City of Richmond
Planning and Development Department

Report to Committee

To:	Planning Committee	**Date:**	April 6, 2011
From:	Brian J. Jackson Director of Development	**File:**	RZ 09-460962
Re:	**Application by Oval 8 Holdings Ltd. for Rezoning at 5200 Hollybridge Way, 6300, 6380, and 6500 River Road from "Industrial Business Park (IB1)" and a Portion of 6900 River Road from "School & Institutional Use (SI)", along with a Portion of the River Road Right-of-Way between Hollybridge Way and Gilbert Road, to "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)"**		

Staff Recommendation

1. That Bylaw No. 8701, to amend the Richmond Official Community Plan, Schedule 2.10 (City Centre), as amended by Official Community Plan Amendment Bylaw No. 8685, including the:

   a) Generalized Land Use Map (2031), with regard to proposed changes in subdivision and the designation of 6900 River Road as "Park"; and

   b) Specific Land Use Map: Oval Village (2031), with regard to proposed changes in subdivision and repealing of the "Pedestrian-Oriented Retail Precincts – Secondary Retail Streets & Linkages" designation on Hollybridge Way (north of the subject development's new internal street) and along the riverfront between Hollybridge Way and Gilbert Road;

   be introduced and given first reading.

2. That Bylaw No. 8701, having been considered in conjunction with:

   - the City's Financial Plan and Capital Program; and
   - the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans

   is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.

3. That Bylaw No. 8701, having been considered in accordance with OCP Bylaw Preparation Consultation Policy No. 5043, be referred to the Vancouver International Airport Authority for comment on or before Public Hearing on OCP Amendment Bylaw No. 8701.

4. That Heritage Designation Amendment Bylaw No. 8734, to amend the boundary of "Heritage Designation Bylaw No. 5572 – 1990" and permit land altering activities to be undertaken by or on behalf of the City along the south property line (River Road) or the east property line (Gilbert Road) of 6900 River Road without a Heritage Alteration Permit, be introduced and given first reading.

5. That Bylaw No. 8702, to:

   a) amend the "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)" zone, as amended by Zoning Amendment Bylaw No. 8686, to permit a mix of high-rise, high-density residential, commercial, and child care uses within the area generally bounded by Hollybridge Way, the Fraser River, Gilbert Road, and the former CP Rail right-of-way (i.e. "new" River Road);

   b) rezone 5200 Hollybridge Way, 6300, 6380, 6500, and a portion of 6900 River Road, and a portion of the River Road right-of-way between Hollybridge Way and Gilbert Road from "Industrial Business Park (IB1)" and "School & Institutional Use (SI)" to "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)"; and

   c) rezone a portion of the River Road right-of-way between Hollybridge Way and Gilbert Road to "School & Institutional Use (SI)",

   be introduced and given first reading.

Brian Jackson

Brian J. Jackson
Director of Development

BJ:spc
Att.

FOR ORIGINATING DEPARTMENT USE ONLY		
ROUTED TO:	**CONCURRENCE**	**CONCURRENCE OF GENERAL MANAGER**
Arts, Culture & Heritage	Y ☑ N ☐	for JOE ERCEG.
Community Social Services Group	Y ☑ N ☐	
Engineering	Y ☑ N ☐	
Heritage	Y ☑ N ☐	
Law	Y ☑ N ☐	
Parks Planning, Design & Construction	Y ☑ N ☐	
Policy Planning	Y ☑ N ☐	
Real Estate	Y ☑ N ☐	
Sustainability Unit	Y ☑ N ☐	
Transportation	Y ☑ N ☐	

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Staff Report

Origin

Oval 8 Holdings Ltd. (ASPAC Developments) has applied to rezone 5200 Hollybridge Way, 6300, 6380, 6500, and a portion of 6900 River Road, together with a portion of the River Road right-of-way between Hollybridge Way and Gilbert Road, to "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)" to permit the phased construction of a high-rise, high-density mixed use development, together with new streets, parks, and related public amenities.

City-Developer "Exchange"
Details of the closure of a portion of River Road, the purchase/sale of that area of road and a portion the City-owned lot at 6900 River Road, the developer's release of its leasehold interest in various City lands in the vicinity of the Richmond Oval, and related considerations are the subject of a separate report prepared for Council by the Manager, Real Estate Services.

Concurrent Rezoning & Zoning Text Amendment Application Approval Processes
In addition to the subject rezoning application, Oval 3 Holdings Ltd. and Oval 4 Holdings Ltd. (ASPAC Developments) have made application for a Zoning Text Amendment affecting lands they own west of the Richmond Oval (ZT 09-492885). Both applications propose amendments to the City Centre Area Plan (CCAP) and "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)" zone. Bylaw adoption is intended to happen in series, with that of the subject rezoning (RZ 09-460962) following ASPAC's Zoning Text Amendment application (ZT 09-492885).

Findings of Fact

a) A location map and aerial site photograph are **Attachments 1** and **2** respectively.
b) A "Development Application Data Sheet" and "Proposed Development Concept" are **Attachments 6** and **7** respectively.
c) "Preliminary Subdivision Plan" (including lot numbers) is **Attachment 11, "Schedule C".**

Background
The subject site is situated in the City Centre's Oval Village, an emerging high density, mixed-use downtown riverfront community. Several years ago, the City subdivided, rezoned, and sold land west of Hollybridge Way to ASPAC Developments to help finance the construction of the Richmond Oval. ASPAC has since assembled the subject site and has embarked on creating "River Green", an 11.3-hectare (28-acre) master planned neighbourhood surrounding the Oval that will include more than 2,500 new residential units.

Applicant's Proposal

a) To release ASPAC's leasehold interest in City-owned property at 6091 River Road ("Lot 5") and 200 parking spaces secured beneath the Richmond Oval in favour of "Lot 5" and 5111 Hollybridge Way ("Lot 6", the site of ASPAC's marketing centre) in exchange for part of existing River Road and a portion of the City-owned lot at 6900 River Road (which together are equal in area to "Lot 5") (**Attachment 11, "Schedule B"**). The purchase/sale of a portion of 6900 River Road requires the boundary of the existing "Brighouse Homestead and Heritage Trees Heritage Designation Bylaw No. 5572 – 1990" at 6900 River Road to be amended. (As noted above, the proposed "exchange" is the subject of a separate report prepared by the Manager, Real Estate Services.)

b) To consolidate and subdivide the subject site to provide for:
   - Five new lots, including three on the north fronting onto the dike and two on the south fronting "new" River Road (aligned with the portion of River Road south of the Oval);
   - Public road improvements including the construction of "new" River Road, a new road across the subject site, upgrades to Gilbert Road and Hollybridge Way, a temporary road linking existing River Road east of Gilbert Road with "new" River Road (if not implemented by others), and various traffic signals, pedestrian amenities, and related features; and
   - Public park and related improvements, including raising the dike to 4.7 m geodetic, a new riverfront park and public pier, the restoration and interpretation of the City-owned, heritage/ESA-designated lot at 6900 River Road, greenway construction, and related mitigation and compensation.

c) To undertake the phased construction of a high-rise, high-density development, including:
   - Residential: 114,821.05 m^2 (1,235,964 ft^2), including 3,943.6 m^2 (42,450 ft^2) of affordable (low-end market rental) housing secured by a Housing Agreement;
   - Pedestrian-oriented retail: 3,257.91 m^2 (35,069 ft^2); and
   - A child care facility: 464.50 m^2 (5,000 ft^2).

d) To amend "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)", as amended by Zoning Amendment Bylaw No. 8686 (ZT 09-492885), to add the subject site to the zone and permit its development as described above.

The applicant's five lots will be the subject of future lot-by-lot Development Permit application(s).

Surrounding Development

To the North: The Middle Arm of the Fraser River, dike, and related public amenities/park.

To the East: A City-owned, heritage/ESA-designated lot at 6900 River Road (the restoration and interpretation of which is a subject of ASPAC's rezoning), beyond which is Gilbert Road and light industrial properties designated under the City Centre Area Plan (CCAP) for future use as a major riverfront park.

To the West: Hollybridge Way and canal, across which are lands zoned "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)", including the Richmond Oval, ASPAC's riverfront marketing building at "Lot 6" (5111 Hollybridge Way, which is slated for future restaurant and related uses), and various development sites including:

- 6031 River Road ("Lot 2") – ASPAC's first phase of construction, which has received approval for 458 residential units in four (4) high-rise buildings oriented towards a large water/landscape feature and views of the river and mountains (DP 08-429756); and
- 6051 and 6071 River Road ("Lots 3 & 4") – The location of ASPAC's pending Zoning Text Amendment application (ZT 09-492885) and the site of a future 86,445.6 m^2 (930,523.1 ft^2) high-rise, high-density, multiple-family development.

To the South: River Road, across which are existing light industrial properties designated under the City Centre Area Plan (CCAP) for future high-rise, high-density, mixed use development. Recent development activity in this area includes the approved development of Onni's "Ora" project at 6951 Elmbridge Way, including 324 units in

three towers over ground floor retail (RZ 07-380222, DP 10-520511), and a rezoning application for a high-rise, high-density, mixed use development at 5440 Hollybridge Way (RZ 09-506904), which is under staff review.

Related Policies & Studies

Development of the subject site is affected by a range of City policies and related considerations. An overview of these policies, together with the developer`s proposed response, is provided in the "Analysis" section of this report.

Public Consultation

OCP Bylaw Preparation Consultation Policy No. 5043 provides direction with regard to consultation requirements for an OCP amendment.

a) Vancouver International Airport Authority (VIAA): The proposed CCAP and zoning bylaw amendments are consistent with the OCP Aircraft Noise Sensitive Development (ANSD) policy. Nevertheless, in accordance with the City's OCP consultation policy, staff recommend that the subject application's OCP Amendment Bylaw is referred to the VIAA for comment on or before Public Hearing.

b) School District: City policy regarding consultation with School District No. 38 (Richmond) applies when an OCP amendment is expected to generate 50 or more additional school-aged children. The subject application entails an OCP amendment to designate area for park, revise pedestrian-oriented retail "high street" boundaries, and reflect subdivision changes. These amendments will not provide for any increase in residential capacity beyond that provided for under the current City Centre Area Plan (CCAP) and, therefore, do not require consultation with the School District.

   Note that the subject application will be provided to the School District, as a courtesy, for information purposes.

c) Richmond Heritage Commission: The subject rezoning was considered by Richmond's Heritage Commission on October 20 and November 17, 2010. The Commission was asked to consider:

   Proposed changes to the boundary of the "Brighouse Homestead and Heritage Trees Heritage Designation Bylaw No. 5572 – 1990" (i.e. the City-owned lot at 6900 River Road);

   - Land altering activities within the bounds of Heritage Designation Bylaw No. 5572 – 1990" (e.g., road/sidewalk encroachment, engineering works, park "greenway" boardwalk, public art); and
   - Potential development impacts on other heritage resources on and around the subject site (e.g., archaeological sites, mature trees attributed to Samuel Brighouse).

   The Commission's review and recommendations were based on an understanding that:

   - The proposed development is generally consistent with City objectives for densifying the Oval Village and, thus, the area's heritage resources should be managed in a manner that enables heritage and development to co-exist and achieve the best mutual outcome; and
   - City policies regarding Environmentally Sensitive Areas (ESA), 15 m Riparian Management Areas (RMA), and tree protection apply to the subject site and its surroundings and, thus, the Commission need only focus on heritage-specific considerations not adequately addressed by those policies.

The Commission was satisfied that steps could be taken to minimize/mitigate development impacts on the heritage-designated site at 6900 River Road and the trees along its Gilbert Road frontage, but voiced concern about the proposed removal of trees attributed to Samuel Brighouse along existing River Road and on-site. In conclusion, the Commission voted in support of the project advancing to Planning Committee and made various specific recommendations aimed at compensating for anticipated heritage losses (e.g., tree removal) and contributing towards a "net gain" to heritage as per CCAP objectives (e.g., enhanced interpretation and public access). (**Attachment 9**) In light of this, staff recommend, among other things, that a heritage conservation plan is prepared by the developer to the satisfaction of the City prior to adoption of the subject rezoning, as per the attached "Heritage Terms of Reference" (**Attachment 11, "Schedule I"**), for implementation by the developer.

d) Public Art Commission: The subject rezoning was considered by Richmond's Public Art Commission on February 15, 2011. The Commission voted in support of the project's "Public Art Master Plan" (**Attachment 11, "Schedule G"**) and the rezoning application advancing to Planning Committee.

e) General Public: Signage is posted on-site to notify the public of the subject application. At the time of writing this report, no public comment had been received. The statutory Public Hearing will provide neighbours and other interested parties with an opportunity to provide comment.

Staff Comments

a) Affordable Housing: ASPAC proposes to construct, at the developer's sole cost, 3,943.6 m^2 of affordable (low-end market rental) housing, secured via the City's standard Housing Agreement, in the form of a 4-storey building co-located on the subject site's southeast lot ("Lot 13") with a child care facility and high-rise, market-residential/commercial building. While all four uses will share a common parking garage, the affordable housing is proposed to effectively be a "stand alone" building. This will be the first such building constructed in the City Centre since adoption of the City's Affordable Housing Strategy and, thus, represents a test case for the City to consider. Furthermore, as this development is the first of its kind, the Strategy is silent on how the required floor area should be allocated. For the purpose of this project, therefore, staff recommend that the required affordable housing floor area includes both the net floor area of the affordable dwellings and the associated circulation and common areas intended for the exclusive use of the affordable housing residents. The developer will have the choice of providing the occupants of the affordable housing with (i) unlimited access to the market-residential building's amenity space (as per the City's standard Housing Agreement provisions), or (ii) separate indoor/outdoor amenity spaces within the affordable housing facility for the exclusive use of its occupants. If the developer selects the latter, the area of the amenity spaces (which will conform to OCP/CCAP guidelines) will be in addition to the agreed affordable housing requirement (i.e. over and above the base area of 3,943.6 m^2).

Construction of the affordable housing building is proposed for ASPAC's third phase. This is consistent with CCAP "density bonus" provisions, which allow for 1.2 FAR to be constructed ahead of any affordable housing units; and, in light of the "stand alone" concept proposed, will mean that the timing of units that would have otherwise been constructed in phases four and five of ASPAC's project will be advanced.

In light of this, staff are supportive of ASPAC's proposal and recommend that the project is monitored to determine the strengths and weaknesses of a "stand alone" approach and how the City should proceed with regard to future "stand alone" proposals.

b) Child Care: ASPAC proposes to construct, at the developer's sole cost, a 464.5 m^2 turnkey child care facility, co-located with the development's affordable housing and adjacent to a proposed park, as per the attached terms of reference. (**Attachment 11, "Schedule H"**) The CCAP identifies child care as a key component of every City Centre "village centre", and this will be the first one constructed in the Oval Village. Construction of the facility is proposed for ASPAC's third phase, which will help to ensure adequate local demand by providing for residential development in advance of the facility. Overall, staff are supportive of ASPAC's proposal and think it will contribute to the livability of the development and the Oval Village.

c) Transportation: The proposed transportation requirements/improvements are consistent with the goals and objectives of the City Centre Transportation Plan (CCTP) and City Centre Area Plan (CCAP). Specifically, the project proposes to provide for the following public benefits:

- ***Pedestrians***: Streetscape improvements (e.g., new sidewalks and treed boulevards along the street frontages around and within the subject site), greenway and trail development, and infrastructure improvements (e.g.,new crosswalks, traffic signals with enhanced accessibility features) will enhance the pedestrian environment and make walking safer and more attractive;
- ***Cycling***: Off-road bike lanes on "new" River Road (i.e. former CP Rail corridor), designated bike lanes on Gilbert Road, enhanced cycling facilities along the proposed Hollybridge Way greenway, and various end-of-trip facilities (e.g., bike racks, lockers in proposed buildings) are consistent with the CCTP cycling network plan and will contribute to the enhancement of cycling infrastructure and the promotion of cycling in and around the Oval Village;
- ***Street Network***: The extension of "new" River Road along the former CP Rail corridor (between Hollybridge Way and Gilbert Road), widening of Gilbert Road to provide five traffic lanes and bike lanes, enhancement of Hollybridge Way, and construction of an internal "minor" street are consistent with the CCTP street network plan and will greatly improve local circulation and access;
- ***Transit***: A City-Centre-style transit shelter on the development's "new" River Road frontage will enhance the local transit environment and encourage ridership; and
- ***Parking***: Implementation of City Centre parking standards and related requirements, together with the developer's provision transportation demand management measures (e.g., transit shelter), will help encourage alternate transportation modes and reduce reliance on private automobiles.

For a list of the transportation-related infrastructure improvements proposed for implementation via the subject rezoning, refer to the Rezoning Considerations (**Attachment 11**).

Note that as part of the subject development, it is proposed that the portion of existing River Road along the subject site's waterfront frontage will be closed. The following key points should be noted in regard to this proposed road closure:

- Public vehicular access along existing River Road will be maintained (i.e., secured via right-of-ways and /or other legal agreements, to the satisfaction of the City) until an alternate "interim" road connection is implemented east of Gilbert Road by the

developer, as per the approved "Preliminary Functional Roads Plan" (**Attachment 11, "Schedule F"**), or an alternative route is established by others (whichever occurs first);

- Construction of the "interim" road connection will be completed by the developer prior to the construction of any of the developer's waterfront lots (and associated park and dike construction); and
- Implementation of the "interim" road connection will enhance accessibility to and through the Oval Village via a new River Road/Gilbert Road intersection that will link "new" River Road with Gilbert Road and the Dinsmore Bridge.

d) Engineering:

- ***Capacity Analysis***: Staff have reviewed and approved the developer's Capacity Analysis. All water, storm, and sanitary upgrades determined via the Capacity Analysis, together with related engineering considerations, must be addressed to the satisfaction of the Director of Engineering via the Servicing Agreement processes described in the attached Rezoning Considerations. (**Attachment 11**)
- ***Undergrounding of Overhead Utilities***: As per City Centre policy, the developer is responsible for facilitating the undergrounding of the existing private utility pole line located within the "new" River Road right-of-way. As such, the developer is required, at the developer's sole cost, to install conduit within "new" River Road to accommodate the undergrounding of private utilities, to the satisfaction of the City. (No DCC credits are applicable.) Note that as a result of possible conflict(s) between the developer's construction of "new" River Road and the existing pole line and/or related issues, the existing pole line may require undergrounding or relocation. The cost of such undergrounding or pole relocation shall not be borne by the developer.

e) Form of Development Review & Approval: As with ASPAC's properties west of Hollybridge Way, form of development shall be addressed independently of zoning approvals via the City's standard lot-by-lot Development Permit processes.

Analysis

Staff's review of ASPAC's proposal, key City policies, and related considerations are summarized under the following sub-headings:

A. Proposed OCP/City Centre Area Plan (CCAP) Considerations;
B. Proposed Zoning Amendments;
C. Heritage Considerations;
D. Environmental Considerations
E. Tree Protection;
F. Development Phasing;
G. Form & Character of Development; and
H. Other Considerations.

A. Proposed OCP/City Centre Area Plan (CCAP) Considerations:

a) CCAP Land Use Maps: Proposed changes are limited to (i) revising lot lines to reflect the site's proposed subdivision; (ii) designating the City-owned heritage/ESA-designated lot at 6900 River Road as "Park"; and (iii) repealing the "Pedestrian-Oriented Retail Precincts – Secondary Retail Streets & Linkages" designation along the riverfront between Hollybridge Way and Gilbert Road, the subject site's new internal street and north-south walkway, and Hollybridge Way north of the new internal street. More specifically, the purposes of the latter two amendments are:

- ***To correct an error:*** 6900 River Road is designated as "Park" on the CCAP's Specific Land Use Map: Oval Village (2031) (**Attachment 4**), but this was omitted in error from the CCAP's Generalized Land Use Map (2031). (**Attachment 5**)
- ***To accommodate a change in planning direction with regard to the location of retail uses in the Oval Village and the role of Hollybridge Way:*** When the CCAP was drafted, it was assumed that pedestrian-oriented commercial uses should extend to and along the riverfront in the vicinity of Hollybridge Way to ensure a lively, public place at the riverfront terminus to the CCAP's proposed Lansdowne Road/Hollybridge Way linear park. (**Attachment 4**) However, via the rezoning review process for the subject site, it was determined that this aspect of the Plan should be amended on the basis that:
  i. The future conversion of ASPAC's sales centre into a restaurant and related uses could adequately provide for the commercial uses needed on the waterfront;
  ii. Retail uses are best concentrated near "new" River Road where they will reinforce the Oval Village's proposed retail "high street", as opposed to the riverfront and north end of Hollybridge Way where they may suffer from poor access/visibility; and
  iii. The design of the north end of Hollybridge Way should incorporate public open space features that link the riverfront park with the Village's "high street" and celebrate the street's riverfront terminus.

On this basis, staff recommend that:

- Hollybridge Way should:
  i. Terminate at a significant public amenity (i.e. new public pier), rather than retail; and
  ii. Be designed to be "park-like" with the development of a 7 m wide, landscaped greenway along its east side, traffic calming, and the addition of landscape elements that complement existing public open space features along the street's west side (e.g., cherry tree "promenade", heritage trees and canal, Oval water gardens).
- All improvements shall be constructed at the sole cost of the developer, including the developer's voluntary contribution of $1 million for construction of the pier; and
- Environmental reviews, consultation with outside agencies (e.g., DFO, FREMP, Dikes), and other work related to the pier (e.g., compensation) shall be undertaken, to the satisfaction of the City, via the developer's detailed design/construction of the first phase of dike/waterfront park works via Richmond's standard Servicing Agreement processes.

  NOTE: Costs incurred by the developer in regard to Hollybridge Way and the proposed pier are not creditable items under the Development Cost Charge (DCC) program.

b) "Park" Designation: With the exception of correcting an error (as described above), no changes are proposed to the OCP or CCAP "Park" designations as part of the subject rezoning. Park-related considerations arising from the subject development are consistent with the intent of the CCAP as follows:

- ***At Rezoning Stage***: The subject rezoning proposes to transfer ownership of part of River Road and the north end of 6900 River Road, both of which are designated as "Park", from the City to the developer. The transferred area will be secured for future park use via "interim" Public Right of Passage right-of-ways registered on title on the developer's lots. The terms of the "interim" right-of-ways will provide for the continuation of City road operations and the developer's maintenance and related activities along the lot frontages until Development Permit stage (as described below). As the CCAP does not distinguish between proposed park space owned by the City or secured via statutory right-of-way, the proposal satisfies the intent of the Plan. (**Attachment 11, "Schedule A"**)

- ***At Development Permit (DP) Stage***: To provide for a more interesting, attractive building/park interface and open up public waterfront access/views through the subject site, the terms of the "interim" Public Right of Passage right-of-ways will be amended, on a lot-by-lot basis, via the City's standard Development Permit and Servicing Agreement approval processes, to the satisfaction of the Senior Manager, Parks and Director of Development. Anticipated changes to the right-of-way terms include provisions for:
  i. Parking concealed below finished grade (as per proposed zoning); and
  ii. Refinements to the right-of-way boundaries at/above finished grade to allow for portions of the subject development to encroach towards the waterfront, provided that expanded public open spaces (e.g., pedestrian waterfront linkages) are provided elsewhere.

  In addition, it should be noted that, as the proposed Public Right of Passage right-of-ways will form part of the developer's net site, the developer would be permitted to calculate density on those areas. This, together with the anticipated right-of-way changes described above, is consistent with the intent of the CCAP, which allows for park development on private sites, below-grade parking, and park boundary changes provided that neither park size nor design/programming is compromised. (If required, the CCAP "Park" boundaries may be updated via the City's periodic "housekeeping" amendment processes.)

Staff are supportive of the proposed park strategy on the basis that the:

- Park concept is consistent with CCAP park objectives regarding size, location, and use;
- "Transfer" of ownership will contribute towards cost-effective and timely park construction (i.e. the developer will construct the park concurrently with the project's fronting lots and the value of Development Cost Charge (DCC)-creditable works will be based on the developer's payable "park development" DCCs and the value of the DCC Program at the time of development); and
- "Refinement" of the waterfront park boundaries and below-grade parking at DP stage will facilitate a seamless transition between the subject development and adjacent public areas.

c) <u>OCP Aircraft Noise Sensitive Development (ANSD) Policy</u>: ***No changes are required to this policy***. (**Attachment 3**) The ANSD policy permits all aircraft noise sensitive uses on the subject site and its neighbours, provided that residential uses do not exceed 2/3 of the maximum permitted "buildable square footage (BSF)" (i.e. calculated as per Floor Area Ratio). **Table 1** indicates that the proposed rezoning complies with the ANSD policy, based on the proposed total area of the ZMU4 zone (i.e. No. 2 Road to Gilbert Road, north of "new" River Road). In addition, as per other properties in ANSD "Area 2", the subject development will:

- Register the City's standard Aircraft Noise Covenant on title;
- At Development Permit and Building Permit stages, submit acoustic reports by a registered professional qualified in acoustics identifying the measures needed to satisfy the "Noise Management" standards set out in the OCP;
- Install mechanical ventilation and central air conditioning (or approved equivalent); and
- Provide all required noise mitigation measures to the satisfaction of the City.

Table 1: ANSD "Maximum 2/3 (66%) Residential" Policy Calculations

	ANSD Policy	Existing Zoning "ZMU4"	Proposed "ZMU4" amended as per ZT 09-492885	Proposed "ZMU4" amended as per ZT 09-492885 & RZ 09-460962
Residential	2/3 max. BSF **(67%)**	177,345.0 **(54%)**	182,052.1 **(54%)**	296,873.2 **(65%)**
Non-Residential	Residual BSF **(33%)**	153,573.2 **(46%)**	157,821.7 **(46%)**	161,083.6 **(35%)**
Total Buildable Floor Area*	**(100%)**	330,918.2 **(100%)**	339,873.8 **(100%)**	457,956.8 **(100%)**

* Building area excludes parking and other zoning exclusions.

B. Proposed Zoning Amendments:

The subject application proposes to rezone ASPAC's lands east of Hollybridge Way to "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)". ZMU4 is a site-specific zone, originally drafted to facilitate the City's subdivision and sale of its lands west of Hollybridge Way. ASPAC's pending Zoning Text Amendment application (ZT 09-492885) for its "Lots 3 and 4" west of the Oval proposes amendments to ZMU4, as does the subject rezoning application. The proposed zoning amendments are intended to happen in series, with that of ZT 09-492885 preceding the subject rezoning.

Amendments to ZMU4 proposed as part of the subject rezoning include the following.

a) Permitted Uses: ZT 09-492885 proposes to create a new City-owned lot for park use and, therefore, proposes to amend ZMU4 to allow for additional uses typical of Richmond's parks (e.g., "recreation, outdoor", "government services", "emergency services", etc.). The subject rezoning proposes high density, mixed use development and, therefore, proposes to amend ZMU4 to provide for an appropriate range of uses based on the Oval Village's standard mixed use zone, "Residential/Limited Commercial (RCL3)" (i.e. as per Onni's recent rezoning at 6951 Elmbridge Way). New uses proposed for ZMU4 include "education, commercial", "health service, minor", "service, personal", "service, financial", "parking, non-accessory", etc.

b) Residential Floor Area: The ZMU4 zone determines compliance with the OCP ANSD policy's residential BSF (2/3) limit on a zone-wide basis (i.e. based on the total combined buildable floor area permitted across the zone, regardless of subdivision). This approach is consistent with the CCAP for the Oval Village's "village centre", which generally provides for a maximum density of 3 floor area ratio (FAR) of which no more than two-thirds (2 FAR) may be residential. **Tables 2** and **3** illustrate the intended distribution of permitted land uses west of Hollybridge Way as per the existing (pre-amendment) ZMU4 zone and amendments proposed under ZT 09-492885. **Table 4** illustrates ASPAC's intended distribution of permitted land uses across the area east of Hollybridge Way and the resulting zone-wide BSF for residential and non-residential uses. Staff support ASPAC's proposal on the basis that the amended-ZMU4 zone will be consistent with both the ANSD policy and the CCAP.

Table 2: Existing Zone *(Prior to approval of ZT 09-492885)*

	Development Lots (m^2)				Total (m^2)
	#1-4 West of Ova	#5 ASPAC	#6 Sales Centre	#7 Oval	
Net Site	60,659.6	5,256.8	2,957.1	43,576.7	-
Residential	177,345.0	Nil	Nil	Nil	177,345.0 **(54%)**
Non-Residential	4,707.1	15,770.3	2,365.7	130,730.1	153,573.2 **(46%)**
Total Area Buildable	182,052.1 (3 FAR)	15,770.3 (3 FAR)	2,365.7 (0.8 FAR)	130,730.1 (3 FAR)	330,918.2 **(100%)**

Table 3: Amended Zone Proposed as per ZT 09-492885

	Development Lots (m^2)					Total (m^2)
	#1-4 West of Ova ZT 09-49288	#5 ASPAC *(No change)*	#6 Sales Centre *(No change)*	#7 Oval *(No change)*	New City Park ZT 09-49288	
Net Site	60,659.6	5,256.8	2,957.1	43,576.7	2,985.2*	115,435.4
Residential	182,052.1	Nil	Nil	Nil	Nil	182,052.1 **(54%)**
Non-Residential	Nil	15,770.3	2,365.7	130,730.1	8,955.6	157,821.7 **(46%)**
Total Area Buildable	182,052.1 (3 FAR)	15,770.3 (3 FAR)	2,365.7 (0.8 FAR)	130,730.1 (3 FAR)	8,955.6 (3 FAR)**	339,873.8 **(100%)**

* Equivalent to the area of the proposed closure of Road B.

** Max. permitted density @ 3 FAR, as per the Oval lot (because the 2 lots share a common "park" purpose).

Table 4: Amended Zone Proposed as per ZT 09-492885 & RZ 09-460962

	Development Lots (m^2)						Total (m^2)
	#1-4 West of Ova ZT 09-49288	#5 CITY***	#6 Sales Centre (No change)	#7 Oval (No change)	New City Park ZT 09-49288	#9-13 East of Oval RZ 09-460962	
Net Site	60,659.6	5,256.8	2,957.1	43,576.7	2,985.2	39,361.0	154,796.4
Residential	182,052.1	Nil	Nil	Nil	Nil	114,821.1*	296,873.2 **(65%)**
Non-Residential	Nil	15,770.3	2,365.7	130,730.1	8,955.6	3,261.9	161,083.6 **(35%)**
Total Area Buildable	182,052.1 (3 FAR)	15,770.3 (3 FAR)	2,365.7 (0.8 FAR)	130,730.1 (3 FAR)	8,955.6 (3 FAR)**	118,083.0** (3 FAR)	457,956.8 **(100%)**

* Includes 3,943.6 m^2 affordable housing secured via a Housing Agreement.
** Excludes 464.50 m^2 child care facility.
*** ASPAC proposes to release its leasehold interest in "Lot 5" (& parking under the Oval) in exchange for an equal area of River Road and 6900 River Road.

c) Affordable Housing, Child Care & Community Amenity Contribution: The CCAP takes a "density bonus" approach to encouraging voluntary developer contributions towards affordable housing, child care, and other community amenities. As ZMU4 pre-dates the CCAP and Richmond's Affordable Housing Strategy, and makes no specific provisions for developer contributions towards these amenities, any development permitted under the existing zone is exempt from such contributions. ASPAC's lands east of Hollybridge Way (i.e. the subject site) are not currently zoned "ZMU4" and, therefore, are not exempt; however, the subject application's proposed zone-wide density/use calculation complicates the interpretation of the CCAP policies. Based on staff's review, the developer has agreed to the following voluntary developer contributions for the area east of Hollybridge Way:

- ***Affordable Housing***: 3,936.1 m^2 of low-end market rental housing (as defined by Richmond's Affordable Housing Strategy) in a stand-alone building, secured via the City's standard Housing Agreement, and based on 5% of 2 FAR calculated on the area of the subject site. While the project's residential floor area represents nearly 3 FAR (not 2 FAR), staff are supportive of the developer's proposal on the basis that:
  i. The Affordable Housing Strategy does not make clear the developer requirements in regard to the conversion of permitted commercial floor area to residential floor area, as envisioned under the subject rezoning; and
  ii. Rather than seeking additional affordable housing, staff believe that the Oval Village and residents of the subject development would benefit more from the developer's provision of alternate amenities, including a fully-funded, turnkey child care facility, construction of a public pier, and raising of the fronting dike, as described below.
- ***Child Care***: 464.5 m^2 turnkey child care facility (co-located with the proposed affordable housing), provided at the developer's sole cost, plus outdoor play space, parking, etc. as per the agreed "Child Care Terms of Reference". (**Attachment 11, "Schedule H"**) The proposed floor area is based on 5% of the "Village Centre (1 FAR) Bonus", of which:
  iii. 23.6% is proposed as the turnkey child care facility (i.e. 5% x 39,361.0 m^2 x 23.6% = 464.5 m^2 turnkey child care facility); and
  iv. 76.4% shall be provided as cash-in-lieu towards an alternative community amenity (described below).
- ***Community Amenity Cash-in-Lieu Contribution***: The developer proposes voluntary cash-in-lieu developer contributions towards two community amenities (neither of which are eligible for DCC credits). Based on the above, 76.4% of the "Village Centre (1 FAR) Bonus" equates to +/-$1.295 million, based on $4/$ft^2$ (i.e. $4/$ft^2$ x 39,361.0 m^2 x 76.4%). The developer proposes to apply these funds as follows:
  i. $1 million for the construction of a public pier at the foot of Hollybridge Way; and

ii. $350,000 (preliminary estimate, 2010 dollars) for raising the crest of the dike from existing grade to 4.0 m geodetic.

Staff recommend, and the developer has agreed, that the developer's:

- Raising of the dike will be managed via the registration of "no development" covenants on the developer's three waterfront lots, requiring that the developer enter into the City's standard Servicing Agreement or alternate legal agreements satisfactory to the City, secured via Letter(s) of Credit, for the construction of the dike prior to any Development Permit approval on these properties;
- Provision of pier funding, child care, and affordable housing will be managed via "density bonusing" provisions included in the amended ZMU4 (supported by "no development" covenants) requiring that:
  i. Prior to Building Permit issuance for development in excess of 1.2 FAR (based on the total area of the subject site), the developer must:
     - Contribute $1 million for the Oval Village waterfront (i.e. pier construction); and
     - Enter into legal agreement, secured via Letter(s) of Credit, for a 464.5 m^2 child care facility and 3,943.6 m^2 affordable housing facility on "Lot 13"; and
  ii. Prior to Development Permit issuance for "Lot 13", the developer must enter into the City's standard Housing Agreement for the affordable housing.

  NOTE: The "density bonus" threshold of 1.2 FAR will result in the developer being able to construct only "Lot 12" (i.e. Phase 1) prior to triggering requirements related to the child care, affordable housing, and funding of the pier.

d) Off-Street Parking: ZT 09-492885 proposes to amend the parking standards in ZMU4 to generally bring them up to date with the current City Centre requirements in Richmond's Zoning Bylaw. The subject rezoning proposes to further amend ZMU4 to (i) ensure that the Zoning Bylaw's parking standards will apply to the subject site, and (ii) address issues arising as a result of ASPAC's proposed release of its leasehold interest in parking under the Richmond Oval. Currently, parking beneath the Oval in part serves "Lot 6", which is occupied by ASPAC's marketing building and is slated for future restaurant and related uses. To ensure adequate short- and long-term parking for tenants and patrons of "Lot 6", the developer has agreed to provide 66 parking spaces within the subject development for their use, as follows:

- ***Interim Parking***: Prior to redevelopment of the subject site, 66 non-accessory parking spaces will be provided as surface parking on some combination of "Lot 10", "Lot 11", and/or "Lot 13" (**Attachment 9 - "Schedule A"**, Preliminary Subdivision Plan), secured via right-of-ways and/or alternate legal agreements registered on title; and
- ***Ultimate Parking***: Prior to Development Permit approval for ASPAC's first phase (i.e. "Lot 12", at the corner of Hollybridge Way and "new" River Road), the developer will provide an additional 66 non-accessory "commercial" parking spaces (i.e. over and above the Zoning Bylaw requirement for "Lot 12's" commercial uses), to the satisfaction of the Director of Transportation. In addition, amendments to ZMU4 and related legal agreements will stipulate that the 66 required spaces on "Lot 12":
  i. Should be located near the west end of "Lot 12" to provide for convenient pedestrian access to "Lot 6";
  ii. Must be secured for public use via a right-of-way registered on title;
  iii. May be operated in the same manner as any other commercial parking spaces on "Lot 12" (e.g. parking fees, hours of operation);

iv. May be shared with "Lot 12's" residential visitor parking (as per standard provisions of the Zoning Bylaw for mixed residential/commercial projects);

v. May be shared with residential visitor parking required to serve "Lots 9, 10, 11, and 13", provided that:
   - Each lot provides for a minimum of 12 visitor spaces on-site (or for "Lot 13", shared residential visitor/commercial spaces), such that only visitor parking in excess of 12 spaces may be transferred to "Lot 12"; and
   - The combined total number of residential visitor spaces transferred to "Lot 12", together with "Lot 12's" own residential visitor parking requirement, may not exceed the total number of commercial spaces provided on "Lot 12"; and

vi. If used as "shared spaces" (i.e. shared commercial and residential visitor parking), must be secured for shared use via right-of-way(s) registered on "Lot 12" (i.e. to ensure that such spaces cannot be designated for a specific tenant).

e) Building Heights: On ASPAC's lots west of the Oval, ZMU4 permits a maximum building height of 18 m within 20 m of the dike and 47 m geodetic elsewhere.

East of Hollybridge Way, the CCAP encourages "typical maximum building heights" of 45 m south of ASPAC's proposed internal road and 25 m across the remainder of the site. The lower "typical" height the CCAP identifies for the portions of the subject site nearer the dike and the Gilbert Road "gateway" is intended to make clear that taller buildings should only be permitted in this important area if it is demonstrated that this additional height will provide some public benefit (e.g., more attractive skyline, increased public open space). Staff's review of the subject rezoning has concluded that it is appropriate to permit some tall buildings near the riverfront and Gilbert Road. On this basis, it is recommended that ZMU4 is amended for the area east of Hollybridge Way to permit maximum building heights as follows:

- For buildings more than 50 m from the dike: 47 m geodetic; and
- For buildings within 50 m of the dike: 25 m, EXCEPT that taller buildings may be permitted, provided that a proper interface is achieved between those taller buildings, and shading of the riverfront park and other public open spaces is minimized, as determined to the satisfaction of the City via an approved Development Permit application.

f) Building Setbacks: To ensure that trees and landscape features within the Hollybridge Way "greenway" and fronting buildings will not conflict, staff recommend that ZMU4 is amended to:

- Require a minimum building setback of 3 m (exclusive of below grade parking), measured from the edge of the "greenway"; and
- Permit buildings to encroach into this required setback provided that an appropriate interface between the building and the "greenway" is achieved, as determined to the satisfaction of the City via an approved Development Permit application

g) Minimum Lot Size: Changes are proposed to ZMU4 to reflect the proposed subdivision.

h) Anticipated Zoning Variances: Nil

C. Heritage Considerations

a) Heritage Designation Bylaw Amendments: In 1962, Richmond acquired the Brighouse lands including 6900 River Road, and in 1990, it designated 6900 River Road as Protected Heritage Property ("Brighouse Homestead and Heritage Trees Heritage Designation Bylaw No. 5572 – 1990") on the basis that it was:

- Part of the Brighouse homestead and its trees were listed on the City's Heritage Inventory;
- Environmentally sensitive due to its:
  i. Habitat, wildlife, and proximity to the Fraser River foreshore; and
  ii. Susceptibility to potential damage from adjacent urban development; and
- Highly visible, a potential park amenity, and an attractive "backdrop" for urban uses.

The subject rezoning proposes two amendments to this Bylaw:

- ***Boundary Revisions***: Proposed changes to the boundary of the north portion of 6900 River Road include the removal of an area of manicured lawn containing no specific heritage resources (**Attachment 10**, "Area A", 371.2 m^2) and the addition of a naturalized area containing two significant trees (**Attachment 10**, "Area B", 165.6 m^2). As a result of these changes, the size of 6900 River Road will be reduced by 205.6 m^2, but the property's number of significant trees will increase.

  Staff support the proposed Bylaw Amendment on the basis that it represents a "net gain" to heritage (i.e. increase in natural area and significant trees outweighs reduction in site area).

- ***Heritage Alteration Permit (HAP) Exemption***: A HAP is a City (Council issued) permit used to authorize "land altering activities" that could impact the viability of heritage resources within a Designated Heritage Property, such as 6900 River Road (Local Government Act, s.967). The subject development anticipates various such activities, as per **Table 5**.

Table 5: Possible "Land Altering Activities" @ 6900 River Road

Phase	Lot	Land Altering Activities	Possible Impacts
Prior to Rezoning adoption	All	• "New" River Road • Gilbert Road widening • Storm drainage improvements	• Sidewalk (i.e. boardwalk) encroachment • Tree removal • Possible regrading to address drainage • Possible RMA compensation planting
Prior to 1st DP approval	12	NIL	NIL
Prior to 2nd DP approval	9	• Raising the dike • Waterfront park construction • Removal of services in existing River Road	• Possible regrading to address drainage • Possible removal of invasive plants • Possible ESA and/or RMA compensation (e.g., planting)
Prior to 3rd DP approval	13	• Building construction @ property line • Park development • "Greenway" boardwalk(s) construction • Heritage & ESA interpretation	• Possible water table/drainage changes • Possible regrading to address drainage • Removal of invasive plants • Possible tree removal • Possible ESA and/or RMA compensation (e.g., planting)
Prior to 4th DP	10	As per "Lot 9"	As per "Lot 9"
Prior to 5th DP approval	11	• Building construction @ property line • Park development • Heritage & ESA interpretation	• Possible water table/drainage changes • Possible regrading to address drainage • Removal of invasive plants • Possible tree removal • Possible ESA and/or RMA compensation (e.g., planting)

Prior to rezoning adoption, the developer will be required to prepare a heritage conservation plan to guide development, restoration, and related activities on and around 6900 River Road including, among other things, a description of the significance of the site's resources, what is to be retained and how, and heritage interpretation and landscape succession strategies, to the satisfaction of the City. (**Attachment 11, "Schedule I"**)

With regard to Heritage Alteration Permits (HAP), these will be required for all development activities affecting 6900 River Road that stem from pre-loading, Development Permit approval processes, and related activities for the "Lots 11 and 13", but not for engineering or road works undertaken by or on behalf of the City via an approved Servicing Agreement. Staff propose that the latter public works are exempted from the HAP process via an amendment to 6900 River Road's Heritage Designation Bylaw. This exemption will facilitate the developer entering into a Servicing Agreement for the design and construction of necessary road and engineering works prior to rezoning adoption (e.g., construction of "new" River Road), and is analogous to the OCP's standard DP exemption for Environmentally Sensitive Areas (ESA): "Construction and maintenance activities carried out by, or on behalf of, the City and designed to enhance the coexistence of natural habitats and public trails".

Staff are confident that the proposed Heritage Designation Bylaw amendment will not impair the City's ability to protect or enhance 6900 River Road, as the design of the required road and engineering works will be the subject of a thorough, multi-departmental review via the City's Servicing Agreement processes, including review by Richmond's Heritage Commission.

b) Other Heritage Considerations: In addition to the Heritage Designated Site at 6900 River Road, the subject rezoning must address other heritage-related resources, including:

- ***Archaeological sites***: Municipal records identify two (2) former slough mouths within the area of the subject site. Based on an archaeological study prepared by a professional archaeologist on behalf of the developer, staff and the Heritage Commission are satisfied that it is unlikely that either site contains items of significance. If evidence to the contrary is discovered as the project progresses, the developer must report this to the Province and undertake any required measures.
- ***Designated trees***: The City's heritage inventory identifies two trees on the subject site; one appears to have been removed at the time 6500 River Road was constructed (i.e. former "Ritchie Bros." building) and the other is dead. No compensation is required.
- ***Samuel Brighouse trees***: A row of mature trees along River Road and a hedgerow on-site are attributed to Samuel Brighouse. Of the two locations, the River Road trees are the most visually striking and, together with another row east of the Dinsmore Bridge, is a signature feature of the Middle Arm riverfront. Due to City objectives for raising the dike and CCAP objectives for raising riverfront development and parkland to meet the crest of the dike, most of these trees will be removed. Staff and the Heritage Commission identified this loss as a concern, but concur with the developer's arborist that the trees' long-term health and viability has been compromised by prior road construction and related activities. Given the heritage significance and prominence of these trees, the Heritage Commission recommended that their removal must be sensitive to the community's appreciation of this unique cultural landscape and that a "net gain" to heritage should be achieved through a variety of compensation measures. This shall be addressed via the developer's preparation of a heritage conservation plan for the subject site (**Attachment 11, "Schedule I"**) and shall include, but not be limited to, the following (based on the Richmond Heritage Commission's recommendations, **Attachment 9**):
  i. Trees removal must be minimized;
  ii. Heritage "enhancements" must be provided in advance of tree removal including, among other things, the developer's provision of prominent, easily-accessible heritage interpretation features on the dike and along the "new" River Road

frontage of 6900 River Road, as determined via the heritage conservation plan (**Attachment 11, "Schedule I"**), which are designed to enhance public enjoyment of the area (e.g., shelter, seating) and to be evocative of the significance of the site, the trees, and the Brighouse heritage and homestead;

iii. Within the proposed riverfront park, the mature oak trees removed from River Road should be replaced with clusters of large-growing trees;

iv. Interpretive walks through and around the subject site should be established concurrently with development and include, among other things, interpretive signage commemorating Samuel Brighouse (i.e. on the dike and at the corner of Gilbert Road and "new" River Road) and enhancements to the design of the proposed "greenway" boardwalk through 6900 River Road;

v. Oak trees should be planted along "new" River Road (as per existing River Road) and "special" trees should be planted along the Hollybridge Way "greenway";

vi. Existing trees removed as a result of the subject development should be replaced at a minimum ratio of 2 replacement trees for each tree removed, excluding new street trees planted as part of standard frontage improvements (as per typical City practice), and efforts should be made to achieve a higher ratio of 3:1, inclusive of all tree planting on and around the subject site (i.e. including trees planted as part of standard frontage improvements);

vii. Interpretive features reminiscent of the Brighouse homestead (e.g., public art, agricultural gardens, hedgerows) should be incorporated into the design of the subject site's public and private spaces (e.g., walkways, rooftops); and

viii. The developer should be responsible for all costs related to heritage compensation, monitoring, and maintenance, to the satisfaction of the City.

- ***Former railway***: CP Rail and the Interurban played important roles in Richmond's development. As per the recommendation of the Heritage Commission, the redevelopment of the route of these former railways with "new" River Road presents an opportunity for the developer to incorporate interpretive features into the road's design and construction. The developer's "Public Art Master Plan" (**Attachment 11, "Schedule G"**) proposes this theme/location as the first of four public art projects, timed to coincide with the construction of the new road and first phase of building construction. The Public Art Commission endorsed the developer's "Public Art Master Plan", and staff are supportive of the developer's proposal. A "no development" covenant will be registered on "Lot 12" (at the corner of Hollybridge Way and "new" River Road) to ensure that prior to Development Permit issuance for the developer's first phase of building construction, the developer will provide a Letter of Credit to secure the proposed public art and enter into a process with the City to implement it.
- ***Dike***: Richmond's unique waterfront is an important cultural landscape, and will be respected and enhanced via the waterfront park design and related development processes.

D. Environmental Considerations

a) Environmentally Sensitive Areas (ESA) & Riparian Management Areas (RMA): The City-owned lot at 6900 River Road, the foreshore between Hollybridge Way and Gilbert Road, a hedgerow on the subject site near existing River Road (generally "Lot 10"), and related features are designated as ESA on the basis that they provide important habitat, are close to the Fraser River, and are susceptible to potential damage from adjacent urban development. In addition, the foreshore and ditch along the west side of Gilbert Road (adjacent to 6900 River Road) are identified as RMA, and urban development in the vicinity of these features requires Department of Fisheries and Oceans (DFO) approval and, as deemed to be

necessary, compensation. As a result of the subject development, various ESA and RMA impacts are anticipated as per **Table 6**. DFO approval and compensation may be required for all development phases, except Phase 1 ("Lot 12").

Table 6: Possible ESA & RMA Impacts

Phase	Lot	Development Activities	Possible Impacts
Prior to Rezoning adoption	All	• "New" River Road • Gilbert Road widening • Storm drainage improvements	• 6900 River Road & Gilbert Road "ditch" (15 m RMA) may be impacted by sidewalk encroachment, tree/understorey removal, water table & drainage changes, regrading & shading
Prior to 1st DP approval	12	NIL	NIL
Prior to 2nd DP approval	9	• Raising the dike • Waterfront park & pier construction • Removal of services in existing River Road	• Foreshore, River Road trees & existing hedgerow may be impacted by building encroachment, changes to the dike face & removal of existing habitat, tree/understorey removal, water table & drainage changes, regrading & shading
Prior to 3rd DP approval	13	• Building construction @ property line • Park development & "greenway" boardwalk construction @ 6900 River Road • Public art • Heritage & ESA interpretation	• 6900 River Road & Gilbert Road "ditch" (15 m RMA) may be impacted by boardwalk & trail encroachment, tree/understorey removal, water table & drainage changes, regrading & shading
Prior to 4th DP	10	As per "Lot 9"	As per "Lot 9"
Prior to 5th DP approval	11	• Building construction @ property line • Park development @ waterfront & 6900 River Road • Public art • Heritage & ESA interpretation	• Foreshore & River Road trees may be impacted by building encroachment, changes to the dike face & removal of existing habitat, tree/understorey removal, water table & drainage changes, regrading & shading • 6900 River Road & Gilbert Road "ditch" (15 m RMA) may be impacted by encroachment of park features, tree/understorey removal, water table & drainage changes, regrading & shading

Prior to rezoning adoption, the developer will be required to prepare an environmental conservation plan for 6900 River Road (**Attachment 11, "Schedule J"**), to the satisfaction of the City, in consultation with DFO and in coordination with the proposed heritage conservation plan (**Attachment 11, "Schedule I"**). Implementation of the plan will be secured via "no development" covenants registered on title on the developer's fronting lots ("Lots 11 and 13"). The plan will include:

- Tree inventory, removal, and replacement plan;
- Tree succession plan;
- Understorey inventory, removal, and replacement plan;
- Impact assessment and mitigation/compensation plan;
- Maintenance plan;
- Bio-swale concept plan; and
- Preliminary costing.

Preparation of a conservation plan for the foreshore is considered premature at this time, as it is too early to understand the extent of environmental impacts and related needs/opportunities for compensation that may arise as a result of dike, pier, and waterfront park development. As such, staff recommend that these areas are addressed via the City's standard ESA DP processes, together with "no development" covenants registered on the developer's waterfront lots ("Lots, 9, 10, and 11").

b) ESA Development Permits (DP) & Exemptions: ESA DPs will be required for all development activities stemming from Development Permit approval processes and, as necessary, pre-

loading affecting 6900 River Road, the foreshore between Hollybridge Way and Gilbert Road, a hedgerow on the subject site near existing River Road (generally "Lot 10"), and related ESA-designated features. As per the OCP's standard ESA DP exemption for "Construction and maintenance activities carried out by, or on behalf of, the City and designed to enhance the coexistence of natural habitats and public trails", no ESA DP will be required for engineering and road works for which the developer must enter into a Servicing Agreement prior to adoption of the subject rezoning (e.g., design and construction of "new" River Road including a sidewalk in the form of a boardwalk along the south side of 6900 River Road).

E. Tree Protection

Richmond's Tree Protection Bylaw aims to sustain a viable urban forest by protecting trees with a minimum diameter of 20 cm DBH (i.e. 1.4 m above grade) from being unnecessarily removed and setting replanting requirements. The developer has completed a preliminary arborist's report and tree survey (**Attachment 10**), to the satisfaction of the City. Additional reports will be completed by the developer, as required, as a condition of the City's standard Servicing Agreement, Development Permit, and related processes. In general, tree protection and replacement will be managed as follows:

a) Heritage, ESA & RMA Trees: Plans will be prepared by the developer, to the satisfaction of the City, for the retention, removal, replacement, compensation, and succession of trees of heritage, ESA, and/or RMA significance, together with strategies for their implementation. Much of this work will be completed prior to rezoning adoption, as per the proposed heritage and environmental conservation plans (**Attachment 11, Schedules I & J"**). Additional work will be undertaken by the developer, to the satisfaction of the City, as determined to be necessary via the City's standard DP, ESA DP, and HAP processes.

b) Hollybridge Way "Greenway": Development of the proposed greenway along the east side of Hollybridge Way will require the removal and replacement of existing street trees. This work will be undertaken via the DP and Servicing Agreement processes (secured via Letter(s) of Credit) for the developer's fronting lots ("Lots 9 and 12"), to the satisfaction of the City.

c) Pre-Load Considerations: As per the attached Rezoning Considerations (**Attachment 11**), any trees removed prior to City approval of a landscape plan providing for appropriate replacement, will require a Tree Removal Permit and the developer will be required to provide a Letter(s) of Credit for the replacement of the affected trees in the amount of $500 per replacement tree (based on a minimum of two replacement trees for each tree removed, or as otherwise determined by the City), which will be applied to one or more of the developer's subsequent Development Permit or Servicing Agreement landscape bonds, as determined to the satisfaction of the City.

   To date, six (6) trees have been identified for removal to facilitate the pre-loading of "new" River Road in advance of Servicing Agreement approval. Staff are agreeable to the developer's proposed tree removal, as none of the affected trees has heritage, ESA, or RMA significance. A Letter of Credit will be held by the City and applied to the developer's Servicing Agreement bond for tree planting along "new" River Road.

d) Interim Tree Protection: As per the attached Rezoning Considerations (**Attachment 11**), the developer is required to install appropriate tree protection and sediment control fencing, and undertake on-going monitoring of tree health and related considerations, to protect existing trees, habitat, and waterways on and around the subject site, including 6900 River Road,

significant trees within the existing River Road and Gilbert Road right-of-ways, and on-site (e.g. the hedgerow on "Lot 10") before and during all construction activities.

F. Development Phasing

"No development" covenants will be registered on the developer's five lots and "density bonussing" will be written into the subject zoning (ZMU4) to ensure that the phasing of public works and amenities (e.g., construction of roads, services, parks, etc.) are appropriately coordinated with private development, as set out in the "Proposed Phasing Plan". (**Attachment 8**) The phasing of the developer's lots is proposed to proceed as per **Table 7** (except that, at the developer's discretion, successive phases may proceed concurrently rather than in series).

Note that in addition to the project's phasing, its total buildable area and total residential buildable area are fixed, as are the sizes and locations of its proposed child care and affordable housing (i.e. "Lot 13"). Nevertheless, the developer may, at his discretion, vary the floor area on each lot (i.e. increase the area on one lot and make a corresponding decrease elsewhere), provided that the form of development is acceptable to the City, as determined via the DP process.

Table 7: Phasing of ASPAC's Lots

Phase	Lot	Buildable Area (m^2)			Density (FAR)
		Residential	Commercial	Total	
1	12	30,051.6	2,959.8	33,011.4	3.03
2	9	23,995.4	NIL	23,995.4	3.06
3	13	12,715.5*	302.1	13,017.6*	2.63*
4	10	24,887.3	NIL	24,887.3	3.06
5	11	23,171.3	NIL	23,171.3	3.06
Total	-	114,821.1	3,261.9	118,083.0**	3.00**

* Includes 3,943.6 m^2 affordable housing secured via a Housing Agreement.
** Excludes 464.50 m^2 child care facility.

G. Form & Character of Development:

ASPAC proposes to develop five lots with high-density, high-rise buildings, including three fronting onto the waterfront park/dike and two fronting "new" River Road. In preparation for development of the Oval and the sale/lease of adjacent lands, the City established planning, architectural, landscape, and green-building guidelines. Via the CCAP planning process and related work, most of these guidelines have been incorporated into the CCAP DP Guidelines and other City policies (e.g., green roofs, pedestrian-friendly streetscapes, varied tower roof forms) and are applicable to the subject site. ASPAC's preliminary form of development, which proposes a street-wall building type with pedestrian-friendly retail at grade along "new" River Road and a somewhat less street-oriented building type with large, landscape gardens along the riverfront, is generally consistent with CCAP guidelines. At DP stage, attention should be paid to the following key considerations. (***Staff recommendations are in bold italics***.)

a) CCAP Objective #1: Variation in tower height is encouraged to provide for an interesting skyline.

To maximize on-site, grade-level open space for public and private use without compromising permitted density, ASPAC's proposed towers have minimal variation in height. To help address this, ASPAC proposes to introduce a new building type along the waterfront in the form of "stepped towers" with broad, landscape terraces.

Staff are generally supportive of ASPAC's proposal; however, attention is required at DP stage to ensure that:

- ***All variation in tower height is not lost; and***

- ***The form and scale of the "stepped towers" is varied to provide for visual interest and distinguish between buildings (i.e. make each unique, not repetitive).***

b) CCAP Objective #2: Tower features (i.e. above 25 m), such as maximum floorplates of 650 m^2 and increased spacing between adjacent towers near the waterfront, are encouraged to minimize the creation of a "wall" of buildings and maximize views towards the mountains.

While ASPAC's towers along "new" River Road generally conform to CCAP guidelines, its proposed "stepped towers" have larger floorplates and are spaced closer together.

Staff are generally supportive of ASPAC's proposal, as the subject site is framed by the Oval/park on the west and proposed park on the east, which help to mitigate concerns regarding view blockage. Nevertheless, careful attention is required to ensure that ASPAC's development is "porous" (i.e. allows views/glimpses through the site) and does not present a "wall-like" appearance.

c) CCAP Objective #3: Taller building should minimize shading of the waterfront park and foreshore to maximize public use and enjoyment of this important amenity and minimize potential environmental impacts (and related compensation).

Preliminary studies prepared by ASPAC indicate that the project will result in some shading of the dike, but is generally consistent with CCAP objectives for a sunny waterfront.

Staff are generally supportive of ASPAC's proposal; however:
- ***Further shadow studies will be required at DP/ESA-DP stage; and***
- ***DFO must be consulted regarding foreshore environmental impacts and any potential requirements for mitigation and/or compensation.***

d) CCAP Objective #4: Building and landscape design must provide an attractive, sensitive interface with the waterfront park and City-owned heritage/ESA-designated lot at 6900 River Road.

ASPAC and staff have agreed that, at DP stage, the boundary of the waterfront park will be altered (i.e. buildings may encroach and new public walkways and open space areas will be created) to provide for a varied and interesting urban edge that is more responsive to the park's design and uses. Only preliminary work has gone into determining the ultimate waterfront park/building boundary, the design of the park space, and the interface with the private residential units. Similarly, only preliminary thought has gone into the park/building interface along the boundary of 6900 River Road.

Staff are generally supportive of ASPAC's proposal; however, attention is required at DP stage to ensure that along the boundary of:
- ***The waterfront park, residential units have adequate privacy and private outdoor space, and can provide casual surveillance of the park, without unreasonably impacting on the park's design, uses, or programming (e.g., any necessary noise or privacy buffers should be incorporated into the privet building/site design, not the park); and***
- ***6900 River Road, the façades of the developer's abutting buildings ("Lots 11 and 13") are designed to make them visually appealing, sensitive to the site's special landscape issues (e.g., shading, changes in drainage/water table), and complementary to the property's significant trees and unique, riparian landscape character including, for example, but not limited to:***
  - ***i. On-site parking structures must be screened from public view with vegetation, tree planting, and/or "green walls", together with rooftop landscaping and podium level. The design of the structures should seek to incorporate colours,***

forms, materials, and building articulations that complement the landscape through all seasons, and help them to blend in (i.e. effectively "disappear") or act as an attractive feature that enhances and harmonizes with the naturalized landscape (e.g., natural materials like stone). Indigenous plant material, suited to the area's shady, riparian location is encouraged.

ii. As with the parking, upper building floors should incorporate colours, forms, materials, and building articulations that complement the landscape through all seasons. This may include large timbers, wood siding, clear glazing, building vocabularies that mimic the form and character of the trees, and tree and indigenous understorey planting on-site (effectively extending the landscape character into the adjacent development lots).

e) CCAP Objective #5: Auto-courts (i.e. on-site, outdoor passenger and loading areas) are typically discouraged in favour of more pedestrian-friendly, street-wall type buildings that locate all vehicle functions inside buildings and away from view of public spaces.

The subject site's Oval Village location will be highly attractive for shoppers and visitors. As a result, ASPAC believes it is necessary to provide auto-courts to ensure convenient vehicle access for residents, their guests, deliveries, and related uses. ASPAC's preliminary form of development provides for a variety of auto-court designs that are sensitive to pedestrians and City objectives for the establishment of a high-quality public realm.

Staff are generally supportive of ASPAC's proposal, provided that, at DP stage, the auto-courts are provided as per the following staff/developer concept or alternative(s) satisfactory to the City:

- ***"Lot 12" – A landscaped, garden-like courtyard in the centre of the lot, framed with street-wall buildings on four sides, and accessed by vehicles via one "narrow" driveway along the lot's north side;***
- ***"Lot 9 and 10" – At each lot, a landscaped, garden-like courtyard open to the internal road on its south side, street-wall type buildings on two sides, and a public walkway on the fourth, which together frame a view from the street through the building's glazed lobby to the waterfront and mountains beyond;***
- ***"Lot 13" – A welcoming, pedestrian-friendly, outdoor "breezeway" (i.e. through the building) open to the internal road on its west side and views of 6900 River Road on its east; and***
- ***"Lot 11" – A landscaped, garden-like courtyard limited to the south end of the lot, located to minimize impacts on public access and views to the waterfront, and designed to complement public trail access/views between the subject site's internal road and 6900 River Road.***

H. Other Considerations

a) Industrial Noise: The subject site is situated in a transitional industrial area and may be subject to noises not typical of other residential neighbourhoods. Covenants are required to be registered on the new lots in this regard.

b) District Energy Utility (DEU): The CCAP encourages the coordinated planning of City infrastructure with the aim of advancing opportunities to implement environmentally responsible services. Areas undergoing significant change, such as the Oval Village, are well suited to this endeavour. In light of this, staff recommend, and the developer has agreed, that:

- The developer will pre-build 100% of the subject development to facilitate its connection to a DEU in the Oval Village (with the understanding that the utility will be constructed by others) and design for DEU connection for any phase of the development that will be complete after the utility becomes operational.

c) Leadership in Energy and Environmental Design (LEED): The CCAP requires that all rezoning applications greater that 2,000 m^2 in size demonstrate compliance with LEED Silver (equivalency) or better, paying particular attention to features significant to Richmond (e.g., green roofs, urban agriculture, district energy, storm water management and quality). The developer has agreed to comply with this policy and will demonstrate compliance on a DP-by-DP basis as the project proceeds.

d) Flood Management Strategy: The CCAP encourages measures that will enhance the ability of development to "adapt" to climate change (e.g., sea level rise). To this end, the Plan encourages City Centre developers to support City objectives for building to the City's recommended Flood Construction Level (FCL) and raising the elevation of the existing dike crest. The latter is of particular importance in the case of the subject development, as the coordination of proposed waterfront park and dike improvements will ensure that both initiatives are cost-effective and timely. In light of this, the developer and staff have agreed that the developer will:

- ***Dike***: Cost share with the City on raising the dike between Hollybridge Way and Gilbert Road as follows:
  - i. ASPAC shall be solely responsible for the cost of raising the dike crest from its existing elevation to 4.0 m geodetic (i.e. no DCC credits shall apply);
  - ii. The City shall be responsible for raising the dike crest from 4.0 m geodetic to 4.7 m geodetic; and
  - iii. Prior to DP issuance for any of "Lot 9", "Lot 10", or "Lot 11", ASPAC shall enter into the City's standard Servicing Agreement or alternative legal agreement(s) to the satisfaction of the City, secured via a Letter(s) of Credit, for raising of the dike crest from existing grade to 4.7 m geodetic.
- ***New Roads***: All new roads, including "new" River Road, will be raised to a minimum elevation of 2.9 m geodetic.
- ***Habitable Elevation***: All habitable floor area will be constructed at a minimum elevation of 2.9 m geodetic, except for commercial uses and common residential lobbies situated along or near Hollybridge Way. (Standard FCL bylaw exemptions shall apply.)
- ***Covenants***: The City's standard flood indemnity covenant shall be registered on title on all five of the developer's lots.

e) Public Art: Richmond policy encourages developers to voluntarily contribute towards public art, especially in the case of large, prominent projects, such as the subject development. In light of this, the developer has prepared a "Public Art Master Plan" for the subject site, which has been reviewed and approved by the Richmond Public Art Commission and is supported by staff. An executive summary of the Plan is attached. (**Attachment 11, "Schedule G"**) In brief, as agreed by the developer and staff, the Plan:

- Is based on \$6.46/m^2 (\$0.60/ft^2) of maximum permitted floor area (excluding child care and affordable housing) and is valued at approximately \$737,340;
- Proposes four projects located in prominent public areas around the perimeter of the subject site (e.g., dike, "new" River Road);
- Proposes themes important the subject site and its surroundings, including Samuel Brighouse, CP Rail/Interurban, Musqueam, Fraser River, and dragon boats;

- Will be implemented via the City's standard public art processes on a DP-by-DP basis; and
- Will be secured via "no development" covenants registered on title on the developer's lots.

f) Community Planning: As per the CCAP, the City may negotiate developer contributions to assist with its community planning program, generally based on $2.69/m^2$ ($0.25/ft^2$) of maximum permitted buildable floor area (excluding parking, affordable housing, and child care). In light of this, staff recommend, and the developer has agreed, that:

- The developer will voluntarily contribute $300,000 towards Richmond's community planning program in three instalments, as follows:
  i. Prior to adoption of the subject rezoning application: $100,000;
  ii. Prior to Development Permit approval for "Lot 9" (i.e. Phase 2): $100,000; and
  iii. Prior to Development Permit approval for "Lot 10" (i.e. Phase 4): $100,000.

g) Metro Van Sewer: Metro Van has tentatively identified the replacement/relocation a sanitary sewer located in existing River Road for in 2013 (at the Region's sole cost). Raising of the dike, development ASPAC's waterfont lots, and construction of the waterfront park cannot proceed until this work is complete. The Region's target date of 2013 coordinates well with ASPAC's anticipated development schedule. The City and ASPAC will continue to work with Metro Van to facilitate the sewer's timely and cost-effective relocation.

h) Discharge of Covenant AD 152344: A restrictive covenant, which currently allows the developer to install and maintain landscaping within a portion of the existing River Road right-of-way, shall be discharged. The developer shall continue to be responsible for maintaining this area to the satisfaction of the City, as per right-of-ways proposed for registration on title, until such time that River Road is closed and redeveloped with park and residential uses.

Financial or Economic Impact

a) City-Developer "Exchange": ASPAC proposes to release its leasehold interest in City-owned property at 6091 River Road ("Lot 5") and 200 parking spaces secured beneath the Oval in favour of "Lot 5" and 5111 Hollybridge Way ("Lot 6", ASPAC's marketing centre) in exchange for part of existing River Road and a portion of the City-owned, heritage-designated lot at 6900 River Road (which together are equal in area to "Lot 5"). All costs associated with the purchase and sale agreements, including all surveys and transaction costs, shall be borne by the developer, with the exception of Property Transfer Tax payable by the City in regard to its purchase of "Lot 5". The primary business terms of the purchase and sales agreements will be brought forward for consideration by Council in a separate report by the Manager, Real Estate Services.

b) Raising the Dike: The developer has agreed to cost-share raising of the dike, between Hollybridge Way and Gilbert Road, with the City on the basis that the developer pays to raise the dike crest from existing grade to 4.0 m geodetic, and the City pays to raise the dike crest from there to 4.7 m geodetic. Preliminary estimates indicate the cost of this work to be approximately $350,000 for the developer and $290,000 for the City (2010 dollars). The scope of work and related costs will be reviewed in coordination with the waterfront park design process proposed as part of the developer's second phase of development. Based upon that more detailed examination, required funding will be considered for future inclusion in the City's Capital Plan.

Conclusion

As part of its "River Green" waterfront development, ASPAC is proposing to rezone lands located between Hollybridge Way and Gilbert Road to "High Rise Apartment and Olympic Oval (ZMU4) – Oval Village (City Centre)" and amend ZMU4 to better reflect intended development in the Oval Village's "village centre". Staff `s review of ASPAC`s proposal indicates that the subject application warrants favourable consideration on the basis that:

a) The proposal is consistent with OCP and CCAP objectives, including the ANSD policy;

b) The development will provide for a broad range of community benefits including affordable housing, child care, waterfront park expansion and pier construction, raising of the dike, public art, new roads and services, District Energy Utility (DEU) hook-up, and environmental and heritage enhancement and interpretation;

c) The anticipated loss of significant trees along existing River Road, made necessary by raising of the dike and associated development, will be adequately compensated for by various features contributing to a "net gain" to heritage; and

d) The project's proposed form of development is generally consistent with CCAP objectives and can be managed effectively via the City's standard DP, ESA-DP, and Heritage Alteration Permit (HAP) processes.

Suzanne Carter-Huffman.

Suzanne Carter-Huffman
Senior Planner/Urban Design

SPC:cas

Attachment 1: Location Map
Attachment 2: Aerial Photograph
Attachment 3: Aircraft Noise Sensitive Development (ANSD) Map
Attachment 4: City Centre Area Plan Specific Land Use Map: Oval Village (2031)
Attachment 5: City Centre Area Plan Generalized Land Use Map (2031)
Attachment 6: Development Application Data Sheet
Attachment 7: Proposed Development Concept
Attachment 8: Proposed Phasing Plan
Attachment 9: Richmond Heritage Commission, Meeting Held on November 17, 2010
Attachment 10: Preliminary Tree Survey & Heritage Designation Amendment Bylaw Diagram
Attachment 11: Rezoning Considerations

- Schedule A: Preliminary Land Disposition Plan
- Schedule B: Land Reference Plan
- Schedule C: Preliminary Subdivision Plan
- Schedule D: Preliminary Right-of-Way Plan
- Schedule E: Open Space Terms of Reference
- Schedule F: Preliminary Functional Roads Plan
- Schedule G: Public Art Master Plan
- Schedule H: Child Care Terms of Reference
- Schedule I: Heritage Terms of Reference
- Schedule J: Environmental Terms of Reference