



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

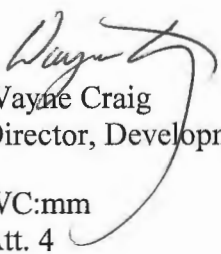
Date: October 26, 2016

File: ZT16-734106

Re: Application by Lloyd Kinney for a Zoning Text Amendment to Permit a
Microbrewery within the Industrial Business (IB1) Zone at Unit #110 - 12500
Horseshoe Way

Staff Recommendation

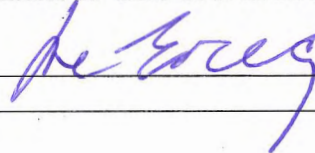
That Richmond Zoning Bylaw 8500, Amendment Bylaw 9614, for a Zoning Text Amendment to the "Industrial Business (IB1)" zone to allow a "Microbrewery, Winery and Distillery" at #110-12500 Horseshoe Way, be introduced and given first reading.


Wayne Craig
Director, Development

WC:mm
Att. 4

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER



Staff Report

Origin

Lloyd Kinney has applied to the City of Richmond for a Zoning Text Amendment to the “Industrial Business (IB1)” zone to allow a microbrewery at #110-12500 Horseshoe Way (Attachment 1).

The applicant has operated a 112 m² (1,200 ft²) brewery in one (1) unit of an industrial complex on the subject site since January 2016, as a permitted industrial use. The applicant has now applied for a zoning text amendment to allow for the brewery to operate as a microbrewery, and utilize 30 m² (323 ft²) of the brewery space for a retail store.

The brewery currently operates under the current “Industrial Business (IB1)” zone and received a “manufacturer” licence from the *Liquor Control and Licensing Branch* (LCLB). The applicant has also now applied to the LCLB for manufacturer “on-site store” license endorsement. The applicant has applied to amend the “Industrial Business (IB1)” zone to allow the “Microbrewery, Winery and Distillery” use to operate the retail store within the subject strata unit only.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached.

Surrounding Development

The subject site is located within the Ironwood Industrial Park surrounded by light industrial and low-rise business park office buildings.

To the North: Light industrial/office building zoned “Industrial Business (IB1)”.

To the South: Light industrial/office building zoned “Industrial Business (IB1)”.

To the East: Across Horseshoe Way, Light industrial/office building zoned “Industrial Business (IB1)”.

To the West: Light industrial/office building zoned “Industrial Business (IB1)”.

Background

The Provincial Government’s *Liquor Control and Licensing Act* regulations allow for liquor manufacturer licence holders to apply for “endorsements” for additional ancillary uses which include: on-site store, lounge, special event area, tour area, and picnic area.

In Fall 2015, Planning Committee considered a Staff Report to create a new “Microbrewery, Winery and Distillery” use and permit this use within the IB1 zone for one site only at 11220 Horseshoe Way for the Fuggles and Warlock Microbrewery. That zoning text amendment was

approved on November 9, 2015 by Council to allow the brewery to obtain the required LCLB “lounge” and “on-site store” endorsements to its manufacturer licence and to be issued a City business licence.

Planning Committee recommended that Staff proceed to prepare a further Richmond Zoning Bylaw 8500 to add “Microbrewery, Winery and Distillery” to a number of standard mixed-use and commercial zones as follows:

- “Steveston Commercial (CS2; CS3)”
- “Downtown Commercial (CDT1, CDT2, CDT3)”
- “Auto-Oriented Commercial (CA)”
- “Entertainment & Athletics (CEA)”

The Staff Report noted that all future applications for microbreweries in other zoning districts would require site-specific rezoning applications.

On March 21, 2016, Council adopted Zoning Amendment Bylaw 9490 which included the “Microbrewery, Winery and Distillery” use in the above-noted zones.

Related Policies & Studies

Official Community Plan/Shellmont Area Plan

The Official Community Plan (OCP) designates the subject site as “Mixed Employment”. The existing brewery use and proposed ancillary store use is consistent with the “Mixed Employment” designation.

The Shellmont Area Plan does not include specific land use designations affected by the proposed application.

Richmond Zoning Bylaw 8500

The current Britannia Brewing Company operation is permitted as alcohol manufacturing under the “industrial, general” use within the “Industrial Business (IB1)” zone.

The proposed zoning text amendment would permit the “Microbrewery, Winery and Distillery” use in the specific strata lot now occupied by Britannia Brewing Company to operate the proposed ancillary on-site store as provided by LCLB regulations. The “Microbrewery, Winery and Distillery” use requires that the existing brewery (liquor manufacturing) use continue to occupy more than fifty percent (50%) of the total floor area of the premises. This zoning provision is consistent with the intent of the LCLB alcohol manufacturer license which requires that the brewery operation continue to be the principal use.

The proposed zoning amendment, if adopted, would allow the proposed “on-site store” to be permitted along with the currently permitted brewery. City Business Licencing and the LCLB require no additional public consultation for the ancillary on-site retail store. The applicant is not seeking a “lounge” LCLB endorsement that would require further public and Council comment.

The applicant has submitted a LCLB manufacturer license “on-site store” endorsement application. The LCLB requires a written declaration from the applicant that the “on-site store” is permitted under local zoning and asks for local government confirmation that the store is allowed under its zoning.

Public Consultation

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

Should the Planning Committee endorse this application and Council grant first reading to the zoning text amendment 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*.

Analysis

The applicant is applying to allow an ancillary “on-site” store where LCLB permits only sale of the manufacturer’s own beer produced on-site and related non-liquor products (e.g. mugs, promotional T-shirts, etc.).

The subject site is near the recently approved Fuggles and Warlock Microbrewery within the IBI zone in the same industrial business park neighbourhood and is near a bus route.

Transportation and Site Access

The site composed of two (2) multi-tenant light industrial buildings with a central parking lot located between the buildings access via a driveway from Horseshoe Way. This section of Horseshoe Way has existing curb, sidewalk and street lighting with no improvements required as a result of this application. The applicant has agreed to provide a contribution of \$1,650 to the City to plant two (2) street trees within the grass boulevard within the Horseshoe Way road allowance adjacent to the subject site.

The subject unit #110 complies with the parking requirements under Richmond Zoning Bylaw 8500 and is assigned two (2) parking spaces under the strata plan within the parking lot located between these two (2) buildings. There are also two (2) shared loading spaces for the building complex near the front of the parking lot. The existing parking and loading for the unit meets the requirements for the existing brewery and the proposed retail store.

Under Richmond Zoning Bylaw 8500, the applicant will need to provide one (1) exterior visitor bicycle Class 1 space/rack and one (1) interior Class 2 employee bicycle parking space when applying for a tenant improvement building permit.

Conclusion

The proposed text amendment is to facilitate the addition of a small on-site store to be included along within the existing brewery already permitted under the “Industrial Business (IB1)” zone. Staff supports the proposed Zoning Text Amendment given its location, adjacent uses and the limited size of the ancillary brewery store which will be required to be consistent with the LCLB regulations.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9614 be introduced and given first reading.



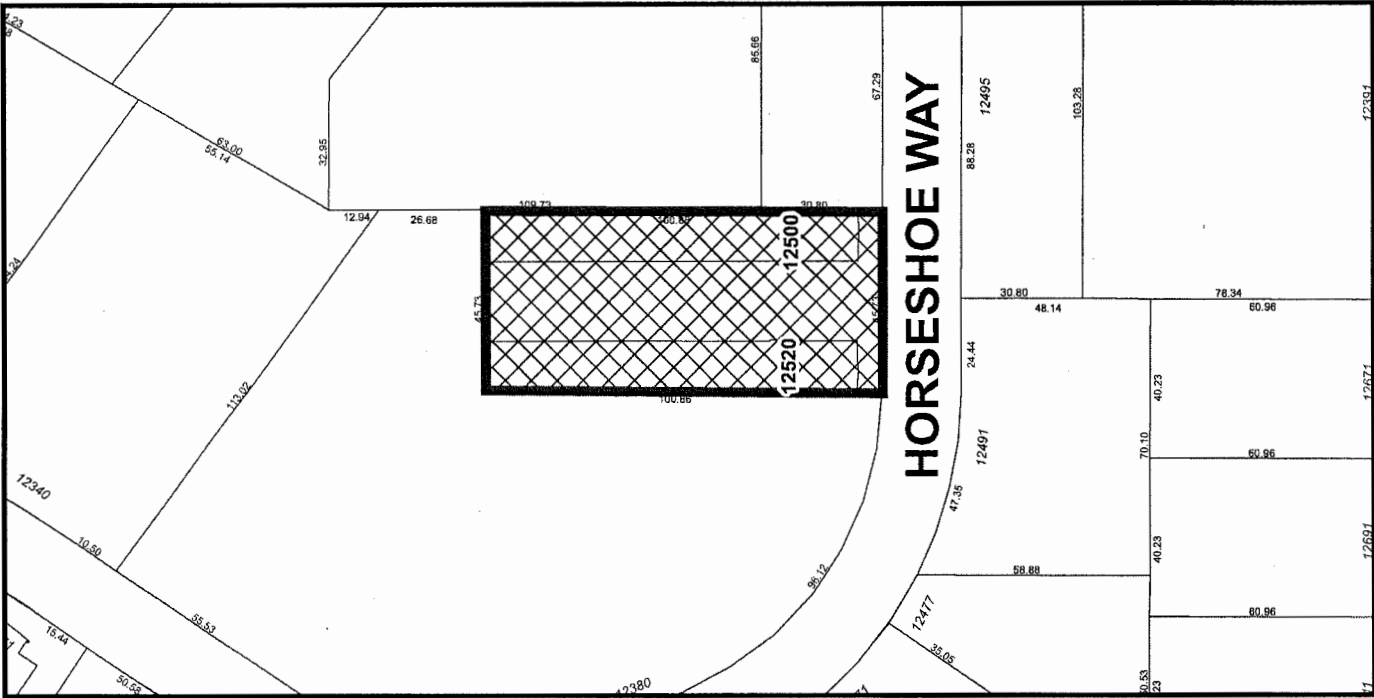
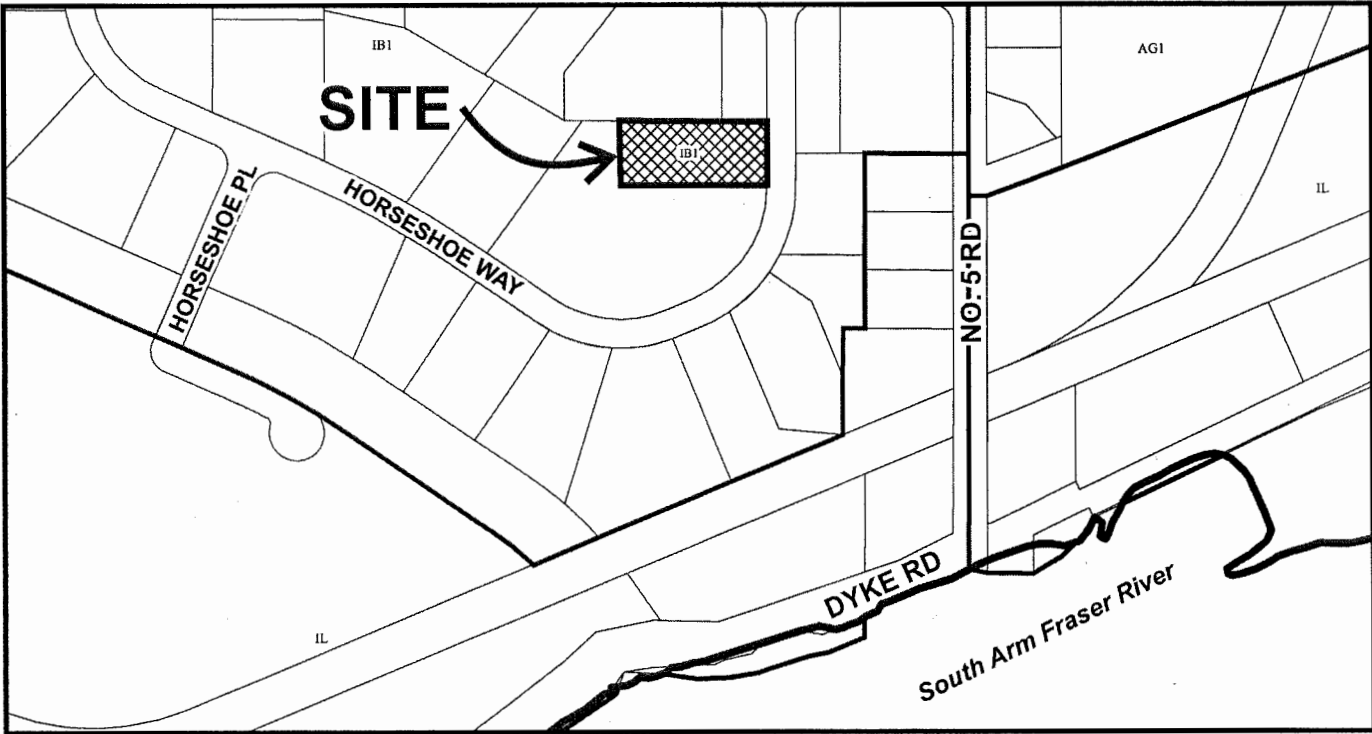
Mark McMullen
Senior Coordinator - Major Projects

MM:rg

- Attachment 1: Location Map / Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Strata Plan Showing Building and Unit #110
- Attachment 4: Rezoning Considerations



City of Richmond

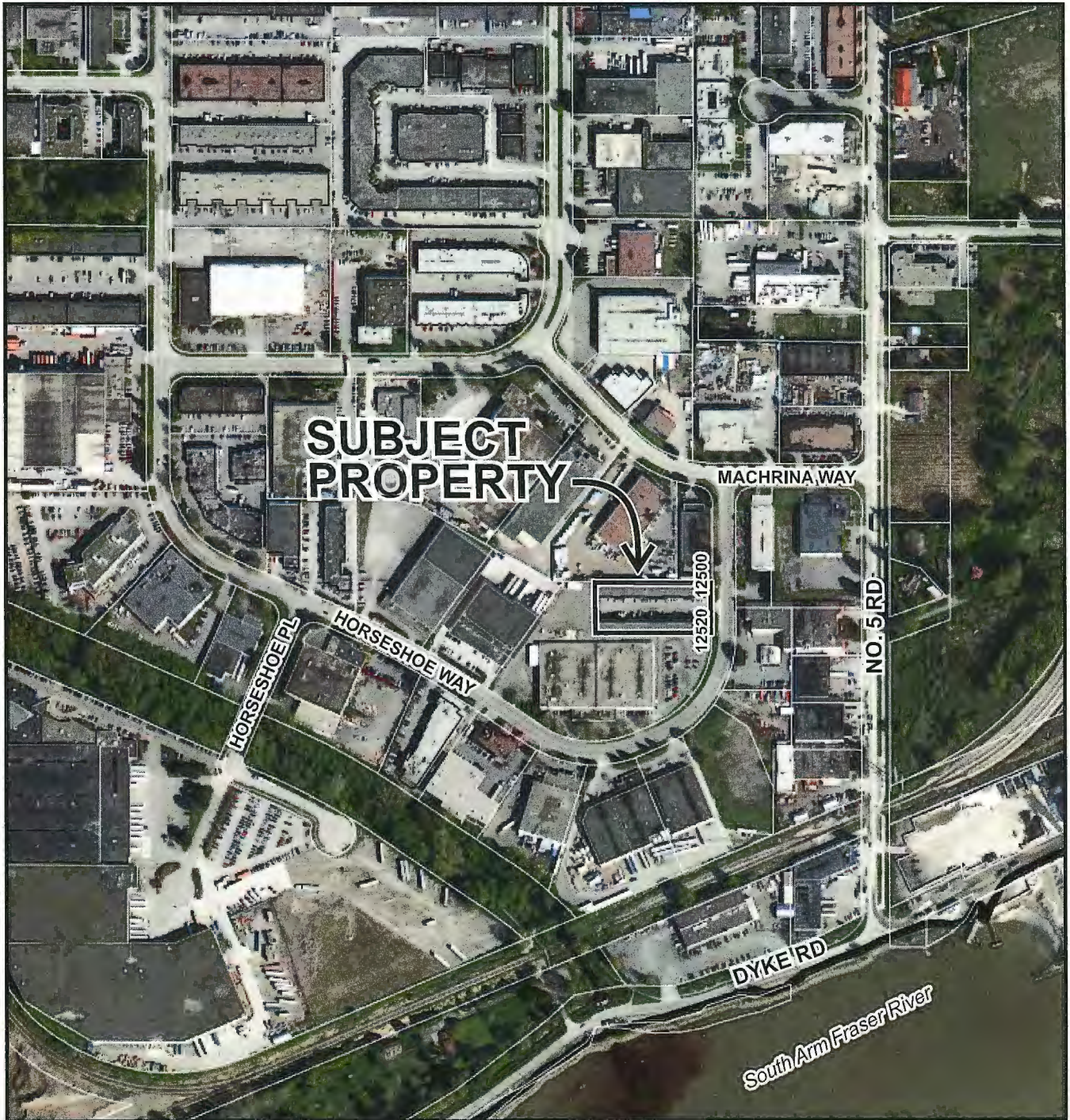


ZT 16-734106
Unit 110 - 12500 Horseshoe Way

Original Date: 06/23/16
 Revision Date: 10/25/16
 Note: Dimensions are in METRES



City of
Richmond



ZT 16-734106

Original Date: 06/23/16

Revision Date:

Note: Dimensions are in METRES



ZT16-734106

Attachment 2

Address: #110-12500 Horseshoe Way

Applicant: Lloyd Kinney

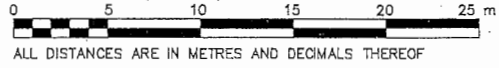
Planning Area(s): Shellmont

	Existing	Proposed
Owner:	1014787 BC Ltd.	1014787 BC Ltd.
Site Size (m²):	4,611m ²	4,611m ²
Land Uses:	General Industrial, Brewery	General Industrial, Microbrewery
OCP Designation:	Mixed Employment	No Change
Area Plan Designation:	N/A	N/A
Zoning:	Industrial Business (IB1)	No Change
Number of Units:	N/A	N/A
Other Designations:	N/A	N/A

