



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director of Development

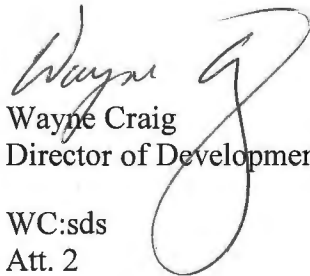
Date: October 24, 2016
File: TU 16-732636

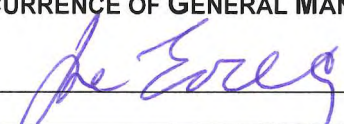
Re: Application by Dunbar Equipment Ltd. (doing business as Don Dickey Supplies)
for a Temporary Commercial Use Permit at 8540 River Road

Staff Recommendation

That the application by Dunbar Equipment Ltd. (doing business as Don Dickey Supplies) for a Temporary Commercial Use Permit at 8540 River Road be considered at the Public Hearing to be held December 19, 2016 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) for property at 8540 River Road to allow the retail sale of outdoor power equipment as an accessory use.”


Wayne Craig
Director of Development
WC:sds
Att. 2

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 sales of outdoor power equipment as an accessory use at 8540 River Road (Attachment 1).

The applicant has operated in Richmond for almost 50 years. From 1969 to 2007, the applicant operated at 8611 Beckwith Road as an existing non-conforming use on a lot zoned "Light Industrial (IL)". In 2007, the applicant relocated to the current location at 8540 River Road (also zoned "Light Industrial (IL)") due to a property acquisition resulting from the construction of the Canada Line. A TCUP was issued by Council on November 19, 2007 (TU 07-372359), which expired in 2009 and was inadvertently not renewed by the applicant. A second TCUP was issued by Council on March 18, 2013 (TU 12-614858), which expired in 2016 and was also inadvertently not renewed by the applicant.

The applicant indicates that significant effort has been made to locate an appropriately-zoned site elsewhere in Richmond, for the permanent operation of the business, but no site has been found. A rezoning application was not pursued at this time as substantial off-site works would be required and business activities at the subject site are temporary. Additionally, the subject site is located in an area transitioning from light industrial uses to commercial and service uses as designated in the City Centre Area Plan.

If approved, the TCUP would 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 and does not limit the number of TCUP issuances allowed on a site.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: Across River Road is Duck Island, a vacant site zoned "Light Industrial (IL)"; on which is proposed a commercial, office, hotel and entertainment complex (RZ 12-598104). Duck Island is also the site of the Richmond Night Market, which operates under a Temporary Use Permit issued by Council in 2014 (TU 14-666140).

To the South: Across the rear lane, the Canada Line guide way and a vacant lot zoned "Light Industrial (IL)" fronting No. 3 Road, with a proposal to construct a two-storey commercial building (DP 14-659747 / RZ 11-566630).

To the East: Warehouses on lots zoned “Light Industrial (IL)” fronting River Road, with rear access from a lane.

To the West: Auto repair shops on lots zoned “Light Industrial (IL)” fronting River Road, with rear access from a lane.

Related Policies & Studies

Official Community Plan/City Centre Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Commercial”. The Bridgeport Village (2031) Specific Land Use Map within the City Centre Area Plan designates the subject site as “General Urban T5 (45 m)”, which allows 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 is consistent with the land use designations and applicable policies in the OCP.

Aircraft Noise Sensitive Development Policy

The subject site is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area 1A, where new Aircraft Noise Sensitive Land Uses are prohibited. An Aircraft Noise Sensitive Use Covenant was registered as a condition of approval for the initial TCUP (TU 07-372359).

Floodplain Management Implementation Strategy

Registration of a flood indemnity covenant on Title to meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204 was registered as a condition of approval for the initial TCUP (TU 07-372359).

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) additional years.

Public Consultation

Should the Planning Committee endorse this TCUP and Council grant 1st reading to the permit, the permit will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the Local Government Act.

Analysis

The applicant has been actively searching for a new permanent location for the existing business for some time; however, no property has been identified in Richmond. As no site has been found, the applicant is requesting a TCUP to allow the existing business to continue to operate while searching for a permanent site. The applicant has also been referred to the City's Economic Development Department for assistance in identifying an appropriate site within Richmond.

Business Operations

The business (Don Dickey Supplies) services and sells outdoor power equipment and parts, such as lawn mowers, grass trimmers, generators, and water pumps, to retail and wholesale customers throughout Richmond. Since the expiration of the TCUP in March 2016, the business has only been licensed for the repair and wholesale component. Issuance of the TCUP would allow the business to obtain a license for the retail component.

The total floor area of the existing building at the subject site is approximately 318 m² (3,425 ft²), and is allocated to the various aspects of business operations as follows: storage/office/utilities (55%), retail/showroom (30%), and parts/service (15%). The majority of the space allocated in the existing building on-site is for office, service, and storage of parts and equipment (223 m²), compared to the retail component of the business (95 m²).

The applicant indicates that equipment sales accounted for approximately 60% of the total annual sales in 2015; of which 70% were wholesale customers, including government, and 30% were retail customers. Parts sales (25%) and service sales (15%) accounted for the remaining total annual sales in 2015.

Zoning

The subject site is zoned "Light Industrial (IL)", which allows a range of general industrial uses with a limited range of compatible uses and services. The zone permits wholesale distribution and services of materials, but does not permit retail sales and services to the general public.

The applicant's business operations include wholesale as well as retail sales and servicing of outdoor power equipment and parts. As the retail sale and servicing of materials to the general public is not a permitted use in the "Light Industrial (IL)" zone, a new TCUP is requested, in order to allow the retail component of the business to continue.

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 Development Application Data Sheet (Attachment 2) provides a comparison of the existing development data with the relevant Zoning Bylaw requirements.

Parking

The subject property provides five (5) vehicle parking spaces at the front of the building, as well as four (4) vehicle parking spaces and one (1) loading space at the rear of the site, off the rear lane; for a total of nine (9) vehicle parking spaces and one (1) loading space.

Staff note that the vehicle parking spaces at the front of the subject site do not meet the minimum required setback of 3 m to a lot line which abuts a road. In addition, the overall number of vehicle parking spaces on-site is one (1) vehicle parking space less than that required by the current regulations of the Zoning Bylaw (which would require 10 vehicle parking spaces). Staff have no objection to the current parking arrangement on-site, considering the following:

- The existence of the building and parking arrangement on the site predate the adoption of the current Zoning Bylaw.
- The business has been operating at the site since 2007 under the previous TCUPs with the same number of vehicle parking spaces, with no parking complaints to-date.
- The number of vehicle and loading spaces on-site and the availability of off-street parking on River Road should be adequate to meet the parking demand of business operations.

Landscaping

The subject site and surrounding industrial sites in the area consist mainly of multi-tenant industrial buildings with asphalt surface parking and loading. There are few sites in the area that are landscaped to the current required standard.

Richmond Zoning Bylaw 8500 requires that 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.

There is no physical space on the existing site to accommodate the required landscaping. Staff have no objection to the existing surface area conditions (asphalt) due to the following:

- The existing surface area conditions at the subject site and surrounding sites were developed prior to the adoption of the current Zoning Bylaw.
- Business activities at the subject site are temporary and there is significant future redevelopment potential for the site based on activity and transition occurring in the surrounding area. Frontage improvements would be required as part of any future redevelopment proposal.
- Any landscaping proposed in the front yard would reduce the number of parking spaces onsite.

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 sales of outdoor power equipment as an accessory use at 8540 River Road, zoned "Light Industrial (IL)".

TCUPs were issued by Council in 2007 and 2012 to allow the proposed use. The applicant wishes to continue to operate 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 the subject property 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.



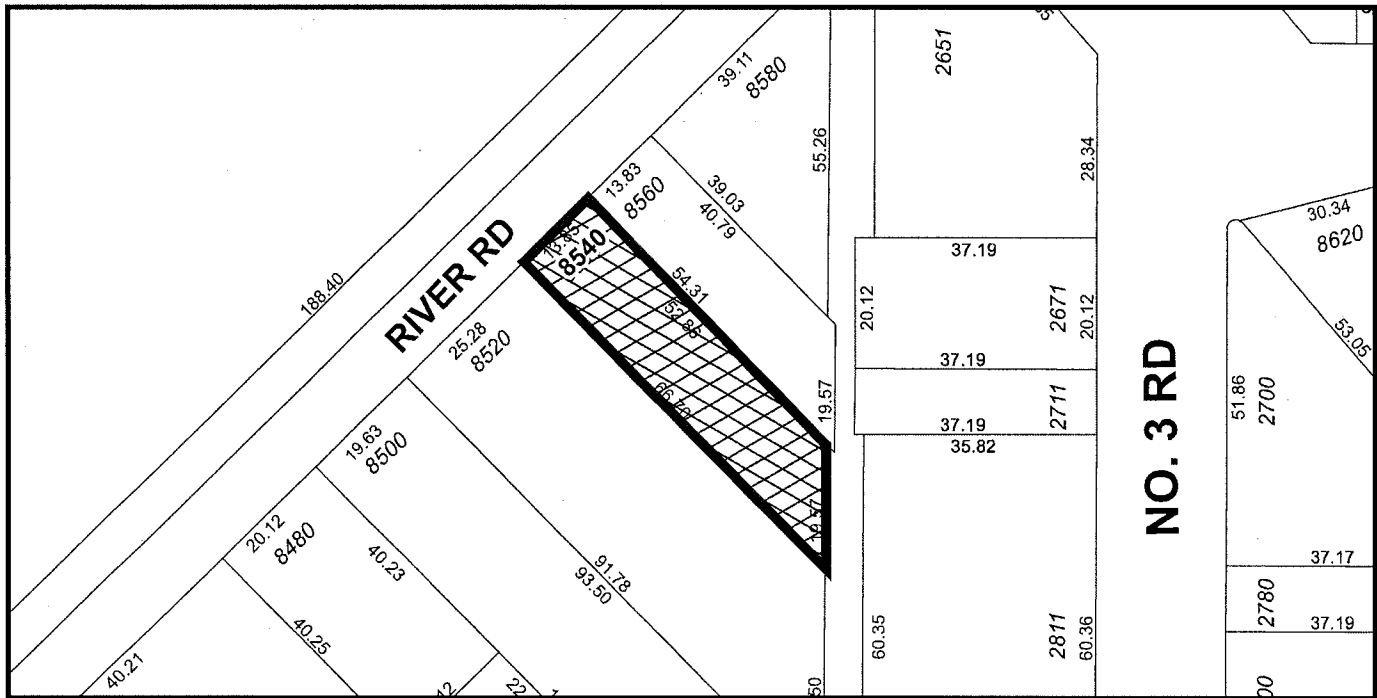
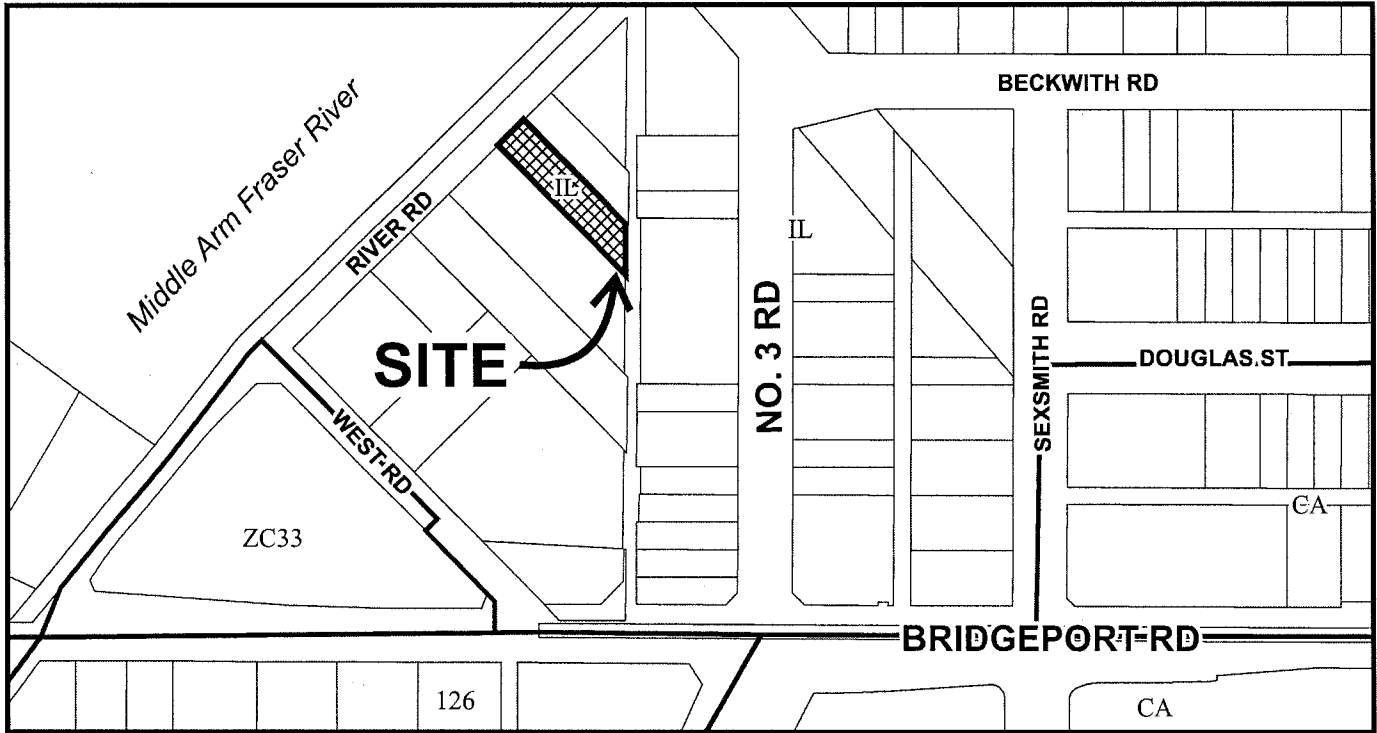
Steven De Sousa
Planning Technician - Design

SDS:rg

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet



City of Richmond



	<h2>TU 16-732636</h2>	Original Date: 05/26/16 Revision Date: Note: Dimensions are in METRES
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City of
Richmond



TU 16-732636

Original Date: 05/30/16

Revision Date:

Note: Dimensions are in METRES



RZ 16-732636

Attachment 2

Address: 8540 River Road

Applicant: Dunbar Equipment Ltd. (doing business as Don Dickey Supplies)

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

	Existing	Proposed
Owner:	Opus Mobile Sound Ltd.	No change
Site Size:	827 m ² (8,901 ft ²)	No change
Land Uses:	Light Industrial	No change
OCP Designation:	Commercial	No change
Area Plan Designation:	General Urban T5 (45 m)	No change
Zoning:	Light Industrial (IL)	No change

On Future Subdivided Lots	Bylaw Requirement	Existing	Variance
Floor Area Ratio:	Max. 1.2	0.38	None permitted
Lot Coverage:	Max. 80%	22%	None
Lot Size:	N/A	827 m ²	None
Lot Dimensions:	Width: N/A Depth: N/A	Width: 16 m Depth: 59 m	None
Setbacks:	Front: Min. 3.0 m Side: N/A Rear: N/A	Front: 7.9 m Side: 0.05 m Rear: 31.4 m	None
Height:	Max. 15.0 m	5.87 m	None



No. TU 16-732636

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 Temporary Commercial Use Permit is valid for a maximum of three years from the date of issuance.

This Permit is not a Building Permit.

No. TU 16-732636

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

AUTHORIZING RESOLUTION NO.
DAY OF

ISSUED BY THE COUNCIL THE

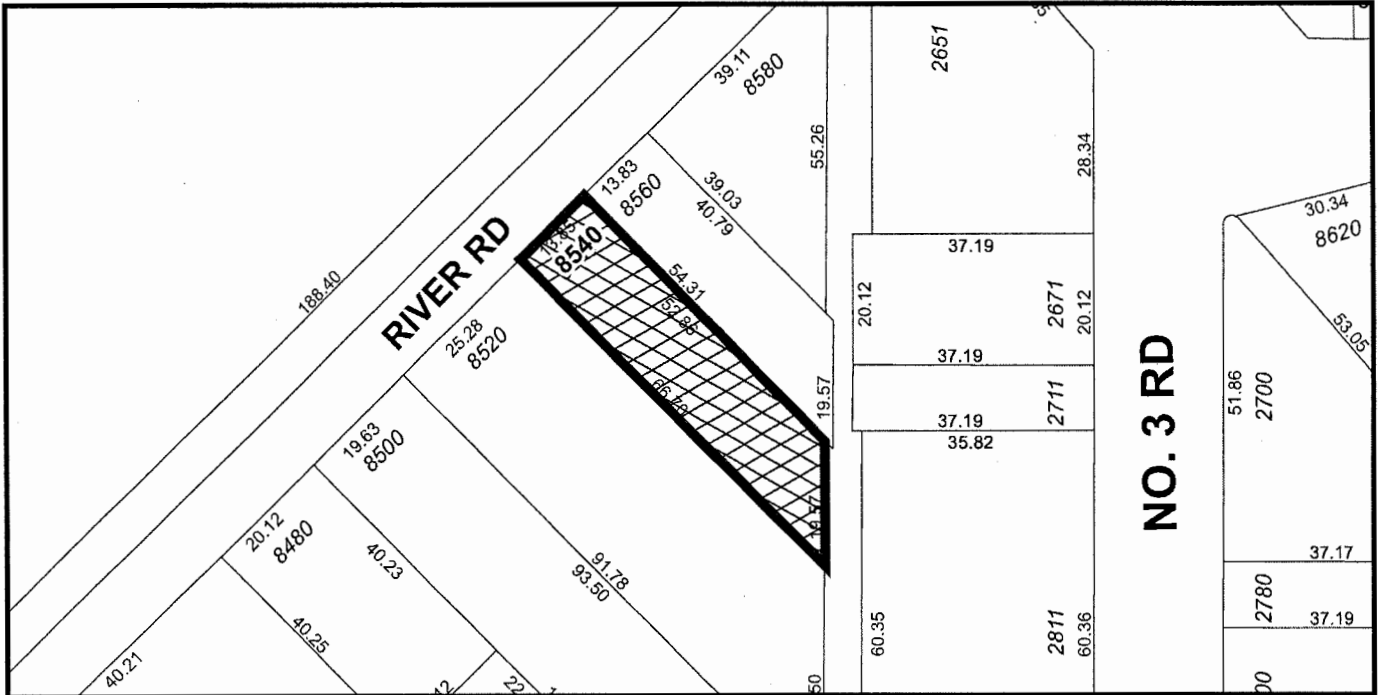
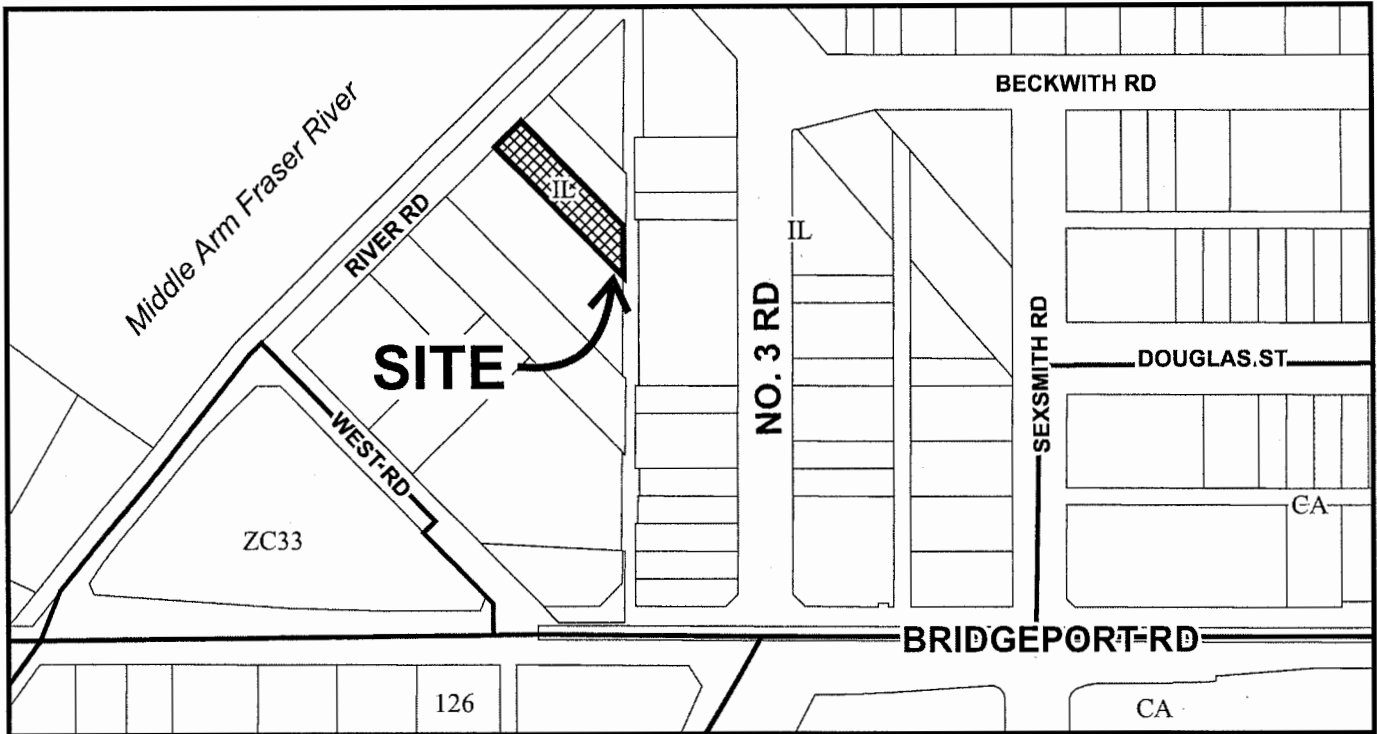
DELIVERED THIS DAY OF

MAYOR

CORPORATE OFFICER



City of
Richmond



TU 16-732636
SCHEDULE "A"

Original Date: 05/26/16

Revision Date:

Note: Dimensions are in METRES

Schedule "B"

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