



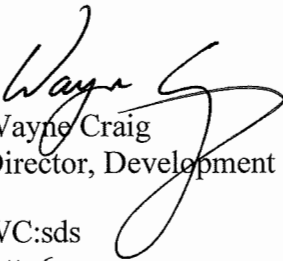
To: Planning Committee
From: Wayne Craig
Director, Development

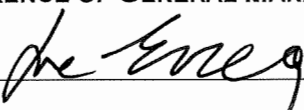
Date: January 15, 2019
File: ZT 18-801900

Re: Application by Wensley Architecture Ltd. for a Zoning Text Amendment to the "Industrial Business Park (IB1)" Zone to Permit a Drive-Through Restaurant at 13020 Delf Place

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9956, for a Zoning Text Amendment to the "Industrial Business Park (IB1)" zone in order to permit "restaurant, drive-through", limited to one establishment and a maximum floor area of 300 m², at 13020 Delf Place, be introduced and given first reading.


Wayne Craig
Director, Development
WC:sds
Att. 6

REPORT CONCURRENCE
CONCURRENCE OF GENERAL MANAGER 

Staff Report

Origin

Wensley Architecture Ltd. has applied to the City of Richmond for permission to amend the “Industrial Business Park (IB1)” zone to add “restaurant, drive-through” as a site-specific permitted use, limited to one establishment and a maximum floor area of 300 m² (3,229 ft²), on the property at 13020 Delf Place. A location map and aerial photograph are provided in Attachment 1. The subject site is currently occupied by an office building in the south portion of the lot, which is to be retained, and a vacant area in the north portion of the lot, where the drive-through restaurant is proposed to be located (Attachment 2). The vacant area was previously occupied by a one storey commercial building of approximately 1,020 m² (10,980 ft²) in area, which was demolished in 2017.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 3).

Surrounding Development

- To the North: Across Delf Place, light industrial buildings with surface parking and loading on properties zoned “Industrial Business Park (IB1)”.
- To the South: Across Worster Court, light industrial buildings with surface parking and loading on properties zoned “Industrial Business Park (IB1)”.
- To the East: Light industrial buildings with surface parking and loading on properties zoned “Industrial Business Park (IB1)”.
- To the West: Across Jacombs Road, single-family dwellings on properties zoned “Single Detached (RS1/B)” with a rear yard interface to the subject site and accessed from the internal road network (Wyne Crescent).

Related Policies & Studies

Official Community Plan/East Cambie Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Mixed Employment (MEMP)” and the East Cambie Area Plan designation for the subject site is “Industrial” (Attachment 4). The “Mixed Employment” designation comprises of those areas where the principal uses are residential, commercial, industrial and stand-alone office development, with a limited range of support services. The development proposal is consistent with these designations as it would allow for a food establishment to service employees in the surrounding industrial area.

Aircraft Noise Sensitive Development Policy

The subject property is located within the Aircraft Noise Sensitive Development (ANSD) Policy Area 1B. Registration of an aircraft noise indemnity covenant on Title is required prior to final

adoption of the rezoning bylaw to address public awareness and to ensure aircraft noise mitigation is incorporated into building design and construction.

Land Use Noise Management

The subject property is located within 30 m (98.4 ft.) of existing residential uses. Registration of a legal agreement on Title is required prior to final adoption of the rezoning bylaw indicating the requirement to mitigate unwanted noise and demonstrate that the building envelope is designed according to the following:

- avoid noise generated by the internal use from penetrating into residential areas that exceed noise levels allowed in the City's Noise Bylaw; and
- comply with the City's Noise Bylaw for noise generated from rooftop HVAC.

The applicant's acoustical consultant submitted correspondence indicating the proposal will be designed consistent with the City's Noise Bylaw. At Development Permit stage, the applicant is required to submit an Acoustical Report from an acoustical consultant to demonstrate how the proposed restaurant and drive-through operations, including sound to be generated by the drive-through speakers, exhaust fans, HVAC system and all other mechanical equipment on-site, complies with the maximum permitted levels under the City's Noise Bylaw.

Ministry of Transportation & Infrastructure Approval

As the subject property is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal was referred to the Ministry of Transportation and Infrastructure (MOTI). Confirmation has been received from MOTI indicating that they have no objections to the proposed redevelopment and that preliminary approval has been granted for a period of one year. Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Adopt-A-Street Program

The drive-through restaurant business has agreed to participate in the City's Adopt-A-Street Program for Jacombs Road. The Adopt-A-Street Program is a voluntary program for residents and businesses to keep roadside areas free of litter and trash. As part of the program, the participant is required to submit quarterly reports indicating details of clean-up activities, including number of hours. Registration of a legal agreement on Title is required prior to final adoption of the rezoning bylaw ensuring prior to Business License issuance of any drive-through restaurant on the property, the business must be registered permanently (or as long as the drive-through restaurant is located on the property) in the City's Adopt-A-Street Program for Jacombs Road, from Highway 91 to Cambie Road.

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 sign on the property.

Should the Planning Committee endorse this application and Council grant 1st 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*.

Analysis

Proposed Land Use and Zoning Text Amendment

The proposed drive-through restaurant is consistent with the OCP and Area Plan designations for the subject property (Mixed Employment and Industrial respectively), as it would allow for a food establishment to service employees in the surrounding industrial area. Based on Business Licensing records, the following analysis of the area is provided:

- There are approximately 2,030 employees and 95 businesses in the surrounding industrial area (including the Auto Mall), bounded by Cambie Road to the north, Westminster Highway to the south, Knight Street to the east, and Jacombs Road to the west, with a total parcel area of 101 acres (41 hectares).
- This area is primarily designated Mixed Employment in the OCP and Industrial in the Area Plan, except for the Auto Mall, which is designated Commercial.
- Within the above-noted surrounding industrial area, there are currently two small food service establishments (street vendor and cafeteria), and no drive-throughs.
- Both food service establishments are located in the Auto Mall, there are no food service establishments outside of the Auto Mall in the subject industrial area.
- The nearest Neighbourhood Service Centre (No. 5 Road and Cambie Road), which includes a number of food establishments is approximately 1.6 km travel distance from the subject property.

Due to a limited number of food establishments in the surrounding industrial area, employees are likely to drive to restaurants elsewhere in the City. The proposed drive-through restaurant would provide a food service establishment in close proximity to surrounding industrial businesses, where employees have the option to walk instead of drive. The proposed restaurant also includes seating for walk-in customers (approximately 60 seats) and pedestrian improvements on both Jacombs Road and Delf Place, along with on-site pedestrian pathways.

The proposed land use is also consistent with OCP policy (p. 6-16) which allows commercial/retail uses (such as food establishments) in business parks, based on market demand. The applicant has provided a market analysis of the surrounding industrial area, which identified significant demand for this type of food establishment (drive-through). Locating a food

establishment in the proposed location would also provide an amenity to the surrounding industrial area and potentially increase the appeal to perspective industrial tenants.

The subject site is currently zoned “Industrial Business Park (IB1)”, which permits a restaurant as a permitted use, but does not permit a restaurant with a drive through. The purpose of the proposed zoning text amendment application is to amend the “Industrial Business Park (IB1)” zone to allow “restaurant, drive-through”, with the following restrictions:

- Allow drive-through restaurant as a secondary use, which must be supported by a primary use on the property (i.e. industrial/office).
- Allow a drive-through restaurant on the subject site only. Any future proposals for drive-through restaurants on properties zoned “Industrial Business Park (IB1)” would require Council approval.
- Limit the drive-through restaurant to one establishment and a maximum floor area of 300 m² (3,229 ft²).

No additional commercial services or retail activities are permitted beyond what is already allowed for in the “Industrial Business Park (IB1)” zone and proposed to be added as part of this Zoning Text Amendment.

Site Planning

The proposed development involves the construction of a single-unit one-storey building of approximately 250.8 m² (2,700 ft²) in area to accommodate one drive-through restaurant establishment. The building is proposed to be located at the northwest corner of the site, along the street frontages of Jacombs Road and Delf Place.

Required off-street parking, drive-aisle circulation, vehicle access and queuing are accommodated on-site behind the building. Vehicle and bicycle parking is provided consistent with Zoning Bylaw requirements. Pedestrian access is proposed to be provided from both street frontages and internally from the vehicle parking area, including designated crosswalks and signage across the vehicle queuing area.

Landscaping along the street frontages has been provided as per Zoning Bylaw 8500 requirements, including required setbacks. Staff have worked with the applicant to maximize tree retention and planting and landscaping on-site, and minimize impervious surfaces. The preliminary site plan, elevations and landscape plan are provided in Attachment 5.

A Development Permit application is required to be processed to a satisfactory level, prior to final adoption of the rezoning bylaw. Further refinements to architectural, landscape and urban design will be completed as part of the Development Permit application review process.

Existing Legal Encumbrances

There is an existing Statutory Right-of-Way (SRW) (Plan 64429) registered on Title for water and sanitary services located along the west property line (6.0 m wide) and south property line (3.0 m wide). The SRWs will not be impacted by the proposed development and the developer is aware that encroachment into the SRWs is not permitted.

Transportation and Site Access

Vehicular access to the subject site is to be provided via the existing driveway crossings on Jacombs Road and Delf Place. The existing Delf Place driveway is located on the eastern portion of the subject site, more than 50 m from the intersection of Jacombs Road and Delf Place.

The proposal meets the minimum vehicle and bicycle parking spaces as per Zoning Bylaw 8500 and complies with the minimum number of vehicles in the queuing area in advance of the drive-through window.

A Traffic Impact Assessment (TIA) was produced by a professional traffic consultant to review the impact of the proposal to the surrounding road network (including any recommended transportation related works). Transportation Staff concur with the TIA findings confirming that the existing road network can accommodate the proposal to develop a drive-through restaurant with minimal impacts. No additional roadway, access or traffic control mitigation measures are recommended.

Pedestrian improvements include sidewalks along both road frontages, a curb extension on the southeast corner of Jacombs Road and Delf Place, and a special marked crosswalk across Jacombs Road, with downward lighting and flashing beacons, which will be secured through the Servicing Agreement.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report, which identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses 29 trees on the subject property and four trees on City property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and Tree Management Plan (Attachment 6), conducted an on-site visual assessment and concurs with the Arborist's recommendations, with the following comments:

- 17 trees on the development site, including nine trees (tag# 1-9) located along the north property line and eight trees (tag# 25-31, 33) located within the existing vehicle parking area, to be retained and protected as per the City's Tree Protection Information Bulletin (TREE-03).
- 3 Beech trees (tag# 22-24) are located within the proposed vehicle parking area and were considered for relocation, however, the applicant's arborist has indicated due to the rooting of the trees, the trees would not survive relocation.
- 4 City trees (tag# 18-21) along Jacombs Road to be retained and protected.
- 9 trees (tag# 10-17 & 32) located on the development site are in conflict with the proposed development.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

Tree Retention

The proposed Tree Management Plan is provided in Attachment 6, which outlines the protection of 17 on-site trees and 4 City-owned trees. To ensure the protection of these trees, the applicant is required to provide the following, prior to final adoption of the rezoning bylaw:

- Submission to the City of a contract with a Certified Arborist for supervision of all works conducted within or in close proximity to tree protection zones.
- Submission of a Tree Survival Security in the amount of \$145,000 (\$125,000 for the 17 on-site trees to be retained (tag# 1-9, 25-31 & 33) and \$20,000 for the 4 City-owned trees to be retained (tag#18-21)).
- Installation of tree protection fencing around all trees to be retained, in accordance with the City's Tree Protection Information Bulletin TREE-03.

Tree Replacement

The applicant is proposing to remove 12 trees on-site, the OCP replacement ratio of 2:1 requires 24 trees to be planted and maintained on-site. Based on the submitted preliminary Landscape Plan (Attachment 4), the developer is proposing to plant 24 trees. The plan proposes to break up the paved area with landscaped boulevards, which include a combination of trees, flowering shrubs and grass.