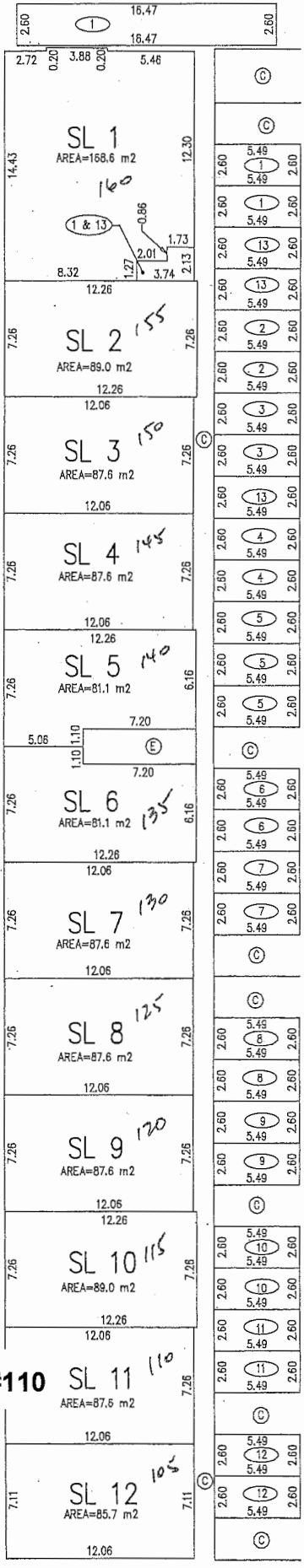
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	1.0 Max.	No change	none permitted
Buildable Floor Area (m ²):*	4,611m ² Max.	No change	none permitted
Lot Coverage (% of lot area):	60% Max.	No change	none
Lot Size:	None	No change	none
Lot Dimensions (m):	Width: N/A Depth: N/A	No change	none
Setbacks (m):	Front: Min. 3.0 m Rear: Min. 0.0 m Side: Min. 0.0 m Exterior Side: Min. 3.0 m	No change	none
Height (m):	12.0 m	No change	none
Off-street Parking Spaces – Total:	2 (for unit)	No change	none

STRATA PLAN BCS_1607
FLOOR PLANS BUILDING A

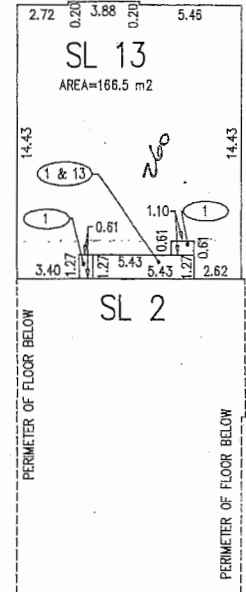
SCALE 1 : 250



ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF



MAIN FLOOR



2ND FLOOR
(ABOVE SL 1)

Subject Unit #110

G.A. HOL
DATE: NOVEMBER 18, 2005
B.C.L.S.



City of
Richmond

Rezoning Considerations
Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: #110-12500 Horseshoe Way

File No.: ZT 16-734106

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9614, the developer is required to complete the following:

1. Provide a cash contribution of \$1650 to the City of Richmond to plant two (2) street trees within the Horseshoe Way road allowance adjacent to the subject site.

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

1. Provide one exterior visitor bicycle Class 1 space/rack and one interior Class 2 employee bicycle parking space.
2. Prior to the issuance of BP, a construction parking and traffic management plan to be provided to the Transportation Division (Ref: <http://www.Richmond.ca/services/ttp/special.htm>)

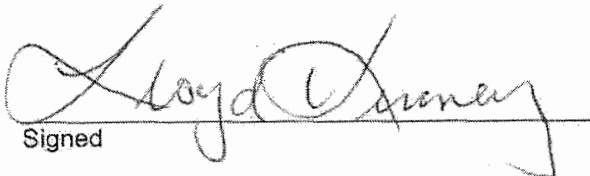
Note:

- * 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


Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9614 (ZT 16-734106)
#110-12500 Horseshoe Way**

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

- 1. Richmond Zoning Bylaw 8500 is amended by repealing Section 12.3.11.5 of the “Industrial Business Park (IB1)” zone and replacing it with the following:

“**Microbrewery, Winery and Distillery** shall be only permitted on the following sites:

- (a) 11220 Horseshoe Way
PID 000-564-095
Lot 45 Section 1 Block 3 North Range 6 West New Westminster District Plan 56980
- (b) #110-12500 Horseshoe Way
PID 026-556-791
Strata Lot 11 Section 12 Block 3 North Range 6 West New Westminster District Strata Plan BCS1607”

- 2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9614**”.

FIRST READING

NOV 14 2016

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER CONDITIONS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER