



City of Richmond

Report to Committee

To: Planning Committee
From: Wayne Craig
Director, Development

Date: January 4, 2022
File: RZ 21-934283

Re: **Application by Pakland Properties for Rezoning at 8720/8740 Rosemary Avenue from the "Single Detached (RS1/E)" Zone to the "Single Detached (RS2/B)" Zone**

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10340, for the rezoning of 8720/8740 Rosemary Avenue from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, be introduced and given first reading.

for
Wayne Craig
Director, Development
(604-247-4625)

WC:jr
Att. 6

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	

Staff Report

Origin

Pakland Properties (Director: Khalid Hasan) has applied to rezone 8720/8740 Rosemary Avenue from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided to create two single detached lots, both with vehicle access from Rosemary Avenue. A location map and aerial photo are provided in Attachment 1. The proposed subdivision plan is provided in Attachment 2.

Findings of Fact

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

Subject Site Existing Housing Profile

There is an existing legal non-conforming duplex on the property, which would be demolished. The duplex contains two secondary suites. The applicant has indicated that each of the duplex units and secondary suites are currently rented.

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North, across Rosemary Avenue: Single detached dwellings on properties zoned “Single Detached (RS1/E)”.
- To the South, across Steveston Highway: A farm on a property zoned “Agriculture (AG1)” and located within the Agricultural Land Reserve.
- To the East: A single detached dwelling on a property zoned “Single Detached (RS2/B),” which was created through rezoning and subdivision in 2015 (RZ 14-662478).
- To the West: A duplex on a property zoned “Two-Unit Dwellings (RD1)”.

Related Policies & Studies

Official Community Plan

The subject site is located in the Broadmoor planning area, and is designated “Neighbourhood Residential” on the Official Community Plan (OCP) land use map (Attachment 4). The proposed rezoning and subdivision are consistent with this designation.

Richmond Zoning Bylaw 8500/Single-Family Lot Size Policy

The subject site is located in an area without an established Single-Family Lot Size Policy. Section 2.3 of Richmond Zoning Bylaw 8500 allows consideration of rezoning applications to facilitate the subdivision of a property containing a legally constructed duplex into no more than two lots. The proposed rezoning and subdivision meet these criteria and may be considered on its own merits.

Agricultural Land Reserve (ALR) Buffer Zone

The subject site is located across Steveston Highway from a property in the ALR. A minimum 4.5 m wide landscape buffer is required along the south property line of the subject site consistent with the OCP. A Landscape Plan and Landscape Security will be required prior to final adoption of the rezoning bylaw to ensure that the proposed planting is consistent with the OCP landscape guidelines and the Ministry of Agriculture's Guide to Edge Planting.

Prior to final adoption of the rezoning bylaw, the applicant will be required to register a legal agreement on title to identify the ALR buffer zone, ensure that the landscaping is not removed, and address public awareness of the potential impacts of agricultural activities such as noise, dust, and odour on the property.

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.

Affordable Housing Strategy

Consistent with the Affordable Housing Strategy, the applicant has proposed a two bedroom secondary suite in each of the new dwellings. Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on title to ensure that no final Building Permit inspection is granted until the secondary suites are constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning 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

Existing Legal Encumbrances

There is an existing 3.0 m wide statutory right-of-way (SRW) for the municipal sewer along the south property line. The applicant is aware that building encroachments into this SRW are not permitted. This SRW overlaps with the required ALR buffer and contains several existing trees proposed to be retained. New low impact landscaping, such as shrubs and groundcovers, may be planted within the SRW area as part of the landscaped ALR buffer. New trees may only be planted outside of the SRW.

Transportation and Site Access

The subject site currently has two driveway crossings to Rosemary Avenue, which would be retained to serve the subdivided lots. Vehicle access to Steveston Highway is not permitted in accordance with Richmond Residential Lot (Vehicular) Access Regulation Bylaw No. 7222.

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 nine bylaw-sized trees on the subject property and five trees on neighbouring properties.

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

- Nine trees located on the development site are proposed to be retained. Two trees (Tag #63 & 64) are located in the front yard while seven trees (Tag #66 [three trees], 70 [2 trees] and 71 [two trees]) are located in the rear yard. The seven trees in the rear yard will be retained as part of the ALR buffer.
- Four trees (Tag # 67, 68 [2 trees] and 69) are located on adjacent neighbouring property to the west and one tree (Tag #65) is located on the adjacent property to the east. All these trees are identified to be retained and protected. Provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.

Tree Replacement

The applicant does not propose to remove any on-site trees, so no replacement trees are required. However, one new tree is required to be planted on each of the two properties consistent with the landscaping requirements for residential properties contained in Richmond Zoning Bylaw 8500. The trees should be indicated on the required Landscape Plan and secured by the required Landscape Security.

Tree Protection

Nine trees on the subject site and five trees on neighbouring properties are proposed to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 5). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.

- Prior to final adoption of the rezoning bylaw, submission to the City of a Tree Survival Security in the amount of \$45,000 to ensure the trees are retained and protected.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

Site Servicing and Frontage Improvements

At the subdivision stage, the applicant is also required to pay the current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, Address Assignment Fees, and the costs associated with the completion of the site servicing and other improvements as described in Attachment 6. A City Work Order will be required to upgrade the Rosemary Avenue frontage, including:

- Removal of the existing sidewalk on Rosemary Avenue and replacement with minimum 1.5 m landscaped boulevard behind existing curb, and 1.5 m concrete sidewalk. Sidewalk must be designed to accommodate tree retention in the front yard.
- Reconstruction of driveway crossings as per current Engineering Design Specifications.

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 application is to rezone 8720/8740 Rosemary Avenue from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two single detached lots with vehicle access from Rosemary Avenue.

The proposed rezoning and subdivision are consistent with the applicable plans and policies affecting the subject site.

The list of rezoning considerations is included in Attachment 6, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10340 be introduced and given first reading.



Jordan Rockerbie
Planner 1
(604-276-4092)

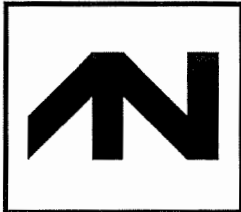
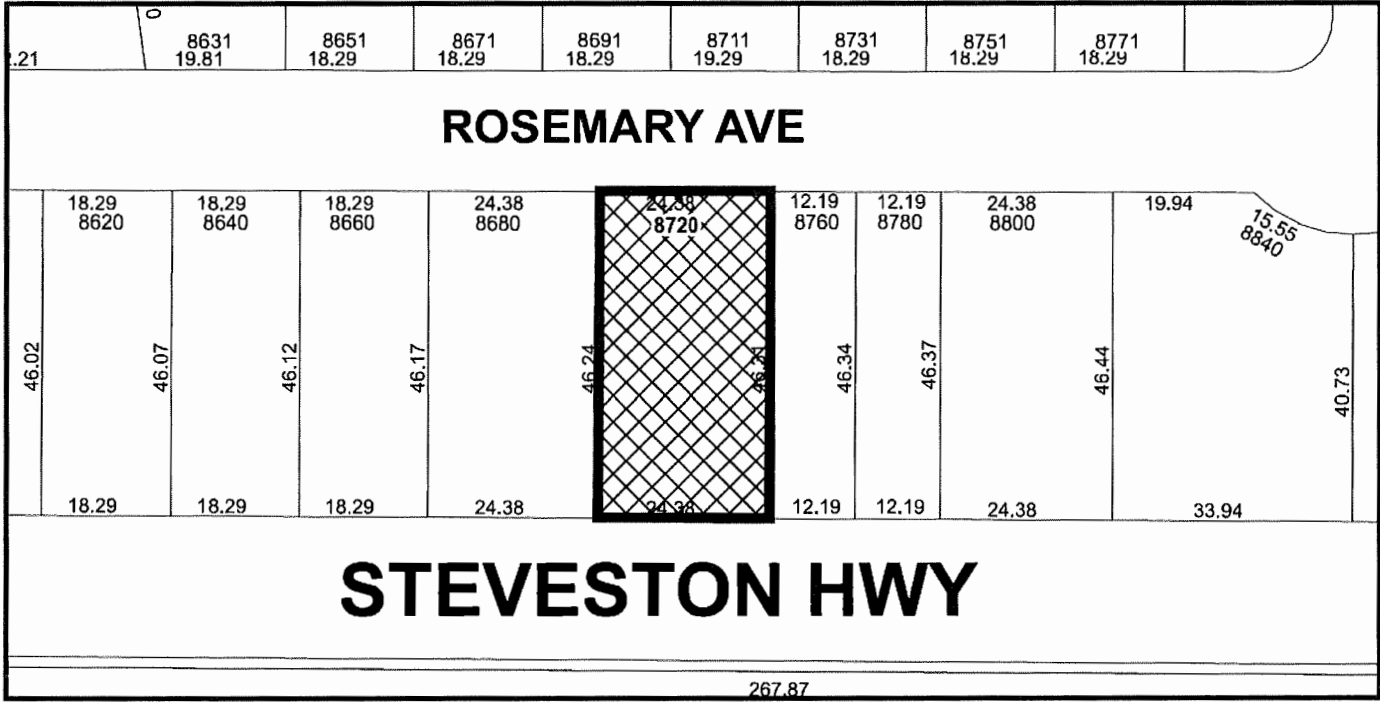
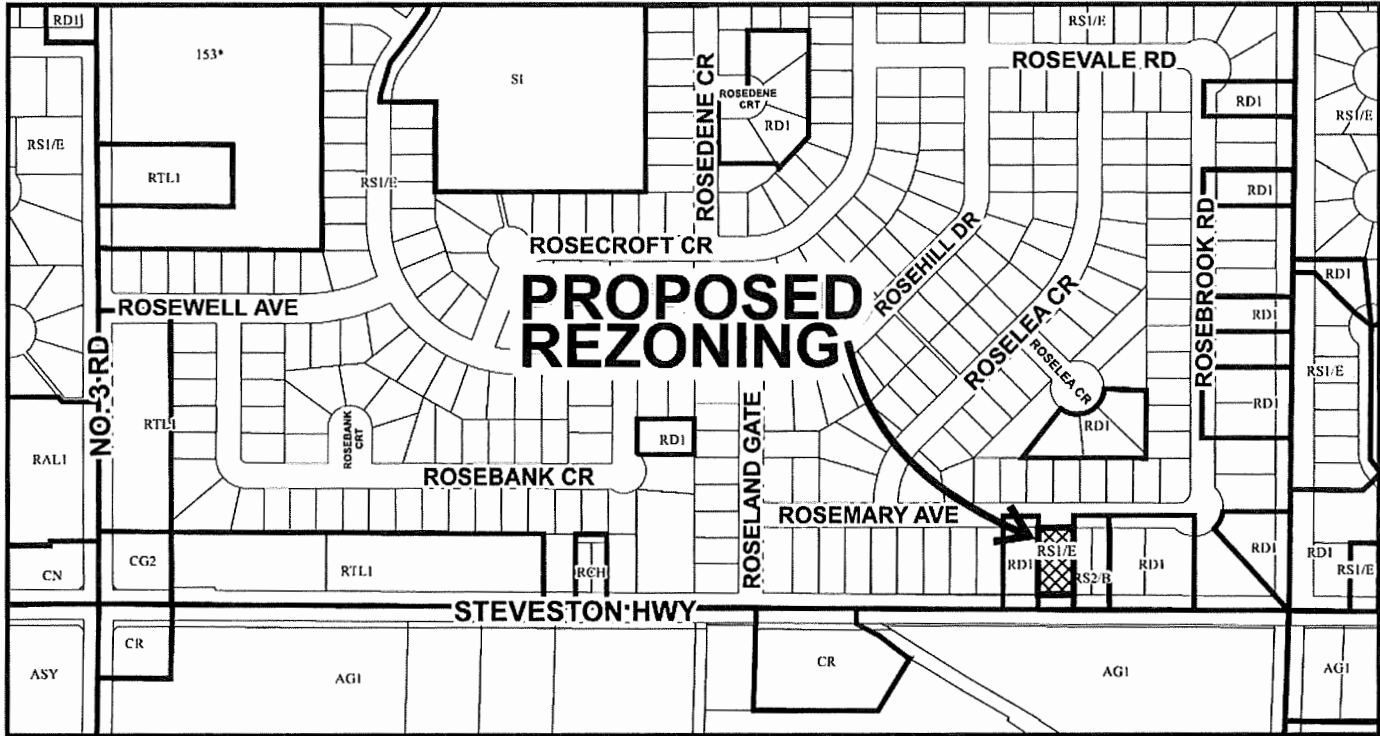
JR:blg

Attachments:

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Broadmoor Area Land Use Map
- Attachment 5: Tree Retention Plan
- Attachment 6: Rezoning Considerations



City of
Richmond



RZ 21-934283

Original Date: 06/22/21
 Revision Date:
 Note: Dimensions are in METRES



City of Richmond



RZ 21-934283

Original Date: 06/22/21

Revision Date:

Note: Dimensions are in METRES

CERTIFIED CORRECT:
 LOT DIMENSION ACCORDING TO
 FIELD SURVEY.
Johnson
 Tam U81489
 Digitally signed by
 Johnson Tam U81489
 Date: 2021.03.25
 12:08:08 -0700
JOHNSON C. TAM, B.C.L.S., C.L.S.
 MARCH 16th, 2021.

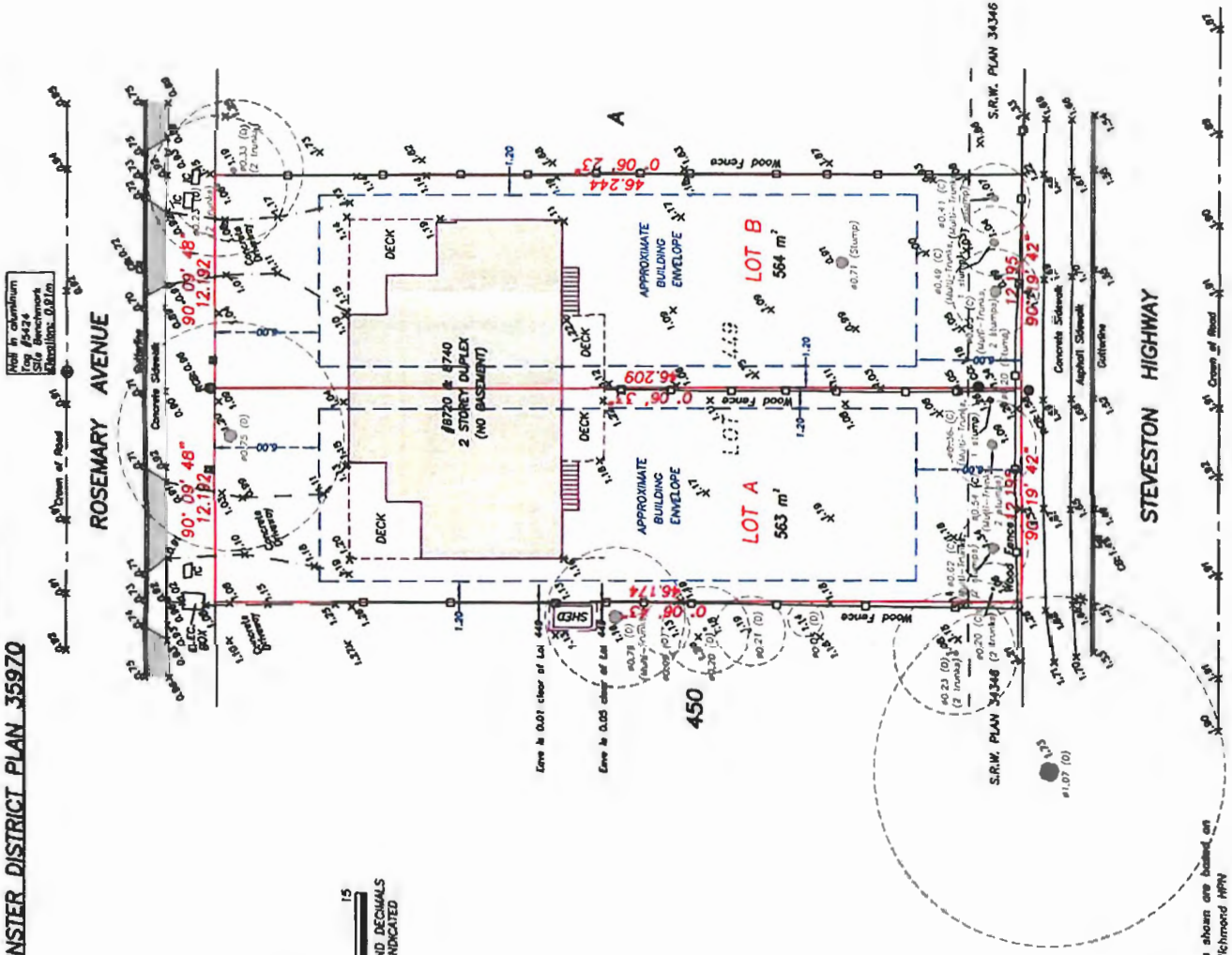
NOTE:
 Use this Benchmark Tag #5424 for
 construction elevation control.

**TOPOGRAPHIC SURVEY OF LOT 449 SECTION 33 BLOCK 4 NORTH
 RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 35970**

8970 & 8740 ROSEMARY AVENUE,
 RICHMOND, B.C.
 P.L.D. 001-665-928

ROSEMARY AVENUE

STEVESTON HIGHWAY



SCALE: 1:200
 0 5 10 15
 ALL DISTANCES ARE IN METRES AND DECIMALS
 THEREOF UNLESS OTHERWISE INDICATED

- LEGEND:**
- ⊙ denotes inspection chamber
 - ⊛ denotes lamp standard
 - ⊙ denotes chimney
 - ⊙ denotes corner
 - ⊙ denotes deciduous
 - ⊙ denotes catch basin
 - ⊙ denotes round catch basin
 - ⊙ denotes water meter

NOTE:
 Elevations shown are based on
 City of Richmond HFN
 Benchmark network.
 Benchmark: HFN #180
 Control Monument 94H1024
 Elevation: 2.353m
 Benchmark: HFN #191
 Control Monument 02H2453
 Elevation: 1.664m

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 Canada and B.C. Land Surveyor
 115 - 8833 Odlin Crescent
 Richmond, B.C. V6X 1Z7
 Telephone: 214-8928
 Fax: 214-8929
 E-mail: office@jctam.com
 Website: www.jctam.com
 Job No. 7661
 FB-397 P148-153
 Drawn By: KA

DWG No. 7661-TOPO



RZ 21-934283

Attachment 3

Address: 8720/8740 Rosemary Avenue

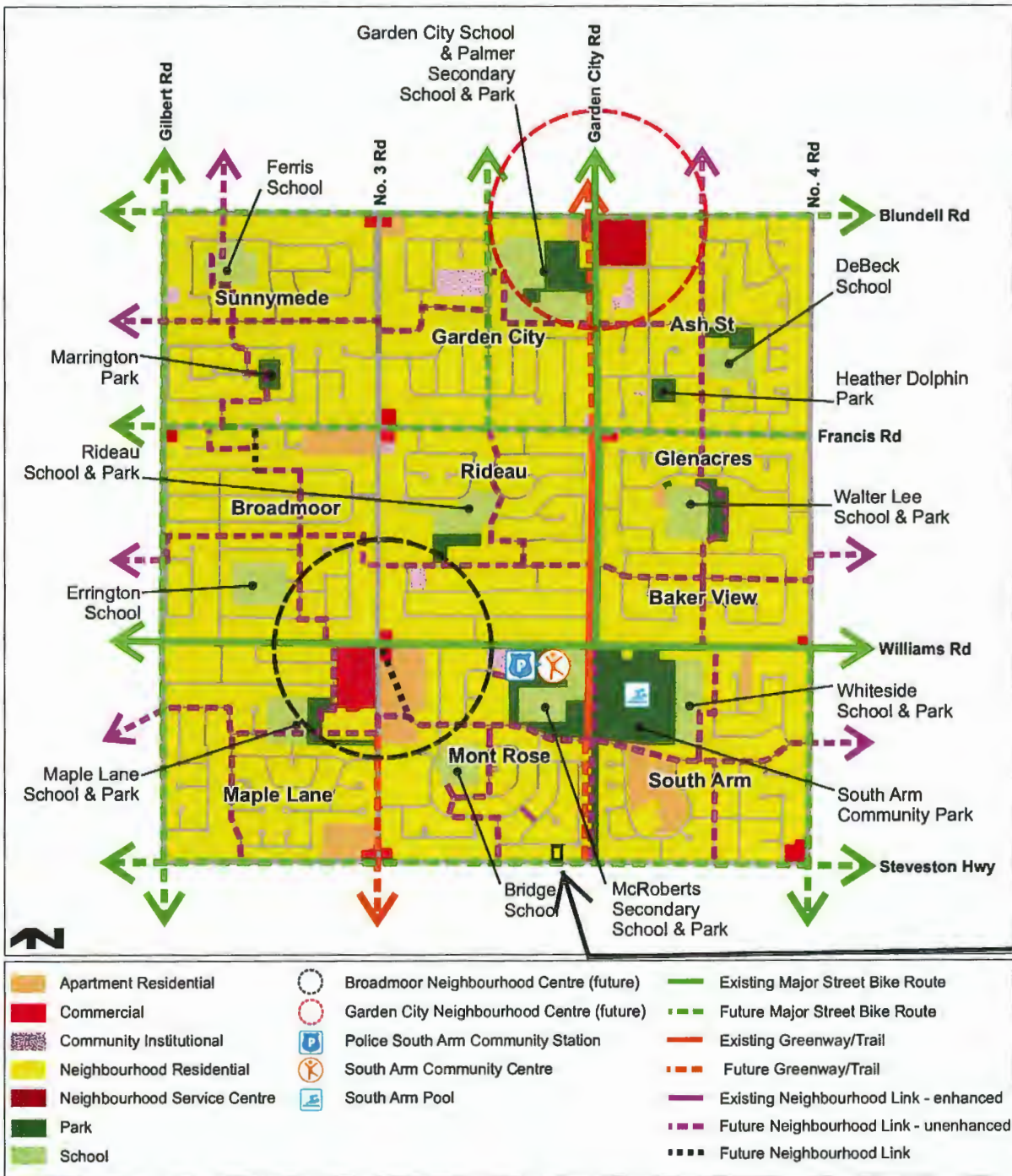
Applicant: Pakland Properties

Planning Area(s): Broadmoor

	Existing	Proposed	
Owner:	Kulwant Singh Purewal Jaswant Singh Phangura Parminder Singh Phangura Baldev Singh Purewal	To be determined	
Site Size (m²):	1,127 m ²	Lot A: 563 m ² Lot B: 564 m ²	
Land Uses:	Two-unit dwellings (i.e., Duplex)	Single detached dwellings	
OCP Designation:	Neighbourhood Residential	No change	
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)	
Number of Units:	Two duplex dwellings and two secondary suites	Two single detached dwellings and two secondary suites	
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	none permitted
Buildable Floor Area (m ²):*	Lot A: Max. 285.03 m ² (3,068 ft ²) Lot B: Max. 285.33 m ² (3,071 ft ²)	Lot A: Max. 285.03 m ² (3,068 ft ²) Lot B: Max. 285.33 m ² (3,071 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Landscaping with live plant material: Min. 25%	Building: Max. 45% Non-porous Surfaces: Max. 70% Landscaping with live plant material: Min. 25%	none
Lot Size:	360 m ²	Lot A: 563 m ² Lot B: 564 m ²	none
Lot Dimensions (m):	Width: 12.0 m Depth: 24.0 m	Width: 12.2 m Depth: 46.2 m	none
Setbacks (m):	Front: Min. 6.0 m Side: Min. 1.2 m Rear: Min. 20% of lot depth for up to 60% of the principal dwelling, 25% of lot depth for the remainder, up to 10.7 m	Front: Min. 6.0 m Side: Min. 1.2 m Rear: Min. 9.24 m for up to 60% of the principal dwelling, 10.7 m for the remainder	none
Height (m):	Max. 9.0 m	Max. 9.0 m	none

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

6. Broadmoor



SUBJECT SITE

TREE INVENTORY FOR DEMOLITION
DBH
TPB TO BE ERRECTED WITHIN
CONFINES AND REDUCED AS NEEDED

33 BLOCK 4 NORTH
PLAN 35970

TREE #64
23 CM DBH
1.5 M OR 5 FT
RADIAL SPAN

TREE #65
33 CM DBH
2.1 M OR 7 FT
RADIAL SPAN

TREE #63
75 CM DBH
4.5 M OR 14 FT
RADIAL SPAN

TREE #67
79 CM DBH
4.5 M OR 14 FT
RADIAL SPAN

TREES #68
21 CM DBH
1.2 M OR 4 FT
RADIAL SPAN

TREE #69
23 CM DBH
1.5 M OR 5 FT
RADIAL SPAN

TREES #66
65 CM DBH
3.6 M OR 12 FT
RADIAL SPAN

TREES #71
54 CM DBH
3.3 M OR 11 FT
RADIAL SPAN

TREES #70
62 CM DBH
3.6 M OR 12 FT
RADIAL SPAN

TREE A
TPB NOT RQD

ARBORIST INCLUSION
REQUIRED FOR
DEMOLITION OF MAIN STRUCTURE

STUMP
REMOVE

ROSEMARY AVENUE

STEVESTON HIGHWAY



SCALE: 1:200
0 5 10 15
ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

LEGEND:
 □ denotes inspection chamber
 * denotes lamp standard
 ○ denotes manhole
 ○ denotes catch basin
 ○ denotes round catch basin
 ■ denotes water meter

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 J. C. Tom and Associates
 Canada and B.C. Land Surveyor
 115 - 8633 Oulien Crescent
 Richmond, B.C. V6X 3Z7
 Telephone: 214-8928
 Fax: 214-8929
 E-mail: office@jctm.com
 Website: www.jctm.com
 Job No. 7681
 FB-397 P148-153
 Drawn By: VA

TWC No. 7681-TD60

NOTE:
 Use site Benchm
 construction elev.



Address: 8720/8740 Rosemary Avenue

File No.: RZ 21-934283

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10340, the developer is required to complete the following:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs plus a 10% contingency. Up to 90% of the Landscape Security will be returned after a landscape inspection, with the remainder held for up to one year to ensure that the agreed upon planting survives. The Landscape Plan should:
 - comply with the OCP guidelines for Agricultural Land Reserve (ALR) Landscape Buffers;
 - comply with the Ministry of Agriculture's Guide to Edge Planting; and
 - include the two required new trees with minimum size of 6 cm caliper.
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 \$45,000 for the nine trees to be retained on site (Tag # 63, 64, 66 [3 trees], 70 [2 trees], and 71 [2 trees]). Up to 90% of the Tree Survival Security will be returned after receipt of a post-construction assessment by the Certified Arborist, with the remainder held for up to one year to ensure the trees survive.
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 a legal agreement on title to ensure that landscaping planted along a 4.5 m wide ALR buffer (as measured from the south property line) not be abandoned or removed. The legal agreement is to identify the ALR buffer area and indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations since it is located across from a lot which is in the ALR.
6. Registration of a flood indemnity covenant on title (Area A).
7. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a two-bedroom secondary suite is constructed on each of the two future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Prior to a Demolition Permit* issuance, the developer is required to:

1. 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.

At Subdivision* stage, the developer must complete the following requirements:

1. Payment of property taxes up to the current year, Development Cost Charges (City and GVSS & DD), School Site Acquisition Charge, Address Assignment Fees, and any other costs or fees identified at the time of Subdivision application, if applicable.
2. Site servicing and frontage works to be done at the developer's sole cost via City Work Order. Works shall include, but may not be limited to:

Water Works:

- 1) Using the OCP Model, there is 179 L/s of water available at a 20 psi residual at the 8720 Rosemary Avenue frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- 2) No water main upgrade is required.
- 3) City to retain existing 25mm diameter water connection and water meter. City to install a new 25mm diameter water connection for the new lot to be created. Complete with meter on the city boulevard adjacent to the North PL. Meter boxes must be placed on the grass boulevard outside of private fence at minimum 1m away from driveways and paved walkways.
- 4) At Developer's cost, the Developer is required to:
 - a) 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.
 - b) Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements for the proposed land use.
 - c) Provide a right-of-way for the water meter. 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 W2o-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).
- 5) At Developer's cost, the City will:
 - a) Complete all tie-ins for the proposed works to existing City infrastructure.

Storm Sewer Works:

- 1) No storm sewer upgrade is required.
- 2) Existing storm IC and service connections fronting Stevenson Hwy to be reused by the east and west lot. First, video inspect the existing storm connection to confirm its condition and if it is appropriate for reuse. If the existing connection is in poor condition, replace the storm sewer service connection and complete with inspection chamber.
- 3) On-site storm runoff must be directed towards Rosemary Avenue. The boulevard must be graded towards the existing IC and MH to prevent storm water from ponding on the boulevard, road and driveways.
- 4) At Developer's cost, the Developer is required to:
 - a) Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
- 5) At Developer's cost, the City will:
 - a) Complete all tie-ins for the proposed works to existing City infrastructure.

Sanitary Sewer Works:

- 1) No sanitary sewer upgrade is required.

- 2) For servicing the east and west lots, reuse the existing sanitary IC and service connections fronting Steveston Highway.
- 3) At Developer's cost, the City will:
 - a) Complete all tie-ins for the proposed works to existing City infrastructure.

Frontage Works:

- 1) At Developer's cost, the Developer is required to:
 - a) Review street lighting levels along all road frontages, and upgrade as required.
 - b) Removal of the existing sidewalk on Rosemary Avenue and replace with min. 1.5 m landscaped boulevard behind existing curb, and 1.5 m concrete sidewalk. Sidewalk must be designed to accommodate tree retention in the front yard.
 - c) Reconstruct driveway crossings as per current Engineering Design Specifications.

General Items:

- 1) At Developer's cost, the Developer is required to:
 - a) Coordinate with BC Hydro, Telus and other private communication service providers:
 - i) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
 - ii) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - iii) To underground overhead service lines.
 - b) Locate/relocate all above ground utility cabinets and kiosks required to service the proposed development and proposed undergrounding works, 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
 - c) 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.

- d) Provide a video inspection report of the existing utilities along the road frontages prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection, complete with a civil engineer's signed and sealed recommendation letter, is required after site preparation works are complete (i.e. pre-load removal, completion of dewatering, etc.) to assess the condition of the existing utilities and provide recommendations to retain, replace, or repair. Any utilities damaged by the pre-load, de-watering, or other ground preparation shall be replaced or repaired at the Developer's cost.
- e) Conduct pre- and post-preload elevation surveys of all surrounding roads, utilities, and structures. Any damage, nuisance, or other impact to be repaired at the developer's cost. The post-preload elevation survey shall be incorporated within the servicing agreement design.
- f) 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.
- g) Submit a proposed strategy at the building permit stage for managing excavation de-watering. Note that the City's preference is to manage groundwater onsite or by removing and disposing at an appropriate facility. If this is not feasible due to volume of de-watering, the Developer will be required to apply to Metro Vancouver for a permit to discharge into the sanitary sewer system. If the sanitary sewer does not have adequate capacity to receive the volume of groundwater, the Developer will be required to enter into a de-watering agreement with the City wherein the developer will be required to treat the groundwater before discharging it to the City's storm sewer system.
- h) Not encroach into City rights-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.
- i) 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.

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 10340 (RZ 21-934283)
8720/8740 Rosemary Avenue

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 "SINGLE DETACHED (RS2/B)".

P.I.D. 001-665-928
Lot 449 Section 33 Block 4 North Range 6 West New Westminster District
Plan 35970

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10340".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Horizontal lines for signature and date entry corresponding to the reading stages.

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

MAYOR

CORPORATE OFFICER