## Report to Committee

To: Planning Committee
From: Wayne Craig
Director, Development

Date: November 28, 2018
File: RZ 18-800159

Re: Application by 1137183 BC Ltd. for Rezoning at 22551 Westminster Highway from "Single Detached (RS1/F)" Zone to "Town Housing (ZT11) - Hamilton" Zone

## Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9970, for the rezoning of 22551 Westminster Highway from "Single Detached (RS1/F)" to "Town Housing (ZT11) Hamilton" to permit the development of seven three-storey townhouse units with vehicle access from 22571 Westminster Highway, be introduced and given First Reading.


| REPORT CONCURRENCE |  |  |  |  |  |  |  |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| ROuted To: | Concurrence | Concurrence of General Manager |  |  |  |  |  |
| Affordable Housing | $\square$ |  |  |  |  |  |  |

## Staff Report

## Origin

1137183 BC Ltd. has applied to the City of Richmond for permission to rezone 22551 Westminster Highway from the "Single Detached (RS1/F)" zone to the "Town Houses (ZT11) - Hamilton" zone, to permit the development of seven three-storey townhouse units with vehicle access from 22571 Westminster Highway. A location map and aerial photo are provided in Attachment 1.

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 2. Conceptual development plans are provided in Attachment 3.

## Existing Condition and Site Context

## Existing Housing Profile

The subject site is $1,179 \mathrm{~m}^{2}$ in size and is located on the northwest side of Westminster Highway. There is an existing single-family dwelling on the property, which will be demolished.

## Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North: Three-storey townhouses on a property zoned "Town Houses (ZT11) Hamilton," with vehicle access from Westminster Highway. Vehicle access to the subject site is proposed via the internal drive aisle of this property.
- To the South: The road right-of-way for Westminster Highway, including an undeveloped treed area.
- To the East: Across Westminster Highway, three-storey townhouses on a property zoned "Low Density Townhouses (RTL1)," with vehicle access from Windsor Court.
- To the West: McLean Park, which includes a grass sports field, hard-surface courts, children's play equipment, open landscaped areas, and Richmond Fire Hall No. 5 (Hamilton).


## Related Policies \& Studies

## Official Community Plan/Hamilton Area Plan

The subject property is designated "Neighbourhood Residential" in the Official Community Plan (OCP), which permits low-rise residential housing, including townhouses. The proposed rezoning is consistent with this designation.

The subject property is located within the area governed by the Hamilton Area Plan. It is designated "Neighbourhood Residential (Townhouse 0.75 FAR)," which permits low-rise
residential development up to a maximum density of 0.75 FAR (Attachment 4). The proposed townhouses at 0.60 FAR are consistent with this designation.

## 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.

The Flood Construction Level in the Hamilton area is 3.5 m GSC. Structural elevation of the floor systems containing habitable space is proposed to meet the Flood Construction Level. No indoor habitable space is proposed at grade. This proposal is consistent with the Richmond Flood Plain Designation and Protection Bylaw 8204 and the form of development typical in Hamilton.

## Ministry of Transportation and Infrastructure Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal has been referred to the Ministry of Transportation and Infrastructure (MOTI). Formal approval from MOTI is required prior to final adoption of the rezoning bylaw.

## 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 First 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

## Built Form and Architectural Character

The applicant proposes two clusters of three-storey townhouse units arranged on a double-loaded central drive aisle. Each unit contains two storeys of living space above a tandem garage, private outdoor space at grade, and second storey decks accessed off of the living room. The height is consistent with the development to the north, which is also composed of three-storey units. Living spaces in both developments are oriented towards the road, internal drive aisle, and McLean Park.

The units are arranged in a saw-tooth pattern due to the diagonal geometry of the site. This provides building articulation and visual interest when viewed from both Westminster Highway and McLean Park. The design incorporates traditional pitched roofs with a secondary butterfly roof over the third storey projections. Vertical massing is broken up through the use of different
cladding treatments on the first two storeys, with the third storey clad in a lighter material than the base.

One convertible unit is proposed, and includes space designed for the future installation of an elevator. The tandem garage in this unit is wider to accommodate a larger vehicle.

Further refinement of the site plan and architectural character of the proposed development will occur through the Development Permit process.

## Transportation and Site Access

Vehicle access is proposed via an existing Statutory Right-of-Way (SRW) registered on the drive aisle of 22571 Westminster Highway, to the north. This access arrangement was secured through the rezoning and development applications for 22571 Westminster Highway, which received final adoption by Council on December 15, 2003 (RZ 02-213359). Registration of a legal agreement on Title, prohibiting direct vehicle access to Westminster Highway and limiting access to the SRW on the driveway at 22571 Westminster Highway, will be required prior to final adoption of the rezoning bylaw. This agreement must include language indemnifying and releasing the City from any issues arising from such reliance.

Pedestrian access to Westminster Highway will be possible via the aforementioned SRW, as well as a walkway at the south end of the development site.

The applicant has indicated that they met with the strata council of the neighbouring property on July 5, 2018 to discuss the proposed development (Attachment 5). No significant concerns were expressed at this meeting, and the applicant will continue to work with the neighbouring strata during redevelopment of the subject site.

## Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses eight bylaw-sized trees on the subject property and one tree on the neighbouring property. The Tree Management Plan is provided in Attachment 6.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and supports the Arborist's findings, with the following comments:

- Eight trees (Tag \# 932, 933, 934, 935, 936, 937, 938, and 939) located on the development site are in poor condition and not good candidates for retention, and should be removed and replaced.
- One tree (Tag \# N1) located on adjacent neighbouring property will not be impacted by the development, and no tree protection measures are required.


## Tree Replacement

The applicant wishes to remove eight on-site trees (Trees \# 932-939). The 2:1 replacement ratio would require a total of 16 replacement trees. The required replacement trees are to be of the
following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

| No. of Replacement Trees | Minimum Caliper of Deciduous <br> Replacement Tree | Minimum Height of Coniferous <br> Replacement Tree |
| :---: | :---: | :---: |
| 6 | 11 cm | 6 m |
| 2 | 10 cm | 5.5 m |
| 8 | 6 cm | 3.5 m |

As part of the Development Permit application, the applicant must provide a Landscape Plan prepared by a registered Landscape Architect. The preliminary Landscape Plan in Attachment 3 shows 16 replacement trees in the development. Replacement trees and additional landscaping should include native species, with particular emphasis on species found in McLean Park. The City will collect a Landscape Security prior to issuance of the Development Permit based on the cost estimate for the works, including a 10\% contingency, provided by the Landscape Architect.

## Variance Requested

The proposed development, as illustrated in the conceptual development plan in Attachment 3, is generally in compliance with the Town Houses (ZT11) - Hamilton" zone in Richmond Zoning Bylaw 8500 , with the exception of a variance request to increase the allowable tandem parking from $50 \%$ to $100 \%$ of the total required residential spaces.

Staff is supportive of this variance request as the proposed tandem garages are consistent with the form of development in Hamilton, and are a direct response to the required Flood Construction Level. The crown of Westminster Highway in front of the development site is between 1.06 and 1.40 m GSC, and the existing site grade is between 0.46 and 1.4 m GSC. The required Flood Construction Level is 3.5 m GSC, therefore no habitable space can be located on the ground floor of the development. Tandem parking provides an efficient layout utilizing the full depth of the site.

## Affordable Housing Strategy

As per the City's Affordable Housing Strategy, townhouse rezoning applications are required to provide a cash-in-lieu contribution of $\$ 8.50$ per buildable square foot towards the City's Affordable Housing Reserve Fund. The applicant proposes to make a cash-in-lieu contribution of $\$ 64,722.25$, which is consistent with the Affordable Housing Strategy.

## BC Energy Step Code

On July 16, 2018, Council adopted BC Energy Step Code requirements for new residential developments. The proposed development consists of townhouses that staff anticipates would be designed and built in accordance with Part 9 of the BC Building Code. As such, this development would be expected to achieve Step 3 of the Energy Step Code for Part 9 construction (Climate Zone 4).

## Amenity Space

The applicant is proposing a cash contribution in-lieu of providing the required indoor amenity space on-site. As per Council Policy 5041, rezoning applications received prior to February 28,2018 may choose to provide a cash contribution of $\$ 1,000$ per unit for developments up to 19 units. The total cash contribution required for this seven-unit townhouse development is $\$ 7,000$.

Outdoor amenity space will be provided on-site, and is located at the south end of the development adjacent to a treed area. The proposed location at the end of the driveway means it will not be significantly impacted by vehicle circulation or parking and will benefit from direct sunlight. The proposed location adjacent to the mailbox and the walkway to Westminster Highway ensures opportunity for casual surveillance. Based on the preliminary design, the size of the proposed outdoor amenity space complies with the OCP requirement of $6 \mathrm{~m}^{2}$ per unit.
Staff will work with the applicant at the Development Permit stage to ensure the configuration, design, and programming of the outdoor amenity space meets the Development Permit Guidelines in the OCP and Hamilton Area Plan, including choice of equipment, to create a safe and inviting environment for children's play and social activities.

## Site Servicing and Frontage Improvements

A Servicing Agreement is required for the design and construction of the site servicing and off-site works described in Attachment 7. Frontage improvements include, but may not be limited to, the following:

- Removal of the existing sidewalk and replacement with a new 1.5 m wide landscaped boulevard behind the existing curb and 1.5 m wide concrete sidewalk along the property line.
- Removal of the existing driveway and replacement with curb, gutter, boulevard, and sidewalk as described above.

The applicant is also required to pay DCC's (City \& Metro Vancouver), School Site Acquisition Charges, Address Assignment fees, and the costs associated with the completion of the required site servicing works.

## 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 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 multiple-family projects in the 2041 Official Community Plan, including those general and sub-area guidelines contained in the Hamilton Area Plan.
- Refinement of the proposed building form and architectural character.
- Refinement of the design of the outdoor amenity area, including choice of equipment, to create a safe and inviting environment for children's play and social activities.
- Review of aging-in-place features and the provision of convertible units.
- Review of a sustainability strategy for the development proposal, including measures to achieve BC Energy Step Code requirements.

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

1137183 BC Ltd. has applied to the City of Richmond for permission to rezone 22551 Westminster Highway from the "Single Detached (R S1/F)" zone to the "Town Houses (ZT11) - Hamilton" zone, to permit the development of seven three-storey townhouse units with vehicle access from 22571 Westminster Highway.

The proposed seven-unit townhouse development is consistent with the plans and policies contained in the Official Community Plan and the Hamilton Area Plan. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, which will be completed as part of the Development Permit application review process.

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9970 be introduced and given First Reading.


Jordan Rockerbie
Planning Technician
(604-276-4091)
JR:blg
Attachments:
Attachment 1: Location Map and Aerial Photo
Attachment 2: Development Application Data Sheet
Attachment 3: Conceptual Development Plans
Attachment 4: Hamilton Area Land Use Map
Attachment 5: Letter from Owner documenting meeting held on July 5, 2018
Attachment 6: Tree Management Plan
Attachment 7: Rezoning Considerations

City of Richmond


RZ 18-800159

Original Date: 02/06/18
Revision Date:

City of Richmond


Original Date: 02/07/18
Revision Date:
Note: Dimensions are in METRES

## RZ 18-800159

Attachment 2
Address: 22551 Westminster Highway
Applicant: 1137183 BC Ltd.
Planning Area(s): Hamilton

|  | Existing | Proposed |
| :--- | :--- | :--- |
| Owner: | 1137183 BC Ltd. | To be determined |
| Site Size $\left(\mathbf{m}^{2}\right):$ | $1,179 \mathrm{~m}^{2}$ | No change |
| Land Uses: | One single-family dwelling | Seven townhouse dwellings |
| OCP Designation: | Neighbourhood Residential | No change |
| Area Plan Designation: | Neighbourhood Residential <br> (Townhouse 0.75 FAR) | No change |
| Zoning: | Single Detached (RS1/F) | Townhouses (ZT11) - Hamilton |


| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
| :---: | :---: | :---: | :---: |
| Floor Area Ratio: | Max. 0.60 | 0.60 | none permitted |
| Buildable Floor Area $\left(\mathrm{m}^{2}\right)$ :* | Max. $707.4 \mathrm{~m}^{2}\left(7,614 \mathrm{ft}^{2}\right)$ | $707.4 \mathrm{~m}^{2}\left(7,613 \mathrm{ft}^{2}\right)$ | none permitted |
| Lot Coverage (\% of lot area): | Building: Max. 35\% | Building: Max. $35 \%$ | none |
| Lot Size: | None | 1,179 m ${ }^{2}$ | none |
| Lot Dimensions (m): | None | Width: 26.2 m Depth: 48.6 m | none |
| Setbacks (m): | Front: Min. 6.0 m Rear: No minimum Side: No minimum Exterior Side: No minimum | Front: 6.88 m <br> Rear: 6.22 m <br> Side: 2.04 m <br> Exterior Side: 1.63 m | none |
| Height (m): | 10.6 m | 10.28 m | none |
| Off-street Parking Spaces Regular ( $R$ ) / Visitor ( $V$ ): | $2(\mathrm{R})$ and $0.2(\mathrm{~V})$ per unit | $2(\mathrm{R})$ and $0.2(\mathrm{~V})$ per unit | none |
| Off-street Parking Spaces - Total: | $14(\mathrm{R})$ and $2(\mathrm{~V})$ | $14(\mathrm{R})$ and $2(\mathrm{~V})$ | none |
| Tandem Parking Spaces: | Permitted - Maximum of $50 \%$ of required spaces | 100\% of required spaces | Variance requested |
| Amenity Space - Indoor: | Min. $50 \mathrm{~m}^{2}$ | Cash-in-lieu | none |
| Amenity Space - Outdoor: | Min. $6.0 \mathrm{~m}^{2}$ per unit (i.e. $42 \mathrm{~m}^{2}$ ) | $71.3 \mathrm{~m}^{2}\left(767 \mathrm{ft}^{2}\right)$ | none |

Other: Tree replacement compensation required for loss of significant trees.

* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.

REZONING FOR TOWNHOUSE DEVELOPMENT AT 22551 WESTMINSTER HWY, RICHMOND, BC

$\begin{array}{ll}\text { (A) CNIC ADDRESS: } & 22551 \text { WESTMINSTER HIGHWAY, RICHMOND, BC } \\ \text { (B) LEGAL DESCRIPION:- } & \text { LOT : SECTION } 2 \text { BLOCK } 4 \text { NORTH RANGE } 4 \text { WEST }\end{array}$
NEW WESTMINSTER DISTRICT PLAN 6132

OUTDOOR AMENITY SPACE
GSM PER UNIT $\mathrm{X7}=42 \mathrm{SM}$ (452SF)


PLN - 85



4






PLN - 90



8

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## Meeting Date: July 05,2018

## Meeting Time: 6:30pm

## Attendees: Members of the strata council

## Leslie Brock

Vice President-Property Management, Pacific Quorum Properties Inc.

## Raman Kooner

Representing the owner, 1137183 BC Ltd.
Re: 22551 Westminster Hwy, Richmond BC V6V 1B6

Comments: The meeting with the neighbors was very productive. There were no major concerns other than fencing between the two properties. During construction the exiting fence will be maintained as a barrier between the two sites. Upon completion, the strata have asked for the exiting fence to be either repaired or replaced. The owner of 22551 Westminster Hwy has agreed to pay for this.


Raman Kooner
Representing the owner, 1137183 BC Ltd.

[^0]PLN - 95




APPENDIX C: TREE MANAGEMENT DRAWING - SHEET 2 ATTACHMENT 6



## Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9970, the developer is required to complete the following:

1. Provincial Ministry of Transportation \& Infrastructure Approval.
2. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.5 m GSC.
3. Registration of a legal agreement on Title ensuring that the only means of vehicle access is via the statutory right-ofway BV468607 registered on 22571 Westminster Highway, and that there be no vehicle access to Westminster Highway. This agreement must include language indemnifying and releasing the City from any issues arising from such reliance.
4. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.
5. Contribution of $\$ 1,000$ per dwelling unit (i.e. $\$ 7,000$ ) in-lieu of on-site indoor amenity space.
6. City acceptance of the developer's offer to voluntarily contribute $\$ 8.50$ per buildable square foot (i.e. $\$ 64,722.25$ ) to the City's Affordable Housing Fund.
7. Registration of a legal agreement on title prohibiting the conversion of the tandem parking area into habitable space.

## 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 and cost estimate, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development. The Landscape Plan should:

- comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
- include a mix of coniferous and deciduous trees;
- include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
- include the 16 required replacement trees with the following minimum sizes:

| No. of Replacement Trees | Minimum Caliper of Deciduous Tree | Minimum Height of Coniferous Tree |
| :---: | :---: | :---: |
| 6 | 11 cm | 6 m |
| 2 | 10 cm | 5.5 m |
| 8 | 6 cm | 3.5 m |

2. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (BC Energy Step Code), in compliance with the City bylaws.

## Prior to Development Permit issuance, the developer must complete the following requirements:

1. Submission of a Landscaping Security based on $100 \%$ of the cost estimate provided by the Landscape Architect, including installation costs and a $10 \%$ contingency.

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

1. 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 SeqtiplN 1596
$\qquad$
2. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Development Permit processes.
3. 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.
4. Enter into a Servicing Agreement* for the design and construction of the following works:

## Water Works:

- Using the OCP Model, there is $242 \mathrm{~L} / \mathrm{s}$ of water available at a 20 psi residual at the Westminster Highway frontage. Based on the proposed development, the site requires a minimum fire flow of $220 \mathrm{~L} / \mathrm{s}$.
- The Developer is required to:
- Submit, at Building Permit stage, 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 an adequately sized utility SRW for a new water meter and its chamber that shall be placed inside the proposed development. A plan showing the location and size of the required utility SRW shall be submitted to the City for review and approval at the Servicing Agreement stage.
- Install a new fire hydrant near the driveway of 22571 Westminster Hwy, off of the existing 300 mm watermain along the east side of Westminster Hwy. Exact location of the required hydrant shall be determined via the Servicing Agreement design.
- At developer's cost, the City is to:
- Install a new service connection off of the existing 300 mm PVC watermain at Westminster Highway.
- Install a new water meter complete with chamber inside the development site.
- Remove existing water service connection and cap at main.

Storm Sewer Works:

- The Developer is required to:
- Remove the existing storm service connection leads and cap at main at Westminster Hwy frontage.
- At Developer's cost, the City is to:
- Install an adequately sized storm service connection off of the existing storm sewer at Westminster Hwy frontage, complete with a type 3 inspection chamber at the property line. Tie-in to the storm main shall be via a sump manhole.

Sanitary Sewer Works:

- The Developer is required to:
- Install a 200 mm diameter sanitary main from the boulevard located east of the northeast corner of the proposed site to existing manhole SMH51839. Approximate length of required sanitary main is 28 m . A new sanitary manhole is required at the high end of the new sanitary main.
- Replace the existing sidewalk and boulevard that will be impacted by the required sanitary main installation. Approximate length of required sidewalk and boulevard replacement is 25 meters.
- Replace the existing paver tiles and curb in the driveway of 22571 Westminster Hwy that will be impacted by the sanitary main installation. Extent of replacement shall be from back of sidewalk to the property line.
- Install a sanitary service connection complete with a sanitary inspection chamber. Tie-in shall be to the new manhole at the high end of the neypapitaryline.
- At Developer's cost, the City is to:
- Tie-in new sanitary main into existing manhole SMH51839.


## Frontage Improvements:

- The Developer is required to:
- Pre-duct for future hydro, telephone and cable utilities along all road frontages.
- 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 Rezoning 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 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 SRWs that shall be shown in the functional plan and registered prior to SA design approval:
- BC Hydro PMT - 4mW X 5m (deep)
- BC Hydro LPT - 3.5mW X 3.5 m (deep)
- Street light kiosk -1.5 mW X 1.5 m (deep)
- Traffic signal kiosk - 1 mW X 1 m (deep)
- Traffic signal UPS - 2mW X 1.5 m (deep)
- Shaw cable kiosk - 1 mW X 1 m (deep) - show possible location in functional plan
- Telus FDH cabinet - 1.1 mW X 1 m (deep) - show possible location in functional plan
- Check lighting levels and provide street lighting along Westminster Highway frontage, if required.
- Provide other frontage improvements as per Transportation's requirements, including:
- New 1.5 m wide grass and tree boulevard behind the existing curb and 1.5 m wide concrete sidewalk.
- Permanent closure of the existing driveway letdown and replacement with the frontage works as described above.
- All works to tie-in to existing conditions at the north and south of the development site.


## General Items:

- The Developer is required to:
- 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, dewatering, 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.


## 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 DevelopPqnN =98
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- 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 concurrence on file]


## Richmond Zoning Bylaw 8500 Amendment Bylaw 9970 (RZ 18-800159) 22551 Westminster Highway

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

1. 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 "TOWN HOUSING (ZT11) - HAMILTON".
P.I.D. 003-419-444

Parcel "D" (Explanatory Plan 8308) Except Firstly: Parcel "E" (Explanatory Plan 12694); Secondly: Part Subdivided by Plan LMP4865; Thirdly: Part Dedicated Road on Plan LMP4865; Lot 1 Section 2 Block 4 North Range 4 West New Westminster District Plan 6132
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9970".

## FIRST READING

A PUBLIC HEARING WAS HELD ON
SECOND READING
THIRD READING
OTHER CONDITIONS SATISFIED
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

MAYOR
CORPORATE OFFICER


[^0]:    Gave Mander
    Owner, 1137183 BC Ltd.

