



City of Richmond

Report to Committee Planning and Development Department

To: Planning Committee
From: Wayne Craig
Director of Development

Date: October 6, 2014
File: RZ 14-658540

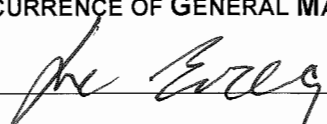
Re: Application by 0868256 BC Ltd. for Rezoning at 10211 No. 5 Road from Single Detached (RS1/E) to Compact Single Detached (RC2)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9178, for the rezoning of 10211 No. 5 Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.


Wayne Craig
Director of Development

CL:blg
Att.

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

Staff Report

Origin

0868256 BC Ltd. has applied to the City of Richmond for permission to rezone 10211 No. 5 Road from “Single Detached (RS1/E)” to “Compact Single Detached (RC2)”, to permit a subdivision to create two (2) lots, with vehicle access to/from the rear lane. There is currently a single detached dwelling on the subject site which will be demolished. A map and aerial photo showing the location of the subject site and surrounding context are included in Attachment 1. A site survey and proposed subdivision plan of the property is included in Attachment 2.

Findings of Fact

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

Surrounding Development

The subject property is located on the west side of No. 5 Road, between Williams Road and Seacliff Road in the Shellmont Planning Area. Existing development immediately surrounding the site is as follows:

- To the north, are existing single detached dwellings on large lots zoned “Single Detached (RS1/E)”.
- To the east, directly across No. 5 Road, is:
 - A property that is zoned “Assembly (ASY)”, “Agriculture (AG1)”, and “Roadside Stand (CR)”; which is within the Agricultural Land Reserve (ALR), and which contains the Lingyen Mountain Temple. This property is subject to a development application to amend the Official Community Plan (OCP) and rezone the lot to accommodate temple expansion (RZ 13-641554).
 - A property that is zoned “Assembly (ASY)”; which is within the ALR, and which contains the Richmond Bethel Church, the Richmond Chinese MB Church, and the Richmond Christian School.
- To the south, at 10231 No. 5 Road, is a single detached dwelling on a large lot zoned “Single Detached (RS1/E)”. The property is also the subject of a rezoning application to permit subdivision into two (2) compact lots with vehicle access to/from the rear lane (RZ 14-656004), which was presented to Planning Committee on October 7, 2014.
- To the west, fronting Seabrook Crescent, is a single detached dwelling on a large lot zoned “Single Detached (RS1/E)”.

Related Policies & Studies

OCP Designation

There is no Area Plan for this neighbourhood. The OCP's Land Use Map designation for this property is "Neighbourhood Residential". This redevelopment proposal is consistent with this designation.

Arterial Road Policy

The Arterial Road Policy is supportive of compact lot single-family residential developments along arterial roads. The subject site is identified for "Arterial Road Compact Lot Coach House" on the Arterial Road Development Map in the OCP. This redevelopment proposal is consistent with the Arterial Road Policy.

Lot Size Policy 5434

The subject property is located within the area covered by Lot Size Policy 5434 (adopted by Council in 1990; amended in 1991 and 2006). This Policy permits rezoning and subdivision of lots along this section of No. 5 Road in accordance with "Compact Single Detached (RC2)" or "Coach House (RCH)", provided there is access to an operational rear lane (Attachment 4). This redevelopment proposal is consistent with the Lot Size Policy.

Affordable Housing Strategy

For single-family development proposals, Richmond's Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft² of total building area toward the City's Affordable Housing Reserve Fund.

The applicant proposes to provide a legal secondary suite on one (1) of the two (2) future lots at the subject site. To ensure that the secondary suite is built to the satisfaction of the City in accordance with the City's Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title, stating that no final Building Permit inspection will be granted until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw. Registration of this legal agreement is required prior to final adoption of the rezoning bylaw. This agreement will be discharged from Title (at the initiation of the applicant) on the lot where the secondary suite is not required by the Affordable Housing Strategy after the requirements are satisfied.

Should the applicant change their mind prior to rezoning adoption about the affordable housing option selected, a voluntary contribution to the City's Affordable Housing Reserve Fund in-lieu of providing the secondary suite will be accepted. In this case, the voluntary contribution would be required to be submitted prior to final adoption of the rezoning bylaw, and would be based on \$1.00/ft² of total building area of the single detached dwellings to be constructed (i.e. \$5,038).

Public Input

There have been no concerns expressed by the public about the development proposal in response to the placement of the rezoning sign on the property.

Staff Comments

The proposed rezoning would enable the creation of two (2) lots, each approximately 9 m wide and 390 m² in area, with vehicle access to/from an existing operational rear lane.

Trees & Landscaping

A Tree Survey and Certified Arborist's Report have been submitted by the applicant. The survey and report identify five (5) bylaw-sized trees on the subject site, and four (4) bylaw-sized trees and a Cedar hedgerow on the adjacent properties to the north and south.

The report identifies tree species, assesses the condition of the trees, and provides recommendations relative to the proposed development. The proposed tree management plan including a list of tree species assessed is shown in Attachment 5.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted on-site visual tree assessment, and concurs with the Arborist's recommendations to:

- Remove the five (5) trees from the subject site (Trees # 3, 4, 6, 7, and 13) due to poor condition (i.e., they are either dead, dying (sparse canopy foliage), are infected with Fungal Blight or exhibit structural defects such as cavities at the main branch union and co-dominant stems with inclusions).
- Protect the three (3) trees on the adjacent property to the north at 10191 No. 5 Road (Trees # 1, 2, and 5). Tree protection fencing is required to be installed to City standard around the hedge prior to demolition of the existing dwelling on the subject site. Tree protection fencing must remain in place until construction and landscaping on the proposed lots is completed.
- Remove Tree # 8 on the adjacent property to the south at 10231 No. 5 Road due to poor condition (i.e., excessive decay at the base). This is consistent with the information included in the staff report for the rezoning application at 10231 No. 5 Road, which identified the tree for removal.

Consistent with the OCP tree replacement ratio of 2:1, a total of 10 replacement trees are required on the proposed lots. Due to the limited space available in the yards of the proposed lots, the applicant proposes to plant and maintain a total of four (4) replacement trees [two (2) per lot proposed], and to submit a contribution in the amount of \$3,000 (\$500/tree) to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw for the balance of required replacement trees not planted on-site.

Similar to other single-family rezoning applications along arterial roads on sites that are across from land that is within the ALR, the applicant is required to register a restrictive covenant on Title of the subject property to:

- Identify a buffer area along the east portion of the property to ensure that landscaping planted within this buffer is maintained and will not be abandoned or removed (4.0 m wide, as measured from the east property line).
- Indicate that the property is located across from active agricultural operations, and is subject to potential impacts of noise, dust, and odour.

To ensure that the landscape buffer work is completed, that the front yards of the proposed lots are enhanced, and that the four (4) replacement trees are planted and maintained, the applicant must submit the following prior to adoption of the rezoning bylaw:

- A Landscape Plan, prepared by a Registered Landscape Architect, which responds to the guidelines of the Arterial Road Policy and includes a variety of live plant material within the on-site portion of the ALR buffer area.
- A Landscaping Security for the proposed works, based on 100% of a cost estimate provided by the Landscape Architect (including replacement trees, fencing, paving, and installation costs).

Flood Management

Prior to final adoption of the rezoning bylaw, the applicant is required to register a flood indemnity covenant on Title. The minimum floor construction level is a minimum of 0.3 m above the highest elevation of the crown of No. 5 Road.

Vehicle Access

In accordance with Residential Lot (Vehicular) Access Regulation – Bylaw 7222, vehicle access to the subject site is not permitted from No. 5 Road. Vehicle access to the site at future development stage is to be from the rear lane.

Servicing and Off-site Improvements

Prior to final adoption of the rezoning bylaw, the applicant is required to enter into a Servicing Agreement for:

- The design and construction of frontage improvements on No. 5 Road, including (but not limited to): a 1.5 m wide treed and grass boulevard behind the existing curb and gutter and a 1.5 m wide concrete sidewalk at the subject property line to current City standard. An approximate 1.5 m wide right-of-way (ROW) for public-right-of-passage (PROP) along No. 5 Road is required to achieve these works. The right-of-way is required to be registered on Title prior to final adoption of the rezoning bylaw.

- The design, construction, and coordination of frontage improvements to the full width of the lane from the north property line at 10211 No. 5 Road to the Seacliff Road intersection. The required lane work is to include, but is not limited to: rollover curb and gutter on both sides of the lane, asphalt pavement, lane lighting, and storm sewer in the centre of the lane complete with tie-in to the existing storm sewer along Seacliff Road.

Note: Ideally, the applicants at 10211 and 10231 No. 5 Road will coordinate to undertake the design and construction of the lane improvements along their respective frontages simultaneously, with the City providing funding for the remaining works beyond the applicants' frontages to Seacliff Road (approximately 39.7 m). However, in the event that the applicant at 10211 No. 5 Road undertakes the lane works prior to the applicant at 10231 No. 5 Road, the subject applicant is required to fund the portion of the work along its lane frontage (approximately 18.3 m), while the City will provide funding for the remaining works beyond the applicant's frontage to Seacliff Road (approximately 58 m). In such a case, the City will impose a charge to the property at 10231 No. 5 Road as benefitting from the completed lane improvements. The charge would be required to be paid prior to subdivision of 10231 No. 5 Road for repayment to the City for funds already expended on the lane improvements in respect of which the charge was imposed.

- Water service works, including:
 - Disconnecting the existing 20 mm diameter water connection and cap the tie-in at the main.
 - Installing two (2) new 25 mm diameter connections complete with meter boxes placed within a new 1.5 m wide utility right-of-way across the No. 5 Road frontage for servicing the proposed lots.
- Storm service works, including:
 - Cutting and capping the two (2) existing connections to the storm inspection chambers at the northeast corner and the southeast corner of the property along No. 5 Road, and installing a new 450 mm diameter Type II inspection chamber complete with two (2) 100 mm diameter connections for servicing the proposed lots at the common property line within a new 1.5 m wide utility right-of-way across the No. 5 Road frontage. The boulevard must be graded towards the existing or new inspection chambers to prevent storm water from ponding on the boulevard, road and driveways.
- Sanitary service works, including:
 - Cutting and capping the existing service connection at the inspection chamber at the northwest corner of the property and installing a new 450 mm diameter Type II inspection chamber complete with two (2) 100 mm diameter connections for servicing the proposed lots at the common property line.

Details of the above works are to be finalized as part of the Servicing Agreement design review process.

Subdivision Stage

At Subdivision stage, the applicant will be required to pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charges, and Address Assignment Fee.

Analysis

The redevelopment proposal at the subject site complies with the land use designations in the OCP, as well as with the Arterial Road Policy and Lot Size Policy 5434, which identify the subject site for redevelopment to compact lots with access to/from a rear lane. The applicant has satisfied all of the applicable requirements identified through the rezoning application review.

Financial Impact

None.

Conclusion

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

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9178 be introduced and given first reading.



Cynthia Lussier
Planning Technician
(604-276-4108)

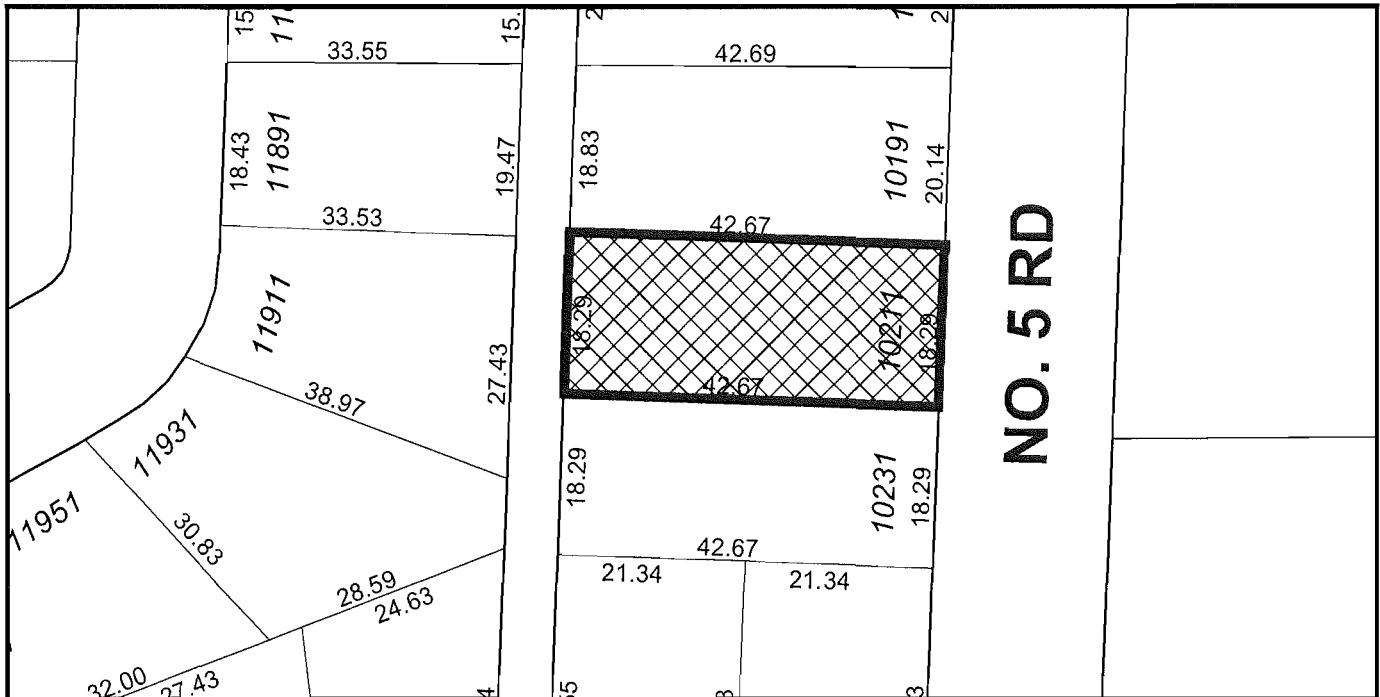
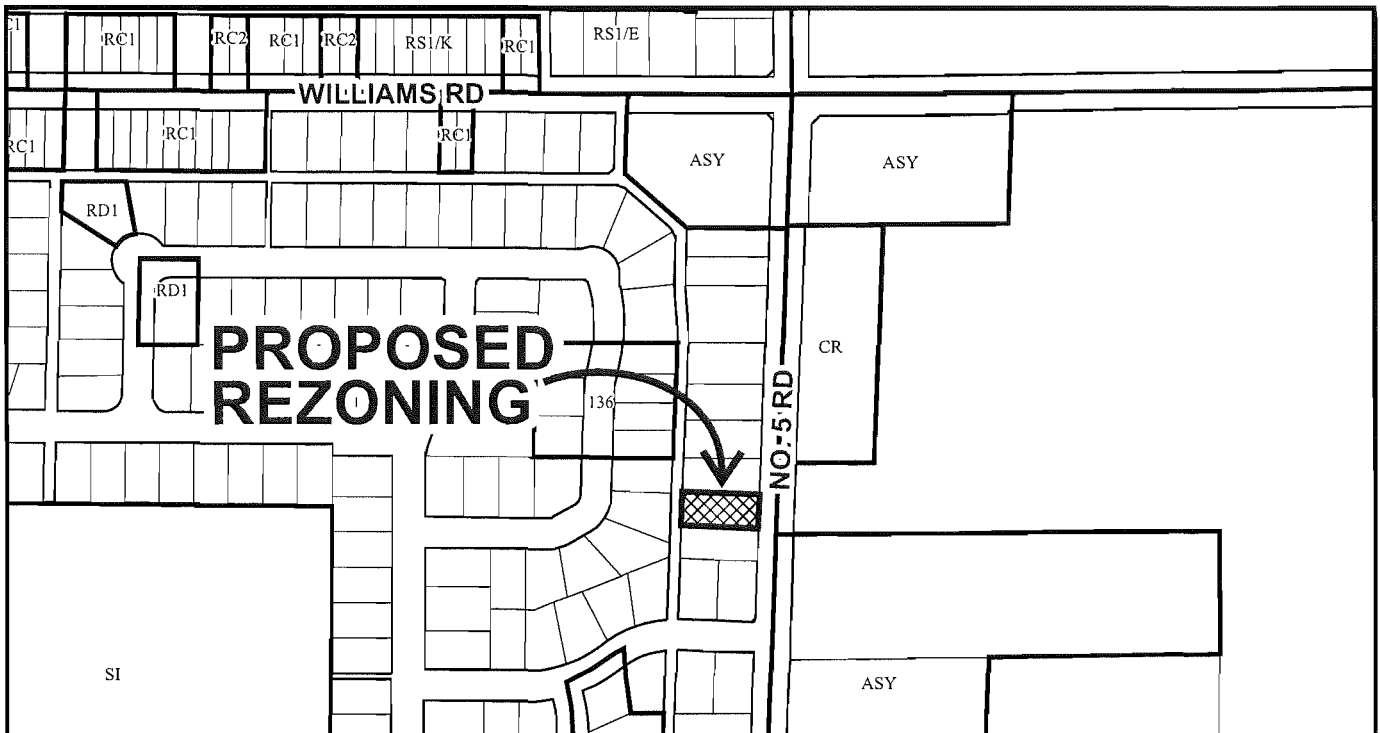
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Attachments:

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5434
- Attachment 5: Proposed Tree Management Plan
- Attachment 6: Rezoning Considerations Concurrence



City of Richmond



RZ 14-658540

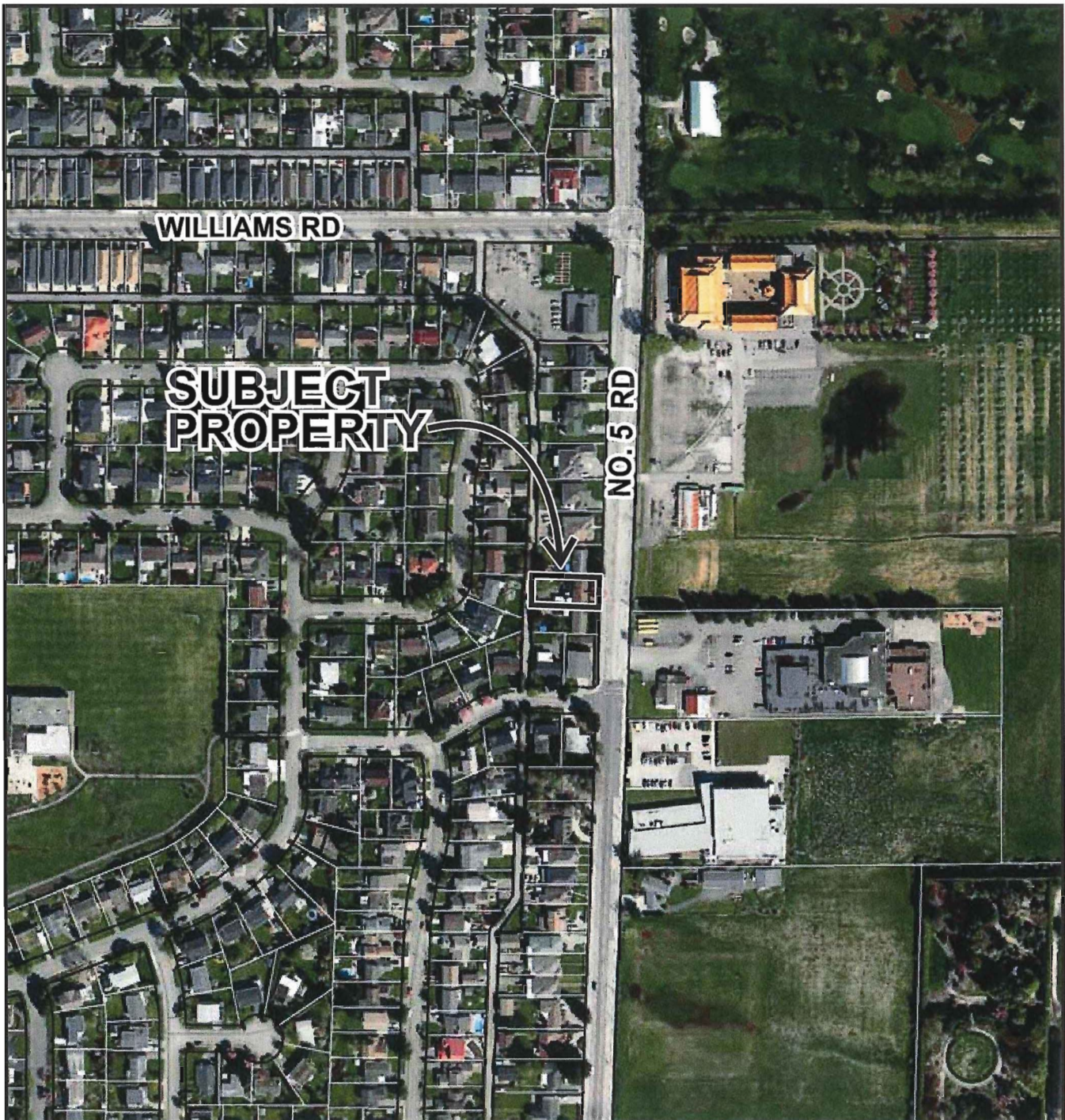
Original Date: 03/21/14

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 14-658540

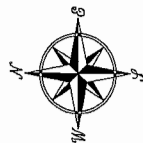
Original Date: 03/21/14

Revision Date:

Note: Dimensions are in METRES

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 223 SECTION 36 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 32915

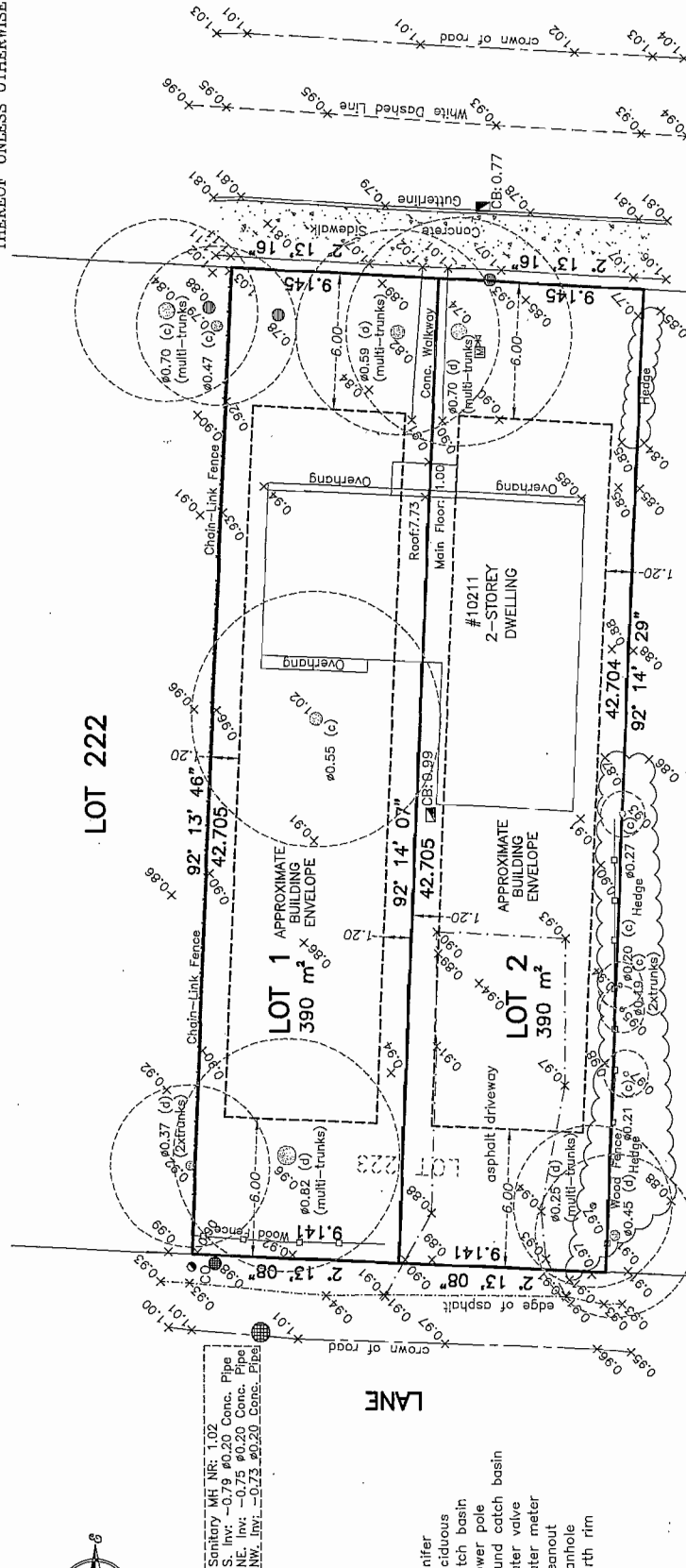
#10211 NO. 5 ROAD,
RICHMOND, B.C.
P.I.D 006-737-285



SCALE: 1:200

0 5 10 15

ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



CNCL - 163

LEGEND:

- (c) denotes conifer
- (d) denotes deciduous
- CS denotes catch basin
- PO denotes power pole
- RO denotes round catch basin
- WV denotes water valve
- WM denotes water meter
- CO denotes cleanout
- MA denotes manhole
- NR denotes north rim

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Website: www.jctam.com

Job No. 5463

FB-232 P65-67

Drawn By: MY

DWG No. 5463-TOPO

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

NOTE:
Elevations shown are based on City of
Richmond HPN Benchmark network.
Benchmark: HPN #191, Control Monument
02H2453 Located at S edge traffic island
© Riverside Dr & Featherstone Way
Elevation = 1.664 metres

JOHNSON C. TAM, B.C.L.S.

MARCH 5th, 2014.



RZ 14-658540

Attachment 3

Address: 10211 No. 5 Road

Applicant: 0868259 BC Ltd.

Planning Area(s): Shellmont

	Existing	Proposed
Owner:	William Dallyn	To be determined
Site Size (m²):	780 m ²	Two (2) lots, each approximately 390 m ²
Land Uses:	One (1) single detached dwelling	Two (2) residential lots, each with a single detached dwelling
OCP Designation:	Neighbourhood Residential	No change
Lot Size Policy Designation:	Lot Size Policy 5434 supports rezoning and subdivision along this portion of No. 5 Road in accordance with "Compact Single Detached (RC2)"	No change
Zoning:	Single Detached (RS1/E)	Compact Single Detached (RC2)
Other Designations:	The Arterial Road Policy supports redevelopment to compact lots along this portion of No. 5 Road.	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Coverage – Buildings, structures, and non-porous surfaces	Max. 70%	Max. 70%	none
Lot Coverage – Live plant material	Min. 20%	Min. 20%	none
Lot Size (min. dimensions):	270 m ²	390 m ²	none
Setback – Front & Rear Yards (m):	Min. 6 m	Min. 6 m	none
Setback – Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2 ½ storeys	2 ½ storeys	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: February 19, 1990
 Amended by Council: November 18, 1991
 Amended by Council: October 16, 2006

POLICY 5434

File Ref:

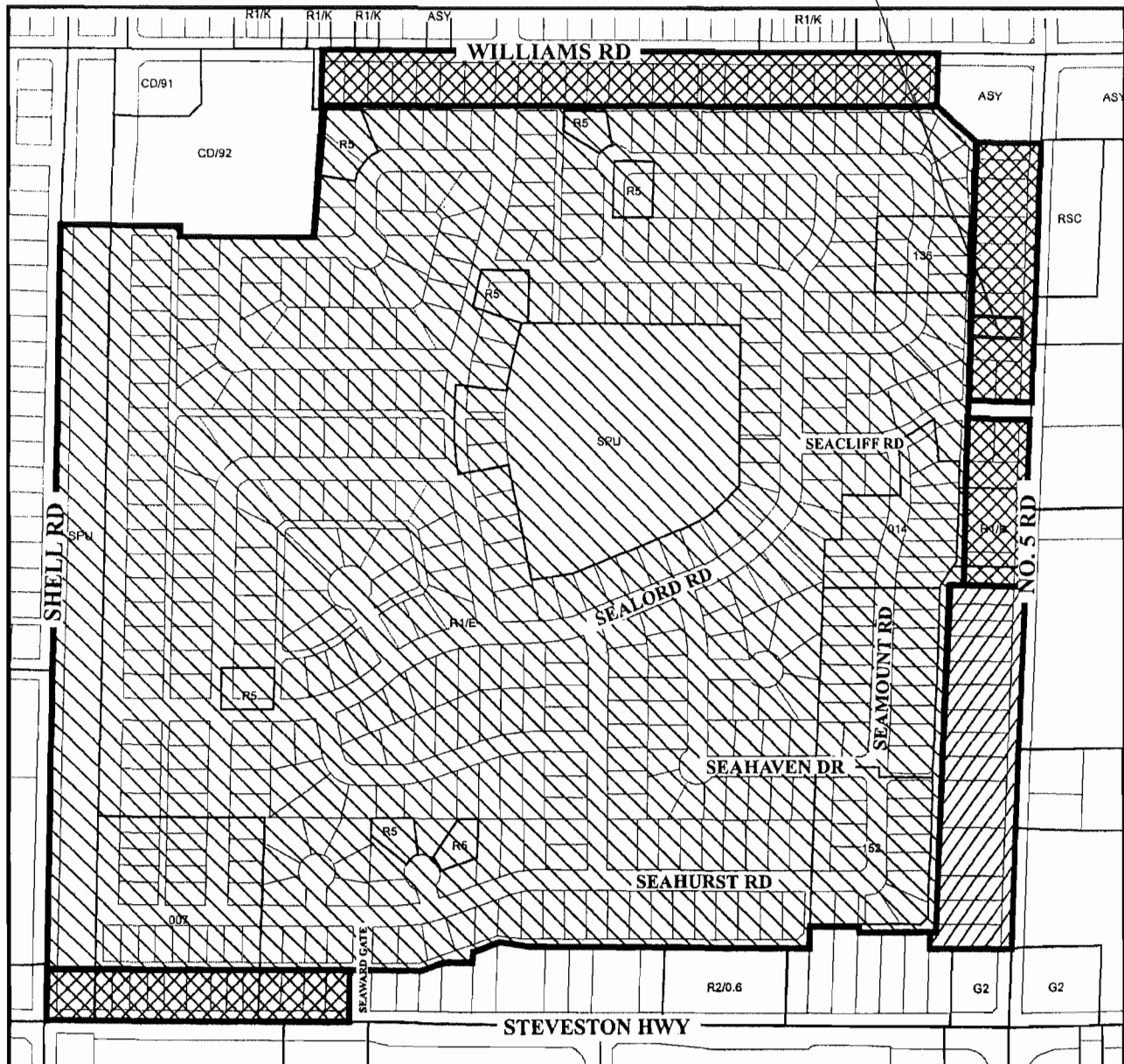
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 36-4-6

POLICY 5434:

The following policy establishes lot sizes in a portion of Section 36-4-6, within the area bounded by **Steveston Highway, Shell Road, No. 5 Road, and Williams Road:**

1. That properties within the area bounded by Shell Road, Williams Road, No. 5 Road, and Steveston Highway, in a portion of Section 36-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/E), with the exception that:
 - a) Properties fronting on Williams Road from Shell Road to No. 5 Road, properties fronting on Steveston Highway from Seaward Gate to Shell Road, and properties fronting on No. 5 Road from Williams Road to approximately 135 m south of Seacliff Road to rezone and subdivide in accordance with the provisions of Single-Family Housing District (R1-0.6) or Coach House District (R/9) provided that vehicle accesses are to the existing rear laneway only. Multiple-family residential development shall not be permitted in these areas.
 - b) Properties fronting on No. 5 Road from Steveston Highway to approximately 135 m south of Seacliff Road be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) provided that vehicle accesses are to the existing rear laneway only.
2. This policy, as shown on the accompanying plan, is to be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

SUBJECT SITE



Subdivision permitted as per **R1/E** (18 m wide lots)



Subdivision permitted as per **R1-0.6 or R/9**
(access to lane only) (No Multiple-family residential development
is permitted.



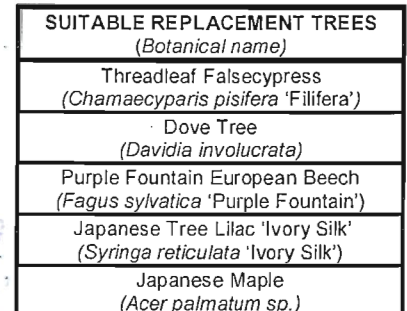
Subdivision permitted as per **R1/B**



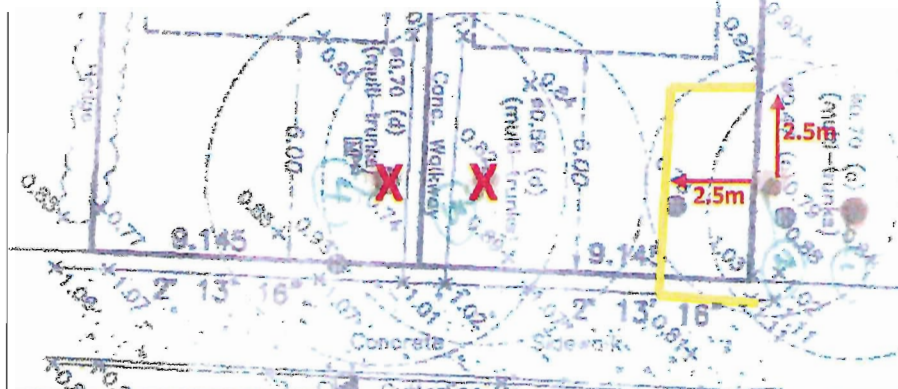
Policy 5434 Section 36-4-6

Adopted Date: 02/19/1990

Amended Date: 11/18/1991
10/16/2006



TREE #	TREE SPECIES (on site) (Botanical name)	DBH (cm)	SPREAD (m) Radius
3	Cherry (<i>Prunus sp.</i>)	79 comb.	4
4	Cherry (<i>Prunus sp.</i>)	76 comb.	4.6
6	Birch (<i>Betula sp.</i>)	82 comb.	4.6
7	Plum (<i>Prunus sp.</i>)	26 comb. Est.	3.3
13	Douglas fir (<i>Pseudotsuga menziesii</i>)	55 per survey	5





City of Richmond

Rezoning Considerations

Development Applications Division
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 10211 No. 5 Road

File No.: RZ 14-658540

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9178, the following items must be completed:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. 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 fencing, paving, and installation costs. The Landscape Plan must:
 - 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 required ALR buffer area along the east portion of the property (4.0 m wide, as measured from the east property line), consisting of a variety of live plant material.
 - Include the four (4) proposed replacement trees with the following minimum sizes:

# Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
4	11 cm		6 m

3. City acceptance of the developer's offer to voluntarily contribute \$3,000 to the City's Tree Compensation Fund for the planting of the balance of required replacement trees elsewhere within the City.
4. The granting of an approximate 1.5 m wide statutory right-of-way along the east property line of the subject site for the purpose of utilities and public-right-of-passage (to accommodate the new storm sewer inspection chamber, two (2) water meter boxes, and the 1.5 m wide concrete sidewalk). Note: the works within the right-of-way are to be constructed by the applicant and maintained by the City.
5. Registration of a flood indemnity covenant on Title.
6. Registration of a legal agreement on Title to ensure that landscaping planted within the ALR buffer area along the east portion of the property (4.0 m wide, as measured from the east property line) is maintained and will not be abandoned or removed. Note: the legal agreement is to identify the ALR buffer area and to indicate that the subject property is located across from active agricultural operations, and is subject to impacts of noise, dust, and odour.
7. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the rezoning bylaw, the City will accept a voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$5,038) to the City's Affordable Housing Reserve Fund in-lieu of registering the legal agreement on Title to secure a secondary suite.

8. Enter into a Servicing Agreement* for:

- a) The design and construction of frontage improvements on No. 5 Road, including (but not limited to): a 1.5 m wide treed and grass boulevard behind the existing curb and gutter and a 1.5 m wide concrete sidewalk at the subject property line to current City standard. An approximate 1.5 m wide right-of-way (ROW) for public-right-of-passage (PROP) along No. 5 Road is required to achieve these works. The right-of-way is required to be registered on Title prior to final adoption of the rezoning bylaw.
- b) The design, construction, and coordination of frontage improvements to the full width of the rear lane from the north property line at 10211 No. 5 Road to the Seacliff Road intersection. The required lane work is to include, but is not limited to: rollover curb and gutter on both sides of the lane, asphalt pavement, lane lighting, and storm sewer in the centre of the lane complete with tie-in to the existing storm sewer along Seacliff Road.

Note: Ideally, the applicants at 10211 and 10231 No. 5 Road will coordinate to undertake the design and construction of the lane improvements along their respective frontages simultaneously, with the City providing funding for the remaining works beyond the applicants' frontages to Seacliff Road (approximately 39.7 m). However, in the event that the applicant at 10211 No. 5 Road undertakes the lane works prior to the applicant at 10231 No. 5 Road, the subject applicant is required to fund the portion of the work along its lane frontage (approximately 18.3 m), while the City will provide funding for the remaining works beyond the applicant's frontage to Seacliff Road (approximately 58 m). In such a case, the City will impose a charge to the property at 10231 No. 5 Road as benefitting from the completed lane improvements. The charge would be required to be paid prior to subdivision of 10231 No. 5 Road for repayment to the City for funds already expended on the lane improvements in respect of which the charge was imposed.

- c) Water service works, including:
 - i) Disconnecting the existing 20 mm diameter water connection and cap the tie-in at the main.
 - ii) Installing two (2) new 25 mm diameter connections complete with meter boxes placed within a new 1.5 m wide utility right-of-way across the No. 5 Road frontage for servicing the proposed lots.
- d) Storm service works, including, cutting and capping the two (2) existing connections to the storm inspection chambers at the northeast corner and the southeast corner of the property along No. 5 Road, and installing a new 450 mm diameter Type II inspection chamber complete with two (2) 100 mm diameter connections for servicing the proposed lots at the common property line within a new 1.5 m wide utility right-of-way across the No. 5 Road frontage. The boulevard must be graded towards the existing or new inspection chambers to prevent storm water from ponding on the boulevard, road and driveways.
- e) Sanitary service works, including cutting and capping the existing service connection at the inspection chamber at the northwest corner of the property and installing a new 450 mm diameter Type II inspection chamber complete with two (2) 100 mm diameter connections for servicing the proposed lots at the common property line.

Details of the above works are to be finalized as part of the Servicing Agreement design review process.

Note: no permanent structures, such as fences and storage sheds with concrete foundations, are allowed to be built on or across right-of-ways. Proposed driveway crossings from the rear lane must not conflict with existing street lights and/or utility poles. Requests to relocate street lights and/or utility poles will not be considered other than under exceptional circumstances.

At Demolition* stage, the following requirements must be completed:

- Installation of tree protection fencing to City standard around Trees # 1, 2, and 5 located on the adjacent property to the north at 10191 No. 5 Road. Tree protection fencing must remain in place until construction and landscaping on the proposed lots is completed.

At Subdivision* stage, the following requirements must be completed:

- Payment of Development Cost Charges (City and GVS & DD), School Site Acquisition Charges, and Address Assignment Fee.

At Building Permit* stage, the following requirements must be completed:

- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. The 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.
- 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 Division 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 9178 (RZ 14-658540)
10211 No. 5 Road**

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 **“COMPACT SINGLE DETACHED (RC2)”**.

P.I.D. 006-737-285

Lot 223 Section 36 Block 4 North Range 6 West New Westminster District Plan 32915

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9178”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

OTHER REQUIREMENTS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER

