



# City of Richmond

## Report to Committee Planning and Development Division

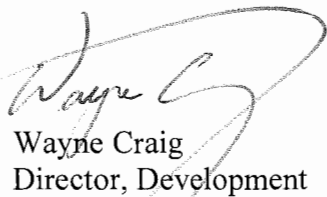
**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** February 3, 2017  
**File:** RZ 15-713737


**Re:** Application by Benn Panesar for Rezoning at 10140 and 10160 Finlayson Drive from "Single Detached (RS1/D)" to "Single Detached (RS2/B)"

### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9684, for the rezoning of 10140 and 10160 Finlayson Drive from "Single Detached (RS1/D)" to "Single Detached (RS2/B)", be introduced and given first reading.

  
Wayne Craig  
Director, Development

CL:blg  
Att. 7

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

## Staff Report

### Origin

Benn Panesar has applied to the City of Richmond for permission to rezone the properties at 10140 and 10160 Finlayson Drive from the “Single Detached (RS1/D)” zone to the “Single Detached (RS2/B)” zone, to permit the property to be subdivided to create three lots (Attachment 1).

The applicant proposes to pursue subdivision of the land in two stages. Initially, the proposal involves demolition of the dwelling at 10160 Finlayson Drive, shifting of the common property line to create a smaller south lot, and retention of the existing dwelling on a larger north lot at 10140 Finlayson Drive. Subsequently, the applicant proposes to subdivide the larger north lot at 10140 Finlayson Drive into two smaller lots, ultimately yielding a total of three lots at the subject site.

A survey of the subject site illustrating the first stage of the proposed subdivision is included in Attachment 2. A survey of the subject site illustrating the second stage of the proposed subdivision is included in Attachment 3.

### Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 4).

### Site Description and Surrounding Development

The subject site is located on the west side of Finlayson Drive, between Gilmore Crescent and Finlayson Court, in the Bridgeport Planning Area. The property at 10140 Finlayson Drive currently contains an existing dwelling, which will be demolished at future development stage. At 10160 Finlayson Drive, the original dwelling has been demolished and a single-family dwelling is currently under construction on the south side of the lot (further discussion of the new dwelling being constructed on-site is included in the “Analysis” section of this report).

Existing development immediately surrounding the subject site is as follows:

- To the North, is a dwelling on a lot zoned “Single Detached (RS1/D)”.
- To the South, are new dwellings on lots zoned “Single Detached (RS2/B)”.
- To the East, immediately across Finlayson Drive, is Tait Neighbourhood School Park.
- To the West, fronting No. 4 Road, are dwellings on lots zoned “Single Detached (RS1/D)”.

### Related Policies & Studies

#### Official Community Plan/Bridgeport Area Plan

The Official Community Plan (OCP) land use designation for the subject site is “Neighbourhood Residential”. The Bridgeport Area Plan land use designation for the subject site is “Residential (Single Family)”. This redevelopment proposal is consistent with these designations.

**Single-Family Lot Size Policy 5448**

The subject site is located within the area governed by Single-Family Lot Size Policy 5448, adopted by Council on September 16, 1991, and subsequently amended in 2012 (Attachment 5). The Policy permits properties on Finlayson Drive to be rezoned and subdivided subject to the requirements of the “Single Detached (RS2/B)” zone.

This redevelopment proposal would allow for the creation of three (3) lots, each with an average width of approximately 12 m and between 623 m<sup>2</sup> and 729 m<sup>2</sup> in area, consistent with the requirements of the “Single Detached (RS2/B)” zone.

**Aircraft Noise Sensitive Development (ANSD) Policy**

Consistent with the OCP, the ANSD Policy applies to the subject site, which is located within the “High Aircraft Noise Area (Area 2)”. In accordance with this Policy, all aircraft noise sensitive land uses may be considered, including single-family uses resulting from the rezoning of one “Single Detached (RS1)” sub-zone to another “Single Detached (RS2)” sub-zone. Registration of an Aircraft Noise Sensitive Use Covenant on Title will be required prior to final adoption of the rezoning bylaw.

**Floodplain Management Implementation Strategy**

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

**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 was referred to the Ministry of Transportation and Infrastructure (MOTI). Confirmation has been received from MOTI indicating that they have no objections to the proposed redevelopment and that preliminary approval has been granted for a period of one year. Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

**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**

### **New Construction at 10160 Finlayson Drive, and Proposed Timing of Rezoning/ Subdivision**

As described earlier in this report, the applicant proposes to pursue subdivision of the land in two stages (as shown in Attachments 2 and 3). Also, the original dwelling at 10160 Finlayson Drive has been demolished and a single-family dwelling is currently under construction on the south side of the lot under Building Permit (B7 15-716522).

Through the Building Permit application review process for the new dwelling at 10160 Finlayson Drive, the applicant has demonstrated that the dwelling under construction complies with all aspects of the current "Single Detached (RS1/D)" zone and with the proposed "Single Detached (RS2/B)" zone after the first stage of subdivision. As further evidence of conformity, prior to the first stage of subdivision approval, the applicant is required to submit a signed and sealed plan from a BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the Permitted Density, Lot Coverage, Live Landscaping and Setbacks.

In order to secure the ultimate 3-lot subdivision plan shown in Attachment 3, the applicant is required to register a legal agreement on title prior to rezoning approval stating that no Building Permits may be issued at 10140 Finlayson Drive, and that subdivision of the land is only permitted as shown in Attachments 2 and 3.

Should the rezoning application not proceed, only one single-family dwelling is permitted on each of the existing lots.

### **Existing Legal Encumbrances**

There is currently a Statutory Right-of-Way (SRW) registered on Title of the subject properties for sanitary sewer, which is located in the rear yard along the west property line.

### **Site Access**

Vehicle access to the proposed lots is to be from Finlayson Drive via separate driveway crossings.

### **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 a total of six trees: one bylaw-sized tree on the subject property, three trees located on the common property line with the neighbouring property to the south at 10180 Finlayson Drive, one tree located on the neighbouring property to the west at 2380 No. 4 Road, and one tree located in the Finlayson Drive boulevard on City-owned property.

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

- One Holly tree located on-site is in good condition and should be retained and protected (tag# 5).
- Three trees located on the common property line with the adjacent property to the south (tag# 2, 3, 4) were approved for removal at 10180 Finlayson Drive (RZ 11- 594451) and have since been removed.
- One tree located on the adjacent property to the west at 2380 No. 4 Road must be retained and protected as per the Arborist Report specifications (tag#6).

The one tree in the Finlayson Drive boulevard on City-owned property (tag # 1) was approved for removal by the City's Parks Department as part of the Building Permit application review process at 10180 Finlayson Drive due to conflict with the proposed driveway crossing (B7 16- 732271). This tree has since been removed (T1 16- 732273).

#### *Tree Protection*

One tree on the subject site and one tree on the neighbourhood property to the west at 2380 No. 4 Road are to be retained and protected (tag #'s 5 and 6). The applicant has submitted a tree retention plan showing the trees to be retained and the tree protection area to be used during development stage (Attachment 6, annotated). To ensure that the trees identified for retention are protected at development stage, the applicant is required to submit the following items prior to final adoption of the rezoning bylaw:

- A contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones (tag #'s 5 and 6). 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.
- A survival security in the amount of \$10,000 for tree tag # 5. The security will be held until construction and landscaping on the subject site is completed and a landscape inspection has been passed by City staff. The City may retain a portion of the security for a one-year maintenance period from the date of the landscape inspection to ensure that the tree survives.

Prior to demolition of the existing dwelling at 10140 Finlayson Drive, the applicant is required to install tree protection fencing around all trees to be retained (tag #'s 5 and 6). 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.

#### *Tree Planting*

In accordance with City Policy 5032 – Tree Planting (Universal), the applicant has agreed to plant a total of five new trees (yielding two trees per lot), as follows:

- two trees on the proposed north lot.
  - two trees on the proposed middle lot.
  - one tree on the proposed south lot.
- (minimum 6 cm deciduous caliper or 3 m high conifer).

To ensure that the five new trees are planted and maintained on the proposed lots, the applicant is required to submit a Landscaping Security in the amount of \$2,500 (\$500/tree) prior to final adoption of the rezoning bylaw. The Security will not be released until construction and landscaping on the subject site is completed and a landscape inspection has been passed by City staff. The City may retain a portion of the security for a one-year maintenance period from the date of the landscape inspection.

### **Affordable Housing Strategy**

The City's Affordable Housing Strategy for single-family rezoning applications requires: a) secondary suite(s) on 100% of new lots proposed; b) secondary suite(s) on 50% of new lots proposed and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund based on \$2.00/ft<sup>2</sup> of the total buildable area on the remaining lots; or c) in cases where a secondary suite cannot be accommodated, a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund based on \$2.00/ft<sup>2</sup> of the total buildable area on 100% of new lots proposed.

Consistent with the Affordable Housing Strategy, the applicant proposes to construct a secondary suite on each new lot proposed. Prior to rezoning, the applicant is required to register a legal agreement on title, stating that no final Building Permit inspection will be granted until the secondary suites are constructed to the satisfaction of the City in accordance with the BC Building Code and Richmond Zoning Bylaw 8500.

### **Site Servicing and Frontage Improvements**

Prior to rezoning bylaw adoption, the applicant is required to enter into a Servicing Agreement for the design and construction of water, storm, and sanitary service connections for the proposed lots, as well as for frontage improvements to current City standards from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, tying into the existing condition to the north and south. The scope of the works is described in Attachment 7, and includes but is not limited to concrete curb and gutter, a 1.5 m wide treed/grassed boulevard at the back of the curb, a 1.5 m wide concrete sidewalk, street lighting, and undergrounding of Hydro and Telus service lines.

### **Subdivision**

Prior to approval of the first stage of subdivision, the applicant is required to submit a signed and sealed plan from a registered BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the Permitted Density, Lot Coverage, Live Landscaping and Setbacks.

Prior to approval of the second stage of subdivision, the applicant is required to pay Development Cost Charges (City and GVS&DD), School Acquisition Charges, Address Assignment Fees and the current year's taxes.

### **Financial Impact or Economic Impact**

This 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 the property at 10140 and 10160 Finlayson Drive from the "Single Detached (RS1/D)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create three lots. The applicant proposes to pursue the project in stages.

This rezoning application complies with the land use designation and applicable policies for the subject site that are contained within the OCP and Single-Family Lot Size Policy 5448.

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 9684 be introduced and given first reading.



Cynthia Lussier  
Planner 1  
(604-276-4108)

CL:blg

Attachment 1: Location Map/Aerial Photo

Attachment 2: Site Survey and proposed subdivision plan for 1<sup>st</sup> stage

Attachment 3: Site Survey and proposed subdivision plan for 2<sup>nd</sup> stage

Attachment 4: Development Application Data Sheet

Attachment 5: Single Family Lot Size Policy 5448

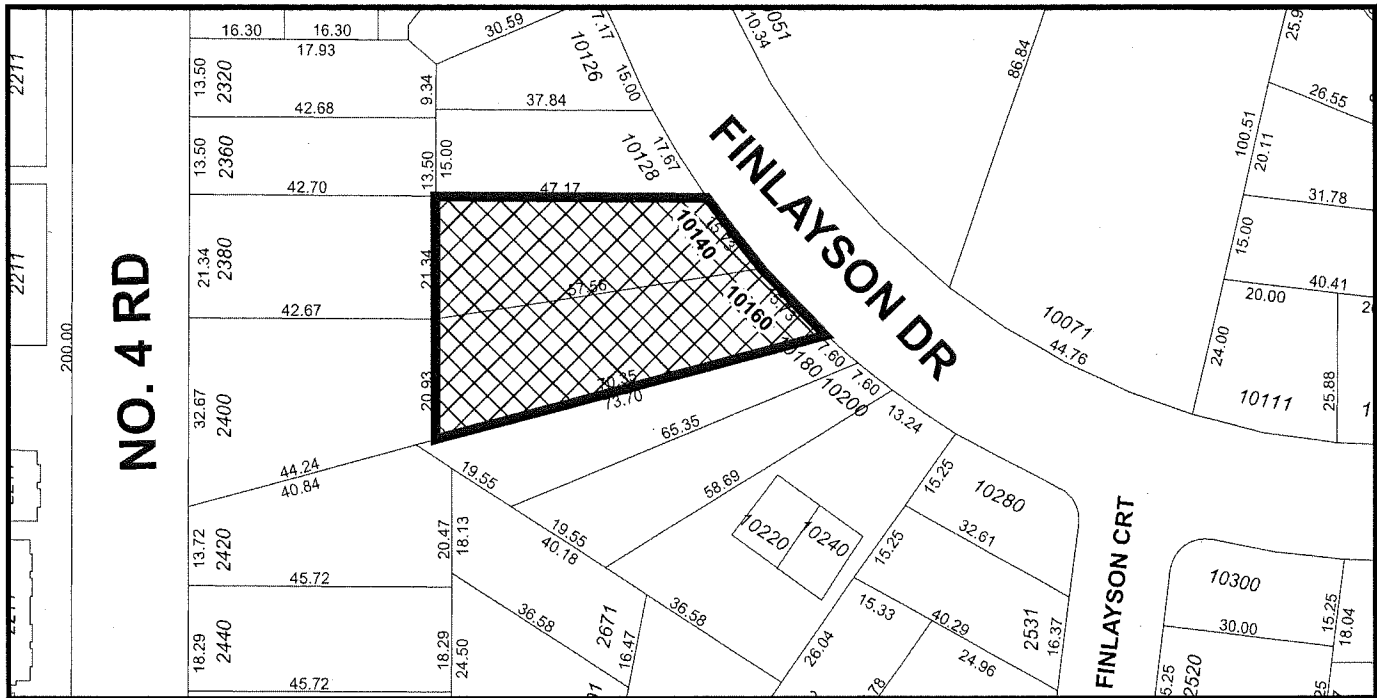
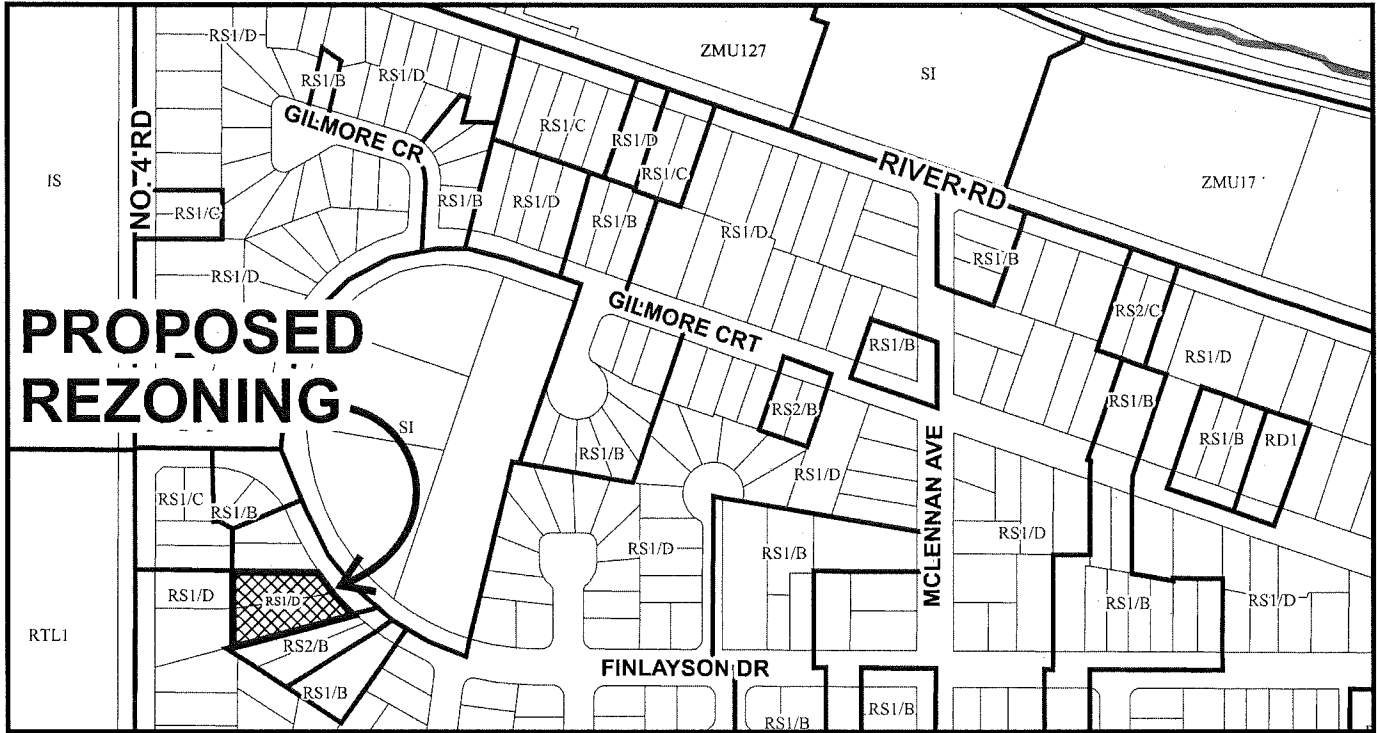
Attachment 6: Proposed Tree Retention Plan

Attachment 7: Rezoning Considerations



# City of Richmond

ATTACHMENT 1



## RZ 15-713737

Original Date: 12/16/15

Revision Date: 02/23/17

Note: Dimensions are in METRES





City of  
Richmond



RZ 15-713737

Original Date: 12/16/15

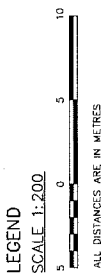
Revision Date: 02/23/17

Note: Dimensions are in METRES

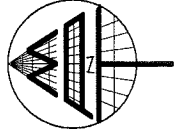
**SURVEY PLAN OF LOTS 327 AND 328 BOTH OF SECTION 23 BLOCK 5 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 46141**

PARCEL IDENTIFIER (PID): LOT 327: 001-320-912  
 LOT 328: 003-690-768

CIVIC ADDRESSES  
 #10140/10160 FINLAYSON DRIVE  
 RICHMOND, B.C.



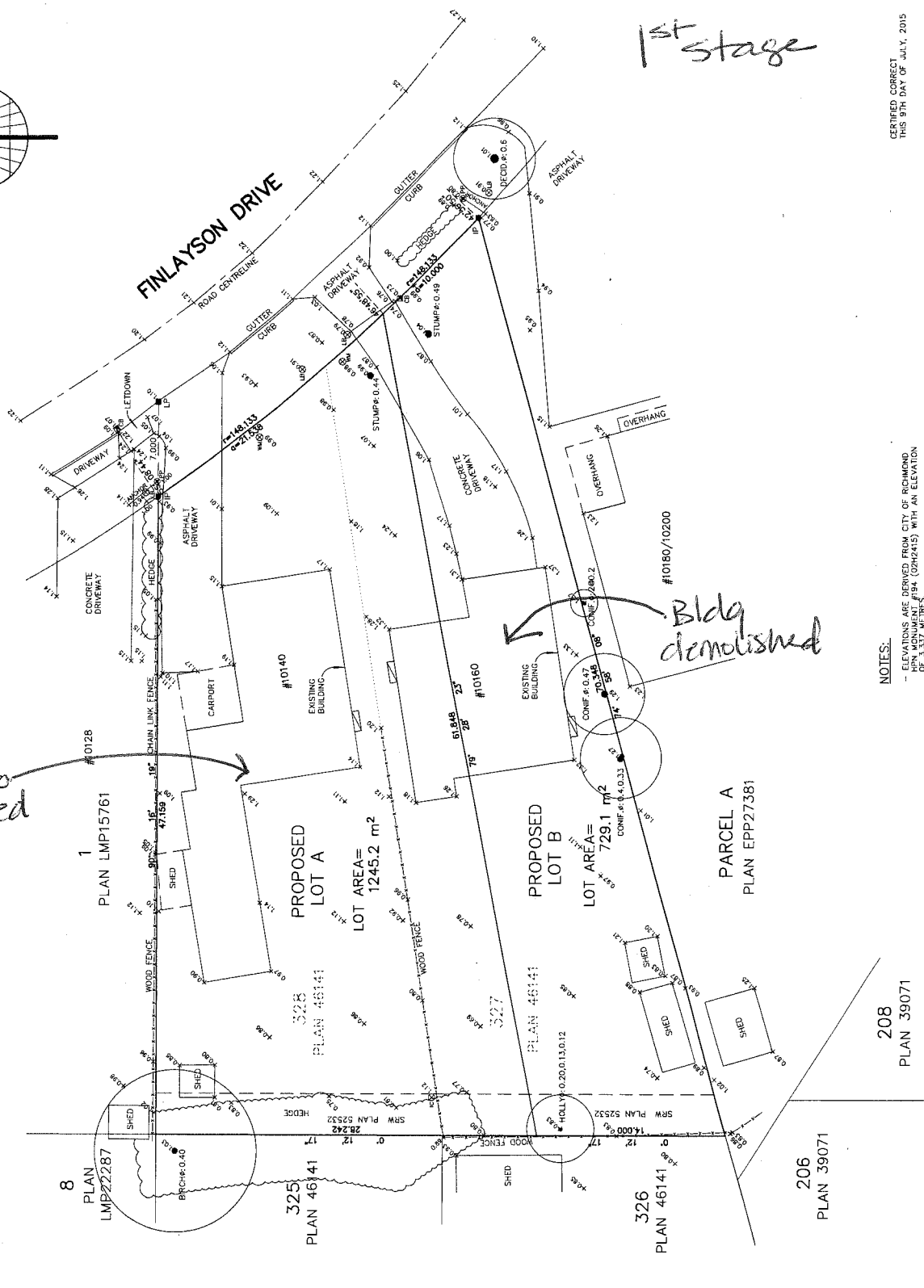
- LEGEND**
- CB INDICATES SPOT ELEVATION
  - CB INDICATES CATCH BASIN
  - ⊗ PP INDICATES POWER POLE
  - LB INDICATES LAWN BASIN
  - MH INDICATES MANHOLE
  - WM INDICATES WATER METER
  - IP INDICATES IRON POST
  - LP INDICATES LEAD PLUG



*Bldg to be retained*

*1st stage*

*Bldg demolished*



- NOTES:**
- ELEVATIONS ARE DERIVED FROM CITY OF RICHMOND PLAN NO. 194 (02N2415) WITH AN ELEVATION OF 3.327 METRES.
  - PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
  - ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BY-LAW NO. 8057, ARE SHOWN HEREON.

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**MATSON PECK & TOPLISS**  
 SURVEYORS & ENGINEERS  
 #320 - 11120 HORSESHOE WAY  
 RICHMOND, B.C., V7A 5H7  
 PH: 604-270-9331  
 FAX: 604-270-4137  
 CADFILE: 17885-001-1PG-000.DWG

CLIENT REF: BALVR & SARBJIT RANDHAWA

DATE OF SURVEY: JULY 3, 2015

B.C.L.S.

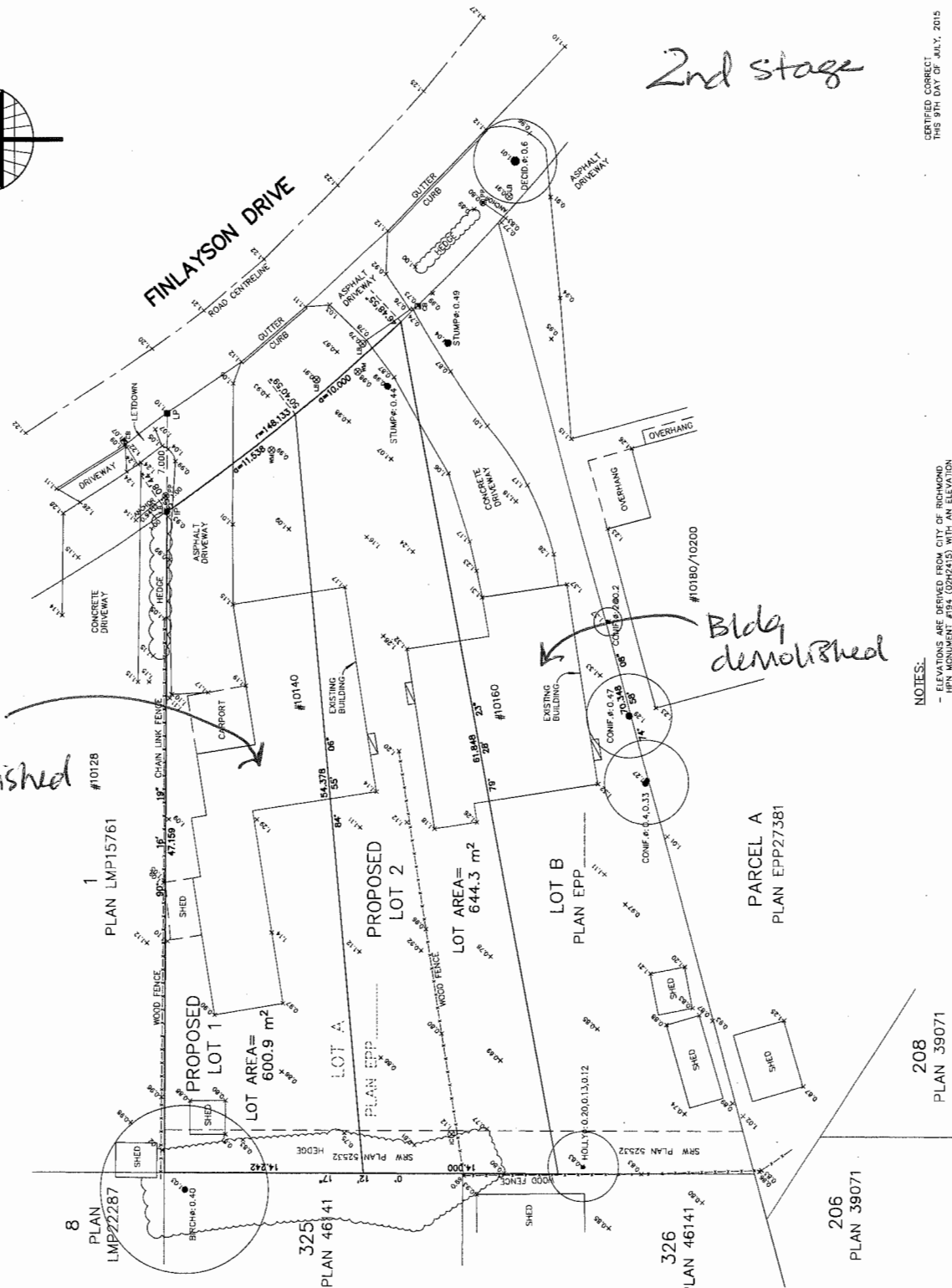
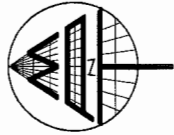
**SURVEY PLAN OF LOT A SECTION 23  
BLOCK 5 NORTH RANGE 6 WEST  
NEW WESTMINSTER DISTRICT PLAN EPP**

FORMERLY LOT 328 AND PART OF LOT 327 BOTH OF SECTION 23  
BLOCK 5 NORTH RANGE 6 WEST NWD PLAN 46141

CIVIC ADDRESSES:  
#10140/10160 FINLAYSON DRIVE  
RICHMOND, B.C.

LEGEND  
SCALE 1:200  
5 0 5 10  
ALL DISTANCES ARE IN METRES

- CB INDICATES SPOT ELEVATION
- CB INDICATES CATCH BASIN
- ⊙ PP INDICATES POWER POLE
- LB INDICATES LAMP BASIN
- MH INDICATES MANHOLE
- WM INDICATES WATER METER
- IP INDICATES IRON POST
- LP INDICATES LEAD PLUG



*2nd stage*

*Bldg to be demolished*

*Bldg demolished*

NOTES:

- ELEVATIONS ARE DERIVED FROM CITY OF RICHMOND PLAN 52532/54 (02H2415) WITH AN ELEVATION OF 3.337 METRES
- PROPERTY LINE DIMENSIONS ARE DERIVED FROM LAND TITLE OFFICE RECORDS AND LEGAL FIELD SURVEYS.
- ALL DESIGNATED TREES AS DEFINED BY CITY OF RICHMOND BY-LAW NO. 8057, ARE SHOWN HEREON.

CERTIFIED CORRECT  
THIS 9TH DAY OF JULY, 2015

B.C.L.S.  
DATE OF SURVEY: JULY 3, 2015



**RZ 15-713737**

**Attachment 4**

Address: 10140 and 10160 Finlayson Drive

Applicant: Benn Panesar

Planning Area(s): Bridgeport

	Existing	Proposed
<b>Owner:</b>	Sunny Sukvir Singh Kandola Amandeep Singh Kandola	To be determined
<b>Site Size (m<sup>2</sup>):</b>	1974.3 m <sup>2</sup> (21,251 ft <sup>2</sup> )	Three lots, ranging in size from 600 m <sup>2</sup> to 729 m <sup>2</sup> (6,458ft <sup>2</sup> to 7,847ft <sup>2</sup> )
<b>Land Uses:</b>	Two residential lots; each with a single-family dwelling	Three residential lots; each with a single-family dwelling
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Bridgeport Area Plan Designation:</b>	Residential (Single Family)	No change
<b>Single-Family Lot Size Policy Designation:</b>	Single-Family Lot Size Policy 5448 permits properties on Finlayson Drive to rezone and subdivide consistent with the minimum requirements of the "Single Detached (RS2/B)" zone.	No change
<b>Zoning:</b>	Single Detached (RS1/D)	Single Detached (RS2/B)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	Max. 0.55 for lot area up to 464.5 m <sup>2</sup> plus 0.3 for area in excess of 464.5 m <sup>2</sup>	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Ranges from maximum 334 m <sup>2</sup> (3,190 ft <sup>2</sup> ) to 296 m <sup>2</sup> (3,604 ft <sup>2</sup> )	Ranges from maximum 296 m <sup>2</sup> (3,604 ft <sup>2</sup> ) to 334 m <sup>2</sup> (3,190 ft <sup>2</sup> )	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70% Live Plant Material: Min. 25%	Building: Max. 45% Non-porous Surfaces: Max. 70% Live Plant Material: Min. 25%	none
Min. Lot Size:	360 m <sup>2</sup>	Ranges from 600 m <sup>2</sup> to 729 m <sup>2</sup>	none
Min. Lot Dimensions (m):	Width: 12 m Depth: 24 m	Ranges from 12 m to 12.89 m wide 51.2 m to 66.1 m deep	none
Min. Setbacks (m):	Front/Rear: Min. 6 m Side: Min. 1.2 m	Front/Rear: Min. 6 m Side: Min. 1.2 m	none
Height (m):	2 ½ storeys (max. 9.0 m, peaked roof; max. 7.5 m flat roof)	2 ½ storeys (max. 9.0 m, peaked roof; max. 7.5 m flat roof)	none
On-site Vehicle Parking Spaces:	Min. two spaces	Min. two spaces	none

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



# City of Richmond

# Policy Manual

Page 1 of 2

Adopted by Council: September 16, 1991

**POLICY 5448**

Amended By Council: February 20, 2012

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-5-6

**POLICY 5448:**

The following policy establishes lot sizes in a portion of Section 23-5-6, bounded by the **Bridgeport Road, Shell Road, No. 4 Road and River Drive:**

That properties within the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west, in a portion of Section 23-5-6, be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS1/B) in Zoning and Development Bylaw 8500, with the following provisions:

- (a) Properties along Bridgeport Road (between McKessock Avenue and Shell Road) and along Shell Road will be restricted to Single Detached (RS1/D) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;
- (b) Properties along Bridgeport Road between No. 4 Road and McKessock Avenue will be restricted to Single Detached (RS1/D) unless there is lane access in which case Compact Single Detached (RC2) and Coach Houses (RCH) will be permitted;
- (c) Properties along No. 4 Road and River Drive will be restricted to Single Detached (RS1/C) unless there is lane or internal road access in which case Single Detached (RS1/B) will be permitted;

and that this policy, as shown on the accompanying plan, be used to determine the disposition of future single-family 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.



Rezoning and subdivision permitted as per **RS1/B** except:

1. River Drive: **RS1/C** unless there is a lane or internal road access, then **RS1/B**.
2. Shell Road: **RS1/D** unless there is a lane or internal road access, then **RS1/B**.
3. No. 4 Road: **RS1/C** unless there is a lane or internal road access then **RS1/B**.
4. Bridgeport Road: **RS1/D** unless there is a lane or internal road access then **RS1/B**.



Rezoning and subdivision permitted as per **RS1/B** unless there is a lane access then **RC2** or **RCH**.



## Policy 5448 Section 23, 5-6

Adopted Date: 09/16/91

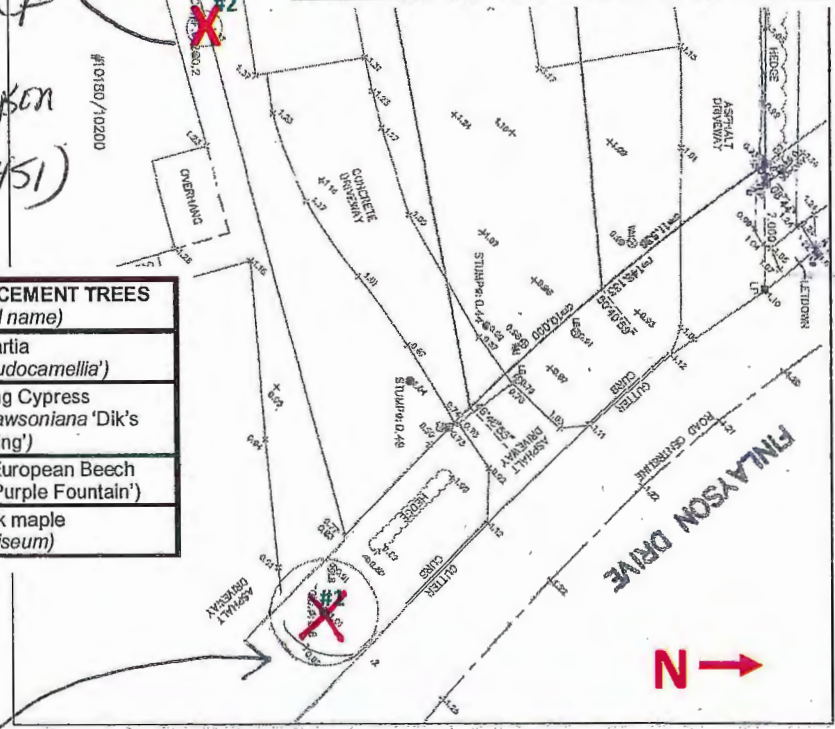
Amended Date: 02/20/12



TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Willow ( <i>Salix sp.</i> )	57	3
2	Cedar ( <i>Thuja occidentalis</i> )	34 comb.	1
3	Cypress ( <i>Chamaecyparis sp.</i> )	48	3
4	Cypress ( <i>Chamaecyparis sp.</i> )	55 comb.	3
5	Holly ( <i>Ilex sp.</i> )	36 comb.	2
6	Birch ( <i>Betula sp.</i> )	60	6

Removed as part of redevelopment on adjacent site at 10180 Finlayson Drive (RZ 11-594451)

SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia ( <i>Stewartia pseudocamellia</i> )
Dik's Weeping Cypress ( <i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech ( <i>Fagus sylvatica</i> 'Purple Fountain')
Paperbark maple ( <i>Acer griseum</i> )



Preliminary Tree Retention & Removal Plan, Scale 1:400

removed as part of redevelopment at 10180 Finlayson Drive (T1-16-732273)



**Address:** 10140 and 10160 Finlayson Drive

**File No.:** RZ 15-713737

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9684, the developer is required to complete the following:**

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a Landscape Security in the amount of \$2,500 (\$500/tree) to ensure that a total of five trees are planted and maintained, as follows (minimum 6 cm deciduous caliper or 3.5 m high conifers):
  - Two trees on the proposed north lot.
  - Two trees on the proposed middle lot.
  - One tree on the proposed south lot.
3. 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 (tag #'s 5 and 6). 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.
4. Submission of a Tree Survival Security to the City in the amount of \$10,000 for tree tag # 5 to be retained.
5. Registration of an aircraft noise sensitive use covenant on Title.
6. Registration of a flood indemnity covenant on Title.
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 each of the three lots proposed, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
8. Registration of a legal agreement on Title stating that no Building Permits may be issued at 10140 Finlayson Drive, and that subdivision of the land is only permitted as shown in Attachments 2 and 3.
9. Entrance into a Servicing Agreement\* for the design and construction of water, storm, and sanitary service connections for the proposed lots, as well as for frontage improvements to current City standards from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, and tying into the existing condition to the north and south. The scope of works is to include (but is not limited to):

*Water Works*

- a. Using the OCP Model, there is 152 L/s of water available at a 20 psi residual at the Finlayson Drive frontage. Based on your proposed development, your site requires a minimum fire flow of 120 L/s.  
The applicant is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs. If adequate flow is not available, the applicant shall be required to upgrade the existing water system that may extend beyond the development site frontage.
- b. At the applicant's cost, the City is to:
  - Cut and cap the two northernmost existing water service connections at the watermain along the Finlayson Drive frontage, and remove meters and meter boxes.
  - Install two new water service connections along the Finlayson Drive frontage, each with meter and meter box.

*Storm Sewer Works*

- a. The applicant is required to retain the newly installed southernmost storm service connection and inspection chamber, which was installed via Building Permit B7 15-716522 for 10180 Finlayson Drive.
- b. At the applicant's cost, the City is to:



- Cut and cap, at the inspection chamber, the existing storm sewer service connection at the northeast corner of the development site.
- Cut and cap the existing storm sewer service connection located at the middle of the east property line of the development site and remove the inspection chamber.
- Install a new storm service connection, complete with inspection chamber and dual service leads, at the adjoining property line of the two northernmost newly subdivided lots.

#### *Sanitary Sewer Works*

- a. The applicant is required to:
  - Not undertake any on-site construction or foundation excavation until completion of the rear yard sanitary works by City crews.
  - Retain the newly installed southernmost sanitary service connection and inspection chamber, which was installed via Building Permit B7 15-716522 for 10180 Finlayson Drive.
- b. At the applicant's cost, the City is to:
  - Cut and cap the existing northernmost sanitary service connection and remove the inspection chamber.
  - Install a new sanitary service connection, complete with inspection chamber and dual service leads, at the adjoining property line of the two northernmost newly subdivided lots.

#### *Frontage Improvements*

- a. The applicant is required to design and construct frontage improvements to current City standards along Finlayson Drive, from the north property line of 10140 Finlayson Drive to the south property line of 10200 Finlayson Drive, to include concrete curb and gutter, a 1.5 m wide treed/grassed boulevard at the back of the curb, a 1.5 m wide concrete sidewalk, and street lighting, complete with transition to the existing condition to the north and south.  
Note: After the SA works are completed, the applicant will be reimbursed a total of \$33,703.20, previously paid to the City as part of SD 11- 594452 in-lieu of constructing boulevard improvements along the frontage of 10180 and 10200 Finlayson Drive.
- b. The applicant is required to replace Hydro lease light with City Street light and review street lighting levels along the Finlayson Drive frontage and upgrade lighting as required.
- c. The applicant is required to coordinate with BC Hydro, Telus and other private communication service providers:
  - To underground proposed Hydro service lines (this is required for all 3-lot subdivision proposals).
  - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
  - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.).

#### *General Items*

- a. The applicant is required to enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

#### **Prior to Demolition Permit\* issuance, the applicant must complete the following requirements:**

- Installation of tree protection fencing around all trees to be retained (tag #'s 5 and 6). 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.

#### **Prior to Subdivision\* approval, the applicant must complete the following requirements:**

- Prior to approval of the first stage of subdivision, the applicant is required to submit a signed and sealed plan from a registered BC Land Surveyor that the existing buildings and structures at 10160 Finlayson Drive meet all of the requirements of the RS2/B zoning, including the Permitted Density, Lot Coverage, Live Landscaping and Setbacks.

- Prior to approval of the second stage of subdivision, the applicant is required to pay Development Cost Charges (City and GVS&DD), School Acquisition Charges, Address Assignment Fees and the current year's taxes.

**Prior to Building Permit\* issuance, the applicant must complete the following requirements:**

- Submit a Construction Parking and Traffic Management Plan to the Transportation Department. 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 Department at 604-276-4285.

**Note:**

- \* This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner, but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*; which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

(signed concurrence on file)

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9684 (RZ 15-713737)
10140 and 10160 Finlayson Drive

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. 001-320-912

Lot 327 Section 23 Block 5 North Range 6 West New Westminster District Plan 46141

P.I.D. 003-690-768

Lot 328 Section 23 Block 5 North Range 6 West New Westminster District Plan 46141

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9684".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

Series of horizontal lines for signature and date entry.

CITY OF RICHMOND APPROVED by BK APPROVED by Director or Solicitor al

CORPORATE OFFICER