



To: Planning Committee

Date: January 15, 2012

From: Wayne Craig
Director of Development

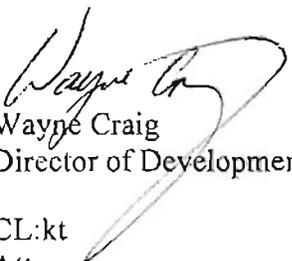
File: TU 12-614858

Re: Application by Dunbar Equipment Ltd. (doing business as Don Dickey Supplies)
for a Temporary Commercial Use Permit at 8540 River Road

Staff Recommendation

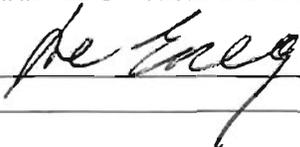
1. That the application by Dunbar Equipment Ltd. (doing business as Don Dickey Supplies) for a Temporary Commercial Use Permit for property at 8540 River Road be considered at the February 18, 2013 Public Hearing at 7:00 pm in the Council Chambers of Richmond City Hall, and that the following recommendation be forwarded to that meeting for consideration.

“That a Temporary Commercial Use Permit be issued to Dunbar Equipment Ltd (doing business as Don Dickey Supplies) to allow the retail sale of outdoor power equipment as an accessory use at 8540 River Road.”



Wayne Craig
Director of Development

CL:kt
Att.

| REPORT CONCURRENCE | | |
|--------------------|-------------------------------------|---|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER |
| Business Licences | <input checked="" type="checkbox"/> |  |

Staff Report

Origin

Dunbar Equipment Ltd. (doing business as Don Dickey Supplies) has applied to the City of Richmond for a Temporary Commercial Use Permit (TCUP) to allow the retail sale of outdoor power equipment as an accessory use at 8540 River Road (**Attachment 1**).

Background

From 1969 until 2007, the applicant operated its business at 8611 Beckwith Road as an existing non-conforming use on a "Light Industrial (IL)" zoned lot. In 2007, due to a property acquisition arising from construction of the Canada Line, the applicant relocated to its current location at 8540 River Road [also zoned "Light Industrial (IL)"]. A TCUP was issued by Council on November 19, 2007 to allow the retail sale of outdoor power equipment at this site (TU 07-372359). The TCUP expired in 2009 and was inadvertently not renewed by the applicant.

The applicant wishes to continue to carry on business activities at the subject site, that, in addition to servicing outdoor power equipment, involve the wholesale and retail sale of parts and equipment including lawnmowers, trimmers, blowers, generators, chainsaws, and pressure washers. Servicing and wholesaling of equipment is in keeping with the existing zoning. Retail sales account for only a minor part of business operations, requiring only 25% of the total floor area, and making up an estimated 17 to 20% of the annual dollar volume of equipment sales.

The applicant indicates that every effort has been made to locate an appropriately-zoned site for the permanent operation of the business, but to-date no appropriate site has been identified. The applicant indicates that they have been working closely with Honda Canada to identify either a stand-alone or shared retail site that would be appropriate. The applicant has operated in Richmond for over 40 years.

The subject site is located in an area that is intended to redevelop from the existing industrial to commercial, consistent with the City Centre Area Plan. This application for a TCUP is being pursued as an interim use, as substantial off-site works would be required through rezoning. The Local Government Act allows Council to consider TCUP issuance on its own merits.

Findings of Fact

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

Surrounding Development

The subject site is located in a transitioning area within the Bridgeport Village area of City Centre, which is currently characterized by industrial, commercial, hotel and entertainment uses. Development immediately surrounding the site is as follows:

- To the north and west, across River Road is Duck Island, a vacant site zoned "Light Industrial (IL)", formerly used for concrete manufacturing and distribution, and on which is proposed a commercial, office, hotel, and entertainment complex (RZ 12-598104). Duck Island is also the site of a TCUP for the Richmond Night Market issued by Council

in 2012, which is valid for another two (2) years (TU 11-595782). Also, further north is the River Rock Casino Resort fronting River Road on sites zoned “Casino Hotel Commercial (ZC17)”, “Marina (MA1)”, and “Auto-Oriented Commercial (CA)”.

- To the east and south, the adjacent “Light Industrial (IL)” zoned sites are warehouses fronting River Road with service access via the existing rear lane. Also, to the east across the existing rear lane, are several lots zoned “Light Industrial (IL)” fronting No. 3 Road on which the Canada Line guideway is located and on which is proposed a commercial development (RZ 11-566630).

Related Policies & Studies

2041 Official Community Plan (OCP)

The subject site is located in the Bridgeport Village of City Centre and is designated as “Commercial” on the 2041 OCP Land Use Map. The site is also designated as “Urban Centre T5” on the Bridgeport Village Specific Land Use Map, which provides for medium and high-density office, restaurant, arts, culture, entertainment, hospitality and various other land uses including retail sales and services.

The OCP allows TCUPs in areas designated “Industrial”, “Mixed Employment”, “Commercial”, “Neighbourhood Service Centre”, “Mixed Use”, “Limited Mixed Use”, and “Agricultural” (outside of the Agricultural Land Reserve), where deemed appropriate by Council and subject to conditions suitable to the proposed use and surrounding area.

The proposed temporary commercial use by Dunbar Equipment Ltd for retail sales of outdoor power equipment and parts is consistent with the land use designations and applicable policies in the OCP.

Aircraft Noise Sensitive Development Policy

The subject site is located within “Area 1A – Restricted Area” of the Aircraft Noise Sensitive Development Policy, where new Aircraft Noise Sensitive Land Uses are prohibited. An aircraft noise sensitive use covenant was registered on title prior to issuance of the initial TCUP in 2007, to address aircraft noise mitigation and public awareness.

The proposed temporary commercial use is consistent with the Aircraft Noise Sensitive Development Policy as no new Aircraft Noise Sensitive Land Uses are proposed at the site.

Flood Management

In accordance with the City’s Flood Management Strategy, a flood indemnity covenant was registered on title prior to issuance of the initial TCUP in 2007.

Local Government Act

The Local Government Act identifies that TCUPs are valid for a period of up to three (3) years from the date of issue and that an application for an extension to the permit may be made and issued for up to three (3) more years.

Staff Comments

Business Activities

As indicated previously, the applicant services and sells outdoor power equipment and parts to retail and wholesale customers throughout Richmond. Wholesale customers include government, industrial customers, lumber bills, and landscapers. The total floor area of the existing building at the subject site is approximately 319 m² (3,425 ft²), and is allocated to the various aspects of business activities as follows:

Main Floor: Showroom 79 m² (850 ft²)
Parts/Service 65 m² (700 ft²)
Storage/Utilities 40 m² (430 ft²)

2nd Floor: Office/Storage 135 m² (1,445 ft²)

A majority of the space allocated in the existing building on-site is for office, service, and storage of parts and equipment (i.e. 240 m²), compared with the retail component of the business (i.e. showroom), which makes up approximately 25% of the total floor area.

The applicant indicates that equipment sales accounted for approximately 57% of the total annual dollar volume in 2012, of which 30% consisted of retail sales (or approximately 17 to 20% of total revenue).

Zoning

The subject site is zoned "Light Industrial (IL)", which provides for a range of general industrial and limited compatible uses and services, which must be wholly enclosed within a building. The zone permits wholesale distribution and servicing of materials, but does not permit retail sales and services to the general public.

The applicant's business activities include wholesale as well as retail sales and servicing of outdoor power equipment and parts, including lawnmowers, trimmers, blowers, generators, chainsaws, and pressure washers. As the retail sale and servicing of materials is not a permitted use in the "Light Industrial (IL)" zone, a TCUP application is being made to allow for the retail component of the business.

To support the application, documentation has been provided by the applicant to confirm zoning compliance in terms of required building setbacks, lot coverage, density, and building height. The attached Development Application Data Sheet (**Attachment 2**) provides a comparison of the existing development data with the relevant Zoning Bylaw requirements.

Parking

The subject site provides five (5) vehicle parking spaces at the front of the site, as well as four (4) vehicle parking spaces and a minimum of one (1) loading space at the rear of the site, off the rear lane. On-street parking is also permitted on the west side of River Road between No. 3 Road and West Road, opposite the subject site.

The Zoning Bylaw allows existing on-site parking conditions that predate the current parking requirements to be maintained for existing buildings. Staff notes that the vehicle parking spaces

at the front of the subject site are located closer than 3 m to a lot line which abuts a road, and that the overall number of vehicle parking spaces on-site is slightly less than that required by the current regulations of the Zoning Bylaw (i.e. 10 vehicle parking spaces). Staff has no objection to the current parking arrangement on-site, considering:

- The existence of the building and parking arrangement on the site prior to the date of adoption of the Zoning Bylaw.
- The number of vehicle and loading spaces on-site and the availability of off-street parking on River Road are adequate to meet the parking demand of business operations on-site.

Landscaping

The subject site and surrounding industrial sites in the area consist mainly of buildings and asphalt surface parking and loading to assist with the volume of distribution and deliveries associated with business activities.

The Zoning Bylaw requires the portion of industrially-zoned lots that are within 3 m of a property line abutting a road to be planted and maintained with a combination of trees, shrubs, ornamental plants or lawn.

The existing surface area conditions at the subject site and surrounding sites were developed prior to the adoption of the Zoning Bylaw, therefore the 3 m landscaped road buffer is not applicable in this case. Given the temporary nature of business activities at the subject site and the transitioning surrounding area, Staff has no objection to the surface area conditions.

Analysis

As indicated previously, the applicant has operated business at two (2) light industrial-zoned properties within this neighbourhood since 1969 and wishes to continue to carry on business activities from the current location at 8540 River Road on an interim basis until they identify an appropriately-zoned site for the permanent operation of the business.

A TCUP at this site may be valid for a period of up to three (3) years from the date of issue, at which time an application for an extension to the permit may be made and issued for up to three (3) more years. The Local Government Act allows Council to consider TCUP issuance on its own merits.

The subject site is located in an area that is transitioning from light industrial uses to an area that is designated in the City Centre Area Plan to contain a mix of commercial uses and services. The proposed minor retail commercial use at this location is acceptable to staff on the basis that it is consistent with the land use designations in the OCP, and that it is temporary in nature until such time that the property redevelops or that a permanent site can be found for the operation of the business.

Financial Impact

None.

Conclusion

Dunbar Equipment Ltd. (doing business as Don Dickey Supplies) has applied to the City of Richmond for a Temporary Commercial Use Permit (TCUP) to allow the retail sale of outdoor power equipment as an accessory use at 8540 River Road, zoned "Light Industrial (IL)".

A TCUP was issued by Council in 2007 to allow the proposed use. The applicant wishes to continue to carry on wholesale and retail business activities at the subject site, while continuing to seek an appropriately-zoned site for the permanent operation of the business.

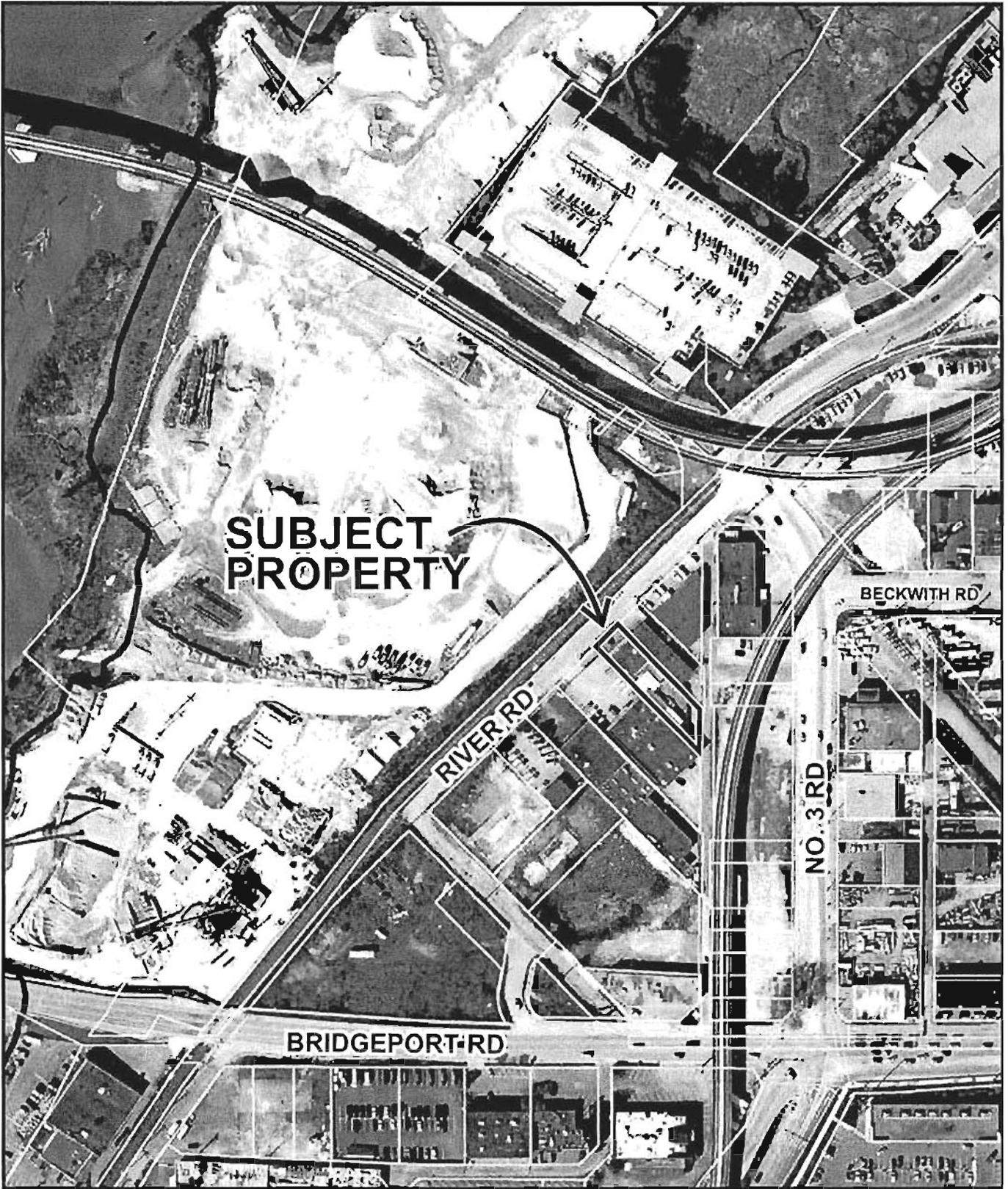
The proposed retail commercial use at this location is acceptable to staff on the basis that it is consistent with the land use designations in the OCP, and is temporary in nature.

Staff recommend that the attached Temporary Commercial Use Permit be issued to Dunbar Equipment Ltd. (doing business as Don Dickey Supplies), to allow the retail sale of outdoor power equipment as an accessory use at 8540 River Road.



Cynthia Lussier
Planning Technician

CL:kt



**SUBJECT
PROPERTY**

RIVER RD

BRIDGEPORT RD

BECKWITH RD

NO. 3 RD

M. J. GARDNER & SONS



TU 12-614858

Original Date: 07/09/12

Amended Date:

Note: Dimensions are in METRES



TU 12-614858

Attachment 2

Address: 8540 River Road

Applicant: Dunbar Equipment Ltd. (dba Don Dickey Supplies)

Planning Area(s): City Centre (Bridgeport Village)

| | Existing | Proposed |
|-------------------------------|------------------------|-----------------|
| Owner: | Opus Mobile Sound Ltd. | No change |
| Site Area: | 827 m ² | No change |
| Land Uses: | Light Industrial | No change |
| OCP Designation: | Commercial | No change |
| Area Plan Designation: | Urban Centre T5 | No change |
| Zoning: | Light Industrial (IL) | No change |

| | Bylaw Requirement | Proposed | Variance |
|---|--------------------------|--------------------|-----------------|
| Floor Area Ratio: | Max 1.2 in City Centre | 0.38 | none permitted |
| Lot Coverage: | Max. 80% | 22% | none |
| Setback – Front Yard: | Min. 3.0 m | 8.08 m | none |
| Setback – Side Yard: | None | Min. 0.04 m | none |
| Setback – Rear Yard: | None | 31.0 m | none |
| Height (m): | Max. 15.0 m | 5.87 m | none |
| Lot Size: | None | 827 m ² | none |
| On-site parking spaces – Vehicle and Loading: | n/c | 10 | none |
| On-site parking spaces - Accessible: | n/c | none | none |



No. TU 12-614858

To the Holder: Dunbar Equipment Ltd. (doing business as Don Dickey Supplies)

Property Address: 8540 River Road
Richmond BC

Address: C/O Thomas Fairbrother
8540 River Road
Richmond BC V6X 1Y4

1. This Temporary Commercial Use Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
3. The subject property may be used for the following temporary Commercial uses:

Retail sale of outdoor power equipment as an accessory use.
4. Any temporary buildings, structures and signs shall be demolished or removed and the site and adjacent roads shall be maintained and restored to a condition satisfactory to the City of Richmond, upon the expiration of this permit or cessation of the use, whichever is sooner.
5. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.
6. This Permit is valid for a maximum of three years from the date of issuance.

This Permit is not a Building Permit.

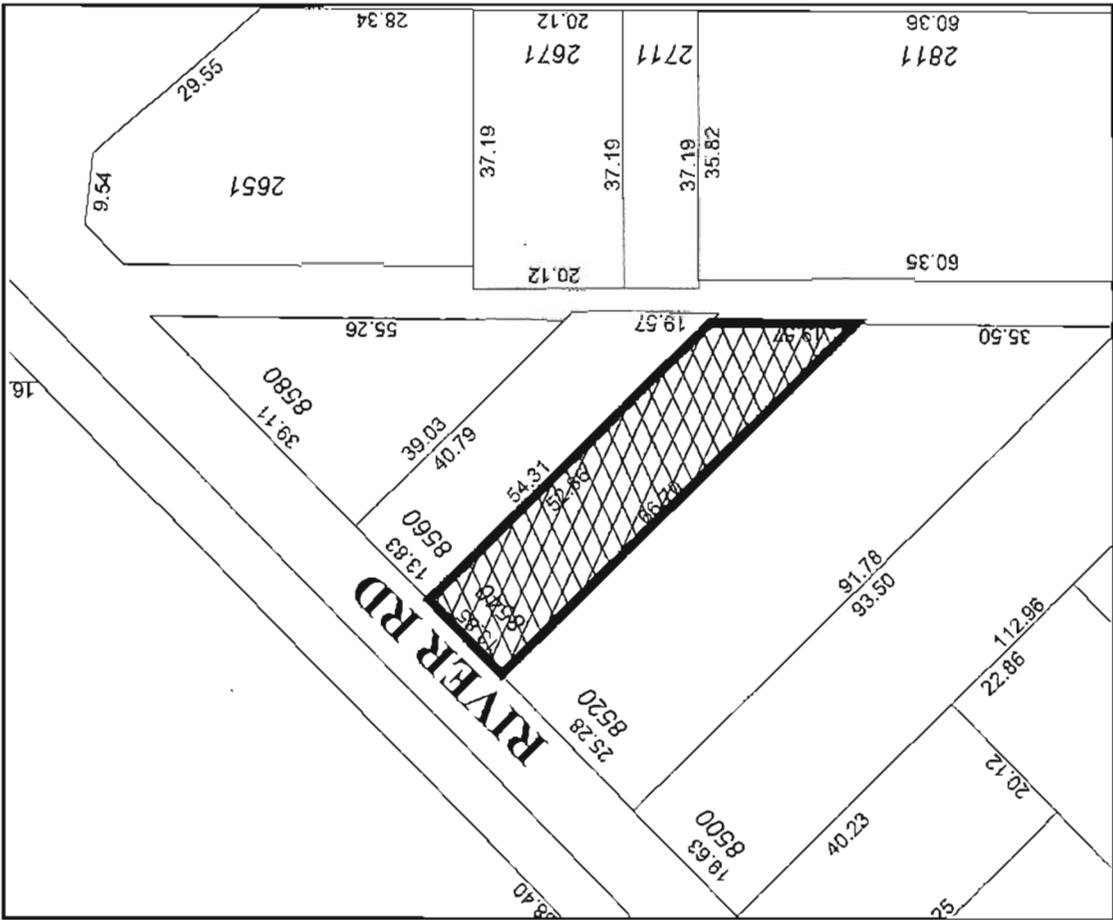
AUTHORIZING RESOLUTION NO.
DAY OF

ISSUED BY THE COUNCIL THE

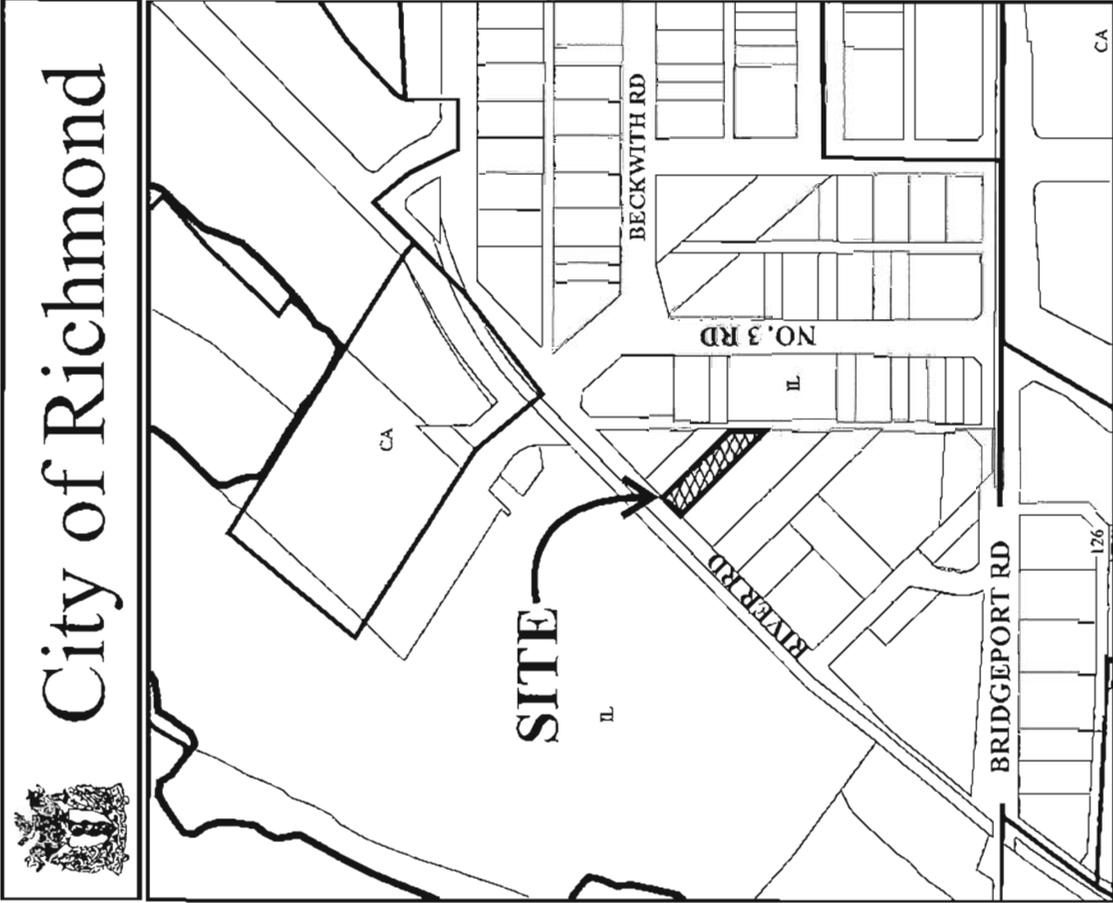
DELIVERED THIS DAY OF

MAYOR

CORPORATE OFFICER



Original Date: 07/09/12
 Revision Date:
 Note: Dimensions are in METRES



TU 12-614858



City of Richmond

Undertaking

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

Dunbar Equipment Ltd.(doing business as Don Dickey Supplies)
by its authorized signatory

(signed original on file)

Thomas Fairbrother, President
Dunbar Equipment Ltd. dba Don Dickey Supplies