining existing and new rental housing stock in Richmond. Separate from the subject application, staff will be reviewing the Affordable Housing Strategy regarding purpose-built, market rental housing contribution requirements.

Purpose-built rental housing provides the following community benefits:

- Relieves pressure on market rental vacancy rates in Richmond (i.e., Canada Mortgage Housing Corporation reports that rental vacancy rates have continued to maintain an average low of 1.5 percent consistently over the past 10 years).
- 2) Supports the availability of non-market affordable rental housing for low to moderate income households.
- 3) Increases housing options for those who do not choose or are not able to purchase a condominium or enter into the homeownership market.

The applicant advised that, in the absence of any advertising in the media, as of August, 2011, 77 rental inquiries have been received for the rental project under construction at 14088 Riverport Way. The interest by potential renters reflects both a need and demand for market rental housing. Further, the proposed development will provide workers with the opportunity to live and work in Richmond.

Given the foregoing and acknowledging that the subject application presents a unique opportunity to provide new rental housing in Richmond (i.e., few developments see a financial incentive in the option), Community Social Services and Development Applications staff recommends that the Affordable Housing Contributions for this project be waived.

Registration of a legal agreement on Title to secure rental use in perpetuity of the proposed apartment housing will be a requirement of the zoning text amendment. To secure market rental use of the proposed apartment housing, the owner is required to enter into a Housing Agreement prior to final adoption of the text amendment bylaw. In order to enter into a Housing Agreement, the Local Government Act, Section 905, requires enactment of a bylaw by the City. The Affordable Housing Coordinator will prepare a separate report, including the Housing Agreement and associated bylaw. The following terms, among others, will be articulated in the Housing Agreement.

Housing Agreement Terms

Rental Rate	Market rent
Tenure of units	Market rental
Ownership	Block ownership of each of the two properties, without subdivision or strata-titling (consolidation is permitted)
Duration of Agreement	Perpetuity
Allocation of Floor Area	14000 Riverport Way Approximate distribution of 4,966.2 m2 residential floor area in 60 units. * Ground floor commercial & community amenity uses excluded 14088 Riverport Way Approximate distribution of 4,489.5 m² residential floor area in 80 units.

For each property, a legal agreement will secure full and unlimited access and use of the indoor and outdoor amenity spaces provided on-site for all occupants of the rental units on that property. A separate legal agreement will secure the access and use of the community meeting space provided at 14000 Riverport Way for all residents in the waterfront community's five buildings (14000, 14088, 14100, 14200 & 14300 Riverport Way).

Floodplain Management

Through the original rezoning application for this water front community (RZ 03-234655), dike improvements were secured through a Servicing Agreement (SA 02-218175) and a floodplain covenant was registered on Title, requiring a minimum elevation for habitable areas (flood construction level) of 3.5 m GSC (Geodetic Survey of Canada).

In addition to the terms of the registered covenant, the applicant is required to comply with the City's Flood Plain Designation and Protection Bylaw No. 8204, which came into effect after the property was originally rezoned. Similar to the building under construction at 14088 Riverport Way, the development proposal for 14000 Riverport Way includes a 4.3 m GSC ground floor elevation to tie into the surrounding sidewalk elevations, which is higher than both the minimum requirements in the covenant (3.5 m GSC) and the bylaw (3.0 m GSC).

The Province has indicated that, in response to the potential effects of global warming, the relatively newly improved dike will need to be raised in the future. The City's current planning horizon requires that dikes are capable of being raised to at least 5.5 m GSC. The existing dike in this area is at a height of under 4.0 m GSC. Since the dike improvements are relatively new in front of this waterfront community, the City does not have plans to raise this portion of the dike at this time. However, the applicant has been asked to take into consideration both the existing elevation and the future higher dike elevation. As a result of these special conditions of the site, in consultation with City Engineering staff, a Dike Maintenance Agreement is required as a condition of the zoning text amendment. Subsurface structures will provide support for a future higher dike.

Registration of a Dike Maintenance Agreement is also required as a condition of the zoning text amendment to permit structures to encroach into the required 7.5 m setback from a dike right-of-way (Flood Plain Designation and Protection Bylaw No. 8204) along Steveston Highway and the east edge of the site. The approved Development Permit (DP 04-269797) included an underground parking structure on the 14000 Riverport Way that encroaches into both required

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dike setbacks. In consultation with City Engineering staff, the applicant has maintained the approved setback along Steveston Highway, and increased the setback by 1.4 m along the east edge of the site. The encroaching structures include a required continuous engineered dike support structure designed to support a future raised dike (5.5 m GSC), subsurface parking and bicycle storage, mixed-use building, vehicle and pedestrian circulation, and landscaping elements. The agreement will include an Engineering Report and a safeguard right-of-way for maintenance or removal of encroaching structures.

Provincial approval is required to permit the structures to encroach into the existing dike structure. The proposed underground parking structure encroaches approximately 1.7 m into the inland toe of the existing dike at the northeast corner of the site. On July 6, 2011, staff received a copy of an e-mail from the Ministry of Natural Resource Operations (Provincial dike Authority) that advises that; the Province does not object to the current configuration and its impacts to the dike; and the applicant is required to complete the Dike Maintenance Act approval application process to obtain written approval before any works are started. As part of the application process, the applicant is required to provide additional information regarding analysis, design and construction details for the project, dike and accommodating a future raised dike. Provincial approval is a requirement of the zoning text amendment. Staff from Development Applications and Engineering will continue to work with the applicant and the Provincial Dike Authority to respond to the Province's concerns, recognizing that development of this site has been under review for over seven years and improvements to the dike were recently completed.

Consultation

The development application process to date has included the Installation of informational development application signage on the site, and an open house meeting for the residents in the phase I market residential buildings at 14100, 14200 and 14300 Riverport Way. The Public Hearing will include notification to neighbours and local newspaper advertising.

School District

This application was not referred to School District No. 38 (Richmond) because it is consistent with the existing OCP designation. According to OCP Bylaw Preparation Consultation Policy 5043, which was adopted by Council and agreed to by the School District, residential developments requiring an OCP amendment which generate less than 50 school aged children do not need to be referred to the School District (e.g., typically around 295 multiple-family housing units). This application only involves 60 multiple-family housing units in an area that has not been envisioned to support families due to the distance to the closest schools: Woodward Elementary School west of No. 5 Road, and McNair Secondary School on No. 4 Road north of Williams Road. A legal agreement was registered on Title through the approved rezoning (RZ 03-234655) specifying that all residents would be at least 18 years of age.

Staff did review the application informally with staff from the School District No. 38 (Richmond). School district staff did not express any concerns about the proposal.

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CN Rail

CN Rail staff has recently expressed concern about the potential impact of rail noise and vibration on adjacent residential buildings and has advised that any residential development should be designed to anticipate future construction of the rail right-of-way as a branch line.

In the 2003 rezoning staff report, it was noted that rail line construction would ultimately result in the rail line west of the subject site extending to connect the Fraserport Lands to Fraser Wharves. It was noted that there may be up to three (3) tracks within the right-of-way, and shunting or switching of trains was not proposed at this location

CN Rail staff has asked to receive a copy of the future Development Permit application for their review.

As noted above, registration of a Noise Sensitive Use Restrictive Covenant on Title is a requirement of the zoning text amendment to ensure appropriate indoor sound levels and thermal comfort levels are provided in the residential units.

Public Input

The owner hosted two meetings for the existing waterfront community residents at the nearby Holiday Inn Express Riverport hotel. An open house meeting for residents was held on April 21,2011 to discuss the construction process for the approved building at 14088 Riverport Way and the development proposal for 14000 Riverport Way. Invitations were posted in the lobby of each of the three (3) existing market residential buildings at 14100, 14200 and 14300 Riverport Way. Five (5) residents signed into the meeting. Comments regarding the proposal included:

- Appreciation of proposed concrete and glass building materials and contemporary design for the proposed building at 14000 Riverport Way.
- Appreciation of commitment to provide transit pass program for the approved building at 14088 Riverport Way.
- Concern that proposed building would impact sight lines for existing residents. Views of the
 river from the existing buildings will be impacted by the building at 14088 Riverport Way,
 which was approved as part of the same development that included the first three (3) existing
 buildings. The proposed building at 14000 Riverport Way will not impact river views from
 the existing buildings.

- Concern that the proposed building was taller than the existing and approved buildings. The proposed building is taller with a building height of seven stories and roof-top mechanical space. The additional building height and associated smaller building floor plate provide the benefits of: a tall landmark feature marking the east end of Steveston Highway; a greater sense of openness and afternoon sunlight penetration between buildings along Riverport Way; an increased building separation and feeling of privacy for future residents of both rental buildings.
- Concern regarding existing special event traffic volume westbound on Steveston Highway and the suggestion to install a traffic light at No. 6 Road. At this time, the City has no plans to install a traffic light at the No. 6 Road and Steveston Highway intersection, but will continue to monitor traffic volume in the area. Transportation staff have reviewed the proposal and there is capacity in the existing road network to accommodate the proposed 60 rental dwelling units.
- Concern that residents were not able to access the locked public float at Steveston Highway. The public float was constructed through the approved Servicing Agreement and was opened this year to the public in July, 2011.

A further meeting was held on May 16, 2011 for the strata council of the Pier 1 building. The strata council president provided the following comments regarding the proposal:

- Appreciation of proposed concrete and glass building materials and contemporary design for the proposed building at 14000 Riverport Way.
- Advice to carefully consider the location of any coloured glass to avoid impacting views from the building out to the river.
- Appreciation of Steveston Highway completion and provision of street parking along both Riverport Way and Steveston Highway.
- Concern that residents were not able to access the locked public float at Steveston Highway, See open house comments above.

Public correspondence has been received from Fraser Lands Planning Area resident, Gabrielle Grun, urging the City to provide sanitary sewer service to the Riverport residents. As noted above, the existing waterfront community and proposed development will be serviced by the private sewage treatment plant for the Riverport Sports and Entertainment Complex. The City has no plans to extend sanitary sewer service in the vicinity.

Staff Comments

Project Description

• The applicant proposes approximately 60 market rental apartment housing units with ground level commercial space (approximately 68 m²) within a building consisting of a mid-rise and associated parking structure that is partially submerged and partially screened by ground floor spaces of the mid rise building and landscaping.

- The proposed mid rise development also includes outdoor amenity space on the parking structure roof, and ground level indoor amenity space and community meeting space (approximately 83 m²).
- The proposed shared parking structure provides for the rental residential, visitor and limited commercial parking needs for both the proposed mid rise building at 14000 Riverport Way and the approved low-rise building under construction at 14088 Riverport Way. Parking for residents is provided on both properties, with limited shared use of the parking on the 14000 Riverport Way lot. Parking for visitors and commercial use is provided on the 14000 Riverport Way lot, with shared use for both lots. Registration of a legal agreement on Title to the lot at 14000 Riverport Way is a requirement of the zoning text amendment to provide the following benefits for the lot at 14088 Riverport Way: access to/egress from the underground parking structure; 15 resident parking spaces; and 16 visitor parking spaces.

Analysis

Land Use

- The proposed development complies with the OCP and follows the development pattern for the local waterfront neighbourhood. As noted previously, the subject site is designated in the Specific Land Use Map as 'Limited Mixed-Use'.
- As previously noted, the original site contained contamination and has undergone soil remediation with the phases of development. The remaining subject site is in the process of applying to have the completed soil remediation work cleared to a residential standard. Approval from the Ministry of Environment is a requirement of the zoning text amendment.

"18.14 Low Rise Apartment (ZLR) - Riverport" Site Specific Zone

"Low Rise Apartment (ZLR) — Riverport" site specific zoning was tailored for the waterfront
community through the approved rezoning (RZ 03-234655), with different criteria for each
of the portions of the site identified as Area A, B and C. Changes are needed to the site
specific zone to allow for the proposed rental apartment housing building on Area A and to
allow for a rental residential parking rate for both Area A and B.

Proposed Changes:

- Revising the title of the site-specific zone to read "Low to Mid Rise Apartment (ZLR) –
 Riverport" to accommodate the proposed mid-rise 7-storey rental apartment housing building
 in Area A (14000 Riverport Way). The four-storey rental and market residential buildings in
 Areas B (14088 Riverport Way) and C (14100, 14200 & 14300 Riverport Way) are low-rise
 buildings.
- Allowing apartment housing and associated minor community care facility and home business in Area A.
- Eliminating outdoor storage, which is a permitted in Area A only. This use accommodates
 the originally envisioned mixed-use facility with dry boat storage and is no longer
 appropriate with rental and market residential uses.

- Increasing the permitted density in Area A from 1.0 to 1.91, provided that the increase is used to provide apartment housing, and an additional 0.1 for amenity and community amenity space. The increase in density is needed for the proposed 60 market rental apartments, limited commercial, indoor amenity and community amenity space. The applicant has demonstrated the feasibility of accommodating the proposed density within the site.
- Decreasing the minimum side yard (East) in Area A from 18.0 m to 8.5 m. This setback is measured from the East property line and exceeds the parking structure setback in the approved 2004 Development Permit.
- Increasing the maximum building height in Area A from 18.0 m to 22.5.
- Including a new site specific parking rate in Area A and Area B for rental apartment housing at a rate of 1.32 parking spaces per rental apartment (1.19 parking spaces per unit after TDMs), provided that the rental use is secured with a legal agreement registered on Title. There is an existing legal agreement registered on Title requiring that any hotel, dormitory or rental buildings be used for that purpose in perpetuity. Discharge and registration of a new legal agreement is a requirement of the zoning text amendment to clarify the rental apartment proposal specifics, location and to update the document to current City standards.
- Deleting the on-site parking and loading requirement to provide 460 on-site parking spaces in total in Areas A, B, and C. This requirement was reduced to 420 parking spaces through the approved Development Permit (DP 04-269797). The current proposal is different from the originally envisioned uses for site A, and the new parking need is identified in the parking analysis prepared by the owner's transportation consultant and accepted by transportation staff. With the proposed 115 parking spaces in Area A, a total of 438 parking spaces is provided in Areas A, B and C.

Public Amenities

The following public amenities will be provided as a requirement of the zoning text amendment:

- An additional market rental apartment housing building at 14000 Riverport Way, with limited ground floor non-residential use. In total, two (2) market rental apartment housing buildings will be part of this waterfront community, with the approved rental apartment housing building under construction at 14088 Riverport Way. A legal agreement will be registered on Title to both lots to prohibit strata-titling, subdivision and to secure the rental use in perpetuity. Approximately 140 dwelling units will be provided in total, with 80 dwelling units under construction and an additional 60 dwelling units proposed.
- A 74.3 m² (800 ft²) meeting room for community use, and associated legal agreement to
 ensure access and use of the community meeting space for all residents in the waterfront
 community.
- Voluntarily contribution of \$0.75 per buildable square foot (e.g. \$40,742) to the City's Public Art fund or towards installation of Public Art on-site through participation in the City's Public Art Program. The applicant is investigating opportunities for integrating public artwork into the Riverport Way building façade.
- Statutory Rights-of-Way for utilities and public rights-of-passage over the boulevard and sidewalk at the Steveston Highway and Riverport Way intersection (design and construction of works secured via Servicing Agreement SA 02-218175).

Comparison to Previous Site A Proposal Under Approved Rezoning (RZ 03-234655):

- A 74.3 m² (800 ft²) meeting room for community use was proposed this amenity is included in the subject development.
- A dry boat storage shed (30-vessel) for area residents, together with a boat launch and lift
 facility was proposed this amenity is no longer proposed. Instead, the owner is proposing
 to provide market rental apartment housing to address the community need.

Public Amenities Provided Through Approved Rezoning (RZ 03-234655):

- Rights-of-way for public use were secured over all areas not occupied by buildings or private patio, including the public piers and float.
- Rights-of-way were secured for dike public walkway, access and maintenance.
- Road dedication was provided for new road (Riverport Way).
- Land was exchanged at No. 6 Road and Triangle Road and City land along Steveston Highway.
- \$43,615.00 was received for a waterfront walkway in the City-owned lands to the north:
- \$50,000.00 was received for child care.
- \$10,000,00 was received for child care or Public Art.
- · A Servicing Agreement was entered into for the following works:
 - a. New frontage road (Riverport Way).
 - Steveston Highway improvements across the frontage and extending to Entertainment Boulevard.
 - c. Three (3) public piers, float, Steveston Highway pedestrian plaza, and continuous waterfront walkway, dike maintenance and access improvements.
 - d. Parking area and improvements in the City-owned lands to the north.

Amenity Space

- The proposed development will provide approximately 125.4 m² indoor amenity space for the use of the residents, which exceeds the requirements of the OCP (100 m²). The proposed indoor amenity space is provided in two (2) ground level meeting rooms, one (1) of which will also be available for community use, as a requirement of the zoning text amendment.
- The proposed development will provide approximately 618 m² of outdoor amenity space for the use of the residents, which far exceeds the requirements of the OCP (360 m²). The proposed outdoor amenity space is provided at the second level on the roof of the concrete parking structure.

Sustainability Measures for proposed building at 14000 Riverport Way:

- The applicant has identified the following sustainability measures for the development proposal:
 - Densification with addition of market rental apartment housing and supporting limited commercial space in close proximity to local employment opportunities and recreation amenities.

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- o Landscape design will include indigenous species, similar to previously approved and existing landscape treatment at 14088, 14100, 14200, and 14300 Riverport Way.
- o Water efficient low flow fixtures are proposed with dual flush toilets in residential units.
- Energy efficiency high efficiency boiler proposed for general heating for the proposed building; efficient lighting throughout building with automated sensors in parking area; efficient LED lighting in corridors; programmable thermostats in commercial and amenity areas, natural day lighting to reduce the need for artificial lighting; and high efficiency heating, ventilation and air conditioning system.
- o Passive Solar Design Intensive green roof for raised outdoor amenity space courtyard, and high albedo ('white roof') roofing membrane for upper roof to mitigate heat gain/ urban heat island effect, 30 40% solid insulated wall, 60 70 % wall glazed with low-E argon filled double glazed window wall system, and partial shading from projecting slab edges.
- o Air quality low VOC (volatile organic compound) paints, carpeting, and adhesives.
- o Recycling secure common area proposed for newsprint, mixed paper, cardboard, container, and organics recycling along with garbage.
- 6 Alternative forms of transportation locating market rental apartment housing in close proximity to local employment opportunity; within 200 m of transit service, on-site bicycle storage and proposed transportation demand measures including a bus shelter with pad and special crosswalk.
- The applicant has advised that a geothermal system is not practical for this development.

Development Permit

The proposed mid-rise building will be further reviewed through a separate Development Permit application process as a requirement of the zoning text amendment. The review process will consider:

- Detailed Architectural design, with consideration given to relationship with:
 Steveston Highway terminus and streetscape; Riverport Way streetscape, the waterfront dike walkway, neighbouring waterfront community buildings to northeast, and incorporation of Public Art.
- Landscape design for this vacant lot. There are no existing trees on the property.
- Outdoor amenity space programming.
- Accessibility and aging in place measures.
- Principles of Crime Prevention Through Environmental Design (CPTED).
- Acoustic and Mechanical engineering report design recommendations ensure nearby industrial, commercial and rail noise potential is appropriately taken into consideration.
- Provision of off-street parking. A parking rate of 1.19 parking spaces per rental apartment is
 proposed, which complies with the proposed zoning bylaw amendments and the permitted
 reduction based on the owner's commitment to implement the Transportation Demand
 Management (TDM) strategy supported by Transportation staff. The proposed TDM strategy
 includes:

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- Voluntary contribution towards a bus shelter and bus pad at the existing bus stop at Steveston Highway and Entertainment Boulevard (\$25,000), and
- o Voluntary contribution towards a special crosswalk on Steveston Highway at Entertainment Boulevard with wheelchair ramps (\$45,000).
- · Garbage and recycling storage and collection.

Legal Agreements

- Discharge of existing dormitory, hotel and rental use in perpetuity covenant is required for both the 14000 and 14088 Riverport Way lots (BV459923).
- Registration of a Housing Agreement is required for both the 14000 and 14088 Riverport
 Way lots to secure residential market rental use in perpetuity, with the exception of other
 permitted uses at the ground floor level of 14000 Riverport Way, and prohibiting subdivision
 or strata-titling (consolidation is permitted).
- Discharge of existing offsite parking agreement covenants, easement, and priority
 agreements is required for both the 14000 and 14088 Riverport Way lots for access to/from
 the underground parking structure at 14088 Riverport Way via the access ramp at
 14000 Riverport Way and securing 43 off-site parking spaces at 14000 Riverport Way for the
 exclusive use of 14088 Riverport Way (BB1703862 through to BB1703867).
- Registration of a legal agreement(s) is required for the 14000 Riverport Way lot to secure for the benefit of 14088 Riverport Way:
 - a. 15 resident off-site parking spaces, 24 hours a day, 7 days a week.
 - b. 16 visitor off-site parking spaces, 24 hours a day, 7 days a week.
 - c. Vehicle access to/from the underground parking structure at 14088 Riverport Way, and to/from the secured off-site parking spaces at 14000 Riverport Way.
- Registration of a legal agreement is required for the 14088 Riverport Way lot to allow access/egress of pedestrians to/from the underground parking northeast exit stairwell on the 14000 Riverport Way lot.
- The granting of Statutory Right-of-Ways for Public-Rights-of-Passage and utilities purposes
 is required over the 14000 Riverport Way lot for the boulevard and sidewalk at the southwest
 corner (design and construction of works secured via SA 02-218175).
- Discharge of existing noise covenant is required for the 14000 Riverport Way lot (BV459921).

- Registration of a Noise Sensitive Use Restrictive Covenant is required for the 14000 Riverport Way lot to ensure mitigation of industrial and railway noise potential (branch line) is incorporated into dwelling unit design and construction to achieve the following:
 - a. Indoor sound level criteria (with doors and windows closed):

Portion of Dwelling Unit	Maximum Noise Levels (decibels)
Bedrooms	35 dB
Living, dining, and recreation rooms	40 dB
Kitchen, bath, hallways, and utility rooms	45 dB

- b. Indoor thermal comfort standard (with doors and windows closed throughout all seasons): ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy"
- Registration of a Dike Maintenance Agreement (DMA) is required for the 14000 Riverport Way lot, including:
 - a. A provision for structures to encroach within the minimum 7.5 m setback from the dike right-of-way (flood plain designation and protection Bylaw 8204). The structures shall be for the purpose of habitable space, parking, vehicle and pedestrian circulation, and subsurface structure(s) that have been engineered to support a future raised dike. The Owner shall be solely responsible for liability and maintenance of encroachments to the City's satisfaction. The Owner shall be responsible at the Owner's cost to maintain structure(s) or reinstate dike toe approved by the Province.
 - b. The provision of an Engineering Report with specifications to the satisfaction of the City, as an attachment to the DMA, and if required, addressed to the City. The report should address all aspects of the development that have the potential to adversely impact the dike. Aspects should include but not be limited to:
 - i) Structural Building Integrity: all structures will be designed to accommodate a future dike height of 5.5 m plus dike maintenance vehicle loading (H20).
 - ii) Inspection and Maintenance Schedule of Structural Elements: for use by future owners, this will provide a recommended schedule of inspection and maintenance requirements for all structures that interact with the dike.
 - iii) Building Drainage: detail how any proposed drainage system will operate such that they will not negatively impact the dike or the storm sewer system.
 - iv) Construction Methodology: detail construction activities/methodologies that will be used and how they may impact the dike.
 - c. The provision of a statutory right-of-way (SRW) agreement granting the City permission and access to maintain or remove encroaching structures.
 - d. A provision that the Owner shall be responsible for on-site restoration and grade transition works to provide an appropriate interface between the development and any future higher dike.

- Registration of a Noise Sensitive Use Restrictive Covenant is required for the 14000 Riverport Way lot to ensure mitigation of industrial and railway noise potential (branch line) is incorporated into dwelling unit design and construction to achieve the following:
 - a. Indoor sound level criteria (with doors and windows closed):

Portion of Dwelling Unit	Maximum Noise Levels (decibels)
Bedrooms	35 dB
Living, dining, and recreation rooms	40 dB
Kitchen, bath, hallways, and utility rooms	45 dB

- b. Indoor thermal comfort standard (with doors and windows closed throughout all seasons): ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy"
- Registration of a Dike Maintenance Agreement (DMA) is required for the 14000 Riverport Way lot, including:
 - a. A provision for structures to encroach within the minimum 7.5 m setback from the dike right-of-way (flood plain designation and protection Bylaw 8204). The structures shall be for the purpose of habitable space, parking, vehicle and pedestrian circulation, and subsurface structure(s) that have been engineered to support a future raised dike. The Owner shall be solely responsible for liability and maintenance of encroachments to the City's satisfaction. The Owner shall be responsible at the Owner's cost to maintain structure(s) or reinstate dike toe approved by the Province.
 - b. The provision of an Engineering Report with specifications to the satisfaction of the City, as an attachment to the DMA, and if required, addressed to the City. The report should address all aspects of the development that have the potential to adversely impact the dike. Aspects should include but not be limited to:
 - Structural Building Integrity: all structures will be designed to accommodate a future dike height of 5.5 m plus dike maintenance vehicle loading (H20).
 - ii) Inspection and Maintenance Schedule of Structural Elements: for use by future owners, this will provide a recommended schedule of inspection and maintenance requirements for all structures that interact with the dike.
 - dii) Building Drainage: detail how any proposed drainage system will operate such that they will not negatively impact the dike or the storm sewer system.
 - iv) Construction Methodology: detail construction activities/methodologies that will be used and how they may impact the dike.
 - The provision of a statutory right-of-way (SRW) agreement granting the City permission and access to maintain or remove encroaching structures.
 - d. A provision that the Owner shall be responsible for on-site restoration and grade transition works to provide an appropriate interface between the development and any future higher dike.

331584) PH - 107





RZ 11-565675

Original Date: 03/02/11

Revision Date:

Note: Dimensions are in METRES





RZ 11-565675

Original Date: 03/02/11

Revision Date:

Note: Dimensions are in METRES

BC	
14,000 & 14,088 RIVERPORT WAY, RICHMOND, BC	
WAY,	
RIVERPORT	DEVEL OPMENT
14,088	DEVE E
14,000 &	RENTAI

	14,000 & 14,088 Riverport Way	iverport Way		Date: Revision	26-Aug-11 Revision 09
Site Summary:	. 14000		14088		Combined
Net Size Area (sf)	28,442,4 sq.f.	30.17	32,216		80,558 sq.ft.
Net Site Area (ac)	9.65	acres	6.74	STUSS	1,39 acres
Setback - Side (north west)	9.80 fv	3.0 m			
Setback - Front (south)	3.80 ft	3.0 m			
Setback - Rear (north east)					
Setback - Side (east)	27.38 业 8.5 四	8.5 m			
Commercial Amenity & Meeting	14000				

Commercial Amenity & Meeting	14000		
CRU Area	735 sq.ft.		
Amenity & Meeting (450 & 900)	1350 sq.f.		
Lobby	1053 Sq.ft.	2000	200
Rental Housing	14000	14088	Combined
Unit Count	SO units	SO units	140 units
Units Per Floor	20	ឧ	
Gross Residential Rental Avea	53,455 SQ.L.		
Average Unit Size	775 sq.t.	502 sq.f.	
Bylaw Allowable Floor Area	14900		
Net Floor Area (Corn. & Res.)	54,324,90 sq.ft.		
Amenity (Meeting Room 1 & 2)	2844 sq.f.	OD CHARLES OF THE CASE OF THE	
	57,169 sq.ft.	48,324 50.1	
Proposed Floor Area	14000		
Net Grass Floor Area (Com. & Res.)	51967.2 sq.t.		

Amenity (Meeting Room 1 & 2)	1,480 sq.f.		
	53,447 sqt.		2000
Unit Mix	14000 (ave. size)	14088 (zve. size)	Combined
Studio	**	25 (376 s.f.)	x
1-Bed+	24 (635 s.f.)	52 (541 s.f.)	æ
2-Bed+	35 (886.5.1.)	3 (753 s.f.)	8
Total:	8	88	140
Proposed Density Summary	14000	\$4088	Average
Floor Area Ratio Floor Area Ratio - Amenity	1.94 0.1	1.50	1.75
	1000	4 4000	

TOOL AVER KING - AMERICA	5				
Parking Summary	1:4000	1408\$	Combined		
Bylaw Requirement					1
# res. units x 1.32/unit x 0.9 (residential)	71.2 stats	95.0 stalls*	167	Stats	
# res. units x 0.2/unit (vestor)	12.0 stalls	16.0 stalls -	a	SIESS	
Total required (w' reductions)	84.0 stalls	111.0 stals**	185	Stals	
Proposed Parking:					
Regular Stalls	25	14	86		
Small Car Stalts	S	37	83		
Handcapped Stalls	N	01	4	Stalls	
Total	515	80	195	Stalls	
Required Bloydle Storage:					
Class 1 secured bive sto. (# units) x 1.25	75 stalls	100 stalls	175		
Class 2 short term bite sto. (# units) x 0.2	12 stats	16 stalk	88	Stalk	
Proposed Bicycle Storage:					

Class 1	186	78 stalls	State 901	178	States
Class 2		18 stalls	16 stalls	B	Stalks
Parking Summary	14000	14088	14100, 14200 & 14300		Total
DV 04-268797	46	8	243		8
Proposed Parking	115	8	243	•	88

"15 cf 95 stalts are provided for on 14,000 Sheeport Way at grade.
"16 of 16 stalts are provided for on 14,000 Rheeport Way at grade.
"3 of 111 stalts are provided for on 14,000 Rheeport Way at grade.
""3 of 115 stalts are given to 14,008 Rheeport Way (at grade stalts).
""4 All 80 stalts on 14,008 are residental particing stalts.



DRAWING LIST	ARCHITECTURAL

PROJECT INFORMATION

COMERCIANCE	STREPLAN COPY OF SURVEY GEA PERWETSINS	FLORENTAL LEVEL P2 (1400.0.5 1478) FLORENTAL LEVEL PAT, FLORENTAL LEVEL PAT, FLORENTAL	ENLING ELEVATIONS (GENERAL) ENLING ELAVATIONS (GENERAL) ENLING ELAVATIONS (GENERAL) STRETTSAME ELEVATIONS (GENERAL) STRETTSAME ELEVATIONS (GENERAL) STRETTSAME ELEVATIONS (GENERAL)	BURLDING SECTIONS SULDING SECTIONS PROPOSED PUTUKS BUILDING SECTIONS
A.O.	A-110	111111	14411	141

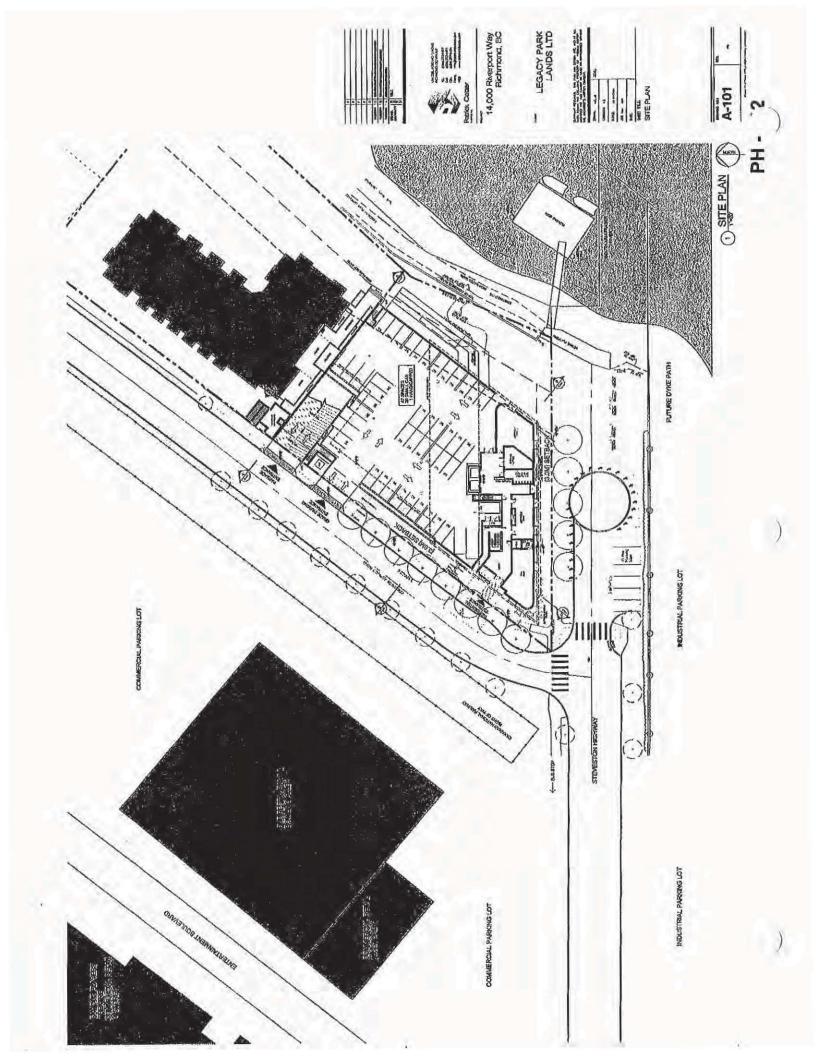
ATTACHMENT 2

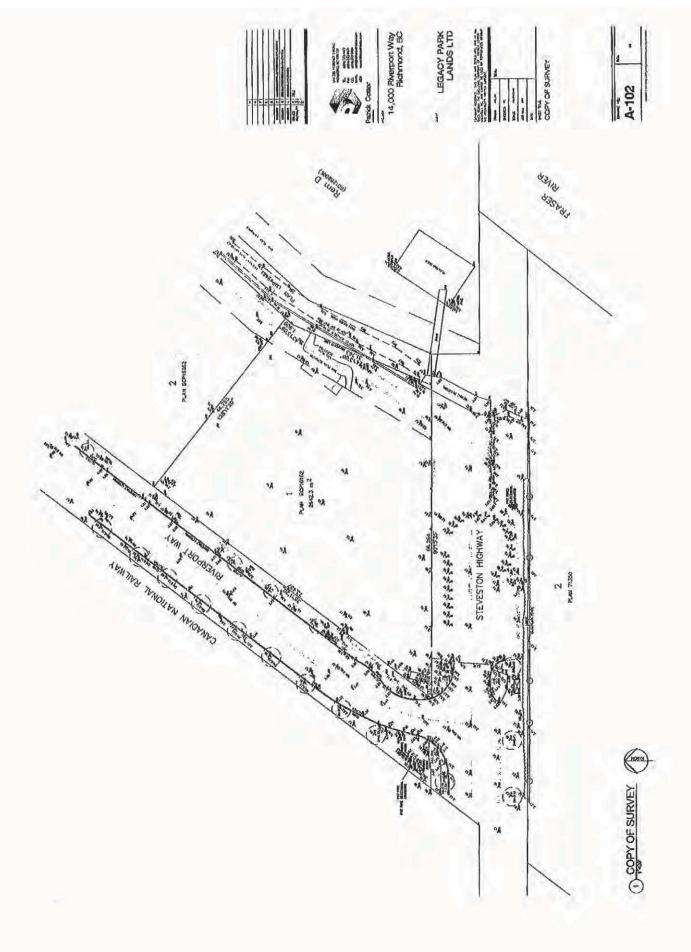
REZONING APPLICATION

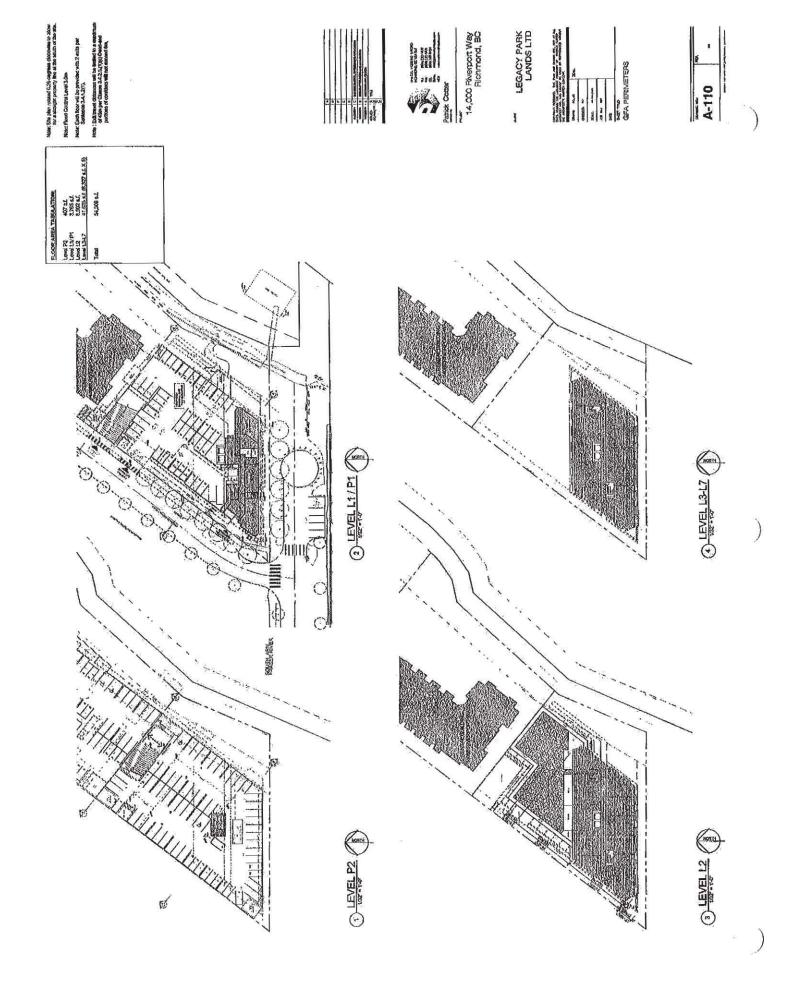
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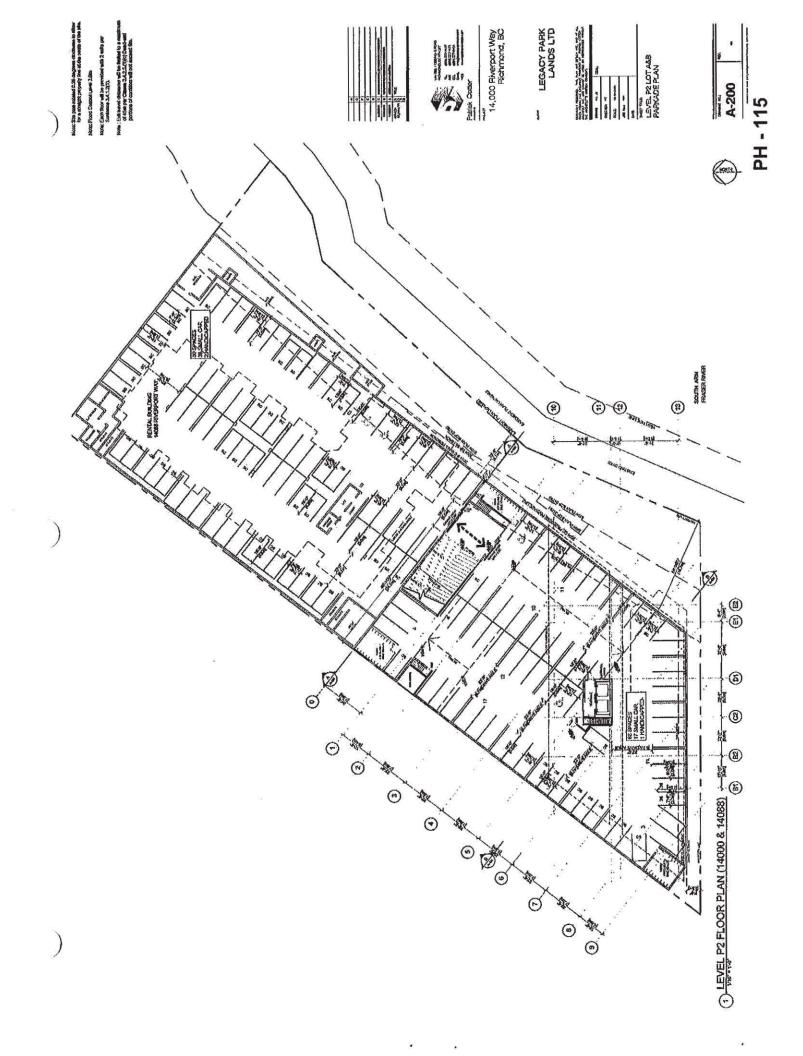


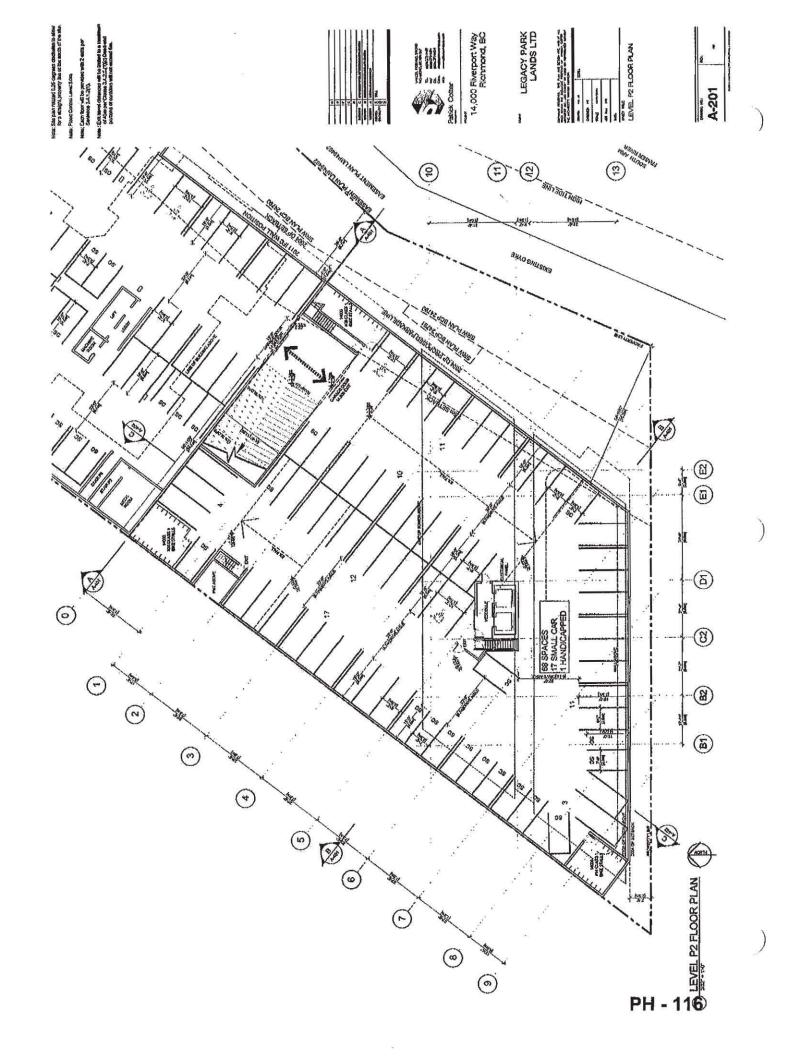


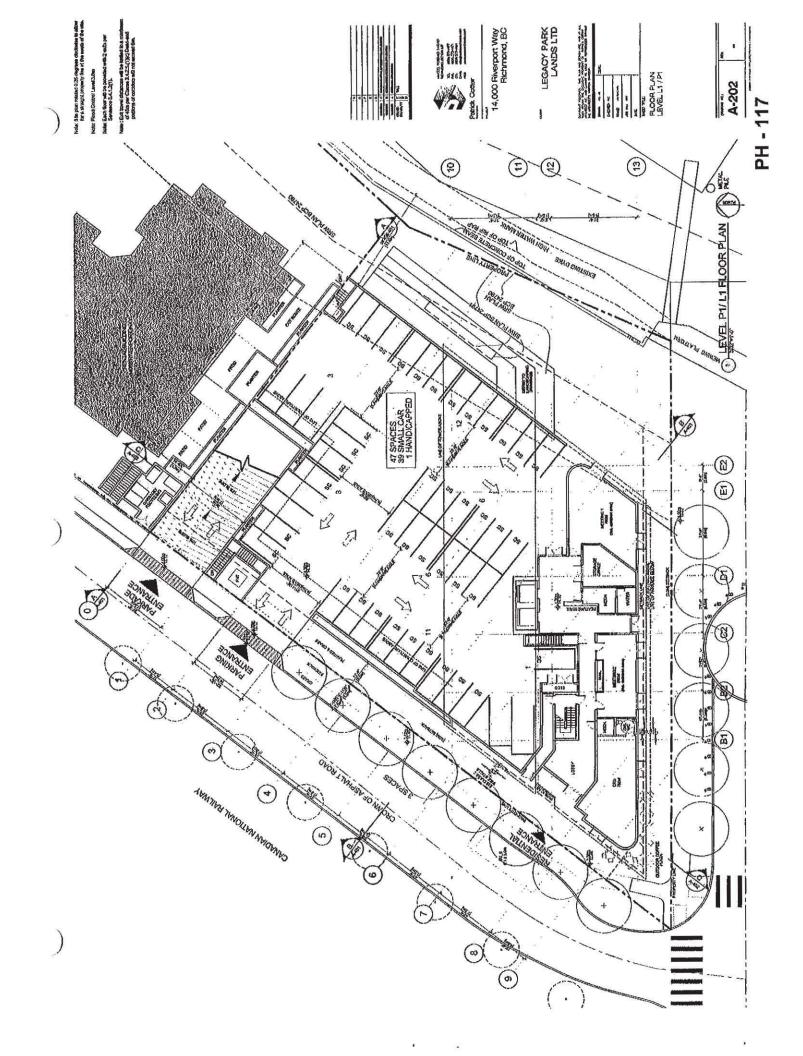


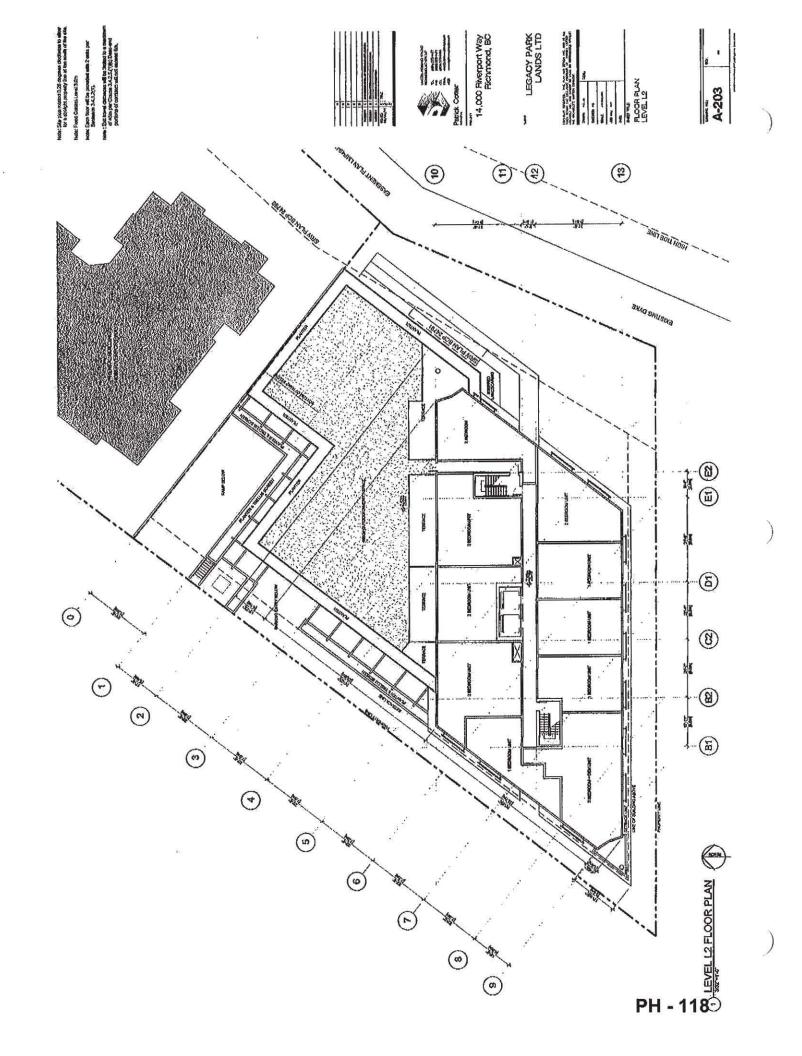


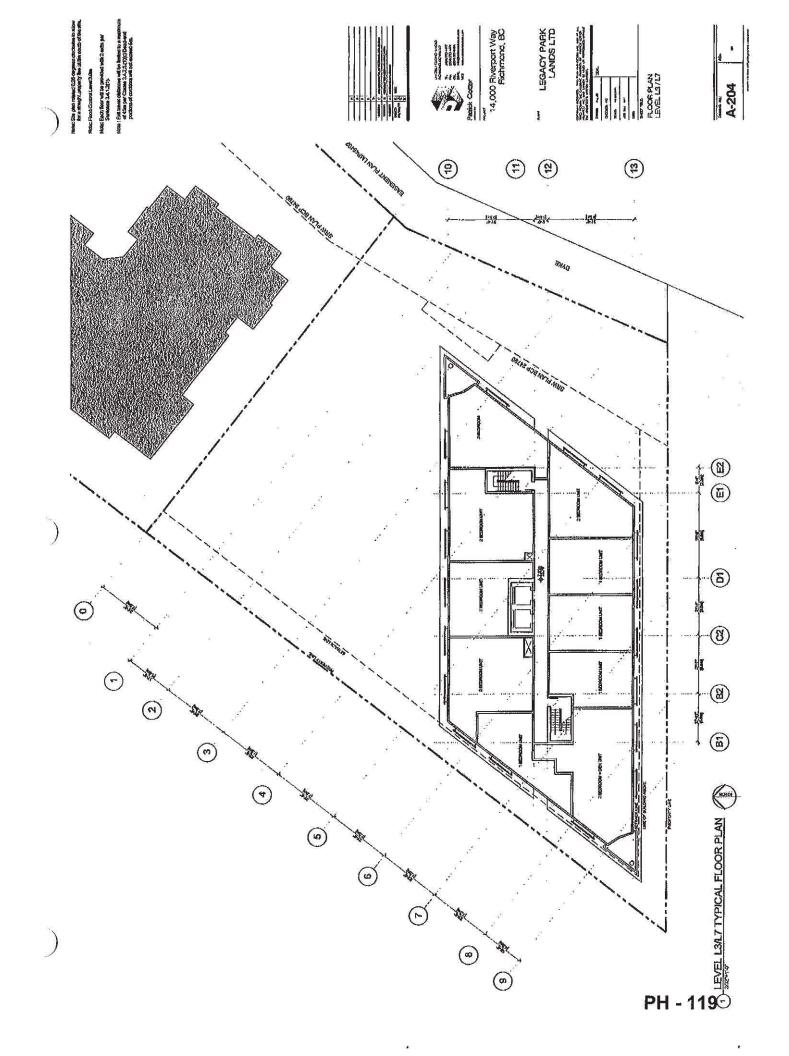
PH - 114

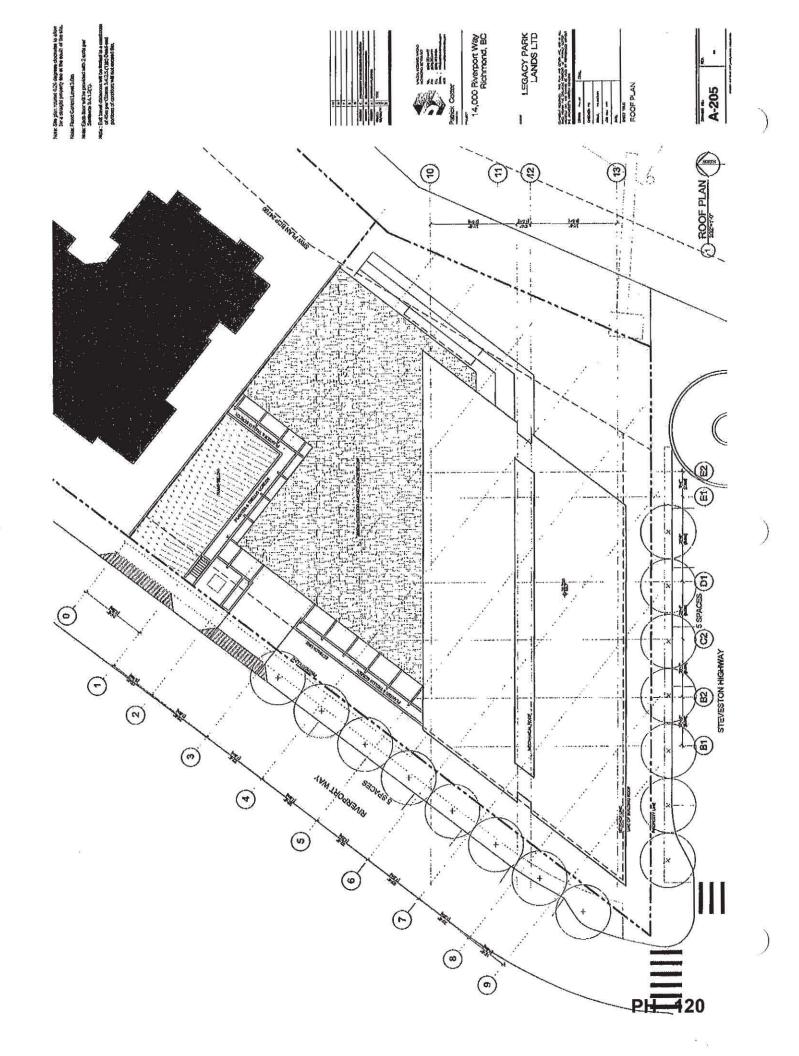


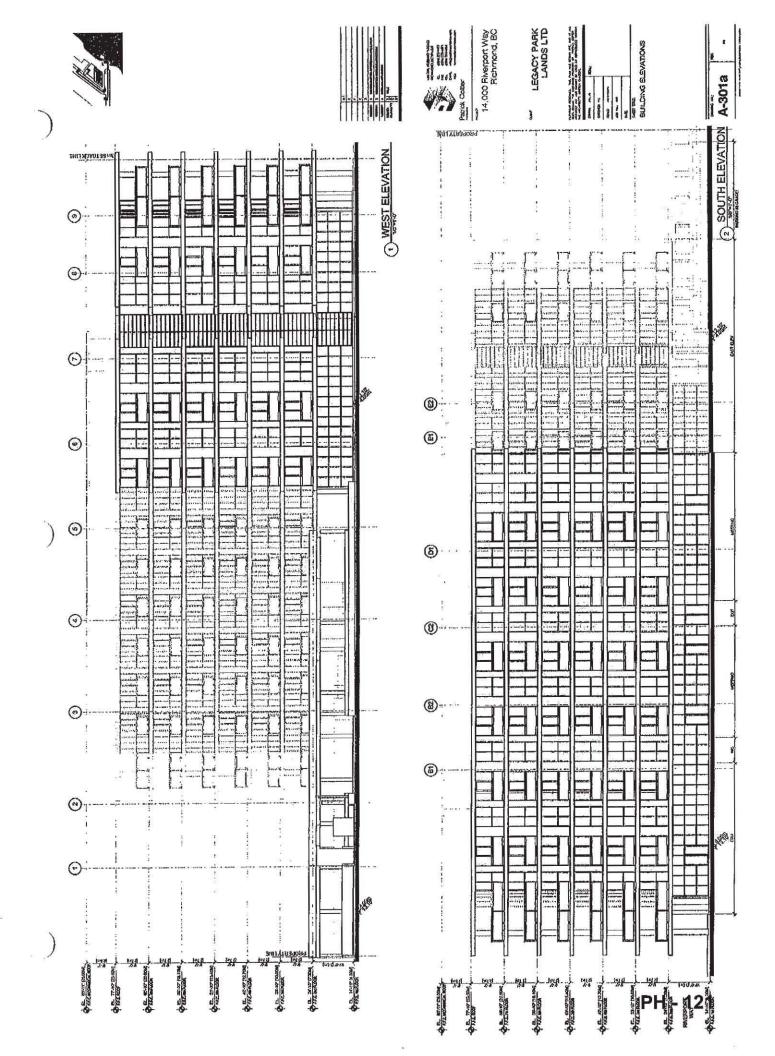


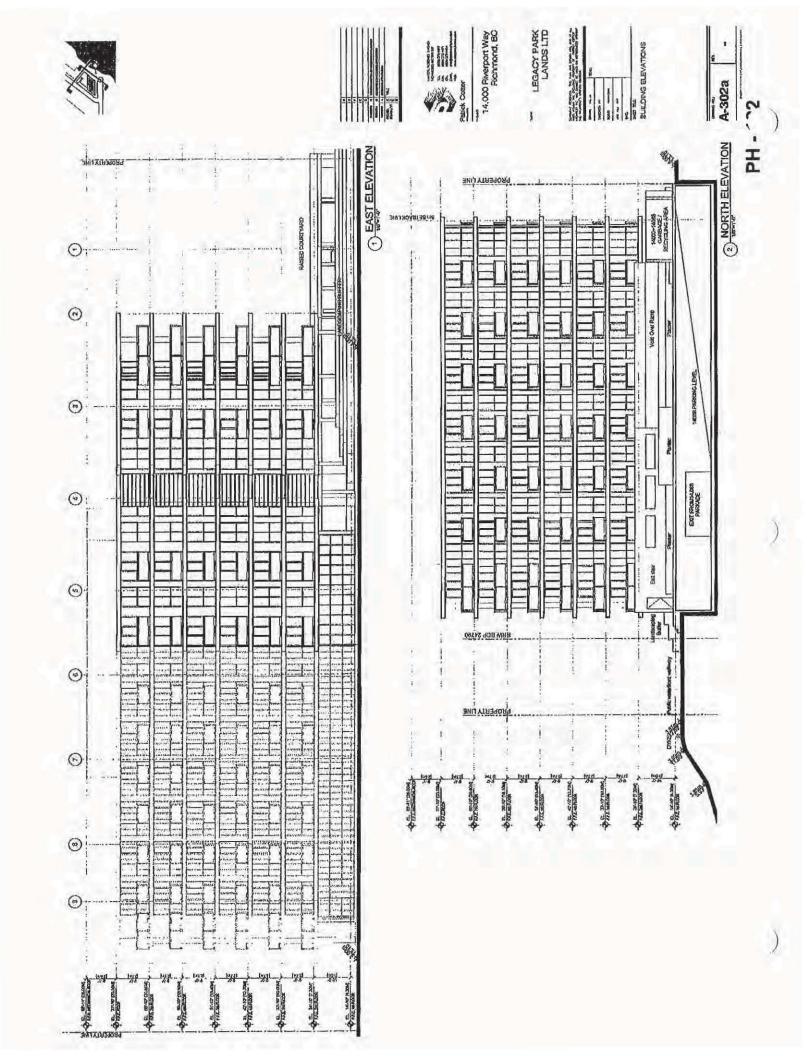


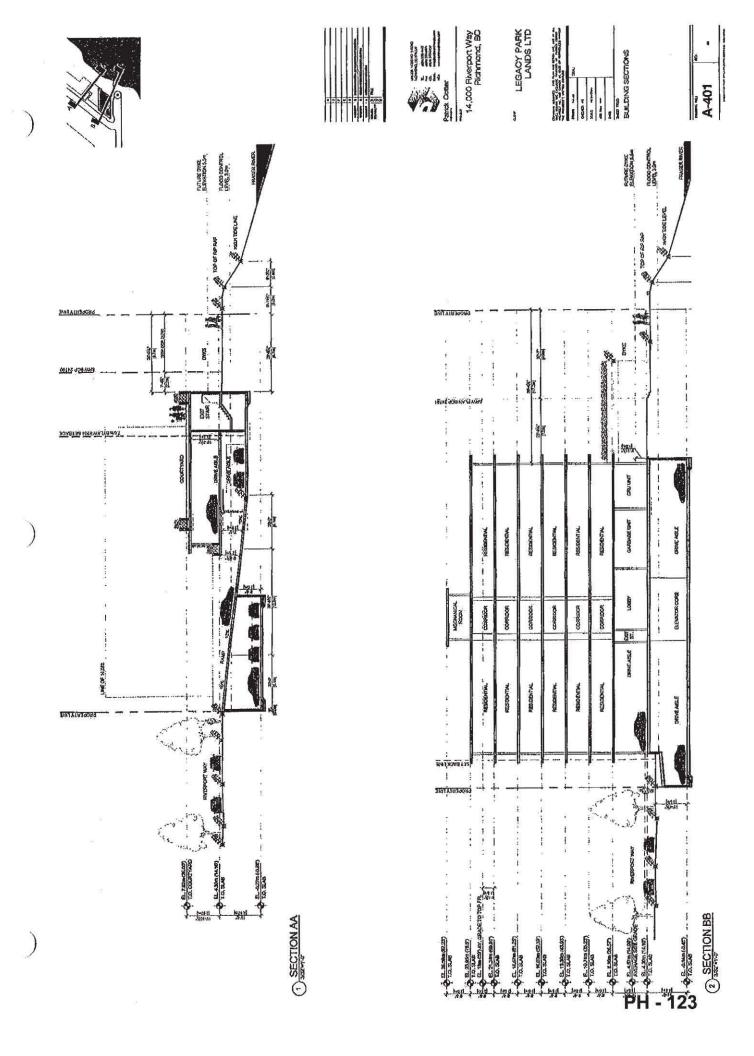




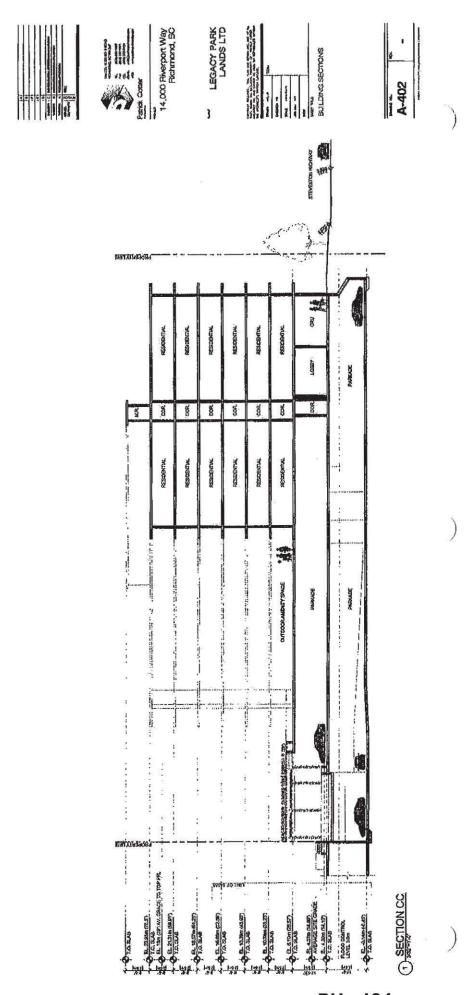




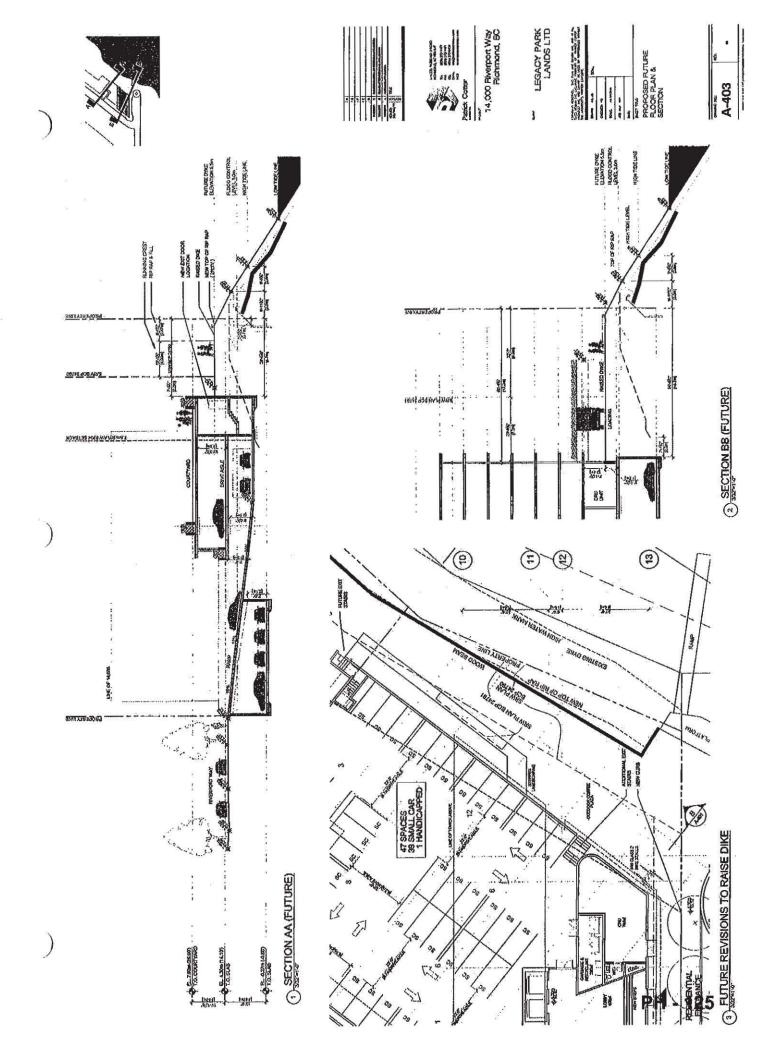


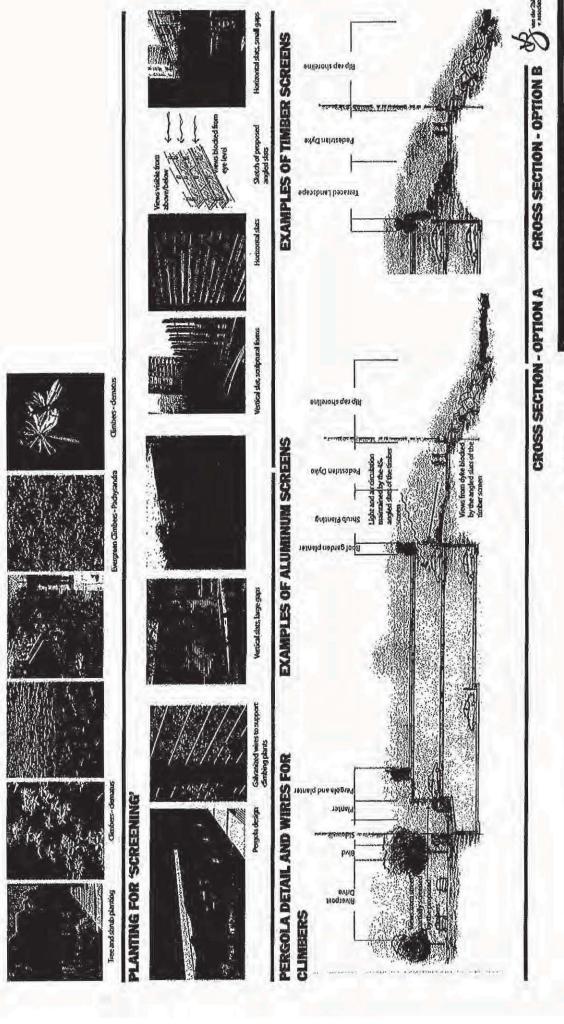




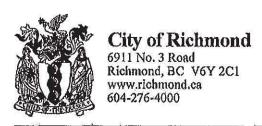


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SKETCH IDEAS SCREEN WALL PRECEDENTS August 2nd, 2011



Development Application Data Sheet

ZT 11-565675

Address: New Building Proposal at 14000 Riverport Way

Applicant: Patrick Cotter Architect Inc.

Planning Area(s): Fraser Lands

14000 Riverport Way	Existing	Proposed
Owner:	Legacy Park Lands Limited	No change
Site Size (m²):	2,642.3 m ²	No change
Land Uses:	Vacant	Market rental apartment housing, community amenity and commercial
OCP Designation:	Limited Mixed Use	No change
Zoning:	Low Rise Apartment (ZLR) – Riverport	Text Amendment
Number of Units:	Vaçant	60 market rental apartments 68.3 m² CRU 83.6 m² community meeting space

Area A (14000 Riverport Way)	Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.91 & Max. 0.1 amenity	1.91 0.05	None permitted
Lot Coverage - Building:	Max. 46%	Approx, 33%	None
Setbacks: Steveston Highway Riverport Way Side yard (East) Rear yard (North)	Min. 1 m Min. 2 m Min. 8.5 m n/a	2.3 m to 3.7 m 0 m to 3.7 m 8.5 to 16.7 m 0 m	None
Height (m):	Max. 22.5 m	22.5 m	None
Off-street Parking Spaces – Resident Visitor Commercial Accessible 14088 Riverport Way Total	After TDMs 72 12 (3) (2) 31 115	After TDMs 72 12 (Visitor Spaces) (2) 31 115	None
Small Car Parking Spaces:	Max. 50%	49% (56 Spaces)	None
Amenity Space – Indoor:	Mln. 100 m²	125.4 m²	None
Amenity Space – Outdoor:	Min. 360 m²	617.8 m²	None

Chronology of Previous Development Applications at Waterstone Pier (14000, 14088, 14100, 14200 & 14300 Riverport Way, formerly 14791 Steveston Highway)

Year	Application No.	Description and Status
1997	RZ 97-117077	The property was rezoned to "Athletics and Entertainment (AE)" from "Light Industrial District (I2)".
1998	SD 97-122612	The City and Legacy Park Lands Ltd. completed a subdivision and land exchange to create development site, for dyking and to provide access to City lands to north.
1998	DP 97-122639	A Development Permit was issued to allow the subdivision provided that identified ESA's in the eastern portion of the area and on parts of the shoreline were preserved.
2000	DP 99-170431	A Development Permit was issued for a concert hall. The Development Permit lapsed on January 24, 2002.
2002	RZ 02-199268	 A Rezoning and Official Community Plan amendment was submitted for a mixed-use development consisting of rental housing, condominiums, dormitories, commercial use and recreational facilities. The bylaws 7370 & 7371 had Public Hearing and Third Reading on June 17, 2002. The GVRD rejected the OCP amendment to the Regional Context Statement on October 29, 2002. The proposal was reviewed and refined. The bylaws were abandoned on June 23, 2003.
2003	RZ 03-234655	 A Rezoning and Official Community Plan amendment was approved for a mixed-use development consisting of rental housing, condominiums, dormitories, commercial use and recreational facilities in 5 buildings. The previous Rezoning application was similar.
2004	DP.04-269797	 A Development Permit was issued for 3 market residential buildings (14100, 14200 & 14300 Riverport Way) and 1 rental residential building (14088 Riverport Way). The design of the rental residential building (14088 Riverport Way) was amended through General Compliance in 2010.

2005	SD 03-246840	A subdivision was completed to create Riverport Way and 3 development parcels (14000, 14088 and 14100/14200/ 14300 Riverport Way).
2005	SA 02-218175	 A Servicing Agreement was executed for the design and construction of: Riverport Way; Steveston Highway; riverfront plaza, piers and float; dike roadway, walkway and improvements; and parking and walkway in the City lands to north. A large proportion of the works are constructed and under maintenance. Temporary frontage improvements need to be replaced with permanent works adjacent to the remaining undeveloped lot at 14000 Riverport Way.
2011	ZT 11-565675	Current rental residential proposal submitted for consideration.

Zoning Text Amendment Considerations 14000 & 14088 Riverport Way ZT 11-565675

Prior to final adoption of Zoning Text Amendment Bylaw 8811, the developer is required to complete the following:

- 1. Discharge existing perpetuity covenant registered on title of both the 14000 & 14088 Riverport Way lots (BV459923).
- 2. Registration of a site specific Housing Agreement on title of both the 14000 & 14088 Riverport Way lots to secure 140 market rental apartment housing units, the combined habitable floor area of which shall comprise all of the subject development's total residential building area (based on the total permitted residential FAR), with the exception of other permitted uses at the ground floor level of 14000 Riverport Way, and prohibiting subdivision or strata-titling (consolidation is permitted). Occupants of the market rental apartment housing units shall enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces provided on that property. The terms of the Housing Agreements shall indicate that they apply in perpetuity and provide for the following:

Property	Number of Units	Total Residential Floor Area
14000 Riverport Way	60	Approx. 4,966.2 m ²
14088 Riverport Way	80	Approx. 4,489.5 m ²
Total'	140	Approx, 9,455.7 m ²

- 3. Registration of a legal agreement on title of the 14000 Riverport Way lot to secure a meeting room for community use (min. 74.3 m² room area) to benefit the 14000 & 14088 Riverport Way lots and strata plan BCS1965 (14100, 14200 & 14300 Riverport Way).
- Discharge existing offsite parking agreement covenants, easement, and priority agreements registered on title of both the 14000 & 14088 Riverport Way lots for access to/from the underground parking structure and securing 43 off-site parking spaces (BB1703862 through to BB1703867).
- 5. Registration of a legal agreement on title of the 14000 Riverport Way lot to secure:
 - a. Vehicle access to/from the underground parking structure for the 14088 Riverport Way lot.
 - b. 15 resident parking spaces, 24 hours a day, 7 days a week, for the 14088 Riverport Way lot.
 - c. 16 visitor parking spaces, 24 hours a day, 7 days a week, for the 14088 Riverport Way lot.
- 6. Registration of a legal agreement on title of the 14088 Riverport Way lot to allow access/egress of pedestrians to/from the underground parking northeast exit stainwell on the 14000 Riverport Way lot.
- 7. The granting of a Statutory Right-of-Way for Public-Rights-of-Passage purposes on title of the 14000 Riverport Way lot for the boulevard and sidewalk at the southwest corner (design and construction of works secured via SA 02-218175).
- The granting of a Statutory Right-of-Way for utilities purposes on title of the 14000 Riverport Way lot for the boulevard and sidewalk at the southwest corner (design and construction of works secured via SA 02-218175).
- 9. Discharge existing noise covenant registered on title of the 14000 Riverport Way lot (BV459921).

- 10. Registration of a Noise Sensitive Use Restrictive Covenant on Title of the 14000 Riverport Way lot to ensure mitigation of industrial and railway noise potential (branch line) is incorporated into dwelling unit design and construction to achieve the following:
 - a. indoor sound level criteria (with doors and windows closed):

Portion of Dwelling Unit	Maximum Noise Levels (decibels)
Bedrooms	35 dB
Living, dining, and recreation rooms	40 dB
Kitchen, bath, hallways, and utility rooms	45 dB

- indoor thermal comfort standard (with doors and windows closed throughout all seasons): ASHRAE
 55-2004 "Thermal Environmental Conditions for Human Occupancy"
- 11. Registration of a Dike Maintenance Agreement (DMA) on title of the 14000 Riverport Way lot, including:
 - a. A provision for structures to encroach within the minimum 7.5 m setback from the dike right-of-way (flood plain designation and protection Bylaw 8204). The structures shall be for the purpose of habitable space, parking, vehicle and pedestrian circulation, and subsurface structure(s) that have been engineered to support a future raised dike. The Owner shall be solely responsible for liability and maintenance of encroachments to the City's satisfaction. The Owner shall be responsible at the Owner's cost to maintain structure(s) or reinstate dike toe approved by the Province.
 - b. The provision of an Engineering Report with specifications to the satisfaction of the City, as an attachment to the DMA, and if required, addressed to the City. The report should address all aspects of the development that have the potential to adversely impact the dike. Aspects should include but not be limited to:
 - Structural Building Integrity: all structures will be designed to accommodate a future dike height of 5.5m (note: all elevations are based on the City's HPN benchmark datum) plus dike maintenance vehicle loading (H20).
 - ii. Inspection and Maintenance Schedule of Structural Elements: for use by future owners, this will provide a recommended schedule of inspection and maintenance requirements for all structures that interact with the dike.
 - iii. Building Drainage; detail how any proposed drainage system will operate such that they will not negatively impact the dike or the storm sewer system.
 - iv. Construction Methodology: detail construction activities/methodologies that will be used and how they may impact the dike.
 - c. The provision of a statutory right-of-way (SRW) agreement granting the City permission and access to maintain or remove encroaching structures.
 - d. A provision that the Owner shall be responsible for on-site restoration and grade transition works to provide an appropriate interface between the development and any future higher dike.
- 12. City acceptance of the developer's offer to voluntarily contribute \$0.75 per buildable square foot (e.g. \$40,742) to the City's public art fund or towards installation of Public Art onsite through participation in the City's Public Art Program.
- 13. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
- 14. Ministry of Environment approval, in a form acceptable to the Director of Development.
- 15. Provincial Dike Authority approval, in a form acceptable to the Director of Engineering.

Prior to future Development Permit* Issuance, the developer must complete the following requirements:

- Finalize parking layout and Transportation Demand Measures (TDMs), which include:
 - a. Voluntary contribution towards a bus shelter and bus pad at the existing bus stop at Steveston Highway and Entertainment Boulevard (\$25,000), and
 - b. Voluntary contribution towards a special crosswalk on Steveston Highway at Entertainment Boulevard with wheelchair ramps (\$45,000).
- Submission of a Title summary report of existing charges on Title, with lawyer's assessment recommendations on whether charges/modifications/discharges are required to achieve the development proposal.

Prior to future Building Permit* Issuance, the developer must complete the following requirements:

- Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division.
 Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
- Registration of a geotechnical/subsidence covenant on title to the lands, if needed.
- Registration of an alternative solution (Building Code equivalency) covenant on title to the lands, if needed.
- Obtain a separate Building Permit* (BP) for any construction hoarding. If construction hoarding is required
 to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City
 approvals and associated fees may be required as part of the Building Permit.

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- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal
 covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

Signed copy on file		
Signed	Date	<u> </u>



Richmond Zoning Bylaw 8500 Amendment Bylaw 8811 (ZT 11-565675) 14000 AND 14088 RIVERPORT WAY

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

- 1) Richmond Zoning Bylaw 8500 is amended by:
 - a) Amending the title of the site specific zone to read "18.14 Low to Mid Rise Apartment (ZLR14) Riverport"
 - b) Amending 18.14.1 (Purpose) to read "The zone provides for medium density, low to mid rise apartment housing, rental apartment housing, and limited commercial uses in the Riverport area."
 - c) Amending 18.14.2 (Permitted Uses) and 18.14.11.1 (Other Regulations) to delete reference to "outdoor storage"
 - d) Amending Section 18.14.4 (Permitted Density) by inserting:
 - "18.14.4.3 The maximum floor area ratio for Area A is increased by an additional 0.1 floor area ratio provided that it is entirely used to accommodate amenity space or community amenity space.
 - 18.14.4.4 Notwithstanding Section 18.14.4.2, the reference to "1.0" is increased to a higher density of "1.91" if prior to the first occupancy of the building, the owner:
 - a) provides in the building rental apartment housing units and the combined habitable space of the total number of rental apartment housing units would comprise at least 50% of the total building area; and
 - b) enters into a housing agreement with respect to the rental apartment housing units and registers the housing agreement against the title to the lot, and files a notice in the Land Title Office."
 - e) Amending clause 18.14.6.2.a (Minimum side yard) to read "Area A: 8.5 m for buildings and accessory buildings; 1.0 m for accessory structures;"
 - f) Amending 18.14.7.1.a (Permitted Heights) to read "Area A: 22.5 m;"

g) Amending clause 18.14.10.1 (On-site Parking & Loading) to read "On-site vehicle and bicycle parking and loading shall be provided according to the standards set out in Section 7.0, except that:

In the areas identified as Area "A" and Area "B" in Diagram 1 in Section 18.4.4.1

a) On-site parking shall be provided at the rate of:

Residential Use	Minimum Number of Parking Spaces Required per Dwelling Unit			
	For Residents	For Visitors		
Rental housing,	-1:32	0.2"		

- h) Deleting clause 18.14.10.2 (On-Site Parking & Loading)
- i) Deleting clause 18.14.11.3 (Other Regulations)
- j) Amending clause 18.14.11 (Other Regulations) by inserting:
- "18.14.11.3 The following uses are only pe

The following uses are only permitted within the area identified as Area "A" in Diagram 1 in Section 18.14.4.1, if any apartment housing use is limited to rental only and is secured by a housing agreement registered against the title to the lot in the Land Title Office:

- a) housing, apartment;
- b) community care facility, minor; and
- c) home business"

18.14.11.4

For the purposes of this zone only, a housing agreement means an agreement in a form satisfactory to the City that restricts the occupancy of the dwelling unit to rental tenure."

This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8811".

FIRST READING	5 In	X	SEP 2.6 2011	CITY OF RICHMOND
PUBLIC HEARING	2			APPROVED by
SECOND READING				APPROVED by Director Our Solicitor
THIRD READING				A Solicitor
OTHER REQUIREMENTS SATIS	SFIED			
ADOPTED	•¢			
¥		2		*



Memorandum

Planning and Development Department Development Applications

To:

Mayor and Councillors

Date:

October 6, 2011

From:

File:

RZ 11-565675

Brian J. Jackson, Director of Development

Dena Kae Beno, Affordable Housing Coordinator

Re:

Mixed-Use Market Rental Apartment Housing Proposal at

14000 & 14088 Riverport Way

Purpose of Memo

On September 26, 2011, Council gave First Reading to the Patrick Cotter Architect Inc. zoning text amendment proposal regarding 14000 & 14088 Riverport Way. The issue of affordable housing was discussed, and Council made the following referral requesting further information:

"staff was directed to provide information for the Public Hearing, on the strategy used in determining the density for this application."

The purpose of this memorandum is to respond to this request.

Proposed Density

Staff carefully reviewed the applicant's request to change land uses and increase density from 1.0 FAR to 1.91 FAR to accommodate a new mixed-use purpose built rental apartment building on the development site at 14000 Riverport Way. Staff considered the following in determining an appropriate density for the site:

- ability of site to maximize amount of market rental residential housing;
- ability of site to accommodate building massing;
- ability of site to accommodate adequate parking for commercial and residential uses;
- opportunity to provide a taller landmark building at the East end of Steveston Highway on the River's edge;
- fit with neighbouring 1.5 FAR density market rental residential housing development (see Table 1 below);
- need for higher density to offset more expensive higher quality concrete construction; and
- requirements for neighbourhood meeting room, and indoor and outdoor amenities for residents.

The proposed increased density of 1.91 FAR allows the project to shift from wood construction to more expensive concrete construction, which provides the following benefits:

- Longer building life (approximately 100 years);
- · Lower maintenance costs with reduced materials shrinkage; and
- Improved resident privacy with reduced lower pitch vibration noise transmission from floor to floor.

Table 1: 14000 & 14088 Riverport Way: Comparison of Density and Land Uses

	Permitted FAR	Proposed FAR	Permitted Uses	Proposed Uses
14000 Riverport Way	1.0	1.91 + 0.1 amenity	Child care Dormitory Hotel Office Parking, non accessory Private club Restaurant Retail, General Outdoor storage	68.3 sq.m. CRU Deleted: Outdoor storage Housing, apartment (60)*
14088 Riverport Way	1.5	1.5	Child care Dormitory Hotel Office Parking, non accessory Private club Restaurant Retail, General Housing, apartment*	Housing, apartment (80)*

Apartment Housing* may include the following permitted secondary uses:

- residential security/operator unit
- · community care facility, minor
- home business

Market Rental Support to Affordable Housing

Canada Mortgage and Housing Corporation (CMHC) reports that the Richmond rental housing vacancy rate was 1.5% in October 2010 and is anticipated to decline modestly in 2011. Moreover, CMHC indicates that a strong rental demand will remain due to a number of factors, including:

- · The region's diverse economy and role as the gateway to Asia-Pacific immigrants;
- · The anticipated location for 40,000 new residents annually; and
- Anticipated employment growth (e.g. Attracting and keeping knowledge based workers is
 integral to supporting a strong economy in coming years. Technical Industries employ
 knowledge workers who are highly mobile and often depend on rental housing located near
 employment).

The Urban Futures report entitled: "Community-level Projections of Population, Housing and Employment" prepared for the City's 2041 OCP Update, suggests that Richmond's share of new apartments in the Region will decline from 11 percent in 2009 to 6 percent in 2041. Some of the reasons cited are:

- Increased competition throughout the region for this housing form;
- · Regional availability of land in other areas; and
- Region-wide densification patterns.

The report also reveals that 77 percent of Richmond's condo apartment development is anticipated to be located in the City Centre. With these considerations in mind, the Riverport application provides a unique opportunity to develop much needed rental housing in an area outside of the City Centre, which will:

- Meet growing rental demand;
- · Relieve pressure on vacancy rates; and
- Serve as dedicated rental housing stock in perpetuity.

Staff recognize that it is financially challenging to develop purpose-built rental housing in the absence of Senior government funding or incentives. In the absence of such programs or other incentives (e.g. Vancouver's Short Term Incentives for Rental development), rental revenue will be required to offset the project's debt-servicing costs; whereas, a private condominium development would utilize unit sales revenue. Further, independent studies for Metro Vancouver and Vancouver, confirm that both concrete and wood-frame, purpose-built market rental developments are at a capital cost disadvantage relative to condo apartment developments. Thus, challenges exist to achieve viable project economics to support both the development and delivery of market rental housing.

Decreased rental housing starts and forecasted future rental demand impose on-going pressure on existing rental stock. For example, the CMHC report entitled: "Rental Market Report-Vancouver and Abbotsford CMAs" released in the Fall of 2010 reflected that 20 of the 1,088 one-bedroom units in Richmond were vacant and 15 of the 1,065 two-bedroom units were vacant. The report also reveals that average Richmond market rents range from \$724 for bachelor units to \$1,096 for two-bedroom units.

Securing additional purpose-built rental stock is considered important, both for households who are not able to or for those who choose not to purchase housing. At this time, the applicant is not able to set rental rates as a full accounting of the construction and financing costs are not yet known. However, based on preliminary rental rate estimates, it is estimated that at least 40 percent of Richmond renters could afford the expected market rents in 14000 and 14088 Riverport Way.

The Regional Growth Strategy indicates that Richmond's 10 year estimated rental demand is 5,600 units or 560 units, annually. The Riverport project will deliver 140 rental units or approximately 25 percent of Richmond's annual estimated need for rental housing. The units will be affordable to individuals with incomes between \$35,800 and \$84,400, thus, relieving pressure on available private rental stock for Richmond's low to moderate income households with incomes between \$31,500 and \$51,000, as stipulated in the City's Affordable Housing Strategy.

For the reasons listed above, Staff recommend waiving the affordable housing contribution of \$213,823.00 with respect to the project's delivery of rental housing that will:

- Be secured through legal agreements in perpetuity;
- Attract and support current and future employment growth in Richmond;
- · Potentially serve 40 percent of Richmond's renters; and
- Added market rental stock will relieve pressure on local rental housing demand.

In summary, the proposed Riverport development will increase the variety of available rental options in the City, thereby, relieving pressure on other forms of rental options that may be more affordable (e.g. secondary suites, low end market rent units, co-op housing, and affordable rental housing).

Challenges of Dormitory Development and Market Rental Development

The original Riverport rezoning included the development of dormitory space within the overall project. With close proximity to the Riverport Athletics and Entertainment Complex, dormitory space was then seen as a need and an economically viable use. As noted in the staff report, since the original rezoning, a hotel has been developed in the immediate area satisfying much, if not all, of the need for short term stay accommodation. As the area now has no specific need for a dormitory (the local hotel already satisfies the needs of the neighbourhood), staff agree with the applicant's contention that a dormitory in this location would not be financially self-sufficient, and would most likely result in operating losses. Therefore, staff believed that it was appropriate to consider another, more viable use on this site.

There is a shortage of purpose built market rental residential accommodation in Richmond and very little interest in developing new purpose built market rental residential accommodation. The primary reasons for the lack of new purpose built rental development are as follows:

- the demand for residential land in the region is extremely intense, leading to high levels of competition resulting in very significant land value increases;
- people are willing, and able, to pay more to purchase units as compared to the capitalized value of such units based on their achievable market rental rates; and
- based on the above, the result is that there is significantly more profit potential, and actual
 profits derived, from the development of units to sell in the open market, thus "out-competing"
 the market rental building developer for the land.

The likelihood of Richmond seeing any sort of significant development of market rental units in the near future is very limited. Unless lands are specifically set aside for market rental development only (which lowers land price expectations thus providing developers with similar profit expectations) or there are very significant relaxations of other rezoning and building related provisions (such as parking requirement relaxation), projects oriented toward the ownership market will continue as the predominant, if only, form of residential development for the foreseeable future.

This issue has long been a problem in the Lower Mainland, and has been identified as such since the late 1980's. Clearly, there has been a very limited increase in the supply of market rental product over the past 20 or so years, which is in marked comparison to the extreme levels of development oriented toward the ownership market.

Conclusion

Staff supports the proposal to develop the last remaining development parcel in the Riverport waterfront community with a new mixed-use building including 60 units of purpose built market rental apartment housing. The applicant has demonstrated the feasibility of accommodating the proposed density within a building that responds to its context and a site specific rental residential parking rate.

The proposal addresses the need for market rental residential accommodation in Richmond. The proposed Riverport development will increase the variety of available rental options in the City, thereby, relieving pressure to other forms of rental options that may be more affordable (e.g. secondary suites, low end market rent units, co-op housing, and affordable rental housing).

Brian J Jackson, MCIP

Director of Development

Dena Kae Beno

Affordable Housing Coordinator

604-247-4946

October 11, 2011

10688 No. 6 Road Richmond, BC V6W 1E7 604.241,1830 :: 604.241,1840 www.HIERichmond.com



RIVERPORT

mayorandcouncillors@richmond.ca

Mayor and Councilors City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1 To Public Hearing
Date: October 11,2011
Item # 6
Re: Gyaw 8811

Dear Mayor Brodie and Councilors;

Re: Application for a Zoning Text Amendment – Riverport to Permit A Mixed-use Development with Rental Apartment Housing at 14000 and 14088 Riverport Way (File Ref. No. 12-8060-20-8811)

I am writing to you as the General Manager of the Holiday Inn Express Hotel and Suites, located at 10688 Number 6 Road at Riverport. We wish to register our support for the above-captioned application to permit a change in use that will result in much needed rental apartment housing to be built on the Riverport Way site.

This change in use, from the original plan that permitted dormitory facilities to be built on the site, is one that we enthusiastically welcome.

Since that original plan for the Riverport Way site was approved some years ago, we have made a substantial investment in our 105 - suite hotel. Since 2008, we have been successfully serving not only the needs of athletes visiting the facilities at Riverport but also business and leisure visitors to Richmond. Our competitive rates and our flexible accommodation arrangements make it economical for teams visiting Riverport, with athletes sharing spacious suites at our hotel, eliminating any demand for a dormitory facility at Riverport.

Moreover, with 35 people employed at our hotel, we welcome additional residential development at Riverport. The addition of rental housing will now offer our staff the opportunity to consider living in very close proximity to their place of employment.

We respectfully encourage Council to approve this application.

Yours truly,

Robert A. Gillis

General Manager

PH - 141

OCT 1 2 2011

No. 176 Sail View Ventures Ltd.

October 11, 2011

mayorandcouncillors@richmond.ca

Mayor and Councillors City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1

Dear Mayor Brodie and Councillors;

Re: Application for a Zoning Text Amendment – Riverport to Permit A Mixed-use Development with Rental Apartment Housing at 14000 and 14088 Riverport Way (File Ref. No. 12-8060-20-8811)

This letter is submitted in support of the application detailed above that will result in a zoning text amendment to permit the development of market rental housing on the site adjacent to the commercial property I own at 14200 Entertainment Boulevard.

You will know that my property is occupied by the Zone Bowling Centre, the Big River Brew Pub and the Old Spaghetti Factory restaurant.

We welcome additional residential development at Riverport. By providing more housing diversity at Riverport, you will be strengthening the mixed-use nature of this unique district, making it more vibrant and also making the area more viable for those commercial uses that serve not only visitors to Riverport, but also those who live there.

We all know that rental housing is desperately needed in Metro Vancouver and this purpose-built rental project is one of very few such projects that are being developed today. Moreover, this addition of rental housing at Riverport will offer more of the employees who work for my tenants an opportunity to consider living next door to where they work.

I urge you to support this application.

uno

Respectfully submitted,

No. 176 Sell View Ventures Ltd.

Aytar Bain President OF RICHARD
DATE

OCT 1 2 2011

RECEIVED TO

To Public Hearing
Date: October 17, Zoll

PH - 143

MayorandCouncillors

From:

City of Richmond Website [webgraphics@richmond.ca]

Sent:

October 13, 2011 10:35 AM

To:

MayorandCouncillors

Subject: Send a Submission Online (response #602)

To Public Hearing Date: OCTOBER 1, 2011 Item # 6 Re: Gylaw 8811

Send a Submission Online (response #602)

Survey Information

	City Website
	Send a Submission Online
URL:	http://cms.richmond.ca/Page1793.aspx
Submission Time/Date:	10/13/2011 10:34:28 AM

Survey Response

Your Name:	Chris & Kenneth Lau
Your Address:	303-14100 Riverport Way, Richmond, B.C.
Subject Property Address OR Bylaw Number:	Zoning Text Amendment Bylaw 8811 (ZT 11-565675)
Comments:	I object the amendment as the reason we bought at this location and not on west of Steveston as in view of its low density. The increase of density would cause more traffic and parking problem. We have traffic congestion in the morning along Steveston to No. 5 Road and also after the end of movies in the neighbourhood cinema. Kindly draw your attention to these issues. Thanks.



MayorandCouncillors

From:

City of Richmond Website [webgraphics@richmond.ca]

Sent:

October 13, 2011 9:24 AM

To:

MayorandCouncillors

Subject: Send a Submission Online (response #601)

To Public Hearing Date: OCTOBER 17, 2011 Item #_

Send a Submission Online (response #601)

Survey Information

Site:	City Website
Page Title:	Send a Submission Online
	http://cms.richmond.ca/Page1793.aspx
	10/13/2011 9:23:46 AM

Survey Response

Your Name:

Mark Westcott

Your Address:

#208 - 14100 Riverport Way, Richmond, V6W 1M3

Subject Property Address OR Bylaw Number:

14000 / 14088 Riverport Way, Richmond

Zoning Text Amendment Bylaw 8811 (ZT 11-565675) Richmond Council, I have a concern I would like you to consider when determining if you will grant the amendment to build a 7 story building at 14000 and 14088 Riverport Way in Richmond. I am an owner at 14100 Riverport Way and am very aware of the problem the current residences and our visitors have trying to park on Riverport Way today. I understand that the initial proposal for the buildings14000/14088 Riverport Way had originally allocated 1.25 parking spots per unit. It is probable that many of the renters in the new building will have multiple cars they will have to park them on Riverport Way. Should Council allow a 7 story building to be built instead of a 4 story building there will be no parking available for visitors to any of the existing buildings on Riverport Way. Please consider not allowing the by-law amendment to avoid making an existing parking problem on Riverport Way much worse. Thank you for your consideration, Mark Westcott

Comments:

