



To: Planning Committee

Date: March 14, 2018

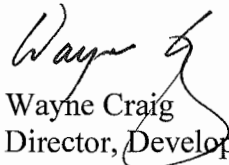
From: Wayne Craig  
Director, Development

File: RZ 17-778835

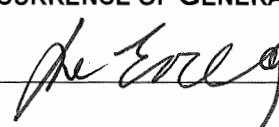
Re: **Application by Polygon Development 218 Ltd. for Rezoning at 3551, 3571, 3591, 3611, and 3631 Sexsmith Road from Single Detached (RS1/F) to Residential/Limited Commercial (RCL4)**

**Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9836, which makes minor amendments to the "Residential/Limited Commercial (RCL4)" zone specific to 3551, 3571, 3591, 3611, and 3631 Sexsmith Road and rezones 3551, 3571, 3591, 3611, and 3631 Sexsmith Road from "Single Detached (RS1/F)" to "Residential/Limited Commercial (RCL4)", be introduced and given first reading.

  
Wayne Craig  
Director, Development

WC:sch  
Att. 8

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Arts, Culture & Heritage Affordable Housing	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

## Staff Report

### Origin

Polygon Development 218 Ltd. has applied to the City of Richmond for permission to rezone lands in the City Centre's Capstan Village area at 3551, 3571, 3591, 3611, and 3631 Sexsmith Road (Attachments 1, 2 & 3), from "Single Detached (RS1/F)" to "Residential/Limited Commercial (RCL4)", to permit a 16,329 m<sup>2</sup>, (175,759 ft<sup>2</sup>), high-rise development containing 157 market dwellings, 11 affordable (low-end of market rental) units (secured in perpetuity with a Housing Agreement and covenant registered on title), and 72 m<sup>2</sup> (779 ft<sup>2</sup>) of community amenity space in the form of two rentable-affordable-work studios for professional artists (secured with a legal agreement registered on title).

An amendment is proposed to the "Residential/Limited Commercial (RCL4)" zone to permit the calculation of density on land the developer is required to dedicate for public open space purposes. This amendment is consistent with existing City Centre Area Plan (CCAP) policy with respect to public open space and road dedications that are not identified for land acquisition purposes in Richmond's Development Cost Charge (DCC) program.

Road and engineering improvements required with respect to the subject development including the eastward extension of Brown Road to Sexsmith Road will be designed and constructed at the developer's sole cost through the City's standard Servicing Agreement processes (secured with a Letter of Credit).

Voluntary developer contributions towards the future construction of the Canada Line's Capstan Station will be submitted by the developer prior to Building Permit issuance, based on the rate in effect at the time of Building Permit issuance, as per City policy.

### Findings of Fact

A Development Application Data Sheet providing details about the subject development proposal is attached. (Attachment 4)

#### Subject Site Existing Housing Profile

The subject properties are vacant.

### Surrounding Development

The subject site is an 8,273 m<sup>2</sup> (89,044 ft<sup>2</sup>) rectangular parcel of land comprised of five vacant, unsewered, single-family lots.

To the North: Adjacent to the site is "Union Square", a low-rise, strata commercial mall that, like the subject site, is designated under the CCAP for medium density residential buildings and a limited amount of complementary commercial and other uses.

To the South: Adjacent to the site is "Continental Shopping Centre", a low-rise, strata commercial mall that is designated under the CCAP for medium density, mixed use development. In addition, along this frontage of the subject site, the developer is required to extend Brown Road to Sexsmith Road as part of the CCAP's "major street" network.

To the West: Three recently completed, residential towers (Polygon "Avanti"), which development provided for a portion of Brown Road and a mid-block walkway.

To the East: Sexsmith Road, beyond which is a very large, predominantly vacant area (comprising a church, several single-family homes, and open fields) that is designated under the CCAP for medium density residential buildings and a limited amount of complementary commercial and other uses.

### **Related Policies & Studies**

Development of the subject site is regulated by the Official Community Plan (OCP), City Centre Area Plan (CCAP), and other City policies (e.g., affordable housing). An overview of these considerations is provided in the “Analysis” section of this report.

#### OCP Aircraft Noise Sensitive Development (ANSD) Policy:

The subject site is located within ANSD “Area 2”, which permits consideration of all aircraft noise sensitive land uses (except single family dwellings) provided that the building design satisfies City standards (e.g., central air conditioning system or an acceptable alternative is installed) and potential purchasers are made aware potential noise conditions. Prior to rezoning adoption, a legal agreement will be registered on title requiring that the developer satisfies all City requirements related to noise attenuation. A preliminary report has been submitted by the developer, prepared by a qualified acoustic professional, indicating that the development can be designed and constructed in compliance with the applicable ANSD standards.

#### NAV Canada Building Height:

Transport Canada regulates maximum permitted building heights in City Centre locations that may impact airport operations. The developer has submitted a letter, prepared by a BCLS registered surveyor, confirming that the development’s proposed maximum building height does not exceed applicable Transport Canada regulations.

#### Floodplain Management Implementation Strategy:

City Centre buildings are required to comply with Richmond Flood Plain Protection Bylaw 8204. Prior to rezoning adoption, a flood indemnity covenant will be registered on title.

### **Public Consultation**

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning signs on the property.

Should the Planning Committee endorse this application and Council grant 1<sup>st</sup> reading to the rezoning bylaw, the bylaw 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*.

#### Ministry of Transportation and Infrastructure (MOTI)

The subject development was referred to MOTI because it is located within 800 m (2,625 ft.) of Sea Island Way, which is a Provincial Limited Access Highway. MOTI has granted preliminary approval for the subject application. Final approval is required prior to rezoning adoption.

## Analysis

The developer has applied to rezone the subject site to permit a 16,329 m<sup>2</sup>, (175,759 ft<sup>2</sup>), 13-storey development including 157 market dwellings, 11 affordable (low-end of market rental) units (secured in perpetuity with a Housing Agreement registered on title), two affordable, work studios for professional artists, the extension of Brown Road to Sexsmith Road, and public open space improvements. This proposal is consistent with current OCP and CCAP policies applicable to the subject site, with the exception of an increase in maximum permitted building height, for which a zoning variance is proposed.

### 1. City Centre Area Plan (CCAP) Compliance

- a) Capstan Station Bonus (CSB): Developments that make use of the density bonus provisions of the Capstan Station Bonus (i.e. 0.5 floor area for residential uses) must:
- Contribute funds towards the future construction of the Capstan Canada Line Station, based on the total number of units and Council-approved contribution rate in effect at the time of Building Permit (BP) issuance (i.e. \$8,562.97 per unit, which rate is in effect until September 30, 2018, plus applicable annual rate increases); and
  - Provide publicly-accessible open space at a rate of at least 5 m<sup>2</sup> (54 ft<sup>2</sup>) per dwelling, based on total dwelling units.

Staff support the subject development on the basis that it satisfies all applicable CSB requirements. More specifically, prior to rezoning adoption, the developer shall:

- Register legal agreements on title to secure a voluntary BP-stage contribution of at least \$1,438,579 (adjusted for applicable rates) for station construction; and
  - Provide 1,217 m<sup>2</sup> (13,101 ft<sup>2</sup>) of publicly-accessible open space (in a combination of dedication and Statutory Right of Way), which contribution is 24% larger than the CSB minimum open space requirement and is comprised of a plaza and pocket park fronting Brown Road, greenway improvements along Brown Road and Sexsmith Road, and widening of an existing mid-block trail constructed by the neighbouring development, Polygon “Avanti”. (Attachment 5)
- b) Arts District: Capstan Village is part of the CCAP’s designated “Arts District”, the aim of which is to support Richmond’s arts community and public enjoyment of the arts by fostering a concentration of public and private arts, culture, and heritage uses, facilities, and amenities. To date, developers have supported the Plan’s “Arts District” objectives through the provision of various affordable arts spaces (e.g., live/work and work-only studios) and public art.

Staff support the subject development on the basis that it will contribute towards the vitality and amenity of Capstan Village’s emerging arts community and residential neighbourhood at no cost to the City. More specifically, prior to rezoning adoption, the developer shall:

- Submit a voluntary cash contribution (\$141,925) to the City for the creation and management of public art, as determined to the City’s satisfaction; and
- Register legal agreements on title to secure the developer’s provision of 72 m<sup>2</sup> (779 ft<sup>2</sup>) of community amenity space (in perpetuity) in the form of two affordable Rentable-Affordable-Work (RAW) studios for professional artists (i.e. “Brown

Road Studios”). Details of the developer’s proposal are set out in Schedule C to the attached Rezoning Considerations (Attachment 8).

The proposed Rentable-Affordable-Work (RAW) studios for professional artists are modelled on four affordable, work-only artist studios previously approved by Council and under construction as part of Capstan Village’s “Concord Gardens” development (ZT 15-700276 / DP 15-700800). In both developments:

- The studios and related uses (e.g., parking, bike storage, shared visitor parking, and waste management facilities) will be constructed, owned, operated, and maintained by the developer, at no cost to the City;
- The studios will be rented on the basis of an annual lease (with an open-ended term) at a City-approved rate of \$2.46/m<sup>2</sup> (\$0.75/ft<sup>2</sup>) per month, which rate shall increase annually based on Consumer Price Index or as otherwise determined to the satisfaction of the City;
- Studio tenants shall not be subject to strata, maintenance, parking, or other fees over and above the City-approved monthly unit rents (except for private utilities);
- Tenants must meet financial eligibility requirements (generally as set out in Richmond’s Affordable Housing Strategy) and satisfy the definition of a “Professional Visual Artist” (Attachment 8); and
- Tenants shall be selected by the City from a list of applicants pre-qualified by the developer based on City-approved eligibility criteria.

Staff support the developer’s proposal as the studios will contribute towards:

- Capstan Village’s concentration of arts uses and a better connected local network of arts facilities and public art;
- More walkable streets and public open spaces animated by visually engaging, pedestrian-oriented uses, artworks, and activities (e.g., outdoor art displays within the public open space Statutory Right of Way area adjacent to the studios);
- An expanded inventory of affordable, flexible, well-sized and designed work spaces suitable for a variety of visual arts activities (as demonstrated by operating/approved work-only, art studios located elsewhere in the region); and
- Facilities suitable to meeting the needs of lower income professional artists, as determined based on a clear set of tenant eligibility criteria, including professional qualifications and annual household incomes as per the City’s Affordable Housing Strategy with respect to tenant income levels for Subsidized Rental and Low End Market Rental housing.

## **2. Proposed Zoning Amendment & Requested Variance**

To facilitate the subject development and provide for voluntary developer contributions in compliance with CCAP policy (i.e. affordable housing, Capstan Station Bonus, and community amenity space), the applicant has applied for the subject site to be rezoned from “Auto-Oriented Commercial (CA)” to “Residential/Limited Commercial (RCL4)”, a standard zone expressly intended for use in Capstan Village’s higher density, high-rise areas. In addition, to accommodate site specific conditions, the developer has proposed the following:

- a) Zoning Amendment: A minor, site-specific amendment to the “Residential/Limited Commercial (RCL4)” zone to permit the calculation of density on a 294 m<sup>2</sup> (3,165 ft<sup>2</sup>) strip of land along the site’s Brown and Sexsmith Road frontages that staff recommend for dedication for public open space purposes.

Staff support the proposed amendment to the RCL4 zone on the basis that it is consistent with CCAP policy and City practice. More specifically:

- The CCAP permits public open space features to be dedicated without any loss of buildable floor area where such features:
    - i. Are not identified on Richmond’s Development Cost Charge program; and
    - ii. Provide for enhanced public open space function; and
  - The affected portion of the subject site:
    - i. Is not identified on Richmond’s Development Cost Charge program; and
    - ii. Will provide for enhanced public open space function through:
      - Approximately 294 m<sup>2</sup> (3,165 ft<sup>2</sup>) of additional public open space area over and above the development’s minimum Capstan Station Bonus public open space requirement, based on the City-approved rate of 5 m<sup>2</sup> (54 ft<sup>2</sup>) per dwelling and 168 units;
      - Enhanced greenway features; and
      - Unrestricted City use to accommodate future public open space, mobility, and engineering needs.
- b) Zoning Variance: An increase in maximum permitted building height from 35 m (115 ft.) to approximately 41 m (133 ft.) to accommodate habitable area, elevator and mechanical penthouse space, and roof articulation.

Staff support the proposed height increase on the basis that it will contribute towards height variation in the local area (i.e. nearby towers vary in height from 35 m / 115 ft. to 45 m / 148 ft.) and a more appealing urban environment. More specifically, the requested height increase improves the applicant’s ability to attractively develop the subject site with a single tower (rather than two), which will in turn help provide for:

- Increased tower separation to existing and future neighbours, including 45 m (149 ft.) minimum to Polygon’s “Avanti” towers (to the west) and 35 m (115 ft.) to the subject site’s north property line (as opposed to the CCAP’s 35 m / 115 ft. minimum tower-to-tower spacing);
- Reduced shading and overlook of neighbouring residential developments;
- Increased publicly-accessible open space (i.e. 24% more than the minimum required under the Capstan Station Bonus open space policy), including the planting of three specimen-size replacement trees; and
- Community amenity space at grade in the form of two rentable-affordable-work (RAW) studios for professional artists that be designed and operated (by the subject developer) to enhance the public use and enjoyment of the development’s proposed on-site public open space.

**3. Housing**

- a) Affordable Housing: The subject rezoning application was submitted on July 18, 2017. Rezoning applications, such as the subject application, which were submitted prior to Council approval of amendments to the City’s Affordable Housing Strategy on July 24, 2017, are grandfathered under the City’s previous affordable housing built unit requirement (i.e., 5% of total residential floor area), provided that the applicable rezoning bylaw receives first reading of Council prior to July 24, 2018.

The developer proposes to design and construct 11 low-end-of-market rental (LEMR) units, to a turnkey level of finish, at the developer’s sole cost, comprising at least 816 m<sup>2</sup> (8,788 ft<sup>2</sup>) of habitable space, based on 5% of the development’s total maximum residential floor area (as per the proposed RCL4 zone).

Occupants of the LEMR units will enjoy full use of all on-site indoor and outdoor residential amenity spaces, which, together with parking, bike storage, and related features, will be provided by the owner/operator at no additional charge to the affordable housing occupants.

Through the Development Permit review processes, staff will work with the developer to engage a non-profit operator to manage the development’s required LEMR units. More information regarding potential arrangements will be provided through the Development Permit staff report and DP Considerations.

Staff support the developer’s proposal, which is consistent with City policy. Prior to rezoning adoption, a Housing Agreement and Housing Covenant will be registered on title requiring that the developer satisfies all City requirements.

Unit Type (1)	Affordable Housing Strategy Requirements			Project Targets (3)	
	Min. Permitted Unit Area	Max. Monthly Unit Rent (2)	Total Max. Household Income (2)	% of Units	# of Units
Bachelor	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811	\$34,650 or less	10%	1-2
1-BR	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less	30%	3-4
2- BR	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less	30%	3
3-BR	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	30%	3
<b>TOTAL</b>	<b>816.4 m<sup>2</sup> (8,787.9 ft<sup>2</sup>)</b>	<b>Varies</b>	<b>Varies</b>	<b>100%</b>	<b>11</b>

- (1) All units (except any 2-storey townhouses) shall meet Richmond Basic Universal Housing (BUH) standards or better.
- (2) Denotes the Council-approved rates as of July 24, 2017. Rates may be adjusted periodically, as per City policy.
- (3) Project Targets will be confirmed to the City’s satisfaction through the Development Permit\* process.

- b) Dwelling Unit Mix: The OCP and CCAP encourage the development of a variety of unit types and sizes supportive of the diverse needs of Richmond’s population including, but not limited to, households with children.

The developer’s proposed unit mix includes 4% bachelor (7 units), 10% 1-bedroom (17 units), 67% 2- bedroom (112 units), and 19% 3-bedroom (32 units).

- c) Accessibility: Richmond’s Official Community Plan (OCP) seeks to meet the needs of the city’s aging population and people facing mobility challenges by encouraging the development of accessible housing that can be approached, entered, used, and occupied by persons with physical and/or sensory disabilities.

Staff support the developer’s proposal, which is consistent with City policy and includes:

- Barrier-free lobbies, common areas, and amenity spaces;
- Aging-in-place features in all units (e.g., grab bar blocking and lever handles); and
- 19% Basic Universal Housing (BUH) units (i.e. 32 of 168 total units), including 13% of market units (i.e. 21 of 157 units) and 100% of affordable housing units (i.e. 11 units). (Note: The developer will be utilizing the Zoning Bylaw's BUH floor area exemption of 1.86 m<sup>2</sup> / 20 ft<sup>2</sup> per BUH unit.)

#### 4. Transportation

The CCAP requires the expansion of Capstan Village's street, bike, and pedestrian networks and encourages developer contributions towards funding of the Capstan Canada Line Station through the Capstan Station Bonus. In addition, the Zoning Bylaw provides reduced parking rates for developments that satisfy the station funding provisions of the Capstan Station Bonus and permits further rate reductions for developments that incorporate transportation demand management measures.

Staff support the developer's proposal, which satisfies all City requirements. All off-site transportation improvements required with respect to the subject development will be designed and constructed at the developer's sole cost through the City's standard Servicing Agreement processes (secured with a Letter of Credit). Key transportation improvements to be provided by the developer include:

- a) The eastward extension of Brown Road to Sexsmith Road, together with pedestrian greenway and off-street bike path improvements;
- b) The installation of a special crosswalk (complete with downward lighting) at the intersection of Brown Road and Sexsmith Road;
- c) Completion of the protected bike route along Brown/Sexsmith from Cambie Road to Carscallen Road via the construction of interim on-street bike lane improvements north of the subject site (which improvements will not displace existing on-street parking);
- d) Improvements to an existing mid-block, multi-use trail along the subject site's west side (i.e. widening, lighting, and landscape features); and
- e) To minimize potential pedestrian/cycling conflicts along Brown and Sexsmith Roads, shared driveway access to the subject site via the neighbouring development on the subject site's west side (Polygon "Avanti"), which access was secured via that adjacent development's earlier City approval processes (RZ 11-591985 and DP 12-612510).

#### 5. Site Servicing Improvements

The developer shall be responsible for the design and construction of required water, storm sewer, and sanitary sewer upgrades and related public and private utility improvements, as determined to the satisfaction of the City. The developer's design and construction of the required improvements shall be implemented through the City's standard Servicing Agreement (SA) process, secured with a Letter of Credit, as set out in the attached Rezoning Considerations (Attachment 8). Prior to rezoning adoption, the developer will enter into the Servicing Agreement, which generally shall include road works, together with water, drainage, and sanitary sewer upgrades along all street frontages.



## 6. Sustainability

The CCAP encourages the coordination of private and City development and infrastructure objectives with the aim of advancing opportunities to implement environmentally responsible buildings, services, and related features. Staff support the developer's proposal, which provides for the following:

- a) District Energy Utility (DEU): The developer will design and construct 100% of the subject development to facilitate its future connection to a DEU system, which may include an owner supplied and installed central energy plant to provide heating and cooling to the building and transfer of the energy plant to the City, all at no cost to the City.
- b) Leadership in Energy and Environmental Design (LEED): The CCAP requires that all rezoning applications greater than 2,000.0 m<sup>2</sup> (21,527.8 ft<sup>2</sup>) in size meet LEED Silver (equivalency) or better, paying particular attention to features significant to Richmond (e.g., green roofs, urban agriculture, DEU, storm water management/quality). The developer has agreed to comply with this policy. A LEED Checklist is attached (Attachment 6). Design development will be undertaken through the Development Permit process.
- c) Electric Vehicle (EV) Facilities: Richmond's Zoning Bylaw includes minimum rates for the provision of EV charging equipment for residential parking (i.e. 100% equipped with Level 2 charging or better) and Class 1 bike storage (i.e. shared charging based on one 120V duplex outlet for each 10 bikes) . The developer's proposal complies with the City's requirements. Prior to adoption of the rezoning bylaw, a legal agreement will be registered on title securing the required EV facilities.

## 7. Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site (City) tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The City's Tree Preservation Coordinator and Parks Arborist have reviewed the Arborist's Report and support the Arborist's findings. Based on this, staff recommend and the developer has agreed to the following, as set out in the attached Rezoning Considerations. (Attachment 8)

- a) On-Site Tree Removal and Replacement: The developer shall submit \$40,000 (Letter of Credit) to secure the developer's removal and replacement of 27 existing bylaw-size trees with 53 replacement trees on the subject site, including:
  - \$25,000 for the 2:1 replacement of 25 existing bylaw-size trees with 50 replacement trees (based on \$500 per replacement tree), as determined to the City's satisfaction through the developer's Development Permit process; and
  - \$15,000 for the replacement of two mature Rock Elms (calipers of 143 cm and 120 cm) with three specimen trees in the development's proposed plaza and pocket park fronting Brown Road, as determined to the City's satisfaction through the developer's Servicing Agreement process;
- b) Off-Site City-Owned Trees: The developer shall submit \$9,100 to the City's Tree Compensation Fund with respect to the removal of 12 trees and one hedge that will be impacted by the extension of Brown Road to Sexsmith Road, which funds shall be used by the City for the planting of replacement trees elsewhere within Richmond; and

- c) Neighbouring Tree Protection and/or Replacement: The developer shall install tree protection fencing and retain an Arborist to ensure the health and safety of 10 existing trees on the neighbouring property south of the subject site (3779 Sexsmith Road / “Continental” shopping centre) and 8 existing trees on the neighbouring property north of the subject site (8388 Capstan Way / “Union Square” shopping centre). Note, however, with respect to the “Union Square” trees, if the owner and developer agree that the 8 existing trees can be removed and replaced (at the developer’s cost), prior to rezoning adoption, a legal agreement shall be registered on title requiring that the developer receives a Tree Removal Permit and submits a Letter of Credit to ensure that the necessary tree replacement is complete prior to occupancy of the subject development.

## 8. Community Planning

As per CCAP policy, the developer proposes to voluntarily contribute \$41,743 towards future City community planning studies, based on \$2.69/m<sup>2</sup> (\$0.25/ft<sup>2</sup>) and 15,512 m<sup>2</sup> (166,971 ft<sup>2</sup>), the maximum permitted buildable floor area under the proposed “Residential/Limited Commercial (RCL4)” zone, excluding affordable housing and community amenity space (i.e. affordable work-only artist studios).

Effective February 19, 2018, Richmond City Council adopted changes to the City Centre Area Plan for the purpose of increasing the “community planning” contribution rate to \$3.01/m<sup>2</sup> (\$0.28/ft<sup>2</sup>); however, applications received prior to February 19, 2018 (including the subject rezoning application, which was submitted on July 18, 2017) will be grandfathered under the previous contribution rate of \$2.69/m<sup>2</sup> (\$0.25/ft<sup>2</sup>), provided that any such application receives first reading of its Rezoning Bylaw prior to February 19, 2019.

## 9. Development Phasing

The developer does not propose to phase the design or construction of the development (i.e. one Development Permit application and one Building Permit application). Prior to rezoning adoption, legal agreements will be registered on title with respect to affordable housing, the proposed affordable work-only studios, public open space, District Energy Utility (DEU), and all works subject to the project’s Servicing Agreement requiring that such features shall be completed and ready for occupancy prior to first (market residential) occupancy of the building.

## 10. Built Form and Architectural Character

The developer proposes to construct a high-rise, high density, mixed use development fronting Brown and Sexsmith Roads, within walking distance of a new 1.7 ha (4.2 ac) park (“Avanti Park”), a recently approved City community centre and Early Childhood Development Hub, the existing Aberdeen Canada Line Station, and the future Capstan Canada Line Station. The proposed development is consistent with CCAP policy for the provision of land (via a combination of dedication and Statutory Rights of Way) to facilitate required transportation and public open space improvements. The proposed form of development, which combines articulated streetwall building elements and a single tower, generally conforms to the CCAP’s Development Permit Guidelines. More specifically, the development has successfully demonstrated:

- a) A strong urban concept contributing towards a high-density, high-amenity, pedestrian-oriented environment, comprising a variety of dwelling types (including townhouse and

apartment units), community amenity space in the form of two storefront-type rentable-affordable-work (RAW) studios, and public plaza, pocket park, and mid-block walkway;

- b) Variations in massing contributing towards streetscape interest, solar access to usable rooftops, and upper- and mid-level views across the site for residents and neighbours;
- c) An articulated building typology with a distinct identity and human scale;
- d) Sensitivity to future and existing residential neighbours (e.g., Polygon “Avanti”), by accommodating the development within a single tower at the site’s southeast corner where it serves to maximize tower spacing and will minimize shading and overlook;
- e) A coordinated approach to recently approved adjacent development (i.e. Polygon “Avanti”) with respect to shared driveway design, mid-block trail improvements, and fronting townhouse units; and
- f) Opportunities to contribute towards a high amenity public realm, particularly along Brown Road at the proposed plaza and pocket park.

In addition, prior to adoption of the rezoning bylaw, a legal agreement will be registered on title to notify future residents of view and other potential impacts that may arise as a result of surrounding development and/or proximity to the development’s proposed art studios (Brown Road Studios) and public open space activities.

Development Permit (DP) approval, to the satisfaction of the Director of Development, will be required prior to rezoning adoption. At DP stage, design development is encouraged with respect to the following items.

- a) Skyline: With respect to the developer’s requested height variance, particular attention will be paid through the DP process to articulation of the tower and the treatment of its roof to ensure that it effectively conceals rooftop equipment, contributes to an attractive and varied skyline, and provides for appealing views from taller neighbouring buildings.
- b) Residential Livability: The design of townhouses along the mid-block trail, internal corner units, and other aspects of the development will be reviewed and refined to address potential livability impacts arising from overlook or other factors.
- c) Brown Road Studios: Opportunities will be explored through the design of these units and the related public plaza, pocket park, and built form to contribute towards Capstan Village’s emerging “Arts District” and the creation of an animated, adaptable, and pedestrian-friendly streetscape.
- d) Capstan Station Bonus Public Open Space: The size and location of the project’s proposed public open space proposed satisfies the CCAP requirements and RCL4 rates. (Attachment 5) Information is required regarding the area’s programming and landscaping to ensure they satisfy City objectives with respect to the planting of specimen replacement trees, coordination with the proposed rentable-affordable-work (RAW) studios, and the interface with adjacent development (Polygon “Avanti”) along the mid-block trail and shared driveway.
- e) Common Amenity Spaces: The proposed indoor and outdoor common amenity spaces satisfy OCP and CCAP DP Guidelines rates, as indicated in the attached Data Sheet (Attachment 4). More information is required with respect to the programming, design, and landscaping of these spaces to ensure they will satisfy City objectives. As part of this

review, the developer's proposed use of inaccessible/extensive green roofs will be considered, together with potential opportunities for creating more usable rooftop areas.

- f) Private Amenity Spaces: The City has adopted guidelines for the provision of private outdoor space for residential uses. An assessment of proposed private amenity areas will be undertaken through the Development Permit process.
- g) Accessibility: Through the Development Permit process the design and distribution of accessible units and common spaces and uses will be refined.
- h) Sustainability: A LEED Checklist is attached. (Attachment 6) Opportunities to better understand and enhance the building's performance in coordination with its architectural expression will be explored through the Development Permit process.
- i) Emergency Services: Through the Development Permit process, Fire Department response points, an addressing plan, and related provisions for firefighting will be addressed.
- j) Crime Prevention through Environmental Design (CPTED): The City has adopted policies intended to minimize opportunities for crime and promote a sense of security. A CPTED checklist and plans demonstrating surveillance, defensible space, and related measures will be reviewed through the Development Permit process.
- k) Parking and Loading: A draft functional plan showing internal vehicle circulation, truck manoeuvring, and related features has been provided and will be finalized through the DP process. Prior to adoption of the rezoning bylaw, a legal agreement will be registered on title to ensure that parking provided for the use of affordable housing occupants and residential visitors will not be configured in a tandem arrangement.
- l) Waste Management: A draft waste management plan has been submitted and will be finalized through the DP process.

## 11. Existing Legal Encumbrances

Development of the subject site is not encumbered by existing legal agreements on title.

### Financial Impact or Economic Impact

As a result of the proposed development, the City will take ownership of developer contributed assets constructed to City standards, such as road works, waterworks, storm sewers, sanitary sewers, street lights, street trees, and bike lanes. The anticipated Operating Budget impact for the ongoing maintenance of these assets is \$8,892. This will be considered as part of the 2019 Operating Budget.

**Conclusion**

Polygon Development 218 Ltd. has applied to the City of Richmond for permission to rezone lands in the City Centre's Capstan Village area at 3551, 3571, 3591, 3611, and 3631 Sexsmith Road, from "Single Detached (RS1/F)" to "Residential/Limited Commercial (RCL4)", to permit a 16,329 m<sup>2</sup>, (175,759 ft<sup>2</sup>), high-rise development containing 157 market dwellings, 11 affordable (low-end of market rental) units (secured in perpetuity with a Housing Agreement and covenant registered on title), and 72 m<sup>2</sup> (779 ft<sup>2</sup>) of community amenity space in the form of two rentable-affordable-work studios for professional artists (secured with legal agreements registered on title). A proposed amendment to the RCL4 zone will, if approved, permit the calculation of density on part of the subject development's required road dedication, as per current City Centre Area Plan (CCAP) policy. An analysis of the developer's proposal shows it to be well designed and consistent with the CCAP's development, livability, sustainability, and urban design objectives. On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9836, be introduced and given first reading.



Suzanne Carter-Huffman  
Senior Planner / Urban Design

SPC:cas

**Attachments:**

1. Location Map
2. Aerial Photograph
3. City Centre Area Plan – Specific Land Use Map: Capstan Village (2031)
4. Development Application Data Sheet
5. Capstan Station Bonus – Proposed Public Open Space Contribution
6. LEED Checklist
7. Conceptual Development Plans
8. Rezoning Considerations







RZ 17-778835

Original Date: 08/15/17

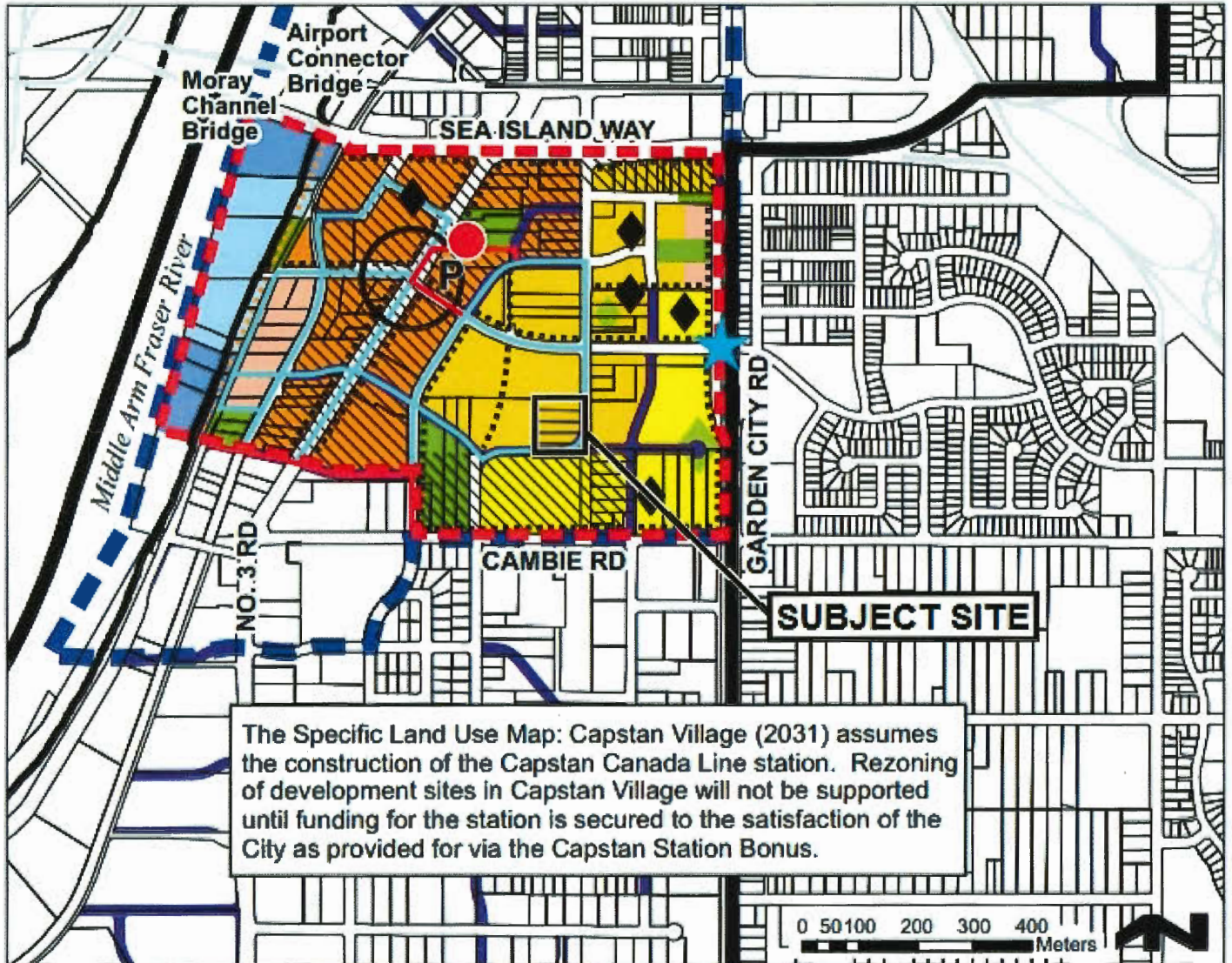
Revision Date:

Note: Dimensions are in METRES



Specific Land Use Map: Capstan Village (2031)

Bylaw 9593  
2017/05/08







**RZ 17-778835**

**Attachment 4**

Address: 3551, 3571, 3591, 3611, and 3631 Sexsmith Road

Applicant: Polygon Development 218 Ltd Owner: Polygon Fiorella Homes Ltd, Inc. No. 0750635

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

	Existing	Proposed
Site Area	<ul style="list-style-type: none"> <li>8,272.5 m<sup>2</sup> (89,044.4 ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>Road: 2,035.1 m<sup>2</sup> (21,905.6 ft<sup>2</sup>), including 294.0 m<sup>2</sup> (3,164.6 ft<sup>2</sup>) that shall be eligible as Capstan Station Bonus public open space</li> <li>Net site: 6,237.4 m<sup>2</sup> (67,138.8 ft<sup>2</sup>)</li> </ul>
Land Uses	<ul style="list-style-type: none"> <li>Large lot single family residential</li> </ul>	<ul style="list-style-type: none"> <li>High-rise, multi-family residential</li> </ul>
OCP Designation	<ul style="list-style-type: none"> <li>Mixed Use</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
CCAP Designation	<ul style="list-style-type: none"> <li>Urban Centre T5 (35 m)</li> <li>Proposed Streets</li> </ul>	<ul style="list-style-type: none"> <li>No change</li> </ul>
Aircraft Noise Sensitive Development (ANSD) Policy	<ul style="list-style-type: none"> <li>High Aircraft Noise "Area 2" – All uses may be considered, except single family homes. (Covenant, acoustic report, noise mitigation &amp; air conditioning required)</li> </ul>	<ul style="list-style-type: none"> <li>As required</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>Single Detached (RS1/F)</li> </ul>	<ul style="list-style-type: none"> <li>Residential/Limited Commercial (RCL4)</li> </ul>
Number of Dwelling Units	<ul style="list-style-type: none"> <li>Nil (Vacant lots)</li> </ul>	<ul style="list-style-type: none"> <li>168 units, including:               <ul style="list-style-type: none"> <li>Market housing: 157</li> <li>Affordable (LEMR) housing: 11</li> </ul> </li> </ul>
Dwelling Unit Types	<ul style="list-style-type: none"> <li>Nil (Single family homes permitted)</li> </ul>	<ul style="list-style-type: none"> <li>4% Bachelor (7 units)</li> <li>10% 1-BR (17 units)</li> <li>67% 2-BR (112 units)</li> <li>19% 3-BR (32 units)</li> </ul>
Accessible Dwellings	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>19% (32 units) Basic Universal Housing units:               <ul style="list-style-type: none"> <li>Market housing: 13% (21 units)</li> <li>Affordable housing: 100% (11 units)</li> </ul> </li> <li>100% of units include aging-in-place features (e.g., handrails, lever handles &amp; blocking in walls for future grab bar installation)</li> </ul>

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio (max.)	<ul style="list-style-type: none"> <li>2.5 FAR, adjusted to 2.618 FAR (based on reduced site area due to Capstan Station Bonus public open space dedication, as permitted under CCAP for non-DCC eligible road &amp; park)</li> </ul>	<ul style="list-style-type: none"> <li>2.618 FAR (as per proposed amendments to the RCL4 zone)</li> </ul>	None permitted
Buildable Floor Area	<ul style="list-style-type: none"> <li>Max. 16,328.5 m<sup>2</sup> (175,758.5 ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>16,328.5 m<sup>2</sup> (175,758.5 ft<sup>2</sup>), including:               <ul style="list-style-type: none"> <li>Market: 15,512.1 m<sup>2</sup> (95%)</li> <li>Affordable: 816.4 m<sup>2</sup> (5%)</li> </ul> </li> </ul>	None permitted

	Bylaw Requirement	Proposed	Variance
Lot Area	<ul style="list-style-type: none"> <li>Min. 4,000.0 m<sup>2</sup> (43,055.6 ft<sup>2</sup>)</li> </ul>	<ul style="list-style-type: none"> <li>6,237.4 m<sup>2</sup> (67,138.8 ft<sup>2</sup>)</li> </ul>	None
Lot Coverage	<ul style="list-style-type: none"> <li>Max. 90%, excluding areas granted via SRW for road or park</li> </ul>	<ul style="list-style-type: none"> <li>90%</li> </ul>	None
Setback – Road	<ul style="list-style-type: none"> <li>6.0 m (19.7 ft.) min., but may be reduced to 3.0 m (9.8 ft.) min. based on a proper public realm interface (measured to a property line)</li> </ul>	<ul style="list-style-type: none"> <li>East: 3.0 m (9.8 ft.) min.</li> <li>South: 3.0 m (9.8 ft.) min. (NOTE: The building is permitted to encroach into public open space/plaza SRW area)</li> </ul>	None
Setback – Interior Property Line	<ul style="list-style-type: none"> <li>Nil</li> </ul>	<ul style="list-style-type: none"> <li>West: 4.5 m (14.8 ft.) (NOTE: The building is NOT permitted to encroach into public open space SRW area)</li> <li>North: 0.6 m (2.0 ft.)</li> </ul>	None
Setback – Projections	<ul style="list-style-type: none"> <li>Balconies: 1.0 m (3.3 ft.) max.</li> <li>Architectural features: 0.6 m (2.0 ft.) max</li> <li>Weather protection: To the property line</li> </ul>	<ul style="list-style-type: none"> <li>Balconies: 1.0 m (3.3 ft.) max.</li> </ul>	None
Height	<ul style="list-style-type: none"> <li>35.0 m (114.8 ft.) max. (measured finished grade)</li> </ul>	<ul style="list-style-type: none"> <li>40.5 m (132.9 ft.)</li> </ul>	<b>Increase by 5.5 m (18.1 ft.)</b>
Parking Spaces	<ul style="list-style-type: none"> <li>183 min. total spaces, including:                             <ul style="list-style-type: none"> <li>- 142 Market sp @ 1.0/unit –10% TDM</li> <li>- 9 Afford. sp. @ 0.9/unit – 10% TDM</li> <li>- 31 Visitor sp. @ 0.2/unit –10% TDM</li> <li>- 1 Brown Road Studios sp.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>198 min. total spaces, including:                             <ul style="list-style-type: none"> <li>- 157 Market spaces (1.0/unit)</li> <li>- 9 Affordable spaces</li> <li>- 31 Visitor spaces</li> <li>- 1 Brown Road Studios space</li> </ul> </li> </ul>	None
Parking – Accessible Spaces	<ul style="list-style-type: none"> <li>6 spaces min (2% min) including:                             <ul style="list-style-type: none"> <li>- 2 Market spaces</li> <li>- 1 Affordable space</li> <li>- 1 Visitor space</li> <li>- 1 Brown Road Studios space</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>6 spaces min (2% min) including:                             <ul style="list-style-type: none"> <li>- 3 Market spaces</li> <li>- 1 Affordable space</li> <li>- 1 Visitor space</li> <li>- 1 Brown Road Studios space</li> </ul> </li> </ul>	None
Parking – Tandem Spaces	<ul style="list-style-type: none"> <li>Legal agreement registered on title to limit tandem parking to Market housing &amp; require that both spaces in a tandem pair of spaces is assigned to the same unit</li> </ul>	<ul style="list-style-type: none"> <li>None proposed</li> </ul>	None
Parking – Small Car Spaces	<ul style="list-style-type: none"> <li>97 spaces max (50% max) including:                             <ul style="list-style-type: none"> <li>- 78 Market spaces</li> <li>- 4 LEMR spaces</li> <li>- 15 Visitor spaces</li> <li>- NIL Brown Road Studios space</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>92 - 97 spaces max, including:                             <ul style="list-style-type: none"> <li>- 73 - 78 Market spaces max.</li> <li>- 4 LEMR spaces max.</li> <li>- 15 Visitor spaces max.</li> <li>- NIL Brown Road Studios space</li> </ul> </li> </ul>	None
Off-Street Loading:	<ul style="list-style-type: none"> <li>1 medium truck (SU-9) space for general loading &amp; waste management vehicles</li> </ul>	<ul style="list-style-type: none"> <li>1 medium truck (SU-9) space for general loading &amp; waste management vehicles</li> </ul>	None
Class 1 Bikes (Secured)	<ul style="list-style-type: none"> <li>214 bike spaces min. in bike rooms, including:                             <ul style="list-style-type: none"> <li>- 196 Market spaces @ 1.25/unit</li> <li>- 14 Affordable spaces @ 1.25/unit</li> <li>- 4 Brown Road Studios spaces</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>214 bike spaces min. in bike rooms, including:                             <ul style="list-style-type: none"> <li>- 196 Market spaces @ 1.25/unit</li> <li>- 14 Affordable spaces @ 1.25/unit</li> <li>- 4 Brown Road Studios spaces</li> </ul> </li> </ul>	None
Class 2 Bikes (Unsecured)	<ul style="list-style-type: none"> <li>37 bike spaces min. @ 0.2/unit (in publicly-accessible racks)</li> </ul>	<ul style="list-style-type: none"> <li>37 bike spaces (in publicly-accessible racks)</li> </ul>	None
EV (Energized) Charging for Cars (240V or 120V)	<ul style="list-style-type: none"> <li>100% Market parking spaces</li> <li>100% Affordable parking space</li> <li>NIL Visitor spaces</li> <li>NIL Brown Road Studios space</li> </ul>	<ul style="list-style-type: none"> <li>157 (100%) Market parking spaces</li> <li>9 (100%) Affordable parking spaces</li> <li>NIL Visitor spaces</li> <li>NIL Brown Road Studios space</li> </ul>	None

	Bylaw Requirement	Proposed	Variance
EV (Energized) Charging for Class 1 Bikes (120V)	<ul style="list-style-type: none"> <li>▪ 23 min. @ 1 duplex receptacle /10 Class 1 bike spaces per bike room, including:                             <ul style="list-style-type: none"> <li>- 20 Market receptacles</li> <li>- 2 Affordable receptacles</li> <li>- 1 Brown Road Studios receptacle</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ 23 min. (120V duplex) receptacles, including:                             <ul style="list-style-type: none"> <li>- 20 Market receptacles</li> <li>- 2 Affordable receptacles</li> <li>- 1 Brown Road Studios receptacle</li> </ul> </li> </ul>	None
Amenity Space – Indoor	<ul style="list-style-type: none"> <li>▪ 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) min. (as per rates typically applied to developments with less than 200 units)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 336 m<sup>2</sup> (3,617 ft<sup>2</sup>) based on 2.0 m<sup>2</sup> (21.5 ft<sup>2</sup>) / unit (as typically applied to developments with 200 or more units)</li> </ul>	None
Amenity Space – Outdoor (Excluding extensive green roofs)	<ul style="list-style-type: none"> <li>▪ 1,649.7 m<sup>2</sup> (17,760.5 ft<sup>2</sup>), including:                             <ul style="list-style-type: none"> <li>- OCP: 840 m<sup>2</sup> (9,042 ft<sup>2</sup>) min. @ 5.0 m<sup>2</sup> (64.6 ft<sup>2</sup>), including 50% constructed as children’s play space</li> <li>- CCAP: 623.7 m<sup>2</sup> (6,713.9 ft<sup>2</sup>) min. @ 10% of net site for additional on-site landscape (excluding extensive green roofs)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ 1,649.7 m<sup>2</sup> (17,760.5 ft<sup>2</sup>), including:                             <ul style="list-style-type: none"> <li>- OCP: 840 m<sup>2</sup> (9,042 ft<sup>2</sup>) min., including 50% constructed as children’s play space</li> <li>- CCAP: 623.7 m<sup>2</sup> (6,713.9 ft<sup>2</sup>) min. additional on-site landscape (excluding extensive green roofs)</li> </ul> </li> </ul>	None
Extensive Green Roofs	<ul style="list-style-type: none"> <li>▪ Encouraged on all inaccessible roofs</li> </ul>	<ul style="list-style-type: none"> <li>▪ Proposed on tower and mid-level roofs. The extent &amp; design of these roofs will be refined through the Development Permit process.</li> </ul>	None

Other: Tree replacement compensation is required for the loss of significant trees (as per Rezoning Considerations).

*NOTE: Floor areas are preliminary estimates and are not inclusive of garages. The exact building size shall be determined through Zoning Bylaw compliance review at Building Permit stage.*

Capstan Station Bonus – Proposed Public Open Space Contribution

**PWL**  
PWS Landscape Architecture Inc.  
1000 West 10th Street  
Vancouver, BC V6H 1G1  
Tel: 604.681.1111  
Fax: 604.681.1112  
www.pwland.com

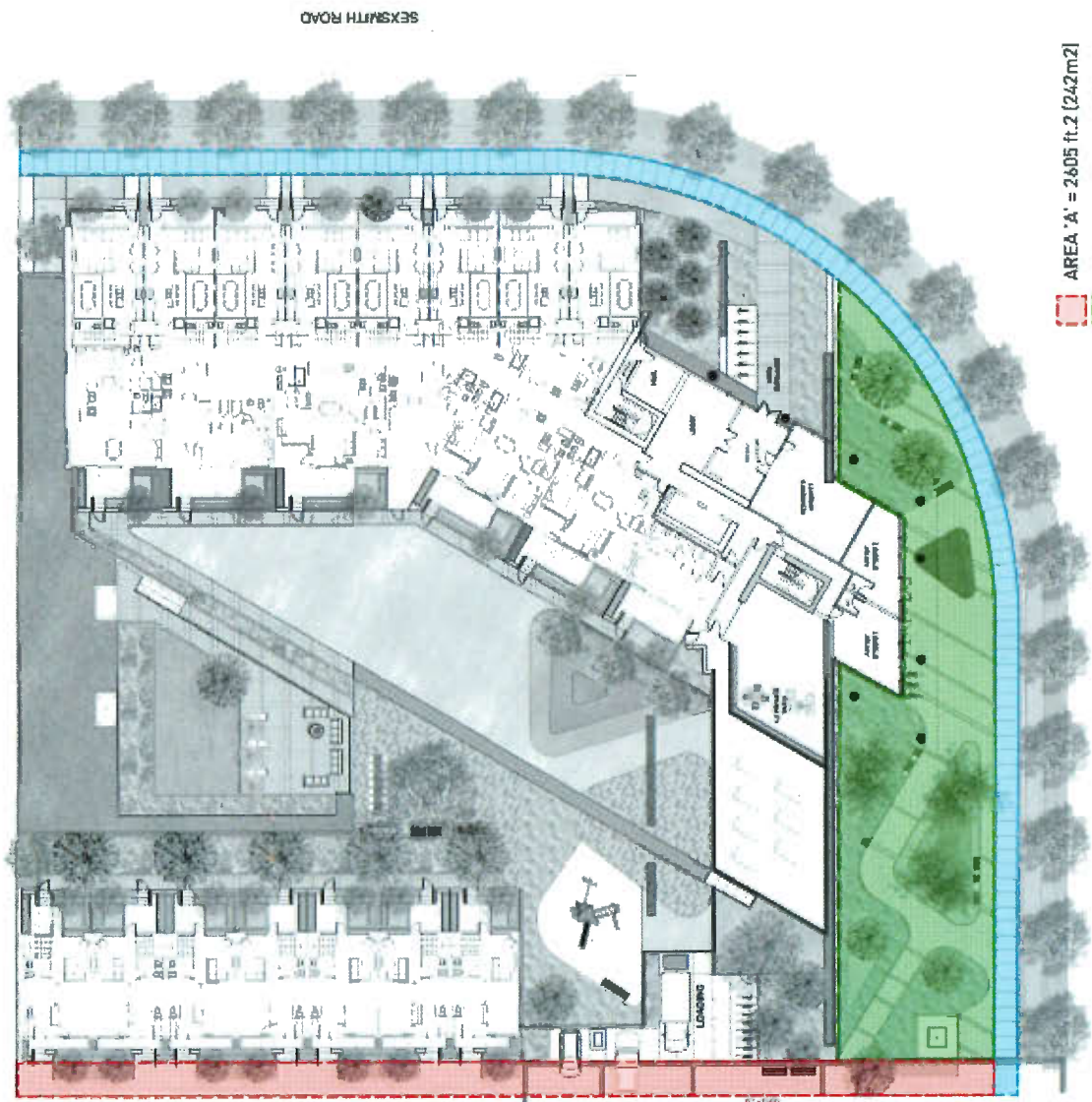
PROJECT NO. 100000000  
DATE: 10/10/2010  
SCALE: 1/8" = 1'-0"

FIORIELLA

LANDSCAPE PLAN  
PUBLIC SPACE  
AREA

DATE	10/10/2010
BY	PWS
CHECKED BY	PWS
SCALE	1/8" = 1'-0"
PROJECT NO.	100000000
CLIENT	100000000
LOCATION	100000000
DESCRIPTION	100000000

L1.02



- AREA 'A' = 2605 ft.2 (242m2)
- AREA 'B' = 7331 ft.2 (681m2)
- AREA 'C' = 3166 ft.2 (294m2)
- TOTAL = 13,102 ft.2 (1217m2)**





for Homes

**LEED for Homes Mid-rise Pilot Simplified Project Checklist**

Builder Name:	Polygon Construction Management
Project Team Leader (if different):	Robin Glover, Polygon Homes
Home Address (Street/City/State):	3551 Sexsmith, Richmond, BC

**Project Description:**

Building type: **Mid-rise multi-family** # of stories: **13**  
 # of units: **168** Avg. Home Size Adjustment: **-9.5**

**Adjusted Certification Thresholds**

Certified: **35.5** Gold: **65.5**  
 Silver: **50.5** Platinum: **80.5**

<b>Project Point Total</b>		<b>Final Credit Category Total Points</b>			
Prelim: 53.5 + 6 maybe pts	Final: 9.5	ID: 0	SS: 5	EA: 4.5	EQ: 0
<b>Certification Level</b>		LL: 0	WE: 0	MR: 0	AE: 0
Prelim: Silver	Final: Not Certified	<i>Minimum Point Thresholds Not Met for Final Rating</i>			

date last updated:		last updated by:		Max Pts	Project Points				
					Preliminary	Maybe	Final		
<b>Innovation and Design Process (ID)</b> (No Minimum Points Required)				Max	Y/Pts	Maybe	No	Y/Pts	
<b>1. Integrated Project Planning</b>	1.1	Preliminary Rating		Prereq					
	1.2	Energy Expertise for MID-RISE		Prereq					
	1.3	Professional Credentialed with Respect to LEED for Homes		1	1	0	0	0	
	1.4	Design Charrette		1	0	0	0	0	
	1.5	Building Orientation for Solar Design		1	0	0	0	0	
	1.6	Trades Training for MID-RISE		1	1	0	0	0	
<b>2. Durability Management Process</b>	2.1	Durability Planning		Prereq					
	2.2	Durability Management		Prereq					
	2.3	Third-Party Durability Management Verification		3	3	0	0	0	
<b>3. Innovative or Regional Design</b>	3.1	Innovation #1 _____		1	1	0	0	0	
	3.2	Innovation #2 _____		1	0	0	0	0	
	3.3	Innovation #3 _____		1	0	0	0	0	
	3.4	Innovation #4 _____		1	0	0	0	0	
<b>Sub-Total for ID Category:</b>				<b>11</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Location and Linkages (LL)</b> (No Minimum Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
<b>1. LEED ND</b>	1	LEED for Neighborhood Development		LL2-6	10	0	0	0	
<b>2. Site Selection</b>	2	Site Selection			2	0	0	0	
<b>3. Preferred Locations</b>	3.1	Edge Development			1	0	0	0	
	3.2	Infill		LL 3.1	2	2	0	0	
	3.3	Brownfield Redevelopment for MID-RISE			1	0	0	0	
<b>4. Infrastructure</b>	4	Existing Infrastructure			1	1	0	0	
<b>5. Community Resources/ Transit</b>	5.1	Basic Community Resources for MID-RISE			1	0	0	0	
	5.2	Extensive Community Resources for MID-RISE		LL 5.1, 5.3	2	0	0	0	
	5.3	Outstanding Community Resources for MID-RISE		LL 5.1, 5.2	3	3	0	0	
<b>6. Access to Open Space</b>	6	Access to Open Space			1	1	0	0	
<b>Sub-Total for LL Category:</b>				<b>10</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Sustainable Sites (SS)</b> (Minimum of 5 SS Points Required)				OR	Max	Y/Pts	Maybe	No	Y/Pts
<b>1. Site Stewardship</b>	1.1	Erosion Controls During Construction		Prerequisite					
	1.2	Minimize Disturbed Area of Site for MID-RISE		1	1	0	0	0	
<b>2. Landscaping</b>	2.1	No Invasive Plants		Prerequisite					
	2.2	Basic Landscape Design		1	1	0	0	0	
	2.3	Limit Conventional Turf for MID-RISE		SS 2.4	2	1	0	1	
	2.4	Drought Tolerant Plants for MID-RISE		SS 2.4	1	0	1	0	
	2.5	Reduce Overall Irrigation Demand by at Least 20% for MID-RISE		3	0	0	0	0	
<b>3. Local Heat Island Effects</b>	3.1	Reduce Site Heat Island Effects for MID-RISE		1	0	0	0	0	
	3.2	Reduce Roof Heat Island Effects for MID-RISE		1	0	0	0	0	
<b>4. Surface Water Management</b>	4.1	Permeable Lot for MID-RISE		2	1	1	0	0	
	4.2	Permanent Erosion Controls		1	1	0	0	0	
	4.3	Stormwater Quality Control for MID-RISE		2	0	0	0	0	
<b>5. Nontoxic Pest Control</b>	5	Pest Control Alternatives		2	1	1	0	0	
<b>6. Compact Development</b>	6.1	Moderate Density for MID-RISE		2	0	0	0	0	
	6.2	High Density for MID-RISE		SS 6.1, 6.3	3	0	0	0	
	6.3	Very High Density for MID-RISE		SS 6.1, 6.2	4	4	0	4	
<b>7. Alternative Transportation</b>	7.1	Public Transit for MID-RISE		2	2	0	0	0	
	7.2	Bicycle Storage for MID-RISE		1	1	0	0	0	
	7.3	Parking Capacity/Low-Emitting Vehicles for MID-RISE		1	1	0	0	0	
<b>Sub-Total for SS Category:</b>				<b>22</b>	<b>14</b>	<b>3</b>	<b>5</b>	<b>5</b>	

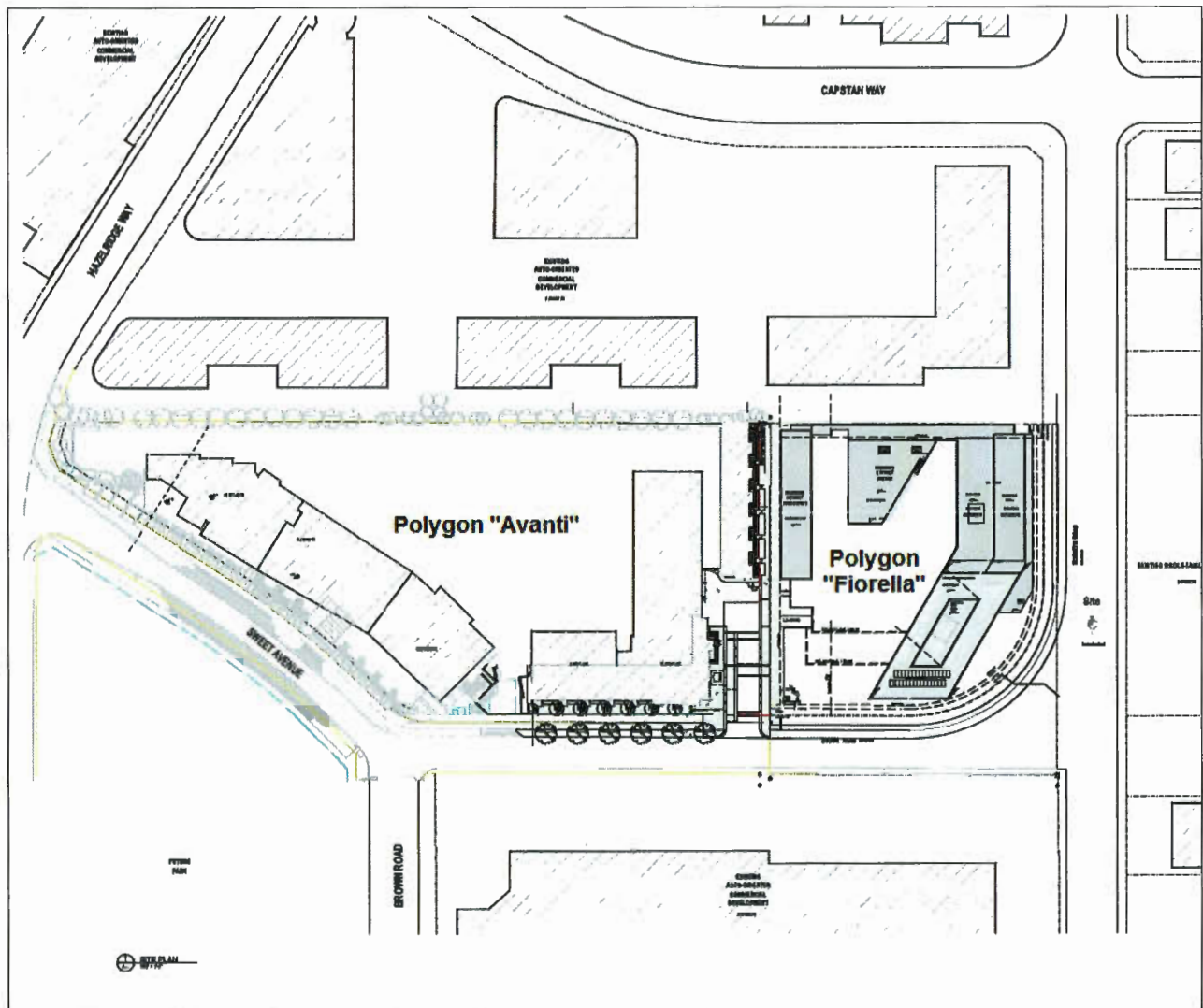


**LEED for Homes Mid-rise Pilot Simplified Project Checklist (continued)**

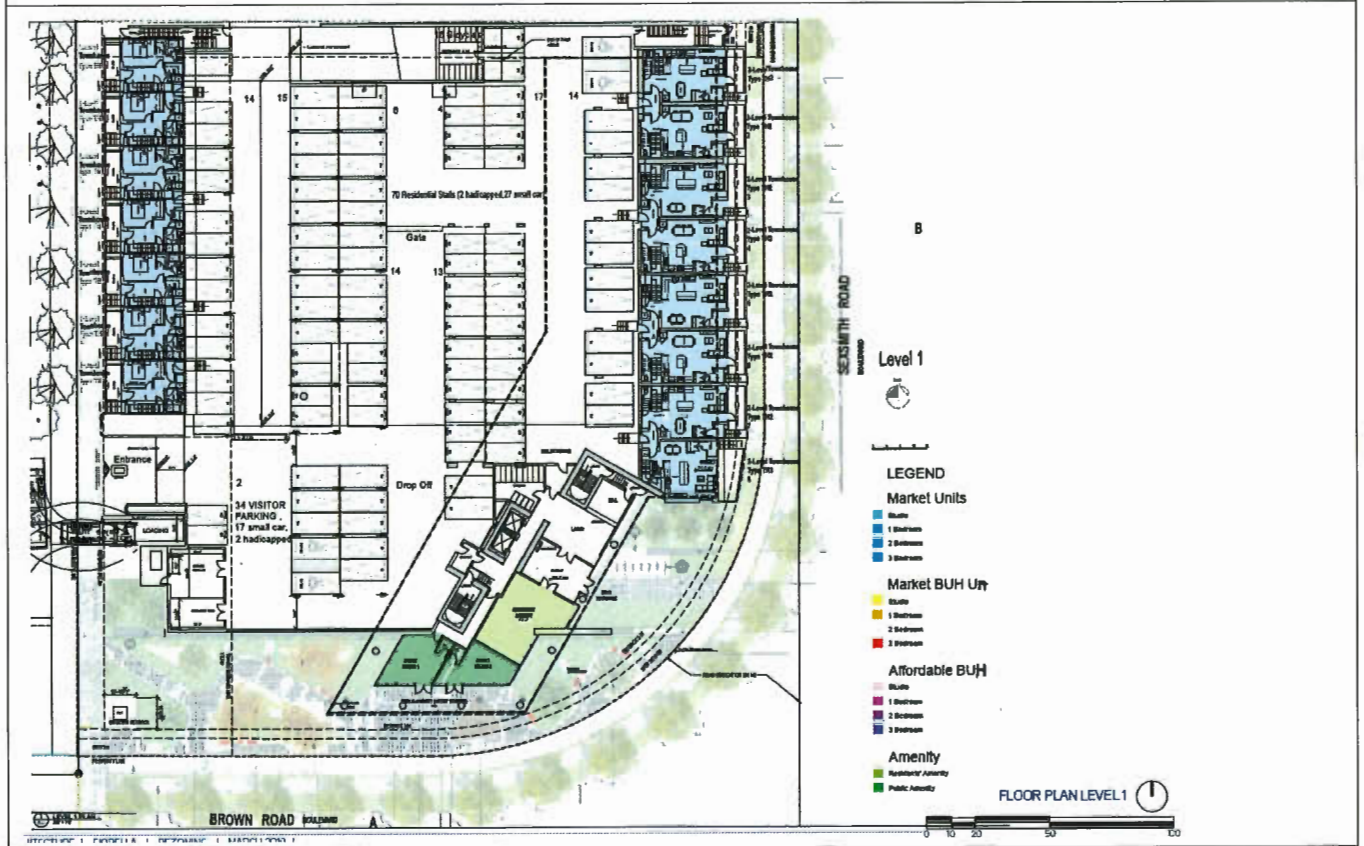
				Max Pts	Project Points			
					Preliminary	Maybe	No	Final
				Max	Y/Pts	Maybe	No	Y/Pts
<b>Water Efficiency (WE)</b> (Minimum of 3 WE Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
1. Water Reuse	2x	1	Water Reuse for MID-RISE	5	0	0	0	0
2. Irrigation System	2x	2.1	High Efficiency Irrigation System for MID-RISE	2	2	0	0	0
		2.2	Reduce Overall Irrigation Demand by at Least 45% for MID-RISE	2	0	0	0	0
3. Indoor Water Use		3.1	High-Efficiency Fixtures and Fittings	3	2	0	0	0
		3.2	Very High Efficiency Fixtures and Fittings	6	2	0	0	0
		3.3	Water Efficient Appliances for MID-RISE	2	1	1	0	0
Sub-Total for WE Category:				15	7	1	0	0
<b>Energy and Atmosphere (EA)</b> (Minimum of 0 EA Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
1. Optimize Energy Performance		1.1	Minimum Energy Performance for MID-RISE	Frereq				
		1.2	Testing and Verification for MID-RISE	Frereq				
		1.3	Optimize Energy Performance for MID-RISE	34	4.5	0	0	4.5
7. Water Heating	2x	7.1	Efficient Hot Water Distribution	2	0	0	0	0
		7.2	Pipe Insulation	1	0	0	0	0
11. Residential Refrigerant Management		11.1	Refrigerant Charge Test	Frereq				
		11.2	Appropriate HVAC Refrigerants	1	1	0	0	0
Sub-Total for EA Category:				38	5.5	0	0	4.5
<b>Materials and Resources (MR)</b> (Minimum of 2 MR Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
1. Material-Efficient Framing		1.1	Framing Order Waste Factor Limit	Frereq				
		1.2	Detailed Framing Documents	1	0	0	0	0
		1.3	Detailed Cut List and Lumber Order	1	0	0	0	0
		1.4	Framing Efficiencies	3	0	0	0	0
		1.5	Off-site Fabrication	4	0	0	0	0
2. Environmentally Preferable Products	2x	2.1	FSC Certified Tropical Wood	Frereq				
	2x	2.2	Environmentally Preferable Products	8	3	0	0	0
3. Waste Management		3.1	Construction Waste Management Planning	Frereq				
		3.2	Construction Waste Reduction	3	2	0	0	0
Sub-Total for MR Category:				16	5	0	0	0
<b>Indoor Environmental Quality (EQ)</b> (Minimum of 6 EQ Points Required) OR				Max	Y/Pts	Maybe	No	Y/Pts
2. Combustion Venting		2	Basic Combustion Venting Measures	Frereq				
3. Moisture Control		3	Moisture Load Control	1	0	0	0	0
4. Outdoor Air Ventilation	2x	4.1	Basic Outdoor Air Ventilation for MID-RISE	Frereq				
		4.2	Enhanced Outdoor Air Ventilation for MID-RISE	2	0	2	0	0
		4.3	Third-Party Performance Testing for MID-RISE	1	0	0	0	0
5. Local Exhaust	2x	5.1	Basic Local Exhaust	Frereq				
		5.2	Enhanced Local Exhaust	1	1	0	0	0
		5.3	Third-Party Performance Testing	1	1	0	0	0
6. Distribution of Space Heating and Cooling	2x	6.1	Room-by-Room Load Calculations	Frereq				
		6.2	Return Air Flow / Room by Room Controls	1	0	0	0	0
		6.3	Third-Party Performance Test / Multiple Zones	2	0	0	0	0
7. Air Filtering		7.1	Good Filters	Frereq				
		7.2	Better Filters	1	1	0	0	0
		7.3	Best Filters	2	0	0	0	0
8. Contaminant Control	2x	8.1	Indoor Contaminant Control during Construction	1	1	0	0	0
		8.2	Indoor Contaminant Control for MID-RISE	2	1	0	0	0
	2x	8.3	Preoccupancy Flush	1	1	0	0	0
9. Radon Protection	2x	9.1	Radon-Resistant Construction in High-Risk Areas	Frereq				
	2x	9.2	Radon-Resistant Construction in Moderate-Risk Areas	1	0	0	0	0
10. Garage Pollutant Protection		10.1	No HVAC in Garage for MID-RISE	Frereq				
		10.2	Minimize Pollutants from Garage for MID-RISE	2	2	0	0	0
		10.3	Detached Garage or No Garage for MID-RISE	3	0	0	0	0
11. ETS Control		11	Environmental Tobacco Smoke Reduction for MID-RISE	1	0	0	0	0
12. Compartmentalization of Units		12.1	Compartmentalization of Units	Frereq				
		12.2	Enhanced Compartmentalization of Units	1	0	0	0	0
Sub-Total for EQ Category:				21	8	2	0	0
<b>Awareness and Education (AE)</b> (Minimum of 0 AE Points Required)				Max	Y/Pts	Maybe	No	Y/Pts
1. Education of the Homeowner or Tenant	2x	1.1	Basic Operations Training	Frereq				
	2x	1.2	Enhanced Training	1	0	0	0	0
		1.3	Public Awareness	1	0	0	0	0
2. Education of Building Manager	2x	2	Education of Building Manager	1	1	0	0	0
Sub-Total for AE Category:				3	1	0	0	0

**IORELLA**  
REZONING SUBMISSION  
February 2018

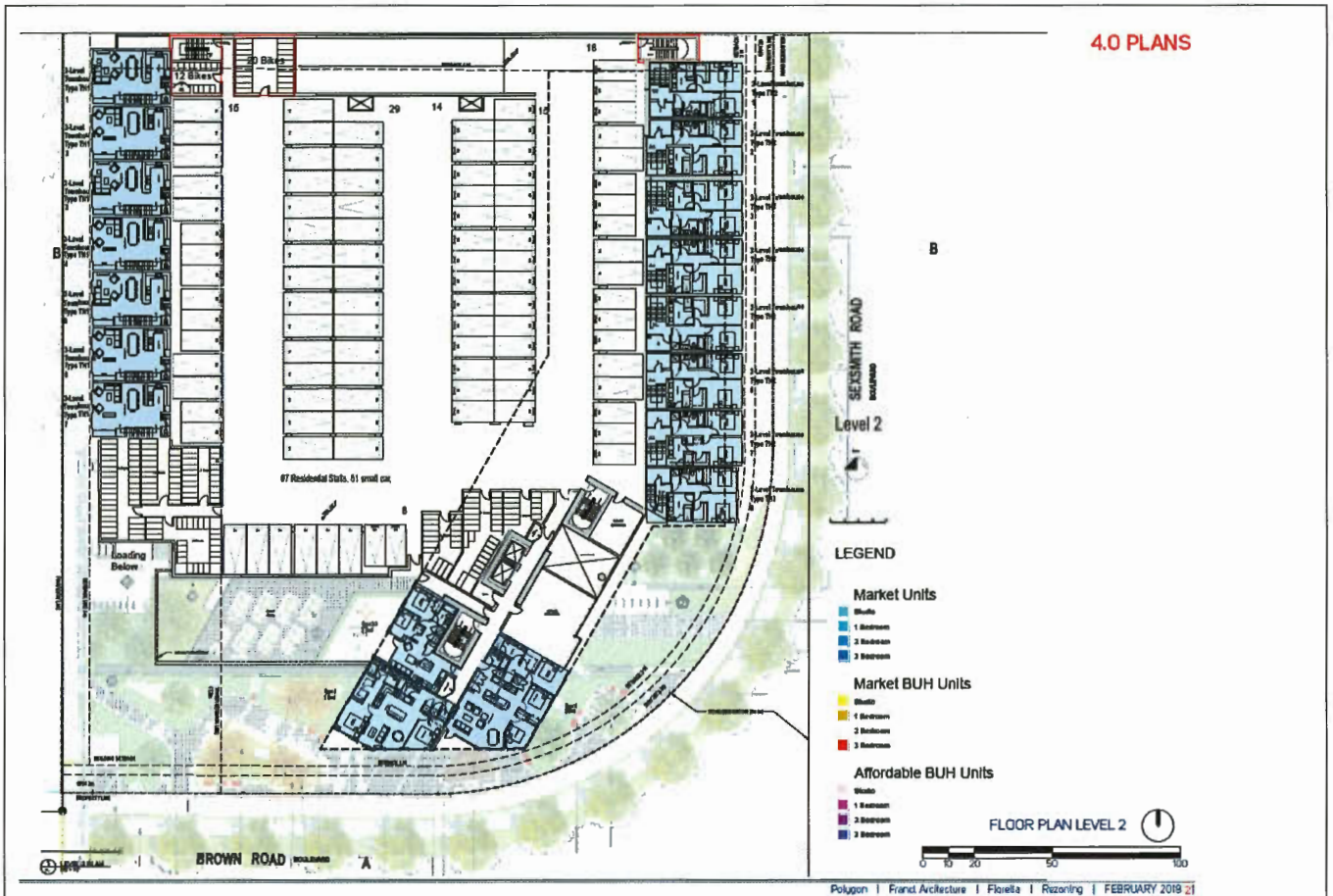
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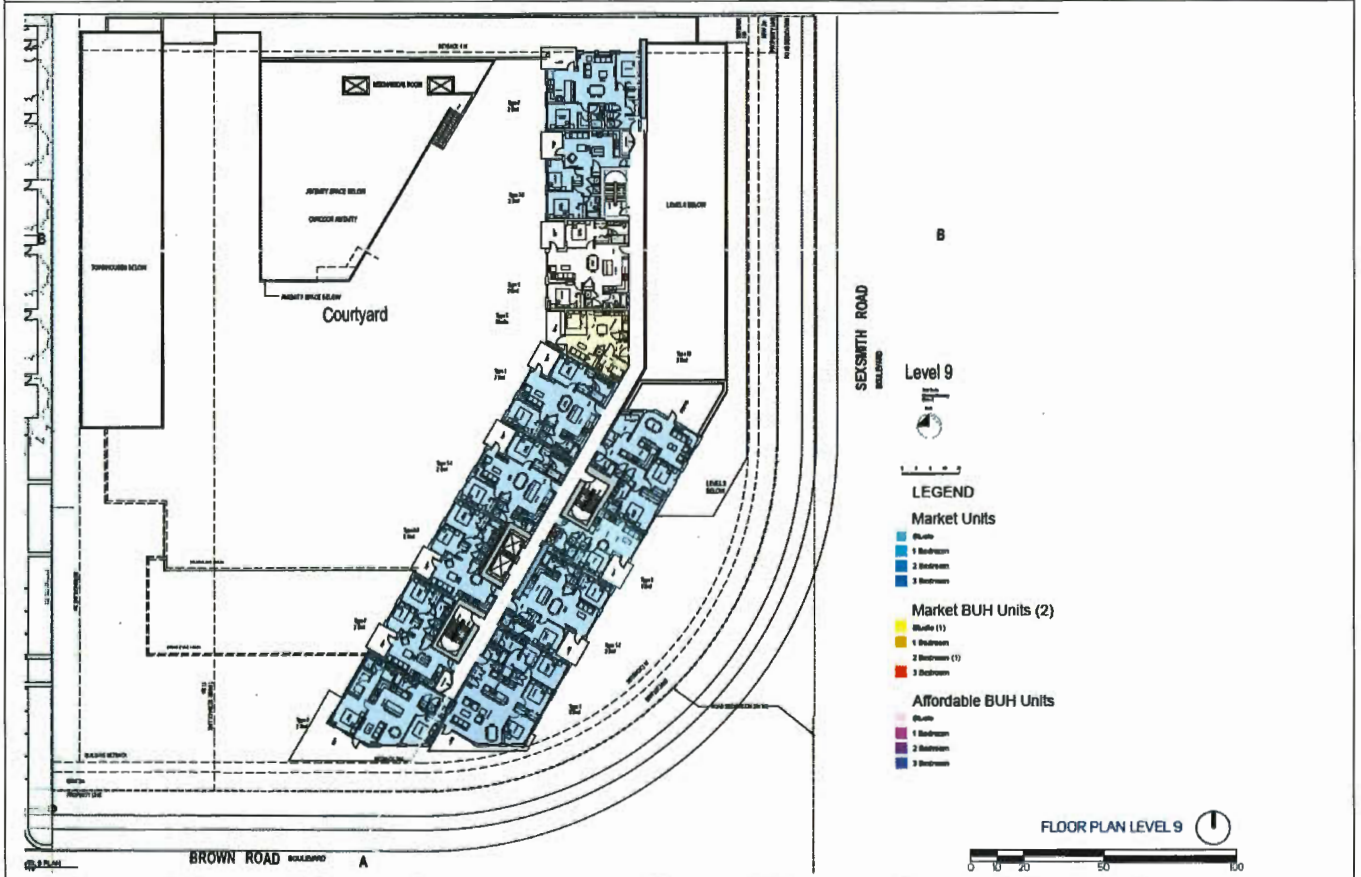
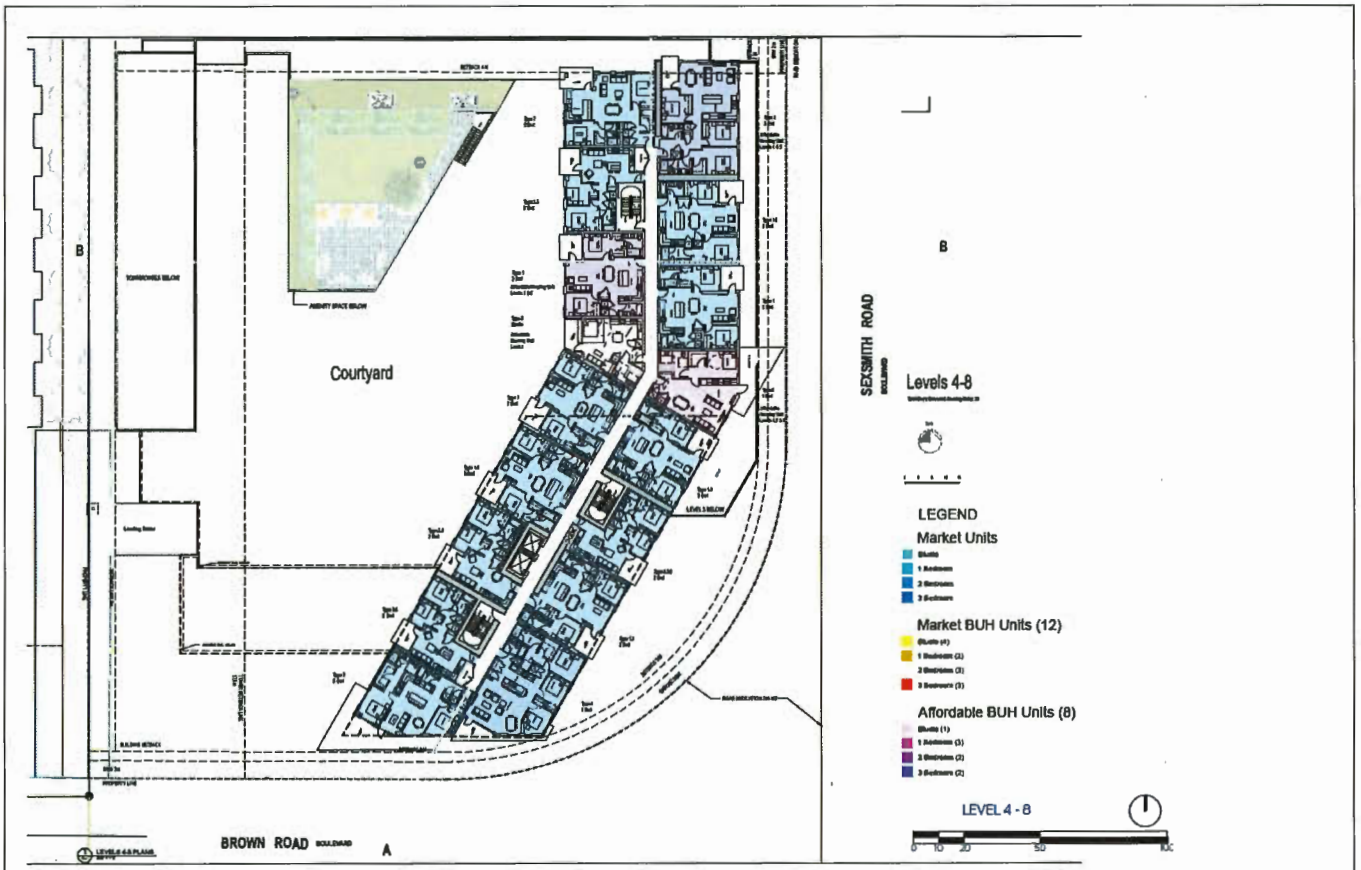






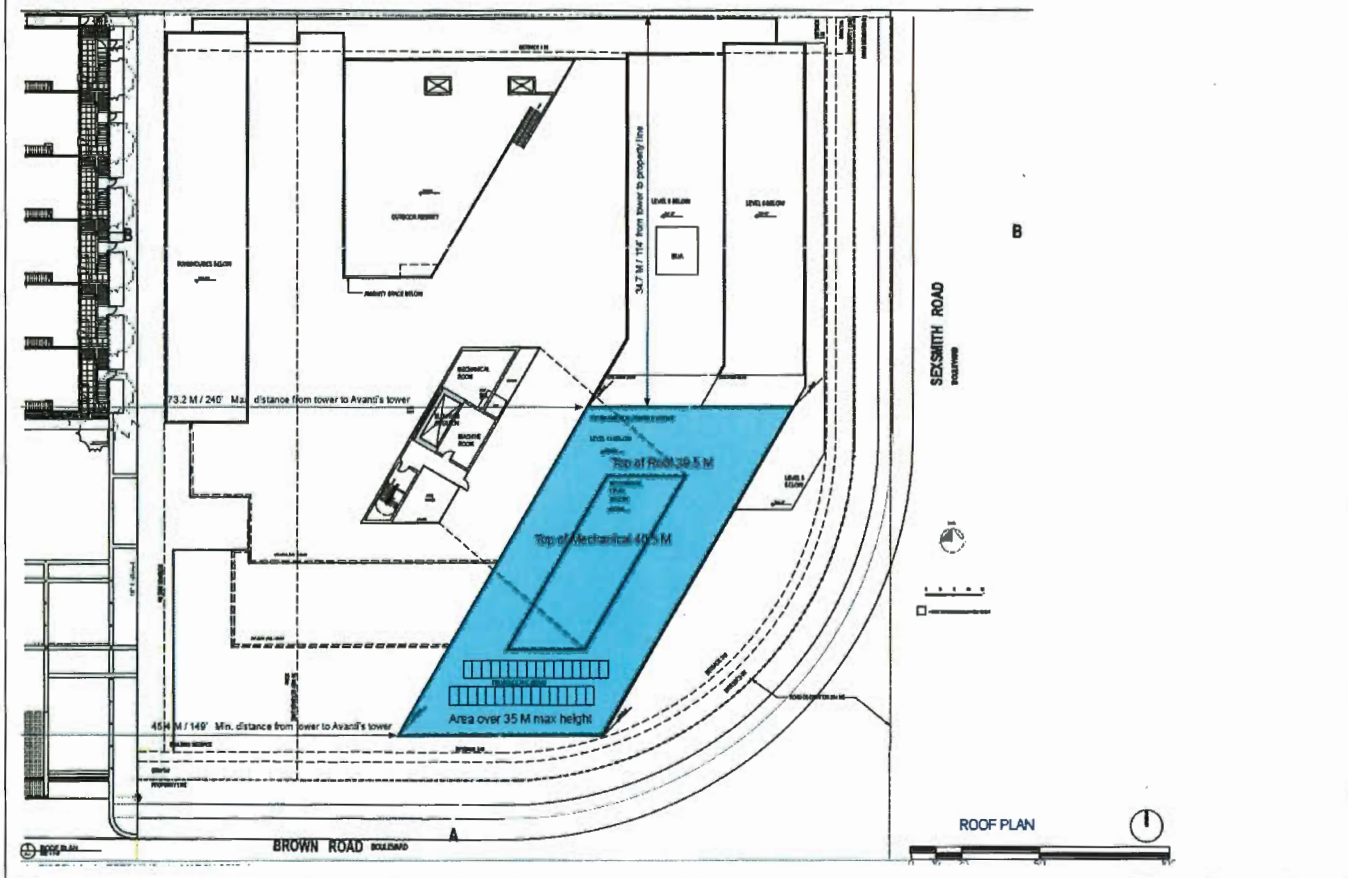
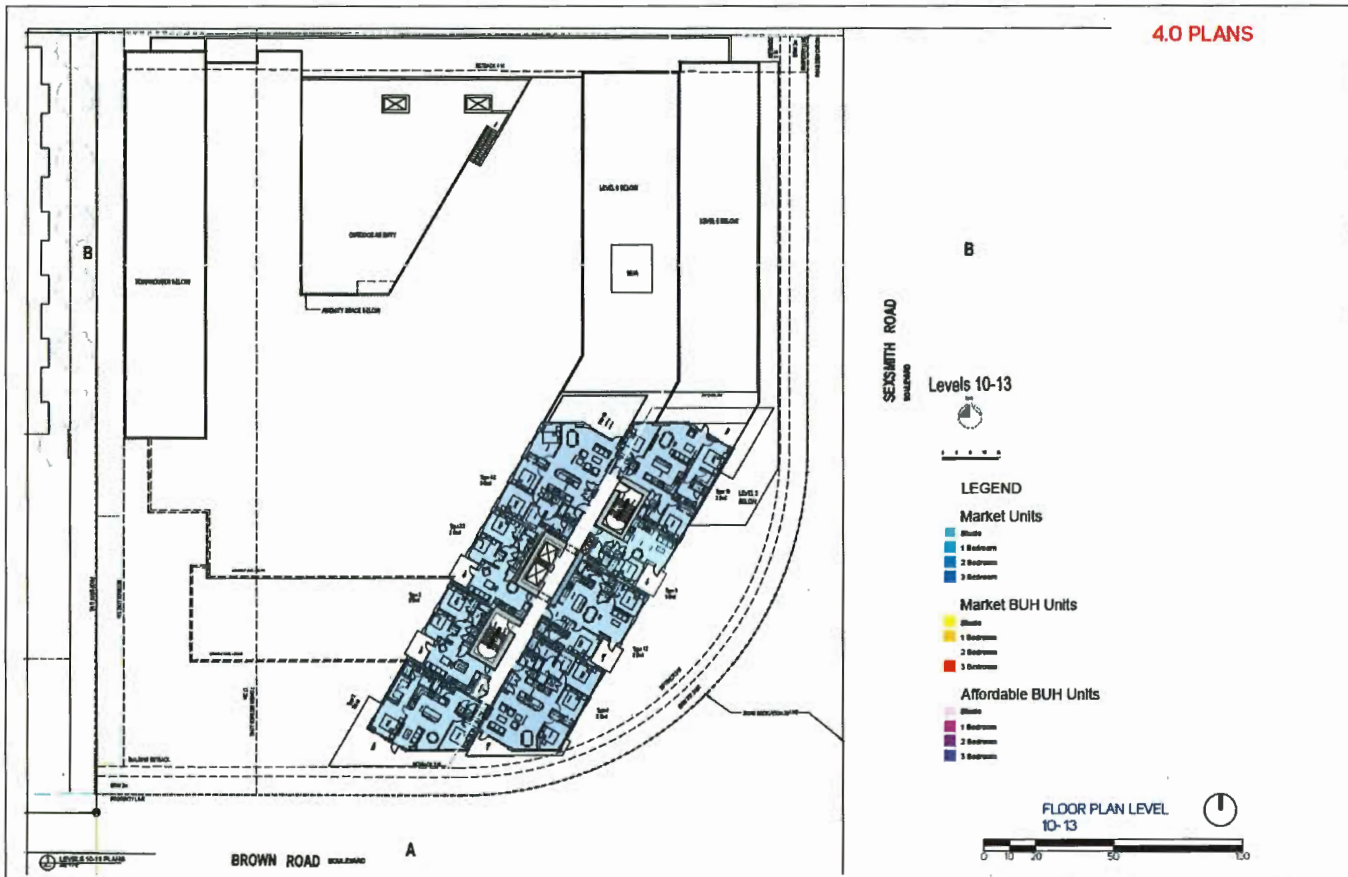








4.0 PLANS





EAST ELEVATION



SOUTH ELEVATION

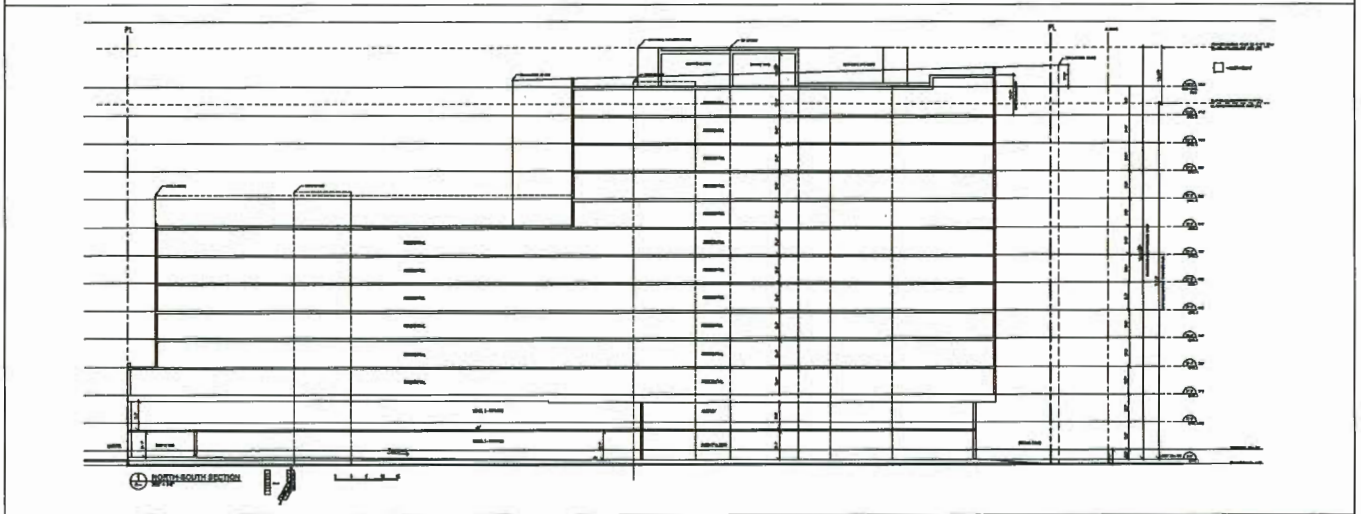


NORTH ELEVATION





WEST ELEVATION ELEVATION



SECTION SOUTH SECTION



PERSPECTIVE LOOKING SOUTHEAST



PERSPECTIVE LOOKING NORTH



PERSPECTIVE LOOKING NORTHEAST



PERSPECTIVE LOOKING SOUTHWEST



**Address:** 3551, 3571, 3591, 3611, and 3631 Sexsmith Road

**File No.:** RZ 17-778835

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9836, the developer is required to complete the following:**

1. Ministry of Transportation & Infrastructure (MOTI): Final MOTI Approval must be received.  
NOTE: Preliminary MOTI approval is on file (REDMS #5625482) and will expire on October 24, 2018.
2. NAV Canada Building Height: Submit a letter of confirmation from a surveyor assuring that the proposed building heights are in compliance with Transport Canada regulations.
3. Subdivision: Registration of a Subdivision Plan for the subject site, to the satisfaction of the City.

Prior to the registration of a Subdivision Plan, the following conditions must be satisfied:

- 3.1. Road Dedication: Dedication of an irregularly shaped piece of land, at least 2,035.1 m<sup>2</sup> (21,905.6 ft<sup>2</sup>) in size, along the subject site's south and east sides for the extension and widening of Brown Road and Sexsmith Road, as shown on the Preliminary Road Dedication & Subdivision Plan (**Schedule A**), including:
  - 3.1.1. Brown/Sexsmith Sidewalk Widening: 294.0 m<sup>2</sup> (3,164.6 ft<sup>2</sup>) in the form of a 2.0 m (6.6 ft.) wide strip along the north and east sides of the dedicated area, which may be used for density calculation purposes and included as part of the development's required Capstan Station Bonus public open space contribution, but shall NOT be eligible for Development Cost Charge (DCC) credits; and
  - 3.1.2. Brown/Sexsmith Roadway & Bike Path: The balance of the dedicated area, which shall NOT be used for density calculation purposes or included as part of the development's required Capstan Station Bonus public open space contribution, but may be eligible for Development Cost Charge (DCC) credits.
- 3.2. Lot Consolidation: Consolidation of the remnant lots to provide for one (1) fee simple lot for development purposes, as shown on the Preliminary Road Dedication & Subdivision Plan (**Schedule A**).
4. Public Rights of Passage Statutory Right-of-Ways: Provide publicly-accessible open space to the City, generally as shown on the Preliminary Statutory Right of Ways Plan (**Schedule B**). The ultimate configuration of these open space features shall be confirmed to the satisfaction of the City through the Development Permit\* review and approval processes, but the size of each feature shall not be less than the areas indicated below.  
NOTE #1: All works required for public access within the required SRW areas shall be included in the Servicing Agreement (SA)\* and all maintenance and liability responsibilities must be clearly noted. The design must be prepared in accordance with City specifications and standards and the construction of the works will be inspected by the City concurrently with all other SA\* related works. The developer is required to enter into the SA\*, secured with a Letter of Credit, prior to final reading of the Rezoning Bylaw.  
NOTE #2: The SRW areas shall be lit year-round from dusk to dawn. The lighting shall be owned, operated, and maintained by the property owner. The lighting design and construction shall be subject to the City's Servicing Agreement (SA)\*, SA\* Letter of Credit, and Development Permit\* processes.
- 4.1. Brown Road Studios Plaza & Pocket Park SRW: 680.8 m<sup>2</sup> (7,328.1 ft<sup>2</sup>) secured as a landscaped SRW area contiguous with Brown Road and complementary to its designated role in the City Centre Area Plan as part of the "Arts District" and an enhanced pedestrian and cycling route, which SRW area may include, among other things, pedestrian circulation and seating, public art, trees and planting (including a number of specimen trees required as compensation for the developer's removal of two mature Rock Elms from the site), and special landscape features (e.g., accommodation for temporary outdoor art displays, informal performances/events, and gatherings).



4.1.1. The right-of-way shall:

- a) In part satisfy the development's Capstan Station Bonus (CSB) public open space contribution requirement; and
- b) Be secured in coordination with the owner's provision of two (2) street-oriented, affordable, work-only art studios (Brown Road Studios) so that together they can help enhance public use and enjoyment of the streetscape in ways that contribute towards a vibrant "Arts District" on and around the subject site.

4.1.2. The right-of-way shall provide for:

- a) 24 hour-a-day, universally accessible, public access and related landscape features for the use and enjoyment of pedestrians and cyclists, which may include, but may not be limited to, walkways and plaza, lighting, furnishings, trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;
- b) City utilities, traffic control (e.g., signals), and/or related equipment;
- c) Public art;
- d) Convenient public access to the fronting Brown Road Studios uses;
- e) Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
- f) The owner's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
- g) Design and construction, via a Servicing Agreement (SA)\* in coordination with a Development Permit\*, at the sole cost and responsibility of the developer, as determined to the City's satisfaction; and
- h) Maintenance at the sole cost of the owner except, as may be determined to the City's sole satisfaction via the Servicing Agreement\* review and approval processes:
  - City infrastructure, which may include, but may not be limited to, sidewalks, utilities, streetlights, and/or furnishings; and/or
  - City trees, which may include, but may not be limited to, specimen trees required to be planted by the developer as compensation for the developer's removal of two mature Rock Elms from the site.

4.1.3. In addition, the right-of-way shall provide for the following, provided that public access is not impeded and the features enhance the intended public amenity and operation of the right-of-way area as specified in the Servicing Agreement (SA)\* and Development Permit\*:

- a) Building encroachments, provided that any such encroachments are:
  - Approved through a Development Permit\*, in coordination with a Servicing Agreement\* for the design and construction of the right-of-way area;
  - Located within the "Plaza" portion of the right-of-way area;
  - Not in conflict with the required planting of specimen trees within the right-of-way area, as determined to the satisfaction of the City; and
  - Limited to the following features and requirements:
    - a. For awnings, sunshades, and canopies, any such feature shall be located a minimum of 2.5 m (8.2 ft.) clear above the right-of-way area and a minimum of 2.0 m (6.7 ft.) from a property line abutting a public street;
    - b. For structural columns, any such feature shall be located a minimum of 3.0 m (9.8 ft.) from a property line abutting a public street; and
    - c. For habitable portions of the building, balconies, cantilevered roofs, eaves, and similar architectural protrusions, any such feature shall be located a minimum of



5.5 m (18.0 ft.) clear above the right-of-way area and a minimum of 3.0 m (9.8 ft.) from a property line abutting a public street;

- b) Movable furnishing and planters;
- c) Temporary outdoor uses ancillary to the production of visual arts within the Brown Road Studios, provided that such uses are conducted within the designated "Plaza" portion of the SRW area (which "Plaza" shall be identified with a plan and its specific form, character, and use shall be approved by the City through the Development Permit\* and Servicing Agreement\* review and approval processes), including:
  - Display and performance of artworks (excluding amplified music) produced on the premises;
  - Retail display and sale of artworks produced on the premises;
  - Small-scale visual art production and education (e.g., plein air painting);
  - Social and cultural gatherings that the general public is welcome to attend at no cost (e.g., art openings and events); and
  - Complementary uses, signage, and related features; and
- d) Private utilities approved through a Servicing Agreement\*.

4.1.4. The right-of-way shall not provide for:

- a) Building encroachments situated below finished grade; or
- b) Driveway crossings.

4.1.5. "No development" shall be permitted on the lot, restricting Development Permit\* issuance for any building on the lot, in whole or in part, unless the permit includes the SRW area, to the City's satisfaction.

4.1.6. No Building Permit\* shall be issued for a building on the lot, in whole or in part (exclusive of parking), unless the permit includes the SRW area, to the City's satisfaction.

4.1.7. "No occupancy" shall be permitted of the lot, restricting final Building Permit\* inspection granting occupancy for any building on the lot, in whole or in part (except for parking), until the SRW area is completed to the satisfaction of the City and has received, as applicable, a Certificate of Completion and/or final Building Permit\* inspection granting occupancy.

4.2. Mid-Block Trail SRW: 242.3 m<sup>2</sup> (2,608.1 ft<sup>2</sup>) in the form of a 2.9 m (9.5 ft.) wide strip along the entire west side of the development site for the widening of the existing landscaped pedestrian/bike trail established by the adjacent development ("Avanti") at 3333 Brown Road, as per RZ 11-591985.

4.2.1. The right-of-way shall:

- a) In part satisfy the development's Capstan Station Bonus (CSB) public open space contribution requirement; and
- b) Be secured, designed, constructed, and maintained in a manner that complements and is coordinated with that of the existing contiguous SRW areas registered on the neighbouring development at 3333 Brown Road ("Avanti"), as per RZ 11-591985, including one for a combined driveway/public walkway (CA3622515 and CA3622518) and another for a public walkway (CA3622510 and CA3622513), such that the public experience, use, and enjoyment of all three (3) SRW areas is attractive, welcoming, well-lit, safe, universally accessible, well maintained, and effectively "seamless", as determined to the satisfaction of the City.

4.2.2. The right-of-way shall provide for:

- a) 24 hour-a-day, universally accessible, public access in the form of combined walkway/off-street bike path and related landscape features, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and innovative storm water management measures, to the satisfaction of the City;

- b) Public art;
- c) Public access to fronting dwellings and other on-site uses;
- d) Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
- e) City utilities, traffic control (e.g., signals), and related equipment;
- f) The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
- g) Design and construction, via a Servicing Agreement (SA)\* in coordination with a Development Permit\*, at the sole cost and responsibility of the developer, as determined to the City's satisfaction; and
- h) Maintenance at the sole cost of the owner, except for any City infrastructure (e.g., sidewalks, utilities, streetlights, street trees, and/or furnishings) as determined to the City's sole satisfaction via the Servicing Agreement\* review and approval processes.

4.2.3. In addition, the right-of-way shall provide for:

- a) One (1) driveway crossing to enable resident, guest, service, and waste management vehicles to access the subject development from the "Avanti" driveway (secured via CA3622515 and CA3622518).

4.2.4. The right-of-way shall not provide for:

- a) Building encroachments; or
- b) Vehicle access, except as described above.

4.2.5. "No development" shall be permitted on the subject site, restricting Development Permit\* issuance for a building, in whole or in part, unless the permit includes the design of the SRW area, to the City's satisfaction.

4.2.6. No Building Permit\* shall be issued for a building on the subject site, in whole or in part (excluding parking intended), unless the permit includes the design of the SRW area, to the City's satisfaction.

4.2.7. "No occupancy" shall be permitted of a building on the subject site, restricting final Building Permit\* inspection granting occupancy for any building on the subject site, in whole or in part (except for parking), until the SRW area is completed to the satisfaction of the City and has received, as applicable, a Certificate of Completion and/or final Building Permit\* inspection granting occupancy.

- 5. Other Right-of-Ways: Registration of additional right-of-ways as required through the subject development's Servicing Agreement (SA)\* and/or Development Permit\* processes, as determined to the sole satisfaction of the City.
- 6. Driveway Crossings: Registration of a restrictive covenant(s) and/or other legal agreement(s) on title requiring that vehicle access to the subject site shall be limited to one driveway, which shall be located along the subject site's west side and accessed via an existing SRW agreement registered on the neighbouring development ("Avanti") at 3333 Brown Road (CA3622515 and CA3622518).

NOTE: Prior to final reading of the Rezoning Bylaw, the existing SRW agreement registered on 3333 Brown Road (CA3622515 and CA3622518) must be modified to accurately reflect the subject development's proposed driveway dimensions and location.

7. Capstan Station Bonus (CSB): Registration of a restrictive covenant and/or alternative legal agreement, to the satisfaction of the City, securing that “no building” will be permitted on the subject site and restricting Building Permit\* issuance for the subject site, in whole or in part, until the developer satisfies the terms of the Capstan Station Bonus (CSB) as provided for via the Zoning Bylaw. More specifically, the developer shall satisfy the following requirements:

7.1. Maximum Units: The combined total number of market dwelling units and affordable housing units permitted on the subject site shall be limited to a maximum of 185.

NOTE: Through the rezoning application, the developer has requested 168 units; however, this may be increased at the developer’s discretion through the Development Permit\* provided that adequate parking, indoor/outdoor amenity space, bike storage, and related requirements are accommodated to the City’s satisfaction.

7.2. Capstan Station Reserve Contribution: Prior to Building Permit\* issuance for the subject site, in whole or in part, the developer shall submit a cash contribution to the Capstan Station Reserve. The preliminary estimated value of the required developer contribution is shown in the following table. The actual value of the developer contribution shall be based on the actual number of dwelling units and the City-approved contribution rate in effect at the time of Building Permit\* approval.

**TABLE 1**

Phase	No. of Dwellings <i>Preliminary estimate</i>	CSB Contribution Rate <i>Effective to Sep 30, 2018</i>	CSB Voluntary Contribution <i>Preliminary estimate</i>
1 only	168	\$8,562.97/dwelling	\$1,438,578.90
<b>TOTAL</b>	<b>168</b>	<b>\$8,562.97/dwelling</b>	<b>\$1,438,578.90</b>

7.3. CSB Minimum Public Open Space Contribution: Prior to the final reading of the Rezoning Bylaw, granting of at least 925.0 m<sup>2</sup> (9,956.6 ft<sup>2</sup>) of publicly-accessible open space to the City, in a combination of dedication and Public Rights of Passage\_Statutory Right-of-Way (SRW), based on 5.0 m<sup>2</sup> (53.82 ft<sup>2</sup>) per dwelling unit and a maximum of 185 dwellings. More specifically, prior to rezoning adoption the developer shall provide for the following:

**TABLE 2**

Public Open Space Feature		Tenure	Public Open Space Area	
			Total Area	Eligible CSB Area (1)
A.	Brown/Sexsmith Sidewalk Widening	Road Dedication	294.0 m <sup>2</sup> (3,164.6 ft <sup>2</sup> )	925.0 m <sup>2</sup> (9,956.6 ft <sup>2</sup> )
B.	Brown Road Studios Plaza & Pocket Park SRW	SRW	680.8 m <sup>2</sup> (7,328.1 ft <sup>2</sup> )	
C.	Mid-Block Trail SRW	SRW	242.3 m <sup>2</sup> (2,608.1 ft <sup>2</sup> )	
<b>TOTAL</b>		<b>Varies</b>	<b>1,217.1 m<sup>2</sup> (13,100.8 ft<sup>2</sup>)</b>	<b>925.0 m<sup>2</sup> (9,956.6 ft<sup>2</sup>)</b>

(1) Eligible CSB Area excludes portions of the open space that are required to facilitate on-site (specimen) tree replacement or are occupied by driveways, above-grade utilities, or related uses.

8. Tree Protection and Replacement:

8.1. On-Site Tree Removal and Replacement: Submission of Landscape Security (Letter of Credit) in the amount of \$40,000, to secure the developer’s planting and maintenance of 52 replacement trees on the subject site, including:

8.1.1. \$25,000 for the 2:1 replacement of twenty-five (25) existing bylaw-size trees with fifty (50) replacement trees with a value of \$500 per replacement tree, which security will be applied towards future tree replacement on the subject site as part of the landscape plan for the Development Permit\* (and which security may comprise a portion of the Development Permit landscape Letter of Credit).

NOTE: Minimum tree replacement sizes shall be as per Richmond’s Tree Protection Bylaw No. 8057 Schedule A-3.0.

8.1.2. \$15,000 for the replacement of two (2) mature Rock Elms (calipers of 143 cm and 120 cm) within the “Brown Road Studios Plaza and Pocket Park SRW” with three (3) specimen replacement trees with a

value of at least \$5,000 per replacement specimen tree or as otherwise determined to the City's satisfaction through the Servicing Agreement (SA)\* review and approval processes (which security may comprise a portion of the Servicing Agreement\* Letter of Credit).

NOTE: The required specimen trees shall be planted within the required "Brown Road Studios Plaza & Pocket Park SRW". Design, construction, and maintenance of features within the SRW area shall be the sole responsibility of the owner; however, through the Servicing Agreement (SA)\* review and approval processes, the City may decide, at its sole discretion, that after the conclusion of the SA\* maintenance period the specimen trees may be maintained by the City.

8.2. Off-Site City-Owned Trees: Thirteen (13) trees and one (1) hedge will be impacted by the subject development.

8.2.1. Compensation: City acceptance of the developer's offer to voluntarily contribute \$9,100 to the City's Tree Compensation Fund (Account #2336) with respect to the removal of twelve (12) trees and one (1) hedge located along the east frontage of the five (5) subject lots, which funds shall be used by the City for the planting of replacement trees elsewhere within Richmond.

8.2.2. Protection: One (1) existing tree located along the Sexsmith Road frontage of 8388 Capstan Way (i.e. Red Maple / Tree I.D. #386 / 34 cm caliper) is to be retained and protected to the City's satisfaction, which shall include:

- a) Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any work conducted within the tree protection zone of the City street tree to be retained. The Contract should include the scope of work to be undertaken, including the proposed number of site monitoring inspections and a provision for the Arborist to submit a post-construction assessment report to the City for review.

NOTE: The project Arborist must be on-site and supervise any work within or near the Critical Root Zone (CRZ) of the retained tree and Richmond Parks must be notified at least four (4) business days prior to the start of any such work.

- b) Installation of appropriate tree protection fencing around the City tree to be retained as part of the development prior to any construction activities occurring on-site.

NOTE: In the event that, through the Servicing Agreement\* process for the new road, the City determines that the one (1) protected City tree cannot be retained or relocated, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement tree(s) elsewhere in Richmond (based on Richmond's standard compensation processes, as determined to the satisfaction of the City Arborist).

8.3. Neighbouring Tree Protection and/or Replacement: Ten (10) trees located on the neighbouring property south of the subject site (3779 Sexsmith Road / "Continental" shopping centre) and eight (8) trees located on the neighbouring property north of the subject site (8388 Capstan Way / "Union Square" shopping centre) are to be retained and protected, which shall include:

8.3.1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities occurring on-site; and

8.3.2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any work conducted within the tree protection zone of the neighbouring trees to be retained. The Contract should include the scope of work to be undertaken, including the proposed number of site monitoring inspections and a provision for the Arborist to submit a post-construction assessment report to the City for review.

HOWEVER, with respect to the eight (8) "Union Square" trees, with the written pre-approval of the "Union Square" owners, as determined to the City's satisfaction, the trees may be removed and replaced by the developer provided that prior to final reading of the Rezoning Bylaw, the developer completes the following:

8.3.3. Registration of a legal agreement, secured via a Letter of Credit, and related requirements with respect to the developer's removal and replacement of existing trees and other landscaping at 8388 Capstan Way ("Union Square") along the common property line it shares with the subject site (which agreement

shall be registered prior to any pre-loading of the subject site and/or the removal of any existing trees on the “Union Square” property). Furthermore, the developer shall satisfy the following:

- a) “No development” shall be permitted on the lot, restricting Development Permit\* issuance for any building on the lot, in whole or in part, unless a Tree Removal (Non-Development) Permit\* is issued to the developer, secured with a Letter of Credit to the City’s satisfaction for the removal and replacement of the eight (8) existing trees and associated landscaping on 8388 Capstan Way (“Union Square”), the value of which Letter of Credit shall be based on the approved design indicated in the Development Permit\* (as authorized by the “Union Square” owner) and 100% of a sealed cost estimate provided by the developer’s Landscape Architect, including labour and 10% contingency;
- b) “No occupancy” shall be permitted of the lot, restricting final Building Permit\* inspection granting occupancy for any building on the lot, in whole or in part (except for parking), until replacement trees and other landscaping have been installed at 8388 Capstan Way (“Union Square”) to the satisfaction of the City; and
- c) Upon installation of the replacement trees and other landscaping to the satisfaction of the City, the value of the Letter of Credit may be reduced to 10% of its original value for a maintenance period of one year. At the end of the one year maintenance period, provided that the condition of the trees and other landscaping are to the satisfaction of the City, the 10% Letter of Credit holdback may be released.

9. Tandem Parking: Registration of a legal agreement on title ensuring that where two parking spaces are provided in a tandem arrangement both parking spaces must be assigned to the same dwelling unit. (Parking spaces provided to satisfy Zoning Bylaw parking requirements for affordable housing and residential visitors cannot be provided in a tandem arrangement.)

10. Electric Vehicle (EV) Charging Infrastructure for Vehicles & “Class 1 Bicycle Storage: Registration of legal agreement(s) on the lot requiring that the developer/owner provides, installs, and maintains electrical vehicle (EV) charging equipment within the building for the use of building residents and art studio tenants as determined to the satisfaction of the City. More specifically:

10.1. Electrical vehicle (EV) equipment shall be provided as indicated in the table below or the City-approved rates in effect at the time of Development Permit\* issuance, whichever is greater.

TABLE 3

Electric Vehicle (EV) Charging Equipment by Use	# Units	Vehicle Parking			Class 1 Bike Storage		
		Est. # Parking Spaces (1)	Energized Space (3)		Est. # Bikes (1)	Energized Equipment (4)	
			Min. Rate (2)	Est. EV #		Min. Rate (2)	Est. EV #
<b>RESIDENTS</b>	<b>168</b>	<b>167</b>	<b>100%</b>	<b>167</b>	<b>210</b>	<b>10%</b>	<b>21</b>
▪ Market Units	157	157	100%	157	196	10%	19
▪ Affordable Housing	11	10	100%	10	14	10%	2
<b>VISITORS</b>	<b>(168)</b>	<b>34</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>BROWN ROAD STUDIOS</b>	<b>N/A</b>	<b>1 (5)</b>	<b>N/A</b>	<b>N/A</b>	<b>4</b>	<b>10%</b>	<b>1</b>

- (1) “Est. # Parking Spaces” and “Est. # Bikes” are the estimated minimum numbers required by the development under the Zoning Bylaw. The actual numbers will be confirmed prior to Development Permit\* issuance.
- (2) “Min. Rate” for Vehicle Parking and Class 1 Bike Storage are fixed (%) rates. The “Est. EV #” is the product of those fixed rates and the “Est. # Parking Spaces” or “Est. # Bikes”, as applicable. The actual numbers will be confirmed prior to Development Permit\* issuance.  
**NOTE:** For the Class 1 Bike Storage, the minimum rate shall be understood to mean that, on a bike storage room-by-bike storage room basis, (i) one “Energized Equipment” shall be provided for each 10 bikes, or portion thereof, accommodated in the bike room; and (ii) the required “Energized Equipment” shall be located to facilitate its shared use by multiple (bikes) users of the bike storage room.
- (3) “Vehicle Parking – Energized Space” means all the infrastructure required for the charging of an electric vehicle, including all electrical equipment (including metering), cabling and associated raceways, and connections, with the exception of the Electric Vehicle Supply Equipment (EVSE).  
**NOTE:** 120V OR 240V service shall be permitted, as determined by the developer, at the developer’s sole discretion.

- (4) "Class 1 Bike Storage – Energized Equipment" means an operational 120V duplex outlet for the charging of an electric bicycle and all the wiring, electrical equipment, and related features necessary to supply the required electricity for the operation of such an outlet.
  - (5) Brown Road Studios tenants shall have shared use of one (1) van-size designated parking/loading space, as per the Brown Road Studios Terms of Reference & Outline Specifications (**Schedule C**).
- 10.2. "No development" shall be permitted on the lot, restricting Development Permit\* issuance for a building on the lot, in whole or in part (exclusive of parking), until the developer provides for the required electric vehicle (EV) charging infrastructure for vehicles and "Class 1" bike storage and related features (e.g., permanent signage to facilitate the intended use of the EV equipment and way-finding, pedestrian access routes, and proportional distribution) to the satisfaction of the City.
  - 10.3. No Building Permit\* shall be issued for a building on the lot, in whole or in part (exclusive of parking), until the developer provides for the required electric vehicle (EV) charging infrastructure for vehicles and "Class 1" bike storage and related features as determined through the approved Development Permit\* and a letter of confirmation is submitted by the architect assuring that the facilities satisfy the City's objectives and complies with this legal agreement(s).
  - 10.4. "No occupancy" shall be permitted on the lot, restricting final Building Permit\* inspection granting occupancy for any building on the lot, in whole or in part (exclusive of parking), until the required electric vehicle (EV) charging equipment for vehicles and "Class 1" bike storage and related features as determined through the approved Development Permit\* are completed to the satisfaction of the City and have received final Building Permit\* inspection granting occupancy. Notwithstanding the afore mentioned statement, in the event that occupancy of the building on a lot is staged, "no occupancy" shall be permitted of the first stage of building occupancy on a lot, in whole or in part (excluding parking), until 100% of the electric vehicle (EV) charging equipment for vehicles and "Class 1" bike storage and related features required with respect to the lot receive final Building Permit\* inspection granting occupancy.
11. District Energy Utility (DEU): Registration of a restrictive covenant and/or alternative legal agreement(s), to the satisfaction of the City, securing the owner's commitment to connect to District Energy Utility (DEU), which covenant and/or legal agreement(s) will include, at minimum, the following terms and conditions:
    - 11.1. No building permit will be issued for a building on the subject site unless the building is designed with the capability to connect to and be serviced by a DEU and the owner has provided an energy modelling report satisfactory to the Director of Engineering;
    - 11.2. If a DEU is available for connection, no final Building Permit inspection granting occupancy of a building will be granted until:
      - 11.2.1. The building is connected to the DEU, which may include the owner's supplied and installed central energy plant to provide heating and cooling to the building, at no cost to the City, or the City's DEU service provider, Lulu Island Energy Company, on the subject site satisfactory to the City;
      - 11.2.2. If the City so elects, the owner transfers ownership of the central energy plant on the site, if any, at no cost to the City, or City's DEU service provider, Lulu Island Energy Company, to the City and/or the City's DEU service provider, Lulu Island Energy Company, on terms and conditions satisfactory to the City;
      - 11.2.3. The owner enters into a Service Provider Agreement with the City and/or the City's DEU service provider, Lulu Island Energy Company, executed prior to subdivision (including Air Space parcel subdivision) or depositing a Strata Plan with LTO on terms and conditions satisfactory to the City; and
      - 11.2.4. The owner grants or acquires all Statutory Right-of-Way(s) and/or easements necessary for supplying the DEU services to the building and the operation of the central energy plant, if any, by the City and/or the City's DEU service provider, Lulu Island Energy Company registered prior to subdivision (including Air Space parcel subdivision) or depositing a Strata Plan with LTO.
    - 11.3. If a DEU is not available for connection, no final Building Permit inspection granting occupancy of a building will be granted until:
      - 11.3.1. The City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU;



- 11.3.2. The owner enters into a covenant and/or other legal agreement to require that the building connect to a DEU when a DEU is in operation, registered prior to Strata or subdivision (including Air Space parcel subdivision);
- 11.3.3. The owner grants or acquires the Statutory Right-of-Way(s) and/or easements necessary for supplying DEU services to the building, registered prior to Strata or subdivision (including Air Space parcel subdivision); and
- 11.3.4. The owner provides to the City a letter of credit, in an amount satisfactory to the City, for costs associated with acquiring any further Statutory Right of Way(s) and/or easement(s) and preparing and registering legal agreements and other documents required to facilitate the building connecting to a DEU when it is in operation.

12. **Affordable Housing:** The City’s acceptance of the developer’s offer to voluntarily contribute affordable housing, in the form of low-end market rental (LEMR) units, constructed to a turnkey level of finish on the lot at the sole cost of the developer, the terms of which voluntary contribution shall include, but will not be limited to, the registration of the City’s standard Housing Agreement and Covenant(s) to secure the affordable housing units. The form of the Housing Agreement and Covenant(s) shall be agreed to by the developer and the City prior to final adoption of the subject rezoning; after which time, only the Housing Covenant(s) may be amended or replaced and any such changes will only be permitted for the purpose of accurately reflecting the specifics of the Development Permit\* for the lot and other non-materials changes resulting thereof and made necessary by the Development Permit\* approval requirements, as determined to the satisfaction of the Director of Development, and Manager, Community Social Development. The terms of the Housing Agreement and Covenant(s) shall indicate that they apply in perpetuity and provide for, but will not be limited to, the following requirements.

NOTE: Effective July 24, 2017, Richmond City Council adopted changes to the Affordable Housing Strategy such that any development containing more than 60 dwellings must include at least 10% of its total residential building area in the form of LEMR units; EXCEPT that applications received prior to July 24, 2017 (including the subject rezoning application, which was submitted on July 18, 2017) will be grandfathered under the previous built unit requirement of 5% of total residential building area, provided that any such application receives first reading of its Rezoning Bylaw prior to July 24, 2018.

- 12.1. The required minimum floor area of the affordable (LEMR) housing units shall be equal to a combined habitable floor area of at least 816.4 m<sup>2</sup> (8,787.9 ft<sup>2</sup>), excluding standard Floor Area Ratio (FAR) exemptions, as determined based on 5% of the subject development’s total maximum residential floor area permitted on the lot under the proposed RCL4 zone (i.e. 5% of 16,328.5 m<sup>2</sup> / 175,758.5 ft<sup>2</sup>); and
- 12.2. The developer shall, as generally indicated in the table below:
  - 12.2.1. Ensure that the types, sizes, rental rates, and occupant income restrictions for the affordable housing units are in accordance with the City’s Affordable Housing Strategy and guidelines for LEMR housing, unless otherwise agreed to by the Director of Development and Manager, Community Social Development;
  - 12.2.2. Achieve the Project Targets for the total number of affordable housing units and unit mix as indicated in the table below or as otherwise determined to the satisfaction of the Manager, Community Social Development through the project’s Development Permit\* approval processes; and
  - 12.2.3. Design and construct all affordable housing units (except any 2-storey townhouse units) to comply at a minimum with Richmond Zoning Bylaw requirements for Basic Universal Housing (BUH) units. All units must include aging-in-place features, such as lever handles and blocking in walls for the future installation of grab bars by others.

**TABLE 4**

Unit Type (1)	Affordable Housing Strategy Requirements			Project Targets (3)	
	Min. Permitted Unit Area	Max. Monthly Unit Rent (2)	Total Max. Household Income (2)	% of Units	# of Units
Bachelor	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811	\$34,650 or less	10%	1-2
1-BR	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less	30%	3-4

Unit Type (1)	Affordable Housing Strategy Requirements			Project Targets (3)	
	Min. Permitted Unit Area	Max. Monthly Unit Rent (2)	Total Max. Household Income (2)	% of Units	# of Units
2- BR	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less	30%	3
3-BR	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less	30%	3
<b>TOTAL</b>	<b>816.4 m<sup>2</sup> (8,787.9 ft<sup>2</sup>)</b>	<b>Varies</b>	<b>Varies</b>	<b>100%</b>	<b>11</b>

- (4) All units (except any 2-storey townhouses) shall meet Richmond Basic Universal Housing (BUH) standards or better.
- (5) Denotes the Council-approved rates as of July 24, 2017. Rates may be adjusted periodically, as per City policy.
- (6) Project Targets will be confirmed to the City's satisfaction through the Development Permit\* process.

- 12.3. The affordable housing units shall be dispersed, generally as indicated in the developer's rezoning proposal or as otherwise determined to the City's satisfaction through the Development Permit\* review and approval processes.
- 12.4. Occupants of the affordable housing units on the lot shall, to the satisfaction of the City, as determined prior to Development Permit\* approval, enjoy full and unlimited access to and use of all on-site indoor and outdoor amenity spaces provided on the lot as per OCP and City Centre Area Plan (CCAP) requirements.
- 12.5. Parking, "Class 1" bike storage, and related electric vehicle (EV) charging equipment shall be provided for the use of affordable housing occupants as per the OCP, Zoning Bylaw, and legal agreements registered on title with respect to the subject rezoning at no additional charge to the affordable housing tenants (i.e. no monthly rents or other fees shall apply for the casual, shared, or assigned use of the parking spaces, bike storage, EV charging equipment, or related facilities by affordable housing tenants), which features may be secured via legal agreement(s) on title prior to Development Permit\* issuance or as otherwise determined to the City's satisfaction.
- 12.6. The affordable housing units, related uses (e.g., parking, garbage/recycling, hallways, amenities, lobbies), and associated landscaped areas shall be completed to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the Manager, Community Social Development.
- 12.7. "No development" shall be permitted on the lot, restricting Development Permit\* issuance for any building on the lot, in whole or in part (excluding parking), until the developer, to the City's satisfaction:
  - 12.7.1. Designs the lot to provide for the affordable housing units and ancillary spaces and uses;
  - 12.7.2. Takes all necessary steps to ensure that the Housing Covenant accurately reflects the specifics of the affordable housing units and ancillary spaces and uses as per the approved Development Permit\*; and
  - 12.7.3. As required, registers additional legal agreements on title to facilitate the detailed design, construction, operation, and/or management of the affordable housing units and/or ancillary spaces and uses (e.g., parking) as determined by the City via the Development Permit\* review and approval processes.
- 12.8. No Building Permit\* shall be issued for a building on the lot, in whole or in part (excluding parking), until the developer provides for the required affordable housing units and ancillary spaces and uses to the satisfaction of the City.
- 12.9. "No occupancy" shall be permitted on the lot, restricting final Building Permit\* inspection granting occupancy for any building on the lot, in whole or in part (except for parking), until the required affordable housing units and ancillary spaces and uses are completed to the satisfaction of the City and have received final Building Permit\* inspection granting occupancy.
- 13. **Brown Road Studios:** The City's acceptance of the developer's offer to voluntarily contribute the Brown Road Studios, the terms of which voluntary contribution shall include the developer's design and construction, at the developer's sole cost, of "community amenity space" and related features on the subject site, to a turnkey level of finish, as generally provided for under the subject rezoning application's proposed "Residential/Limited Commercial (RCL4)" zone, for use as two (2) affordable, work-only, art studios and related uses/spaces (e.g., parking, outdoor activity space), all to the satisfaction of the City. More specifically, prior to adoption of the Rezoning Bylaw, as determined to the satisfaction of the City, the developer shall enter into legal agreements and/or provide other security



in accordance with **Schedule C** (Brown Road Studios Terms of Reference & Outline Specifications) requiring, among other things, that:

- 13.1. The gross leasable floor area of the Brown Road Studios (i.e. net of common areas and features situated outside the studio units, such as vehicle/bike parking, loading, garbage/recycling areas, and hallways) shall comprise at least 72.4 m<sup>2</sup> (779.0 ft<sup>2</sup>) and, together with parking and related uses/spaces, be fully contained on the subject site.
- 13.2. The Brown Road Studios will be managed, maintained, and operated by the developer/owner in accordance with City-approved guidelines including, but not limited to, provisions that the tenants of the Brown Road Studios shall:
  - 13.2.1. Not be subject to strata, maintenance, parking, or other fees over and above the City-approved monthly unit rents, except as otherwise provided for in **Schedule C** (e.g., private utilities);
  - 13.2.2. Satisfy the criteria of a “professional artist” in accordance with **Schedule C**; and
  - 13.2.3. Satisfy financial eligibility requirements (e.g., total maximum household incomes) in accordance with **Schedule C**.
- 13.3. “No development” shall be permitted on the subject site, restricting Development Permit issuance for any building on the subject site, in whole or in part, until the developer designs the affordable, work-only, art studios and related features (Brown Road Studios) to the sole satisfaction of the City, as generally described in the Brown Road Studios Terms of Reference & Outline Specifications (**Schedule C**) and providing for, among other things:
  - 13.3.1. Two (2) functional, fully-finished, art studios including at least 72.4 m<sup>2</sup> (779.0 ft<sup>2</sup>) of gross leasable (indoor) floor area designed as storefront-type units located at the building’s ground floor, fronting onto and directly accessible from Brown Road;
  - 13.3.2. A landscaped, universally-accessible terrace, secured for the use of the art studio tenants and the general public via a Statutory Right-of-Way, across the entire frontage of the art studio units (i.e. “Brown Road Studios Plaza & Pocket Park SRW”);
  - 13.3.3. Parking/loading, bike parking for studio tenants (Class 1), and a room for garbage, recycling (“blue box”), and organic waste carts for the exclusive use of the art studio tenants (i.e. 24-hours/day), together with necessary vehicle and pedestrian access/circulation (which circulation may be shared with the tenants of the subject site’s residential building); and
  - 13.3.4. Loading, garbage/recycling (“blue box”) /organic waste holding/pick-up facilities, visitor parking, bike parking for studio visitors (Class 2), and related features (e.g., vehicle and pedestrian access/circulation) secured for the shared use of the art studio tenants with the tenants of the subject site’s residential building (i.e. 24-hour/day).
- 13.4. “No building” shall be permitted on the subject site (exclusive of parking or publicly-accessible open space), restricting Building Permit\* issuance for any building on the subject site (exclusive of parking or publicly-accessible open space), in whole or in part, until the required affordable, work-only, art studios and related features (Brown Road Studios) are incorporated in the Building Permit\* drawings and specifications, generally as determined via the subject rezoning (RZ 17-778835) and Development Permit\* processes, to the sole satisfaction of the City.

NOTE: Approval of the Director of Arts, Culture, and Heritage Services is required prior to BP\* issuance for any building on the subject site (exclusive of parking or publicly-accessible open space), in whole or in part.

- 13.5. “No occupancy” shall be permitted on the subject site (exclusive of parking or publicly-accessible open space), restricting final Building Permit\* inspection granting occupancy for any building on the subject site (exclusive of parking or publicly-accessible open space), in whole or in part, until the required affordable, work-only, art studios and related features (Brown Road Studios) are completed to the sole satisfaction of the City and have received final Building Permit\* inspection granting occupancy.

**NOTE:** Approval of the Director of Arts, Culture, and Heritage Services is required prior to final Building Permit\* inspection granting occupancy for any building on the subject site (exclusive of parking or publicly-accessible open space), in whole or in part.

14. **Public Art:** City acceptance of the developer’s offer to make a voluntary cash contribution of \$141,925 in lieu of providing public art as part of the subject development, the value of which contribution shall be based on the minimum Council-approved contribution rates in effect at the time of writing these Rezoning Considerations and the maximum buildable floor area permitted under the subject site’s proposed RCL4 zone, excluding the developer’s affordable housing and community amenity space (Brown Road Studios) contributions, as indicated in the table below.

**NOTE:** As determined to the satisfaction of the City, the developer’s cash-in-lieu contribution may be directed by the City, in whole or in part, to public art on City-owned land within the area bounded by Sexsmith Road, Capstan Way, Garden City Road, and Cambie Road (i.e. “East-of-Sexsmith Area”). Moreover, in the event that the developer’s contribution is so directed and the developer undertakes development within the East-of-Sexsmith Area, which development contributes towards public art within the East-of-Sexsmith Area, at the City’s discretion the developer may be required to prepare a comprehensive Public Art Plan for the East-of-Sexsmith Area based on the developer’s two public art contributions (i.e. for RZ 17-778835 and for development within the East-of-Sexsmith Area).

**TABLE 5**

	Maximum Permitted Floor Area as per RCL4 Zone	Applicable Floor Area After Permitted Exemption (1)	Minimum Contribution Rates (2)	Minimum Voluntary Contribution
Residential	16,328.5 m <sup>2</sup> (175,758.5 ft <sup>2</sup> )	15,512.1 m <sup>2</sup> (166,970.6 ft <sup>2</sup> )	\$0.85/ft <sup>2</sup>	\$141,925
Brown Road Studios	72.4 m <sup>2</sup> (779.0 ft <sup>2</sup> )	Nil	N/A	N/A
<b>TOTAL</b>	<b>16,400.9 m<sup>2</sup> (176,537.5 ft<sup>2</sup>)</b>	<b>15,512.1 m<sup>2</sup> (166,970.6 ft<sup>2</sup>)</b>	<b>Varies</b>	<b>\$141,925</b>

- (1) As per City policy, exemptions include affordable housing and community amenity space (i.e. Brown Road Studios).  
 (2) The Council-approved contribution rates in effect at the time of writing these Rezoning Considerations.

15. **Flood Construction:** Registration of a flood indemnity covenant(s) on title, as per Flood Plain Designation and Protection Bylaw, Area “A” (i.e. minimum flood construction level of 2.9 m GSC).
16. **Aircraft Noise:** Registration of the City’s standard “mixed use” aircraft noise sensitive use covenant on title to the subject site, as applicable to sites with aircraft noise sensitive uses. The owner-developer shall notify all initial purchasers of the potential aircraft noise impacts. Furthermore, prior to Development Permit\* and Building Permit\* issuance the owner-developer shall submit a report(s) and/or letter(s) of assurance prepared by an appropriate registered professional, which demonstrates that the interior noise levels and thermal conditions comply with the City’s Official Community Plan and Noise Bylaw requirements. The standard required for air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers and acoustic ducting) is the ASHRAE 55-2004 “Thermal Environmental Conditions for Human Occupancy” standard and subsequent updates as they may occur. Maximum interior noise levels (decibels) within dwelling units must achieve CMHC standards follows:

**TABLE 6**

Portions of Dwelling Units	Noise Levels (decibels)
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways, and utility rooms	45 decibels

17. **View & Other Development Impacts:** Registration of a restrictive covenant(s) on title (accompanied by a report prepared by the architect and other accredited professionals, as applicable), to the satisfaction of the City, requiring that the subject development must be designed and constructed in a manner that mitigates potential development impacts including, without limitation, potential view obstruction, increased shading, increased overlook, reduced privacy, increased ambient noise, increased ambient night-time light, and/or increased public use of fronting streets, sidewalks, and open spaces caused by or experienced as a result of, in whole or in part, development on the lands and future development on or the use of surrounding properties. In particular, the covenant shall notify residential tenants in the subject mixed use building of potential noise and/or nuisance that may arise due to proximity community amenity space on the subject site (i.e. “Brown Road Studios” affordable, work-only art studios) and related uses and activities. The owner-developer shall notify all initial purchasers of the potential development impacts. Furthermore,

prior to each Development Permit\* and Building Permit\* issuance, the owner-developer shall submit a report(s) and/or letter(s) of confirmation prepared by an appropriate registered professional, which demonstrates that adequate development impact mitigation measures are incorporated into the building design.

18. **Community Planning:** The City’s acceptance of the developer’s voluntary contribution in the amount of \$41,742.65, towards future City community planning studies, based on \$0.25/ft<sup>2</sup> and the maximum permitted buildable floor area under the proposed RCL4 zone (excluding affordable housing and community amenity space), as per the City Centre Area Plan and indicated in the table below.

**TABLE 7**

Use	Maximum Permitted Floor Area as per RCL4 Zone	Applicable Floor Area After Permitted Exemption (1)	Minimum Contribution Rates (2)	Minimum Voluntary Contribution
Residential	16,328.5 m <sup>2</sup> (175,758.5 ft <sup>2</sup> )	15,512.1 m <sup>2</sup> (166,970.6 ft <sup>2</sup> )	\$0.25/ft <sup>2</sup>	\$41,742.65
Brown Road Studios	72.4 m <sup>2</sup> (779.0 ft <sup>2</sup> )	Nil	\$0.25/ft <sup>2</sup>	Nil
<b>TOTAL</b>	<b>16,400.9 m<sup>2</sup> (176,537.5 ft<sup>2</sup>)</b>	15,512.1 m <sup>2</sup> (166,970.6 ft <sup>2</sup> )	<b>\$0.25/ft<sup>2</sup></b>	<b>\$41,742.65</b>

- (1) As per City policy, exemptions include affordable housing and community amenity space (i.e. Brown Road Studios).  
 (2) Effective February 19, 2018, Richmond City Council adopted changes to the City Centre Area Plan for the purpose of increasing the “community planning” contribution rate to \$0.28/ft<sup>2</sup>; **EXCEPT** that applications received prior to February 19, 2018 (including the subject rezoning application, which was submitted on July 18, 2017) will be grandfathered under the previous contribution rate of \$0.25/ft<sup>2</sup>, provided that any such application receives first reading of its Rezoning Bylaw prior to February 19, 2019.

19. **Development Permit:** The submission and completion of processing of a Development Permit\* to a level deemed acceptable by the Director of Development.
20. **Servicing Agreement (SA)\*:** Enter into a Servicing Agreement(s)\* for the design and construction, at the developer’s sole cost, of full upgrades across the subject site’s street frontages, together with various related engineering, transportation, and parks works, all to the satisfaction of the City.

**NOTE:**

- i. The developer shall be responsible for ensuring that the approved design is coordinated with works constructed via the City’s SA and/or Development Permit processes on neighbouring properties (e.g., Polygon’s “Avanti”).
- ii. Prior to rezoning adoption, all works identified via the subject development’s SA\* must be secured via a Letter(s) of Credit. All works shall be completed prior to final Building Permit\* inspection granting occupancy of the first building on the subject site (exclusive of parking), in whole or in part.
- iii. Development Cost Charge (DCC) credits may apply.

Servicing Agreement (SA)\* works will include, but may not be limited to, the following:

20.1. **Engineering Servicing Agreement\* Requirements:**

20.1.1. **Water Works:**

- a) Using the OCP Model, there is 165 L/s of water available at a 20 psi residual at the Sexsmith Road frontage. Based on your proposed development, your site requires a minimum fire flow of 220 L/s. The available flows are not adequate.
- b) The developer is required to, at the developer’s cost:
  - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
  - Provide the following since the available flows are not adequate to service the proposed development:
    - a. Provide approximately 100m of 200mm diameter watermain along the future Brown Road frontage, tied-in to the watermain along the existing Brown Road located west of the proposed site and the required watermain along Sexsmith Way.

- b. Upgrade approximately 190m of the existing 150mm diameter watermain along Sexsmith Road to 200mm diameter from future Brown Road to Capstan Way. Tie-in to the north shall be to the existing watermain along Capstan Way and tie-in to the south shall be to the existing watermain along Sexsmith Road.
  - c. Provide fire hydrants at Sexsmith Road and Brown Road frontages to achieved maximum 75m spacing per City standards.
- c) At developer's cost, the City is to:
- Cut and cap at main the existing water service connections for 3551, 3571, 3611 and 3631 Sexsmith Road.
  - Install a new water service connection for the proposed site at the future Brown Road frontage.
  - Complete all required tie-ins to existing City watermains.

20.1.2. Storm Sewer Works:

- a) The developer is required to, at developer's cost:
- Upgrade the existing twin storm sewers at Sexsmith Road frontage, approximately 100 meters in length, into a single storm sewer system in the middle of Sexsmith Road. Tie-ins to the north and south shall be to the existing storm sewers along the east and west sides of Sexsmith Road. Tie-ins shall be via the use of new manholes. Pipe sizing shall be determined via a capacity analysis in the servicing agreement review.
  - Provide approximately 100 meters of 1200mm diameter storm sewer along future Brown Road frontage. Tie-ins shall be to the storm sewer along the existing Brown Road that is located west of the proposed site and to the required storm sewer along Sexsmith Way.
  - Upgrade the existing 600 storm sewer between manhole STMH137507 which is located at the northwest corner of Cambie Road and Brown Road and manhole STMH2914 which is located at the southwest corner of the same intersection. Pipe sizing shall be determined via a capacity analysis in the servicing agreement review. Tie-ins shall be via the use of appropriately sized manholes. Coordinate with BC Hydro, Telus, Shaw and Fortis BC to relocate (at developer's cost) any of their existing lines which will conflict with the required storm sewer upgrade.
  - Install a new storm service connection complete with an IC at future Brown Road frontage, ROW may be required to accommodate IC.
- b) At developer's cost, the City is to:
- Cut and cap all existing storm sewer service connections at all frontages of the proposed site.
  - Complete all required tie-ins to the existing City drainage system.

20.1.3. Sanitary Sewer Works:

- a) The developer is required to, at developer's cost:
- Provide approximately 195 meters of 300mm diameter sanitary sewer within the roadway along Sexsmith Road from existing manhole SMH56774 located at the intersection of Sexsmith Road and Capstan Way southward to the intersection of Sexsmith Road and future Brown Road.
  - Install a new sanitary service connection complete with an IC at Sexsmith Road frontage, ROW may be required to accommodate IC. Tie-in shall be to the new manhole at the high end of the system.
- b) At developers cost, the City is to:
- Complete all required tie-ins to the existing City sanitary system.

20.1.4. Frontage Improvements:

- a) The developer is required to, at developer's cost:
- Confirm whether the required road upgrades and widening at Sexsmith Road will impact the existing poles and overhead lines along the east side of Sexsmith Road. If required,

coordinate with the private utility companies to relocate or underground (at developer's cost) the existing pole lines to address impacts.

- To locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the staff report and the development process design review. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements and the locations for the above ground structures. If a private utility company does not require an above ground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of SRWs that shall be shown in the functional plan and registered prior to SA design approval:
  - a. BC Hydro PMT – 4mW X 5m (deep)
  - b. BC Hydro LPT – 3.5mW X 3.5m (deep)
  - c. Street light kiosk – 1.5mW X 1.5m (deep)
  - d. Traffic signal kiosk – 2mW X 1.5m (deep)
  - e. Traffic signal UPS – 1mW X 1m (deep)
  - f. Shaw cable kiosk – 1mW X 1m (deep) – show possible location in functional plan
  - g. Telus FDH cabinet - 1.1mW X 1m (deep) – show possible location in functional plan
- Pre-duct for hydro, telephone and cable utilities along the Sexsmith Road and future Brown Road frontages.

b) Other frontage improvements as per Transportation's requirements

20.1.5. Streetlights: Provide street lighting along the public street frontages and within the Mid-Block Trail SRW. The following shall be confirmed through the SA\* process:

a) Brown Road (North side of street):

- Pole colour: Grey
- Roadway lighting @ back of curb: Type 7 (LED) INCLUDING 1 street luminaire and duplex receptacles, but EXCLUDING any pedestrian luminaires, banner arms, flower basket holders, or irrigation.
- Pedestrian lighting between sidewalk & bike path: Type 8 (LED) INCLUDING 2 pedestrian luminaires set perpendicular to the roadway and duplex receptacles, but EXCLUDING any flower basket holders or irrigation.

b) Sexsmith Road (East side of street):

- Pole colour: Grey
- Roadway lighting @ back of curb: Type 7 (LED) INCLUDING 1 street luminaire and duplex receptacles, but EXCLUDING any pedestrian luminaires, banner arms, flower basket holders, or irrigation.
- Pedestrian lighting between sidewalk & bike path: Type 8 (LED) INCLUDING 2 pedestrian luminaires set perpendicular to the roadway and duplex receptacles, but EXCLUDING any banner arms, flower basket holders, or irrigation.

c) Mid-Block Trail SRW (West side of site / Developer owned & maintained):

- Pole colour: Grey
- Pedestrian lighting: Type 8 (LED) INCLUDING 1 or 2 pedestrian luminaires (as determined via the Servicing Agreement & DP processes), but EXCLUDING any banner arms, flower basket holders, irrigation, or duplex receptacles.

NOTE: The SRW area shall be lit year-round from dusk to dawn. The lighting shall be owned, operated, and maintained by the property owner. The lighting design and construction shall be subject to the City's Servicing Agreement (SA)\* (and SA\* Letter of Credit), as determined to the City's satisfaction in coordination with the approved Development Permit\*.



- d) Brown Road Studios Plaza & Pocket Park SRW (South side of site / Developer owned & maintained):
- Pole colour: Grey
  - Pedestrian lighting: Type 8 (LED) INCLUDING 1 or 2 pedestrian luminaires (as determined via the Servicing Agreement & DP processes), but EXCLUDING any banner arms, flower basket holders, irrigation, or duplex receptacles.

NOTE: The SRW area shall be lit year-round from dusk to dawn. The lighting shall be owned, operated, and maintained by the property owner. The lighting design and construction shall be subject to the City's Servicing Agreement (SA)\* (and SA\* Letter of Credit), as determined to the City's satisfaction in coordination with the approved Development Permit\*.

20.1.6. General Items:

- a) The developer is required to, at developer's cost:
- Provide, prior to start of site preparation works, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site and provide mitigation recommendations.
  - Provide a pre-preload condition assessment of the surrounding utilities, including sanitary sewers at the northeast corner of the proposed site, storm sewer along the east side of Sexsmith Road, etc. A follow-up post-preload condition assessment of the utilities will be required after site preparation is complete. Any utilities impacted by the site preparation shall be replaced at the Developer's cost.
  - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

20.2. Transportation Servicing Agreement\* Requirements: The developer shall be responsible for the design and construction of frontage works, which is based on achieving the following road cross-sections (together with tie-ins to conditions beyond the frontages of the subject site), as determined to the City's satisfaction.

20.2.1. Along the entire Brown Road and Sexsmith Road frontages:

Interim Cross-Section: (from north to south along Brown Road and west to east along Sexsmith Road):

- a) 2.0m wide sidewalk (at the new property line) to match the neighbouring sidewalk treatment at Polygon's "Avanti"
- b) 0.5m wide buffer, which shall be paved with 100 mm x 100 mm granite setts (salt & pepper / flame finish) installed on concrete (as determined to the satisfaction of Engineering and Parks), together with City Centre streetlights and furnishings
- c) 1.8m wide bike path, which shall include a 1.5 m wide, machine-laid, asphalt pathway surface with a flush 0.15 m wide concrete band along both sides of the pathway
- d) 2.0m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings
- e) 0.15m wide curb and gutter
- f) 8.7m wide pavement surface (for a 2.5m wide westbound/southbound parking lane, 6.6m wide vehicle travel lanes). This pavement should be widened to min. 9.9m approaching the Sexsmith Road intersection.

- g) 0.15m wide interim curb and gutter
- h) Remaining right-of-way width be paved as an interim asphalt walkway

**Ultimate Cross-Section:** The following “ultimate” configuration should be incorporated into the design (referenced from the 2.5m wide westbound/southbound parking lane to south/east):

- a) 9.9m (3 x 3.3m lanes) wide vehicle travel lanes
- b) 2.5m wide eastbound/northbound parking lane
- c) 0.15m wide curb
- d) 2.0m wide landscaped boulevard, incorporating street trees @ 6.0 m on centre or as otherwise directed by the City, some combination of groundcover and decorative planting, City Centre streetlights, benches and furnishings
- e) 1.8m wide bike path, which shall include a 1.5 m wide, machine-laid, asphalt pathway surface with a flush 0.15 m wide concrete band along both sides of the pathway
- f) 0.5m wide buffer, which shall be paved with 100 mm x 100 mm granite setts (salt & pepper / flame finish) installed on concrete (as determined to the satisfaction of Engineering and Parks), together with City Centre streetlights and furnishings
- g) 2.0m wide sidewalk to match the neighbouring sidewalk treatment at Polygon’s “Avanti”

20.2.2. Along Sexsmith Road, from the northern limit of the site to Capstan Way (from west to east):

- a) Maintain the existing curb and gutter along the west side
- b) New 1.8m wide bike path
- c) New 1.2m wide buffer (exact treatment to be determined through the functional design exercise)
- d) 2.5m wide on-street parking
- e) 6.6m wide vehicle travel lanes
- f) Min. 1.5m wide paved shoulder

20.2.3. Installation of a special crosswalk with downward lighting and associated equipment on Brown Road at Sexsmith Road.

20.3. **Parks Servicing Agreement\* Requirements:** Parks works shall be limited to areas secured through Public Rights of Passage Statutory Right-of-Ways (i.e. Brown Road Studios Plaza & Pocket Park SRW and Mid-Block Trail SRW), which works shall be designed and constructed in coordination with applicable Engineering and Transportation SA\* requirements. The design concept for these spaces shall be generally as indicated in the rezoning drawings. More specifically:

20.3.1. For the Mid-Block Trail SRW, the cross-section shall provide for one (1) driveway crossing (as provided for under the proposed SRW agreement), together with the following features (from west to east):

- a) 0.5 m wide buffer, which shall be paved with 100 mm x 100 mm granite setts (salt & pepper / flame finish) or as otherwise determined to the City’s satisfaction, together with City Centre streetlights (as specified in the Engineering SA\* requirements) and, as required, bollards or other furnishings;
- b) 2.0 m wide paved walkway, which paving should complement the treatment of the public walkway SRW area on the adjacent Polygon “Avanti” site; and
- c) 0.4 m wide landscape strip, the treatment of which shall be coordinated with that of the fronting development and generally include some combination of groundcover, planting, and hardscape.

20.3.2. For the Brown Road Studios Plaza & Pocket Park SRW, the design shall provide for, among other things:

- a) Planting of at least three (3) specimen replacement trees, as generally set out in the Tree Replacement and Protection requirements of these Rezoning Considerations;
- b) A "Plaza" area, which shall be designated by plan in the SRW agreement and must be designed, maintained, and operated in a manner that contributes towards the viability and public enjoyment of the fronting Brown Road Studios and related outdoor SRW area, as generally set out in these Rezoning Considerations;
- c) An accessible, passive, park-like setting for 24/7 access and enjoyment by the general public; and
- d) The installation of above-grade private utility equipment along the west edge of the SRW area, which equipment, access, and related requirements shall be designed, constructed, and maintained in a manner that minimizes impacts on the visual appearance, appeal, and/or public use and enjoyment of the SRW area.

20.3.3. Design development will be undertaken, to the satisfaction of the City, via the SA\* process, in coordination with the Development Permit\* (including Advisory Design Panel review/approval).

**Prior to a Development Permit\* being forwarded to the Development Permit Panel for consideration, the developer is required to:**

1. Legal Agreements: Satisfy the terms of legal agreements registered on title prior to rezoning adoption (RZ 17-778835) with respect to the development's Development Permit\*.
2. Additional Requirements: Discharge and registration of additional right-of-way(s) and/or legal agreements, as determined to the satisfaction of the Director of Development, Director of Transportation, Director of Engineering, Manager of Real Estate Services, Manager of Community Social Services, and Senior Manager of Parks.
3. Waste Management Plan: As part of the permit drawings, submit a Plan (i.e. drawings and related specifications), to the City's satisfaction, indicating the nature of all waste management-related facilities proposed on the subject site and their compliance with City bylaws and policies, including, but not limited to, carts/bins (e.g., uses, types, and numbers), waste/holding rooms (e.g., uses, locations, sizes, and clear heights), loading facilities (e.g., locations, sizes, and clear heights), pedestrian/vehicle access (e.g., routes and vehicle turning templates), and related features, as required (e.g., signage, janitor sinks, floor drains, lighting, ventilation, safety measures, and door/gate operations).

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

1. Legal Agreements: Satisfy the terms of legal agreements registered on title prior to rezoning adoption (RZ 15-699647) and/or Development Permit\* issuance with respect to the development's Building Permit\*.
2. Construction Traffic Management Plan: Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
3. Accessibility: Incorporation of accessibility measures in Building Permit\* plans as determined via the Rezoning and/or Development Permit processes.
4. Construction Hoarding: Obtain a Building Permit\* for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

**Note:**

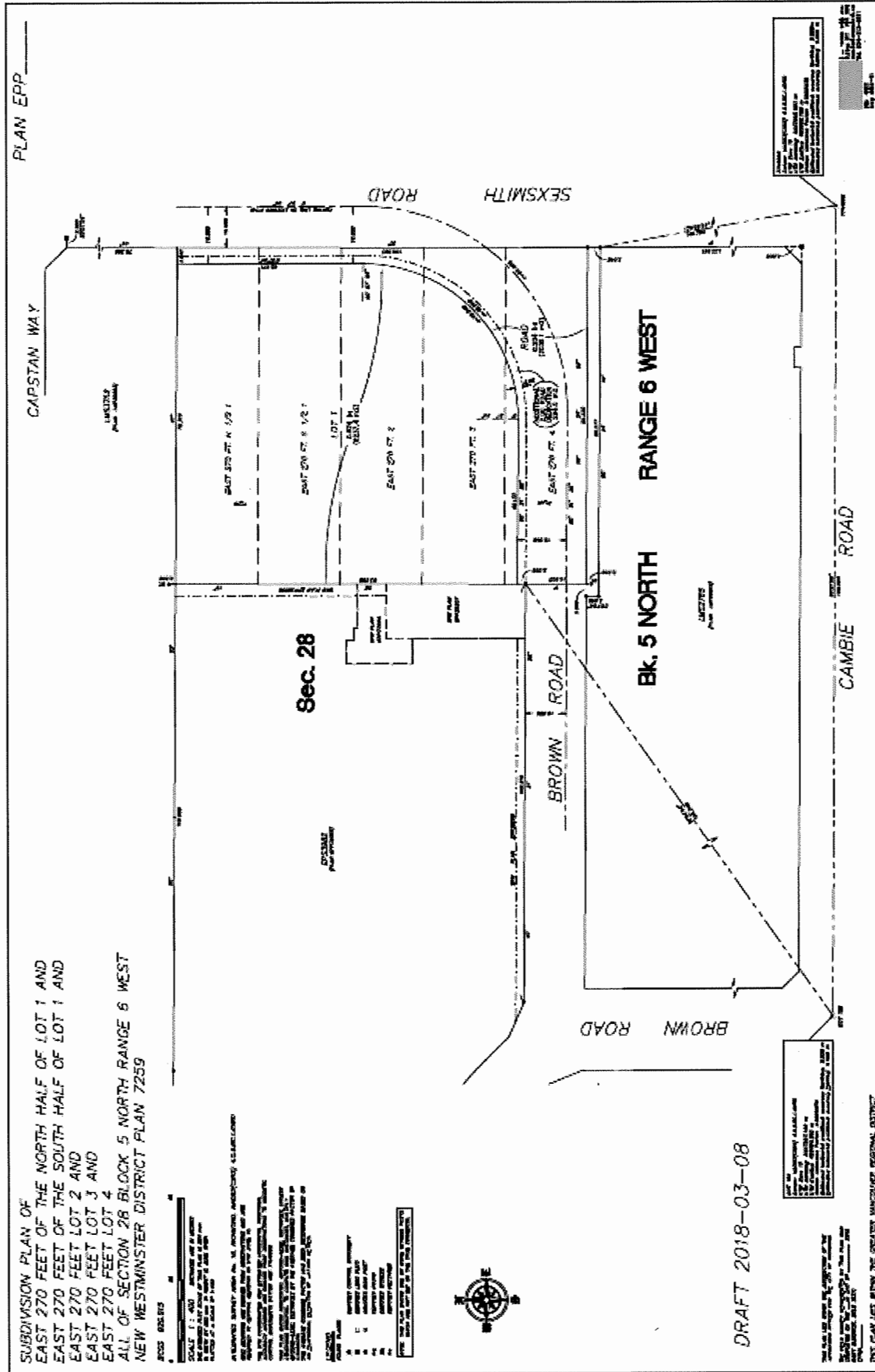
- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act. All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.  
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

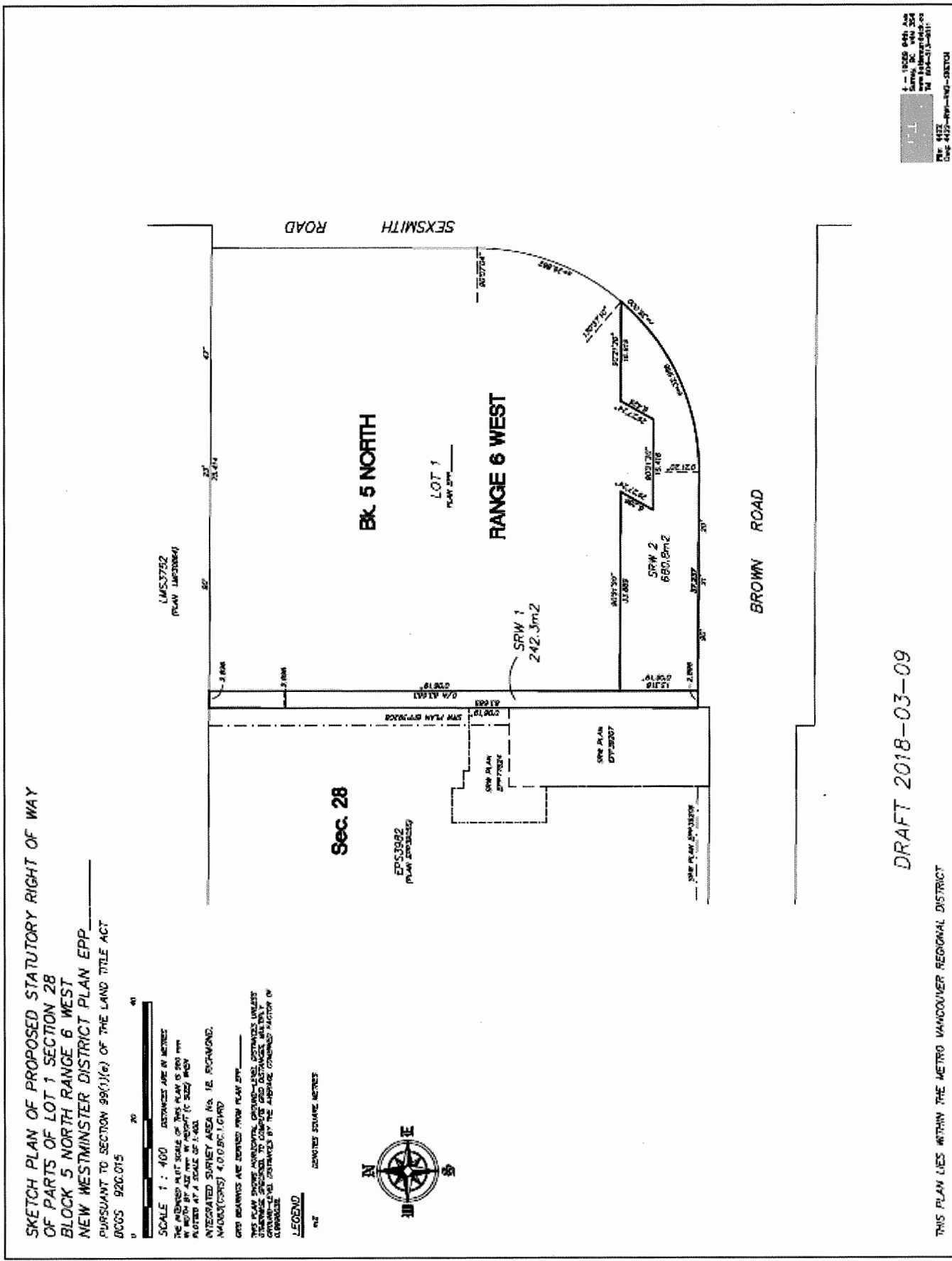
**SIGNED COPY ON FILE**

Signed \_\_\_\_\_

Date \_\_\_\_\_







**SKETCH PLAN OF PROPOSED STATUTORY RIGHT OF WAY  
 OF PARTS OF LOT 1 SECTION 28  
 BLOCK 5 NORTH RANGE 6 WEST  
 NEW WESTMINSTER DISTRICT PLAN EPP**

PURSUANT TO SECTION 99(1)(a) OF THE LAND TITLE ACT  
 BCOS 920.015

SCALE 1 : 400 DISTANCES ARE IN METRES  
 THE HORIZONTAL FOOT SCALE OF THIS PLAN IS 900 MM  
 WITH 100 MM BEING 100 METRES (1:900) AND  
 PLOTTED AT A SCALE OF 1:400  
 INTEGRATED SURVEY AREA NO. 1E, RICHMOND,  
 MOKO(CRVS) 4.0.0.BC.1.CARD

GRID BEARINGS ARE DERIVED FROM PLAN 277  
 THIS PLAN SHOWS ADJACENT OWNED AND UNOWNED LOTS  
 WITHIN THE SURVEY AREA. THE SURVEY AREA IS  
 OWNED BY THE METRO VANCOUVER REGIONAL DISTRICT  
 OR OTHERWISE AS SHOWN BY THE APPROPRIATE COLOURED SHADING ON  
 THIS PLAN

**LEGEND**  
 sqm DENOTES SQUARE METRES



DRAFT 2018-03-09

THIS PLAN LIES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT

PLN  
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 Survey, BC, 400 254  
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**Schedule C: Brown Road Studios Terms of Reference & Outline Specifications**

Polygon "Fiorella"

**Brown Road Studios**

*Terms of Reference & Outline Specifications*

**A. Intent**

The developer shall provide, in perpetuity, an affordable, work-only, rental art studio facility for eligible professional visual artists (as defined herein), constructed to a turnkey level of finish at the sole cost of the developer, to the satisfaction of the City, including:

- a) 72.4 m<sup>2</sup> (779.0 ft<sup>2</sup>) of gross leasable (indoor) floor area accommodating two (2) street-oriented, universally-accessible, storefront-type art studio units, each of which shall include a work space, 2-piece washroom, slop sink and counter, picture-hanging system, and floor-to-ceiling windows on one or more sides;
- b) outdoor space designated exclusively for the shared use of the occupants of the studio units for public access, art display, informal / formal gatherings, and related activities (i.e. Brown Road Studio Plaza & Pocket Park SRW); and
- c) vehicle storage, loading, and waste management facilities (i.e. as per Zoning Bylaw requirements and related City policies) for the shared use of the studio unit tenants, together with required pedestrian and vehicular access/circulation, including:
  - one (1) van-size parking / loading space (i.e. equivalent in size to a Zoning Bylaw "Handicapped Space");
  - one (1) "Class 1" bicycle room (for four (4) bicycles) equipped with an EV Charging Station (e.g., 120V duplex outlet);
  - one (1) room for garbage, recycling ("blue box"), and organic waste carts; and
  - shared use of the residential building's:
    - i. "Visitor Parking";
    - ii. "Class 2" (outdoor) bicycle storage spaces;
    - iii. Medium-sized truck loading area; and
    - iv. Garbage/recycling ("blue box") /organic waste holding/pick-up facilities.

**NOTE:** The developer's provision of the vehicle storage, loading, and waste management facilities specified above shall be understood to satisfy all related Zoning Bylaw requirements and City policies with respect to the Brown Road Studios.

**B. Studio Uses:**

- a) Permitted uses, on a 24/7 basis by or on behalf of the tenant, shall include:
  - production of visual arts only (except as specifically indicated below);
  - indoor uses ancillary to the production of visual arts within the studio units, including:
    - i. visual arts education;
    - ii. indoor display and wholesale / retail sale of visual arts produced on the premises;
    - iii. social and cultural gatherings (e.g., art openings and events);
    - iv. shipping/receiving; and
    - v. storage; and
  - temporary outdoor uses ancillary to the production of visual arts within the Brown Road Studios, provided that such uses are conducted within the designated "Plaza" portion of the SRW area (which "Plaza" shall be identified with a plan and its specific form, character, and use shall be approved by the City through the Development Permit\* and Servicing Agreement\* review and approval processes), including:
    - i. display and performance of artworks (excluding amplified music) produced on the premises;
    - ii. retail display and sale of artworks produced on the premises;
    - iii. small-scale visual art production and education (e.g., plein air painting);
    - iv. social and cultural gatherings that the general public is welcome to attend at no cost (e.g., art openings and events); and
    - v. complementary uses, signage, and activities.
- b) Prohibited uses, on a 24/7 basis, shall include:
  - residential activities;
  - production of arts other than visual arts, except where undertaken in support of on-site visual arts production (e.g., audio related to video production);
  - welding, glassblowing, use of pottery kilns, and other activities involving noxious / toxic fumes / vapors;

- loud noises that may be disturbing to nearby residents; and
- outdoor storage of materials, equipment, or artworks.

### **C. Studio Tenant Eligibility:**

All eligible tenants must satisfy the following criteria:

- a) intend to utilize the Brown Road Studios in compliance with the Studio Uses and related requirements;
- b) meet financial eligibility requirement as per household income guidelines set out under the City's Affordable Housing Strategy for tenants of Subsidized Rental housing or Low End Market Rental housing, which incomes shall be adjusted periodically as per Council-approved policy; and
- c) comply with the definition of a "Professional Visual Artist", meaning an artist who, in the determination of the Director of Arts, Culture and Heritage, at his or her sole discretion:
  - has specialized training in, and makes his/her primary living from, the visual arts (not necessarily in academic institutions);
  - is recognized as such by his or her peers (artists working in the same artistic tradition);
  - is committed to devoting more time to artistic activity, if financially feasible;
  - has a history of public presentation, with at least three (3) public presentations of work in a professional context over a three-year period;
  - has produced an independent body of work;
  - has maintained an independent professional practice for at least three (3) years; and
  - has a practice that falls within Category "A" Professional Artist or such other definition of Professional Visual Artist as promulgated from time to time by the Canada Council for the Arts and approved by the Director of Arts, Culture and Heritage.

### **D. Studio Rental Terms:**

The studio units shall be rented:

- a) solely for visual arts and related purposes, as generally described under "Studio Uses";
- b) on the basis of Council-approved rental rates and terms with the aim of:
  - ensuring the studio units provide "affordable" studio space for eligible tenants, pre-qualified by the owner and approved by the Director, Arts, Culture and Heritage Services (with respect to ensuring that the mix of art practices is supportive of City objectives for a diverse, vibrant, and viable City Centre "arts district"); and
  - support City objectives for fostering a viable, dynamic arts community and the establishment of Capstan Village as an engaging "arts district"; and
- c) on a semi-inclusive basis whereby the rents charged to tenants:
  - secures the full use of the following (i.e. no additional charges shall apply):
    - i. studio units, outdoor space, and vehicle parking / loading (i.e. one space equivalent in size to a Zoning Bylaw "Handicapped Space") and Class 1 bike storage (for 8 bikes) intended for the exclusive use of the studio tenants
    - ii. visitor parking, Class 2 bike storage, and loading, garbage, recycling, and related access / circulation intended for the shared use of the studio facility tenants and the residential building tenants;
  - includes all building administration, maintenance, and repair (i.e. no additional charges shall apply), except for the day-to-day cleaning of the two (2) studio units (which shall be the sole responsibility of the studio unit tenants); and
  - with respect to utilities:
    - i. includes all City utility charges (e.g., water);
    - ii. includes all heating / cooling / air handling (NOTE: The building is required to be "hook-up ready" for a City District Energy Utility (DEU) system and satisfy OCP Aircraft Noise Sensitive Development (ANSND) standards for "Area 2");
    - iii. includes all services provided with respect to common indoor and outdoor spaces including, but not limited to, lighting and electricity provided with respect to the publicly-accessible outdoor space designated for the shared use of the studio occupants (e.g., for art display, gatherings, and related activities); and
    - iv. excludes private utility charges for services used exclusively by the studio tenants (e.g., internet; electricity service to the studio units and an EV bicycle charging stations designated for the exclusive use of the studio occupants, and serving the designated outdoor space).



The terms of the Rental Agreements shall indicate that they apply in perpetuity and provide for the following:

- a) Council-approved rental rate of \$0.75 per square foot, which rate shall be adjusted annually by any increase in the CPI Inflation Index or as otherwise determined to the satisfaction of the City beginning one year after the first date of occupancy of the studio units;
- b) Annual lease with open-ended term.
- c) Maximum of two tenants per studio unit, both of whom must meet the Studio Tenant Eligibility criteria and be identified on the lease agreement.

**E. City Responsibility:**

The City will be responsible for:

- a) defining and updating the studio tenant eligibility criteria (e.g., financial requirements) on a periodic (e.g., annual) basis;
- b) setting Council-approved rental rates for the studio units and reviewing and updating the rates on a periodic (e.g., annual) basis;
- c) approving the tenant selection procedures( e.g., application form and selection panel identification) to ensure a transparent process; and
- d) selecting tenants from a list of applicants that are pre-qualified by the Developer based on City-approved eligibility criteria (e.g., financial eligibility and meeting definition of artist). Selection will be done via a selection panel or as otherwise determined to the sole satisfaction of the City, and will be based on artistic practice, complementary mix of art forms, lively streetscape and related considerations.

**F. Developer Responsibility:**

The developer will be responsible, at the developer's sole cost, for the following:

- a) designing and constructing the studio facility and related uses / spaces to a turnkey level of finish;
- b) pre-qualifying potential tenants for review and selection by the City, which shall be based on an open application process and City-approved eligibility criteria including, but not limited to, Studio Tenant Eligibility criteria (e.g., financial eligibility and meeting definition of artist);
- c) renting the two (2) studio units to eligible, City-approved tenants (limited to a maximum of two (2) tenants per studio unit, both of whom must meet the Studio Tenant Eligibility criteria and be identified on the lease agreement); and
- d) maintaining and repairing the studio facility and all related uses and spaces, to the satisfaction of the City, including maintaining and repairing the two (2) studio units (except day-to-day cleaning), outdoor space, vehicle storage, and, as applicable, the uses and spaces the studio facility tenants share with the residential building tenants (e.g., shared visitor parking, Class 2 bike storage, loading, garbage, recycling, and related access / circulation).

**G. Studio Facility Tenure:**

- a) Ownership: Developer (Polygon); however, the Brown Road Studios may be sold to an alternate owner, provided that the two (2) units are sold as a group and all rights (e.g., parking, waste facilities, access, rental terms) are transferred with the units to the satisfaction of the City.
- b) Legal: Prior to adoption of the pending Zoning Text Amendment, legal agreements must be registered on title to secure the SAS facility contribution (i.e. detailing the form, use, and location of the studio units and easement(s) and/or alternate agreements as required with respect to parking, shared use of loading and access, rents, tenant eligibility criteria, maintenance, and other considerations), together with "no development", "no build", and "no occupancy" covenants, an option to purchase (at a nominal charge), and other measures, all as determined to the satisfaction of the City.
- c) Parcel: Air space parcel

**H. Outline Specifications:**

The artist studio facility, including two (2) studio units, parking, outdoor space, and related uses / spaces, shall be completed to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the City. The studio facility

must be designed and constructed to be attractive, universally-accessible, adaptable to a variety of visual arts activities, and durable. Facility features shall include, but may not be limited to, the following:

a) General Requirements

- The studio units shall:
  - i. make a significant contribution towards City Centre Area Plan (CCAP) objectives for the establishment of Capstan Village as a designated Arts District by:
    - diversifying the range of arts activities and opportunities within the Village; and
    - providing a meaningful contribution towards a varied, dynamic, and artful public realm and streetscape;
  - ii. be situated at the residential building's first storey, along the north side of Brown Road;
  - iii. be storefront-type units with:
    - direct pedestrian access to/ from the public sidewalk;
    - individual entry doors;
    - pedestrian weather protection; and
    - integrated address/tenant signage;
  - iv. have large, floor-to-ceiling windows fronting onto the street and publicly-accessible outdoor area(s), which windows shall be designed and constructed to:
    - facilitate window displays of artworks (produced on the premises);
    - allow for public viewing of work underway within the studio units;
    - be operable to facilitate ventilation, access, and opening up the units to the public outdoor space in fair weather for display and work purposes (e.g., in the form of a pair of glazed swing, sliding, or folding doors or the equivalent, to the City's satisfaction); and
    - provide for adequate light control in the form of sun shades, canopies, or alternative measures (because it must be practical for tenants to leave the units' storefront-type display windows uncovered during typical daytime business hours);
  - v. be designed and constructed to ensure that permitted arts-related activities carried out within the units will not impact nearby residents (on-site or off) by way of noise, vibration, smoke, dust, odors, heat, glare, or electrical or radio disturbances (e.g., appropriate siting and orientation, noise mitigation measures);
  - vi. include outdoor space designated exclusively for the shared use of the occupants of the studio units for public access, art display, informal / formal gatherings, and related activities, which space shall be:
    - limited to a universally-accessible, paved, patio-like space with integrated seating (e.g., seating walls) and space for movable furniture (by tenants) and art displays;
    - situated along the frontage of the studio facility, contiguous with the studio unit entrances and large storefront-type windows, with direct access to / from the Brown Road public sidewalk;
    - illuminated to accommodate evening/night-time activities;
    - equipped with power, water, and other features to accommodate temporary use of the space for art production, art display, gatherings and events (e.g., art openings), and related activities; and
    - convenient to and within view of "Class 2" bike storage (i.e. racks for unrestricted public use);
  - vii. incorporate artfully-designed, illuminated (i.e. indirect or back-lit only), address/business signage on the exterior of the studio facility, including:
    - permanent signage identifying the Brown Road Studios, together with information regarding the Studios' program and sponsorship (e.g., pylon / free-standing sign);
    - changeable tenant signage (one per unit) in the form of façade or canopy signs; and
    - directional signage indicating access to on-site Visitor Parking.
- The studio facility shall satisfy minimum requirements to satisfy:
  - i. BC Building Code 2012;
  - ii. City of Richmond Fire Protection and Life Safety Bylaw 8306 – 2008;
  - iii. City of Richmond Building Regulation Bylaw 7230 – 2002;
  - iv. City of Richmond Flood Plain Protection Bylaw 8204 – 2008 with respect to commercial uses (i.e. 0.3 m above the crown of the fronting road);
  - v. City of Richmond's High Performance Building standards; and
  - vi. universal accessibility requirements for tenants and visitors in wheelchairs.
- The studio units shall be designed and constructed to ensure an attractive appearance and cost effectiveness over the long-term by generally satisfying the following criteria:
  - i. for materials: provide for high impact resistance, traffic resistance, and stain resistance, and exceptional longevity;
  - ii. for maintenance: require only simple cleaning processes (e.g., soap and water) and ensure that surface finish is easily made good (e.g., Hi-Traffic Acrylic Floor Finish mopped on) and heavy use has minimal impact;

- iii. for repair: require only basic interventions to repair cracking, gouging, or more severe or accidental wear (e.g., one person with mortar patching / grinding equipment) and ensure that such repairs are readily made invisible or contribute to the "character" of the material / finish (i.e. wholesale replacement or refinishing is not required to maintain an attractive appearance); and
- iv. for replacement: provide for easy, expeditious stripping, prepping, and re-installation (e.g., low-tech, minimum structural or substrate intervention) to, as applicable, minimize tenant disruption, facilitate timely re-lease of unit, and minimize lost income.

b) Studio Unit Dimensions

- The two (2) studio units shall have a combined total (indoor) gross leasable area of at least 72.4 m<sup>2</sup> (779.0 ft<sup>2</sup>) ;
- Each studio unit shall have an (indoor) gross leasable area of at least 28 m<sup>2</sup> (301 ft<sup>2</sup>).
- Each studio unit shall contain a work space:
  - i. at least 23 m<sup>2</sup> (248 ft<sup>2</sup>) in size unobstructed by columns;
  - ii. configured as one contiguous, regularly-shaped (i.e. rectangular) space with a minimum dimension of at least 3.05 m (10 ft); and
  - iii. with a minimum clear height of at least 3.66 m (12 ft) unobstructed by beams, ducts, lighting, sprinkler systems, or other features.

c) Studio Unit Access & Accessibility

- The studio facility shall:
  - i. be fully accessible for tenants and visitors in wheelchairs;
  - ii. be designed to provide for the convenient movement of large, heavy objects by the tenants on a frequent basis, both within the studio units and between the units and the street / sidewalk and parking / loading areas;
  - iii. provide for convenient tenant access to garbage / recycling facilities and the studio facility's Class 1 bike storage room; and
  - iv. provide for convenient, direct, public access to / from the studio units' front doors and the public Brown Road sidewalk and on-site Visitor Parking.

d) Studio Unit Interiors

- All systems and finishes shall be highly durable and be able to withstand the daily rigors of a working studio for the production of arts, crafts, and related activities
- Floors:
  - i. Sealed polished concrete
  - ii. Resilient type flooring, non-slip
- Walls & Ceilings:
  - i. Finished painted drywall (smooth, museum white finish, low VOC paints and coatings)
  - ii. All demising walls shall have a minimum STC (Sound Transmission Class) Rating of 50 or higher
- Doors & Windows:
  - i. Windows and doors shall meet CAN/CSA – A440 (2005) Standards. All doors, metal or wood, shall be solid core.
  - ii. Door hardware shall be commercial grade and shall meet current accessibility and universal design requirements.
  - iii. All main access doors shall be pre-wired for automatic push button operated doors to facilitate future accessibility if required.
  - iv. Overhead door (or equivalent, as determined by the City) at storefront with vision glass panels, min. 2.5 m wide and 3 m high to facilitate the movement of large objects.
  - v. Windows consistent with LEED Credits 8.1 and 8.2.
  - vi. Operable windows to meet ventilation requirements.
  - vii. Window coverings (or equivalent, as determined by the City) to minimize and moderate direct sunlight within the studio interiors.
- Millwork:
  - i. Each unit shall be provided with a:
    - countertop and utility sink, the combined length of which shall be at least 2.44 m (8 ft);
    - 2-piece washroom (i.e. toilet and hand sink); and
    - picture hanging system.
  - ii. Millwork shall comply with residential casework standards.
  - iii. All millwork shall be of plywood carcass construction built to AWMAC standards.
  - iv. Countertop shall be stain resistant, highly durable, and resilient.
  - v. Door frames shall be of durable materials, resilient to impact of large, heavy materials and equipment.

- Plumbing:
    - i. Each unit shall be provided with:
      - Industrial grade stainless steel slop sink with hot and cold water and integral stainless steel counter top.
      - 2-piece washroom including a low flush toilet and a hand sink and faucet (including a faucet aerator to reduce water consumption).
    - ii. Each sink shall be equipped with floor-mounted sediment trap.
    - iii. Each faucet shall be durable, commercial grade with a gooseneck, minimum 180 degree swivel spout, and lever handle(s). In addition, the slop sink faucet shall be equipped with a separate, flexible spray hose and spout (for filling buckets and large pots and cleaning purposes).
  - Electrical / Wiring:
    - i. Four-plug 120 volt outlets at intervals of not more than 1.52 m (5 ft).
    - ii. Units wired for communication/high speed data/cable.
  - Lighting:
    - i. High quality lighting, with daylight correlated colour temperature.
    - ii. Interior fixtures to be dimmable.
    - iii. Track lighting or an alternative lighting system/installation that provides for a combination of movable display and task lights that can be easily relocated within the studio spaces and adjusted (horizontally and vertically, as applicable) by the studio tenants to meet their individual lighting needs.
- e) Signage & Exterior:
- Provide all required interior wayfinding, fire, life safety, and accessibility-related signage.
  - Each unit shall contain a visible building fire safety plan located at its primary exit(s).
  - Business signage shall, as generally determined to the City's satisfaction through the Development Permit\* process, be:
    - i. standardized for the two (2) units;
    - ii. integrated into the building design (i.e. not free-standing); and
    - iii. comply with the City's Sign Bylaw.
  - Weather protection shall be provided across the frontages of the studio units to:
    - i. protect the studio interiors from precipitation at the entry doors and light precipitation at the overhead or other large doors; and
    - ii. minimize and moderate direct sunlight within the studio interiors.
- f) Mechanical Systems:
- Plumbing
    - i. Provide, at minimum, one utility sink in each unit, complete with sediment interceptors (all sinks to be 16 gauge or lower). All faucets shall be single lever accessible type.
    - ii. Provide for all shut offs for water valves and clean outs that are readily accessible from inside the unit.
    - iii. Provide for floor drains in bathroom.
  - Heating, Cooling & Air Handling:
    - i. Mechanical and natural ventilation including, but not limited to, compliance with:
      - OCP Aircraft Noise Sensitive Development (ANSD) policies for "Area 3"; and
      - City of Richmond District Energy Utility (DEU) hook-up ready requirements.
    - ii. Air change for each unit with mechanically delivered air exhaust to be ultra-quiet rated.
    - iii. Tempered make up air to each unit.
    - iv. Operable vents to facilitate natural ventilation at the discretion of the occupant.
  - Fire Protection:
    - i. Conform to all standards of NFPA 13 – 1996 standard for the installation of sprinkler systems.
    - ii. Meeting any additional requirements of City of Richmond Fire Protection and Life Safety Bylaw 8306 – 2008.
    - iii. Provide, at occupancy, a single fire extinguisher mounted in each unit.
- g) Electrical Systems:
- All electrical wiring shall make provision for "flexible" indoor lighting options at the discretion of the occupant.
  - Provide battery operated emergency lighting.
  - Units shall be connected to the building fire alarm system and zoned appropriately.
- h) Telecommunications:
- Provide complete telecommunications cables to support telephone, TV, internet, entry phone.
- i) Loading / Waste / Vehicle Areas:
- Provide convenient (i.e. direct indoor or weather-protected outdoor) access to / from the studio units and the loading, garbage, recycling, Visitor Parking, and Class 1 bike storage areas.



- Vehicle storage and loading for the exclusive (shared) use of the studio unit tenants shall be provided in compliance with Zoning Bylaw requirements, including:
  - i. one (1) van-size short-term parking / loading space (i.e. equivalent in size to a Zoning Bylaw "Handicapped Space");
  - ii. four(4) "Class 1" bicycle storage spaces within a secured bike room; and
  - iii. one (1) electric vehicle (EV) charging station (i.e. 120V duplex outlet) serving the bike room.

Initial \_\_\_\_\_



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9836 (RZ 17-778835)  
3551, 3571, 3591, 3611, and 3631 Sexsmith Road**

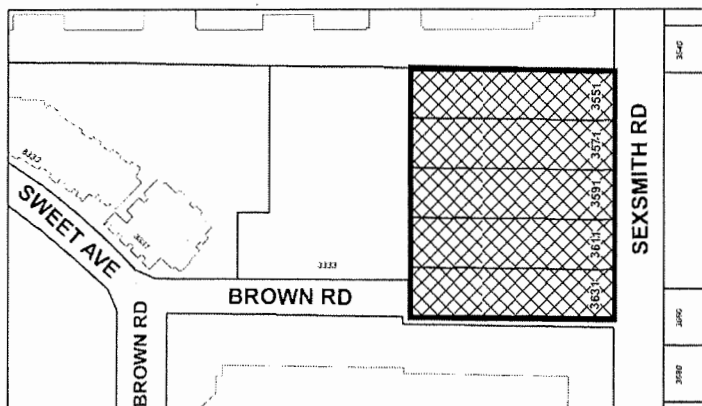
The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. The Zoning Map of the City of Richmond, as amended, is further amended by inserting a new sub-section in section 9.4.4, which sub-section shall be inserted at the end of section 9.4.4 and numbered sequentially, as follows:

“For the net **site** area of the **site** located within the **City Centre** shown on Figure 1 below, notwithstanding Section 9.4.4.4, the maximum **floor area ratio** for the **RCL4 zone** shall be 2.618, provided that the **owner**:

- a) complies with the conditions set out in Section 9.4.4.4; and
- b) dedicates not less than 294.0 m<sup>2</sup> of the **site** as **road**.

Figure 1



2. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it “**RESIDENTIAL/LIMITED COMMERCIAL (RCL4)**”.

P.I.D. 003-460-754

East 270 Feet of the South Half of Lot 1 Section 28 Block 5 North Range 6 West New Westminster District Plan 7259

P.I.D. 003-898-300  
East 270 Feet the North Half Lot 1 Section 28 Block 5 North Range 6 West New Westminster District Plan 7259

P.I.D. 011-106-727  
East 270 Feet Lot 2 Section 28 Block 5 North Range 6 West New Westminster District Plan 7259

P.I.D. 011-106-743  
East 270 Feet Lot 3 Section 28 Block 5 North Range 6 West New Westminster District Plan 7259

P.I.D. 011-106-751  
East 270 Feet Lot 4 Section 28 Block 5 North Range 6 West New Westminster District Plan 7259

3. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9836**”.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

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MAYOR

\_\_\_\_\_  
CORPORATE OFFICER