The size and species of replacement trees, and overall landscape design, will be reviewed in detail through the Development Permit application process. To ensure the replacement trees are planted and maintained on-site and the proposed landscape works are undertaken, the applicant is required to provide a Landscape Security, based on 100% of the cost estimate provided by the Landscape Architect, prior to Development Permit issuance.

Site Servicing and Frontage Improvements

The developer is required to enter into a Servicing Agreement for the design and construction of required site servicing and frontage improvements as described in Attachment 7, prior to final adoption of the rezoning bylaw. Frontage improvements include, but are not limited to, the following:

- Delf Place: construct a new 1.5 m wide sidewalk along the entire Delf Place frontage, incorporating the retention of the trees along the north property line.
- Jacombs Road: construct a new 1.5 m wide sidewalk along Jacombs Road, incorporating the retention of the trees along the west property line.
- Construct a curb extension on the southeast corner of the Jacombs Road and Delf Place intersection.
- Special marked crosswalk across Jacombs Road at the intersection of Jacombs Road and Delf Place, with downward lighting and flashing beacons.

Development Permit Application

A Development Permit application is required to be processed to a satisfactory level, prior to final adoption of the rezoning bylaw. Further refinements to architectural, landscape and urban design (form and character) will be completed as part of the Development Permit application review process, including, but not limited to, the following:

- Compliance with Development Permit Guidelines for commercial developments in the OCP, including review of pedestrian circulation, landscape and surface treatments, and Crime Prevention Through Environmental Design (CPTED) principals.
- Refinement of the proposed building form and architectural features to achieve sufficient variety in design and create an interesting streetscape along Jacombs Road and Delf Place.
- Review of sustainability measures and energy efficiency features to be incorporated into the development.
- Adequate screening of external HVAC units exposed to views from the street.
- Review of the size and species of on-site replacement trees to ensure bylaw compliance and to achieve an acceptable mix of conifer and deciduous trees on-site.

Additional issues may be identified as part of the Development Permit application review process.

Financial Impact

The rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

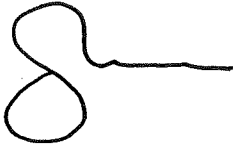
Conclusion

The purpose of this Zoning Text Amendment application is to amend the “Industrial Business Park (IB1)” zone to add “restaurant, drive-through” as a site-specific permitted use on the property at 13020 Delf Place. The proposed amendment will allow the development of a restaurant with drive-through, which will provide food services to the surrounding area.

The Zoning Text Amendment application complies with the land use designation and applicable policies contained within the OCP for the subject site. Further review of the project design will be completed as part of the Development Permit application process.

The list of rezoning considerations is included in Attachment 7, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9956 be introduced and given first reading.

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

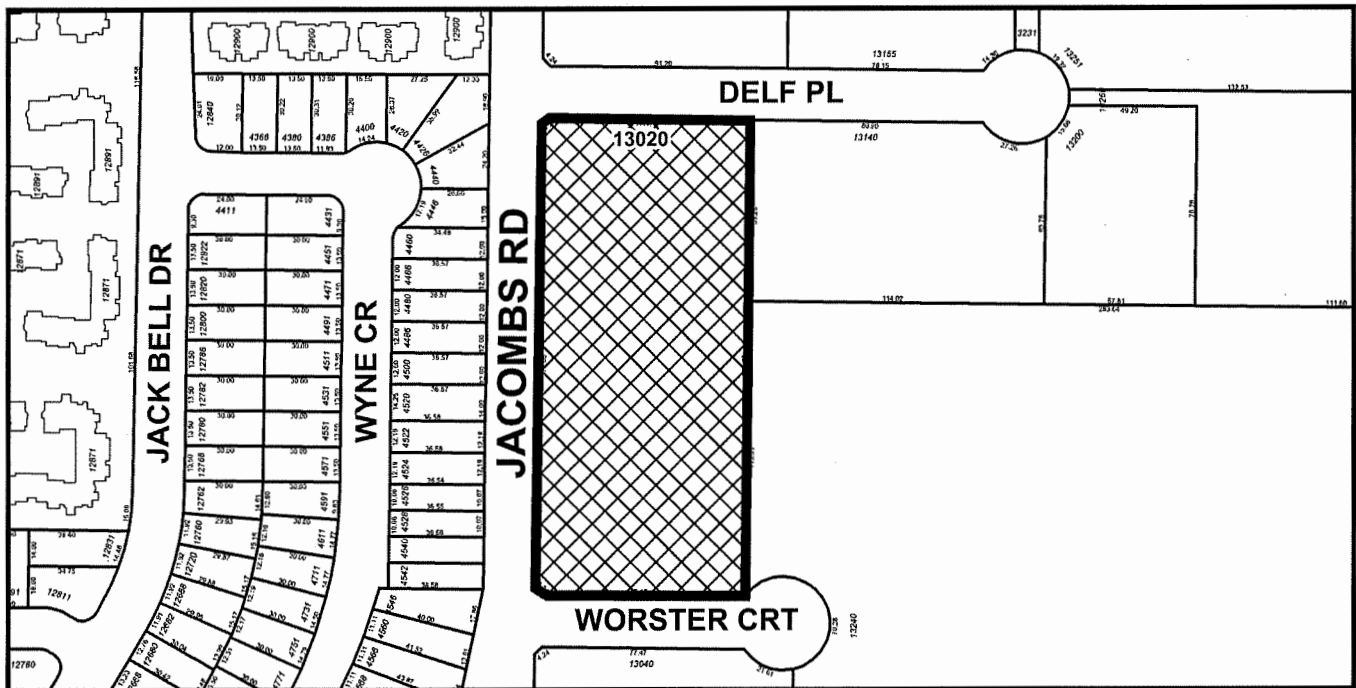
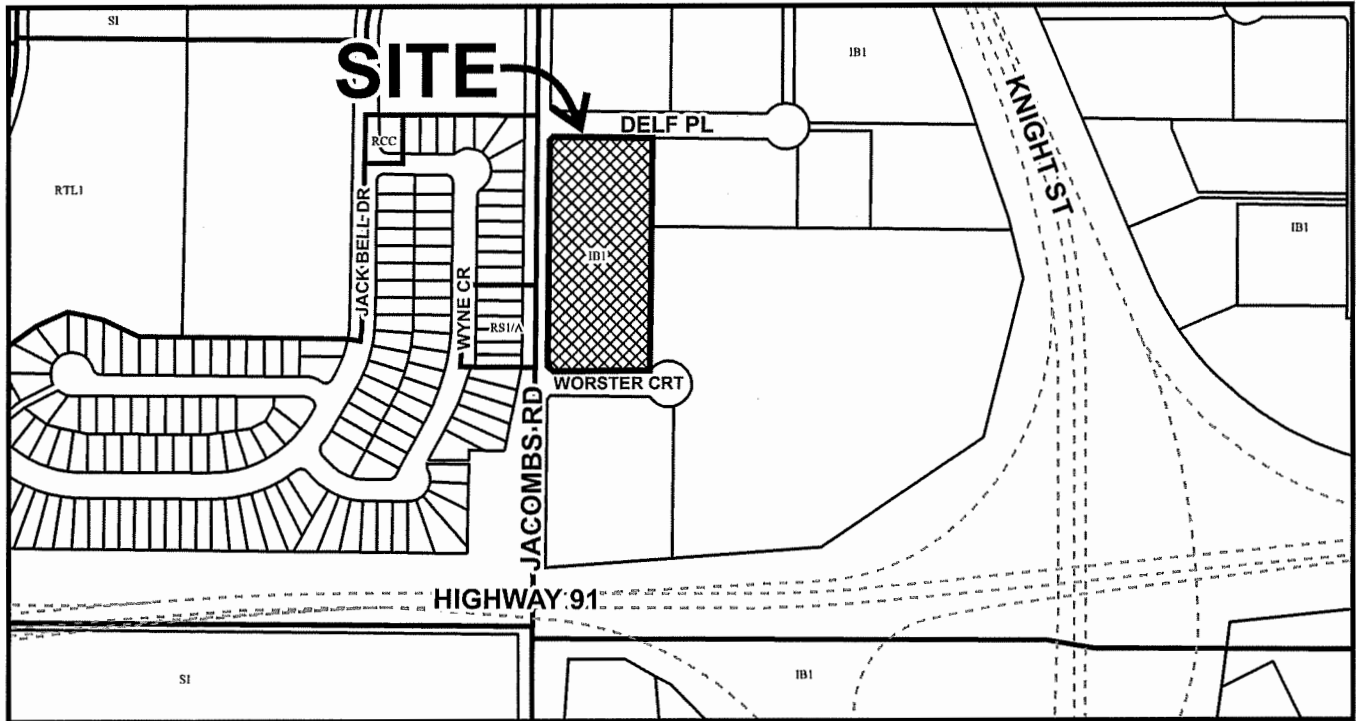
Steven De Sousa
Planner 1

SDS:cas

- Attachment 1: Location Map & Aerial Photo
- Attachment 2: Survey Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: East Cambie Area Plan Land Use Map
- Attachment 5: Conceptual Development Plans
- Attachment 6: Tree Management Plan
- Attachment 7: Rezoning Considerations



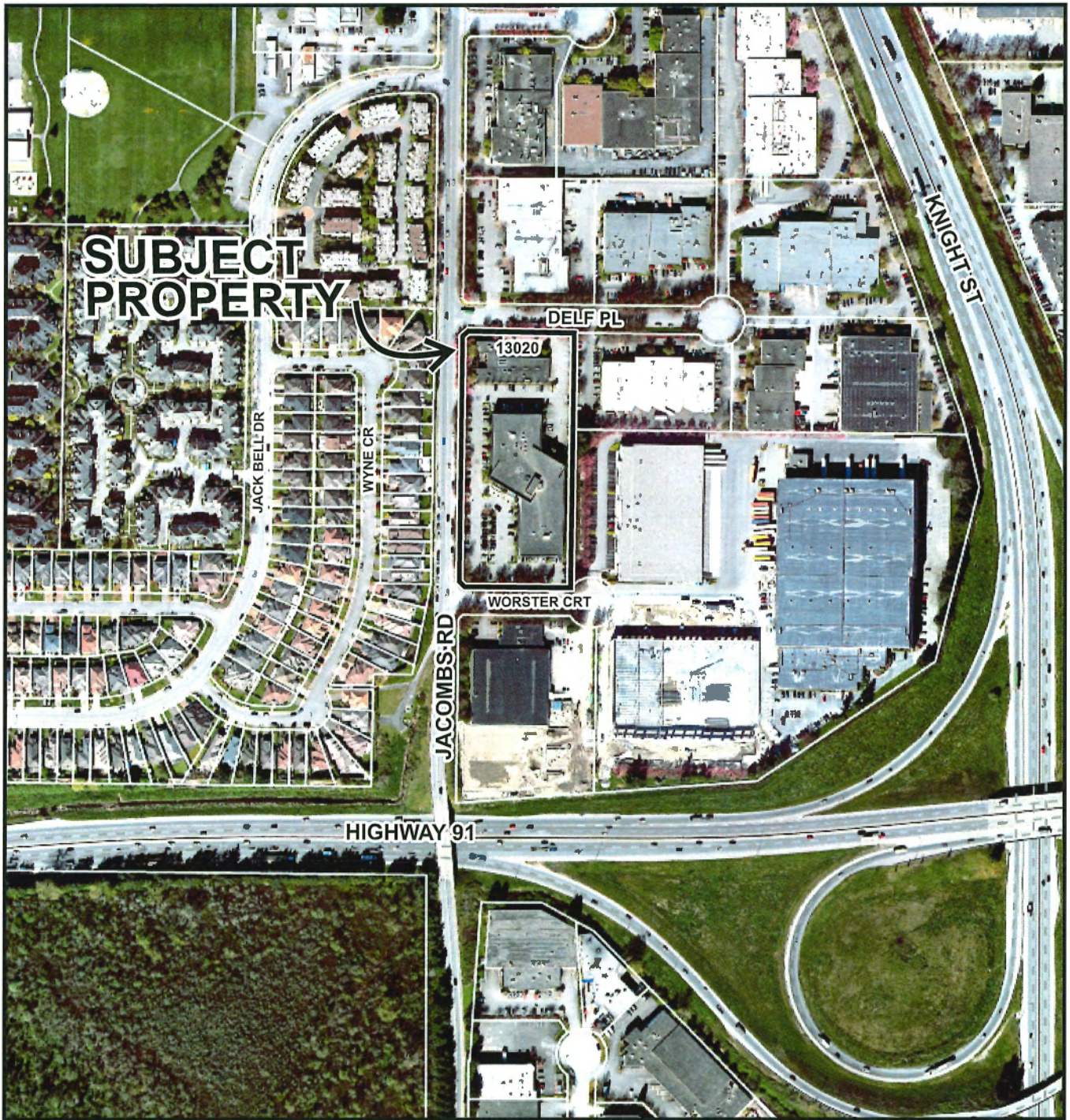
City of
Richmond



	<h1>ZT 18-801900</h1>	<p>Original Date: 02/08/18 Revision Date: Note: Dimensions are in METRES</p>
--	-----------------------	--



City of
Richmond

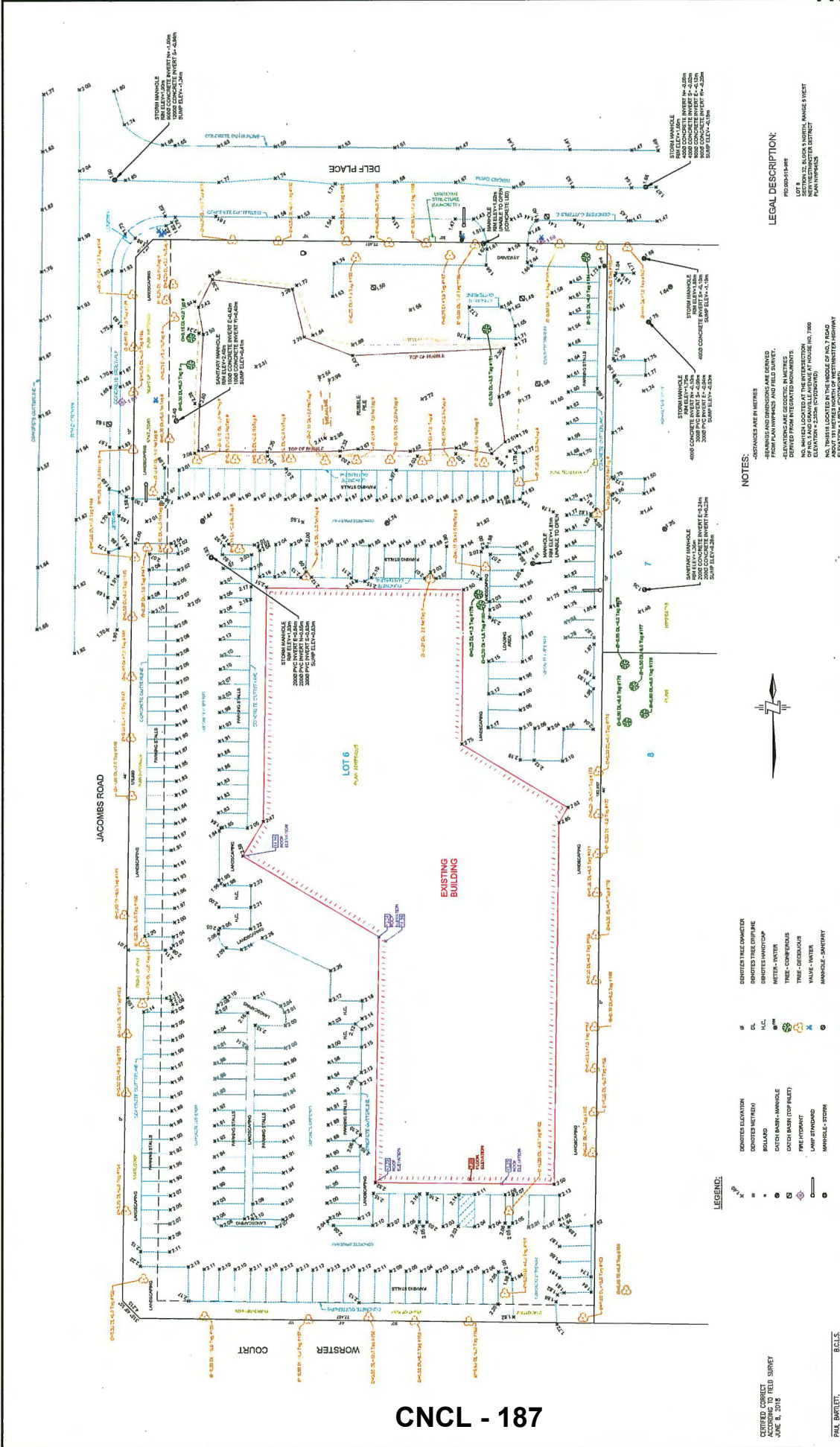


ZT 18-801900

Original Date: 02/13/18

Revision Date:

Note: Dimensions are in METRES



LEGAL DESCRIPTION:
 LOT 6
 13020 DELF PLACE, RICHMOND, BRITISH COLUMBIA
 NEW WESTMINSTER DISTRICT
 PLAN W19428

NOTES:
 1. DIMENSIONS ARE IN METRES
 2. ALL DIMENSIONS AND LOCATIONS ARE SHOWN FROM PLAN W19428 AND FIELD SURVEY.
 3. ELEVATIONS ARE GEODETIC IN METRES
 4. DERIVED FROM INTEGRATED POINTS
 5. DATUM: NAVD83
 6. OF THE 13020 DELF PLACE (PT HOUSE NO. 788)
 7. ELEVATION = 2.22M (CHANGING)
 8. ABOUT 11 METRES NORTH OF WESTMINSTER HIGHWAY
 9. ELEVATION = 1.9M (CHANGING)

- LEGEND:**
- DENOTES ELEVATION
 - DENOTES METRE
 - BOLLARD
 - CATCH BASIN - MANHOLE
 - CATCH BASIN (TOP INLET)
 - PRE-FORMATT
 - LAMP STAND
 - MANHOLE - SANITARY
 - DENOTES TREE DIMENSION
 - DENOTES TREE SURVIVE
 - DENOTES HANDY-CAP
 - METER - WATER
 - TREE - CONIFEROUS
 - TREE - DECIDUOUS
 - VALVE - WATER
 - MANHOLE - SANITARY

CERTIFIED CORRECT
 ACCORDING TO FIELD SURVEY
 JUNE 14, 2016

Drawing No. **08396-04**
 Project Number **2112-08396-00**
 Rev. **3**

GREAT WEST LIFE
 #1600 - 600 WEST GEORGIA STREET, VANCOUVER, B.C.
TOPOGRAPHIC SURVEY PLAN
13020 DELF PLACE
RICHMOND, B.C.

McEiHanney
 McEiHanney Associates Land Surveying Ltd.
 Suite 2200
 1460 - 102 Avenue
 Richmond, B.C. V6V 1G6
 Canada (604) 553-1111
 Tel (604) 596-0911

Approved Sealed

Scale 1:500
 0 5 10 15

Rev.	Date	Description
3	2016-06-13	ADDITIONAL TOPIC AND IPN DIMENSIONS RES
2	2016-01-18	ADD SIGNATURE BLOCK
1	2016-06-17	ADDITIONAL TOPIC
0	2016-06-17	TOPIC FOR SUBMIT PLAN
Rev.	Date	Description

CNCL - 187



RZ 18-801900

Attachment 3

Address: 13020 Delf Place

Applicant: Wensley Architecture Ltd.

Planning Area(s): East Cambie

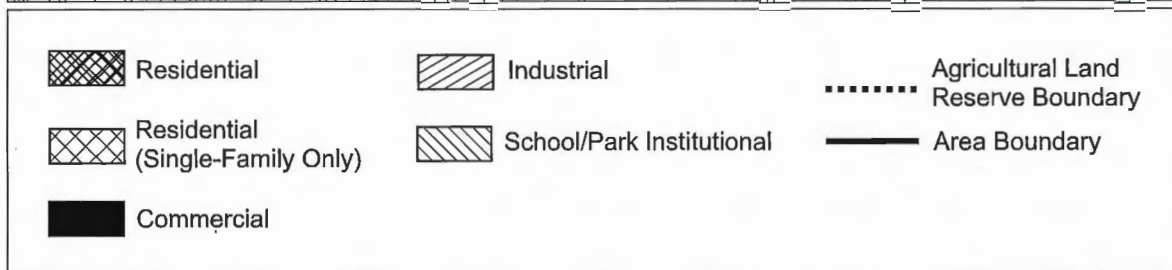
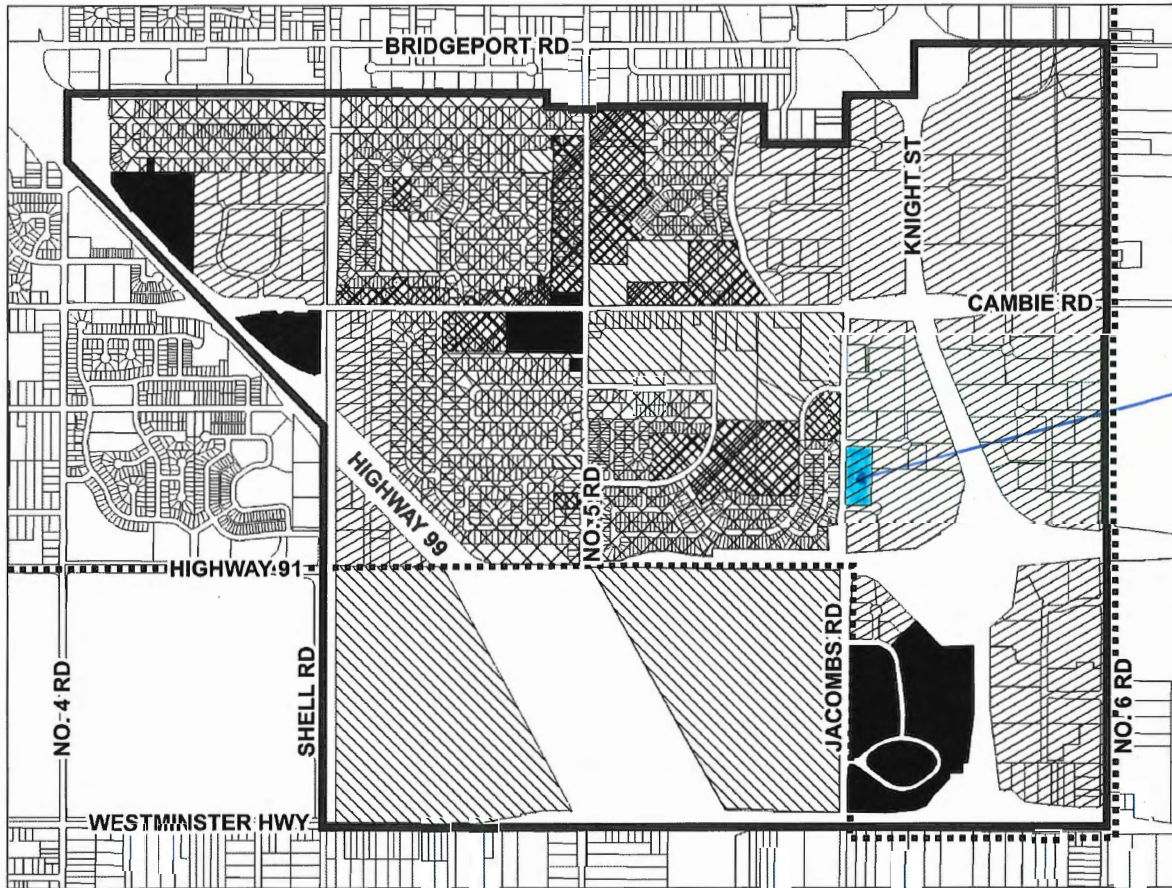
	Existing	Proposed
Owner:	Great-West Life Assurance Co. & London Life Insurance Co.	No change
Site Size:	14,695 m ² (158,175 ft ²)	No change
Land Uses:	Vacant/Office	Drive-through restaurant/Office
OCP Designation:	Mixed Employment (MEMP)	No change
Area Plan Designation:	Industrial	No change
Zoning:	Industrial Business Park (IB1)	Industrial Business Park (IB1) with an amendment to allow "restaurant, drive-through" as a site-specific permitted use.

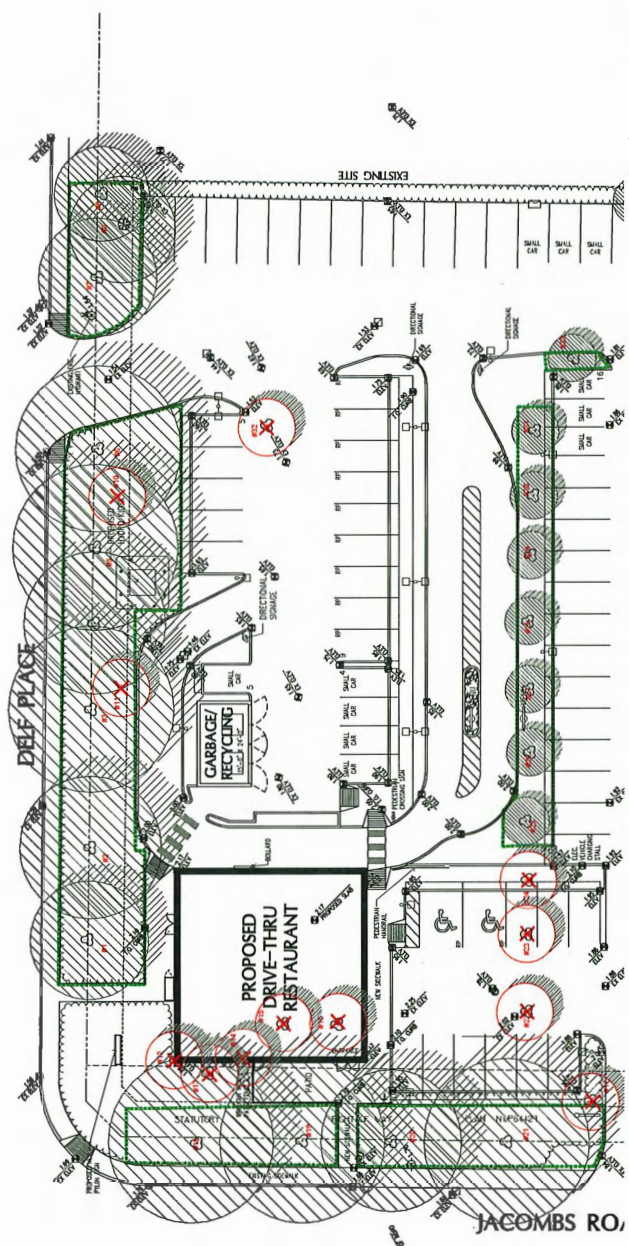
	Bylaw Requirement	Proposed	Variance
Floor Area Ratio (FAR):	Max. 1.0	Office (existing): 7,285 m ² Drive-through restaurant (proposed): 250.8 m ² Total: 7,535.8 m ² (0.51 FAR)	None permitted
Lot Coverage:	Max. 60%	26.3%	None
Setbacks:	Front: Min. 3.0 m Exterior Side: Min. 3.0 m Interior Side: N/A Rear: N/A	Drive-through restaurant: Front: 7.5 m Exterior Side: 6.5 m Interior Side: 57.8 m Rear: 159.5 m	None
Lot Size:	N/A	14,695 m ²	None
Height:	Max. 12.0 m	Office (existing): 12.0 m Drive-through restaurant: 5.8 m	None
Off-street Parking Spaces:	Office: Min. 219 Drive-through restaurant: Min. 18 Total: Min. 237	Office: 219 Drive-through restaurant: 18 Total: 237	None
Accessible Parking Spaces:	Min. 2%	Complies	None
Small Car Parking Spaces:	Max. 50%	Complies	None
Bicycle Parking Spaces:	Drive-through restaurant: Class 1: Min. 1 Class 2: Min. 2	Drive-through restaurant: Class 1: 1 Class 2: 2	None

City of Richmond

Land Use Map

Bylaw 8948
2016/10/24





DRAWING TITLE:
EX TREE MANAGEMENT PLAN

PROJECT:
Tim Horizons
STORE 107629
4600 JACOMBS RD.
RICHMOND, BC

PROJECT:
Tim Horizons
STORE 107629
4600 JACOMBS RD.
RICHMOND, BC

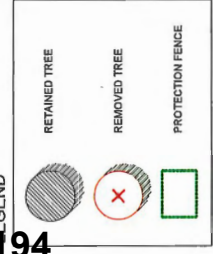
TREE TRUNK DIAMETER	MINIMUM PROTECTION ZONE	MINIMUM PROTECTION DISTANCE
100	30	15.0
90	27	13.5
80	24	12.0
70	21	10.5
60	18	9.0
50	15	7.5
40	12	6.0
30	9	4.5
20	6	3.0
15	4.5	2.25
10	3	1.5
5	1.5	0.75

Richmond

DATE: 17 AUG 2021
SCALE: 1:200
DRAWING NUMBER: 17-1076

TREE SUMMARY:

- 21 RETAINED EXISTING TREES
- 12 REMOVED EXISTING TREES
- 24 PROPOSED TREES:
- 5 ACER RUBRUM 'KARPIK'
- 6 AMELANCHIER x 'AUTUMN BRILLIANCE'
- 1 CEDRUS DEODORA BLUE HEAVEN
- 6 CORNUS NUTTALLII WHITE WONDER
- 6 FAGUS SYLVATICA 'RED OBELISK'



NUMBER OF RETAINED TREE: 21
NUMBER OF REMOVED TREE: 12

REQUIRED REPLACEMENT TREE: 15
PROVIDED REPLACEMENT TREE: 15

NO.	DATE	REVISION DESCRIPTION	BY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			

pms
LANDSCAPE ARCHITECTS
Suite C100 - 4185 58th Street Drive
Burnaby, British Columbia, V5C 6C9
P: 604-294-9111, F: 604-294-9122

Copyright reserved. This drawing and design is the property of PMS Landscape Architects and may not be reproduced or used for other projects without their permission.



Address: 13020 Delf Place

File No.: ZT 18-801900

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9956, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the 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.
3. Submission of a Tree Survival Security to the City in the amount of \$145,000 (\$125,000 for the 17 on-site trees to be retained (tag# 1-9, 25-31 & 33) and \$20,000 for the 4 City-owned trees to be retained (tag#18-21)).
4. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
5. Registration of an aircraft noise indemnity covenant on title.
6. Registration of a legal agreement on title for commercial developments within 30 m of any residential use indicating the requirement to mitigate unwanted noise and demonstrate that the building envelope is designed to avoid noise generated by the internal use from penetrating into residential areas that exceed noise levels allowed in the City's Noise Bylaw; and comply with the City's Noise Bylaw for noise generated from rooftop HVAC.
7. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 2.9 m GSC.
8. Registration of a legal agreement on title ensuring prior to Business License issuance of any drive-through restaurant on the property, the business must be registered permanently (or as long as the drive-through restaurant is located on the property) in the City's Adopt-a-Street Program for Jacombs Road, from Highway 91 to Cambie Road.
9. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
10. Enter into a Servicing Agreement* for the design and construction of servicing upgrades and frontage improvements. A Letter of Credit for the Service Agreement will be required. Works include, but may not be limited to:

Frontage Improvements (Transportation):

- a) Delf Place: construct a new 1.5m wide sidewalk along the entire Delf Place frontage, incorporating the retention of the trees along the north property line.
- b) Jacombs Road: construct a new 1.5m wide sidewalk along the entire Jacombs Road frontage, incorporating the retention of the trees along the west property line.
- c) Construct a curb extension on the southeast corner of Jacombs/Delf Place intersection.
- d) Special marked crosswalk across Jacombs Road at the intersection of Jacombs Road and Delf Place, with downward lighting and flashing beacons.

Water Works:

- a) Using the OCP Model, there is 431L/s of water available at a 20 psi residual at the Jacombs Road frontage, and 388 L/s of water available at a 20 psi residual at the Delf Place frontage. Based on your zoning, your site requires a minimum fire flow of 250 L/s.
- b) The Developer is required to:
 - i) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm 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.
 - ii) Provide a right-of-way for the water meter, unless located inside a mechanical room. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W20-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized via the servicing agreement process.

- c) At Developer's cost, the City is to:
 - i) Cut and cap the existing water service connection.
 - ii) Install a new water service connection complete with meter and meter box. Meter to be located onsite in a right of way, as described above.

Storm Sewer Works:

- d) At Developer's cost, the City is to:
 - i) Install inspection chambers and new leads to the property line on both existing storm connections.

Sanitary Sewer Works:

- e) At Developer's cost, the City is to:
 - i) Cut, cap, and remove the existing northernmost sanitary connection and inspection chamber serving the now-demolished northern building.
 - ii) Install a new sanitary connection, complete with inspection chamber, to serve the proposed development.

Frontage Improvements (Engineering):

- f) The Developer is required to:
 - i) Coordinate with BC Hydro, Telus and other private communication service providers to locate/relocate all above ground utility cabinets and kiosks required to service the proposed development, and all above ground utility cabinets and kiosks located along the development's frontages, within the development's site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:

- BC Hydro PMT – 4.0 x 5.0 m
- BC Hydro LPT – 3.5 x 3.5 m
- Street light kiosk – 1.5 x 1.5 m
- Traffic signal kiosk – 2.0 x 1.5 m
- Traffic signal UPS – 1.0 x 1.0 m
- Shaw cable kiosk – 1.0 x 1.0 m
- Telus FDH cabinet – 1.1 x 1.0 m

General Items:

- g) The Developer is required to:
 - i) Provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a preload plan and geotechnical assessment of preload, dewatering, and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
 - ii) Monitor the settlement at the adjacent utilities and structures during pre-loading, dewatering, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.

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.

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

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and a Landscape Security based on 100% of the cost estimate provided by the Landscape Architect (including all hard and soft materials, installation and a 10% contingency).
2. Submission of an Acoustical Report from an acoustical consultant to demonstrate how the proposed restaurant and drive-through operations, including sound to be generated by drive-through speakers, exhaust fans, HVAC system

Initial: _____

and all other mechanical equipment on-site, complies with the maximum permitted levels under the City's Noise Regulation Bylaw 8856.

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

1. Payment of Development Cost Charges (City and GVS & DD).
2. 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. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
4. Obtain a Building Permit (BP) 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



Richmond Zoning Bylaw 8500
Amendment Bylaw 9956 (ZT 18-801900)
13020 Delf Place

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

- 1. Richmond Zoning Bylaw 8500 is amended by:
a. Inserting the following permitted use in Section 12.3.3.A Secondary Uses in the Industrial Business Park (IB1) zone:
'Restaurant, drive-through'
b. Inserting the following clause and renumbering Section 12.3.11 Other Regulations in the Industrial Business Park (IB1) zone accordingly:
'7. Restaurant, drive-through shall be only permitted on the following site(s), limited to one establishment and a maximum floor area of 300 m2:
13020 Delf Place
P.I.D. 003-515-966
Lot 6 Section 32 Block 5 North Range 5 West New Westminster District
Plan 64525'
2. This Bylaw may be cited as 'Richmond Zoning Bylaw 8500, Amendment Bylaw 9956'.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

Horizontal lines for recording readings and approvals.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER