



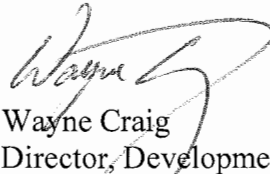
To: Planning Committee
From: Wayne Craig
Director, Development

Date: February 6, 2017
File: RZ 15-701939


Re: Application by Incircle Projects Ltd. for Rezoning at 7760 Garden City Road from "Single Detached (RS1/F)" to "Town Housing (ZT49) - Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9682, for the rezoning of 7760 Garden City Road from "Single Detached (RS1/F)" to "Town Housing (ZT49) – Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)", be introduced and given first reading.


Wayne Craig
Director, Development

EL:blg
Att. 6

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

Staff Report

Origin

Incircle Projects Ltd. has applied to the City of Richmond for permission to rezone 7760 Garden City Road (Attachment 1) from “Single Detached (RS1/F)” to the “Town Housing (ZT49) - Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)” zone in order to permit the development of four three-storey townhouse units with vehicle access via a statutory right-of-way from the adjacent property at 7733 Turnill Street. A preliminary site plan, building elevations, and landscape plan are contained in Attachment 2. The site currently contains one single-family home; which will be demolished.

Findings of Fact

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

Surrounding Development

To the North: A 38-unit townhouse development on a site zoned “Town Housing (ZT33) – South McLennan (City Centre)”.

To the East and South: A 27-unit townhouse development on a site zoned “Town Housing (ZT49) - Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)”.

To the West: Across Garden City Road, a 172-unit low-rise apartment development on a site zoned “Medium Density Low Rise Apartments (RAM1)”.

Related Policies & Studies

Official Community Plan

The subject property is designated “Neighbourhood Residential (NRES)” in the Official Community Plan (OCP). This land use designation allows single-family, two-family and multiple family housing (specifically townhouses). This proposal is consistent with the OCP.

McLennan South Sub-Area Plan

The subject property is located within the McLennan South Sub-Area Plan (Schedule 2.10D of OCP Bylaw 7100) (Attachment 4 – Land Use Map). The site is designated as “Neighbourhood A” for residential developments up to three storeys over one parking level. The current proposal of three-storey townhouse development in duplex form is consistent with the Sub-Area Plan.

Site Assembly Size

The subject site is an orphaned lot landlocked by existing townhouse developments to the north, east and south. Since a cross-access easement was secured from 7733 Turnill Street in anticipation of the development of the subject site, the proposed development can be considered as an extension of this adjacent townhouse development. A high quality pedestrian environment along the fronting street (i.e., Garden City Road) will be created, as no driveway access will be required or permitted.

Project Density

The base density permitted on the subject site is 0.75 FAR, and the Area Plan provides allowances for density bonusing in order to achieve community amenities and affordable housing. The proposed rezoning to "Town Housing (ZT49) - Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)" would allow a maximum density of 0.78 (i.e., total buildable area approximately 502.5 m² or 5,410 ft²). This density would be in keeping with the range of densities of other projects in the area, and is supportable to staff.

Staff support the proposed density based on the following:

- As describe above, the Area Plan, adopted in 2006, supports use of density bonusing to promote housing affordability and the provision of affordable housing. The City's Affordable Housing Strategy supports the use of density bonusing to achieve the objectives of the Strategy. The applicant has agreed to provide a voluntary cash contribution in the amount of \$21,638.49 (\$4.00 per buildable square foot) to the City's Affordable Housing Reserve Fund in keeping with the Affordable Housing Strategy requirements for townhouse developments.
- The subject development is considered an extension of the townhouse development at 7733 Turnill Street as access to the proposed new townhouse units will be via the access easement registered on 7733 Turnill Street. The proposal is to rezone the subject site to the same zoning district as the adjacent townhouse development at 7733 Turnill Street.
- The Area Plan supports use of density bonusing to promote the development of barrier-free housing and the proposal will provide two convertible housing units.
- A 2.0 m wide road dedication across the entire Garden City Road development frontage and a 3.0 m wide Public Rights-of-Passage (PROP) along the new Garden City Road property line will be provided.
- Frontage improvements along Garden City Road; including a new concrete sidewalk and a grass and treed boulevard matching the existing frontage improvements works to the north and south of the subject site will be provided.

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.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

Built Form and Architectural Character

The applicant proposes to construct a total of four three-storey townhouse units in a total of two townhouse clusters. Two units will front onto Garden City Road, and the remaining two units will front onto the internal drive aisle. The amenity area will be situated along the north property line at the end of the internal drive aisle.

A Development Permit processed to a satisfactory level is a requirement of zoning approval. Through the Development Permit, the following issues are to be further examined:

- Demonstrate compliance with Development Permit Guidelines for multiple-family projects in the 2041 Official Community Plan Bylaw 9000 and the McLennan South Sub-Area Plan.
- Ensure the proposal follows the conditions stipulated by the project arborist related to driveway, sidewalk and patio/fence constructions/installations within the Tree Protection Zones.
- Review of size and species of replacement trees to ensure bylaw compliance and to achieve a mix of conifer and deciduous trees on-site.
- Address potential privacy concerns through landscaping and built form.
- Refinement of the outdoor amenity area design including the choice of play equipment.
- Review of a sustainability strategy for the development proposal including measures to achieve an EnerGuide Rating System (ERS) score of 82.

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

Existing Legal Encumbrances

There is an existing 3.0 m wide statutory right-of-way (SRW) along the entire west property line of the site (i.e., along Garden City Road) registered on Title of the subject site for the existing sanitary sewer. A portion of this SRW is located outside of the required 2.0 m wide road dedication along Garden City Road will fall with the land after the road dedication. The 3.0 m wide Public Rights-of-Passage (PROP) along the new property line required for this rezoning and development will also allow for sanitary main maintenance.

Transportation and Site Access

No direct vehicular access is permitted to Garden City Road. Vehicular access to the subject site will be provided via the access easement over the internal drive-aisle at 7733 Turnill Street (registered under BV299944). This access arrangement was envisioned and secured when the adjacent townhouse development at 7733 Turnill Street developed in 2003. A legal opinion prepared by the applicant's lawyer confirms that the City can rely on this access easement. The applicant also confirmed that the strata council and residents at 7733 Turnill Street have been informed. Staff have not received any feedbacks or comments on this issue from the residents at 7733 Turnill Street. Registration of a legal agreement on Title, ensuring vehicle access is limited to the SRW on 7733 Turnill Street and prohibiting access to Garden City Road, will be required prior to final adoption of the rezoning bylaw.

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 six bylaw-sized trees on the subject property and three 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:

- Six trees (tag# 101, 102, 103, 104, 105 and 106) located on the development site have all been previously topped and as a result, are not good candidates for retention. These trees should be removed and replaced.
- Three trees (tag# 107, 108, 109) located on adjacent neighbouring properties are identified to be retained and protected. Developer is required to provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

Tree Replacement

The applicant wishes to remove all bylaw-sized trees on-site (i.e., six trees). The 2:1 replacement ratio would require a total of 12 replacement trees. According to the Preliminary Landscape Plan provided by the applicant (Attachment 2), the developer is proposing to plant 17 new trees on-site. The size and species of replacement trees will be reviewed in detail through Development Permit and overall landscape design.

Tree Protection

Three trees (tag #107, 108 and 109) on neighbouring properties are 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 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.
- Should the applicant wish to begin site preparation work after third reading of the rezoning bylaw, but prior to final adoption of the rezoning bylaw and issuance of the Development Permit, the applicant will be required to obtain a Tree Permit, install tree protection around trees/hedge rows to be retained, and submit a landscape security in the amount of \$3,000 to ensure the replacement planting will be provided.

Tandem Parking

Richmond Zoning Bylaw 8500 permits 100% tandem parking arrangement in a number of site specific townhouse zones including "Town Housing (ZT49) – Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)". The proposal will feature two units with a total of four stalls (50% of resident parking spaces proposed) in a tandem arrangement, which is consistent with the tandem parking provision of Richmond Zoning Bylaw 8500. A restrictive covenant to prohibit the conversion of the tandem garage area into habitable space is required prior to final adoption.

Variance Requested

The proposed development is generally in compliance with the "Town Housing (ZT49) – Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)" zone with one proposed variance. The applicant has requested a variance to reduce the rear yard setback from 4.57 m to a minimum of 3.0 m; in order to accommodate a projection on the ground floor and open deck spaces on the second floor of the proposed Building #1 (i.e., the east building). This proposed rear yard (east) setback is similar to the setback provided on the adjacent townhouse units to the east of the subject site (i.e., approximately 3.0 m between the second floor balcony and the common property line). The setbacks to the second and third floor living space will remain at a minimum of 4.57 m from the east property line. This variance will be reviewed in the

context of the overall detailed design of the project; including architectural form, site design and landscaping at the Development Permit stage.

Affordable Housing Strategy

Consistent with the Affordable Housing Strategy, the applicant proposes to make a cash contribution to the Affordable Housing Reserve Fund at \$4.00 per buildable square foot; for a contribution of \$21,638.49.

Townhouse Energy Efficiency and Renewable Energy

The applicant has committed to achieving an EnerGuide Rating System (ERS) score of 82 and providing pre-ducting for solar hot water for the proposed development. A Restrictive Covenant; specifying all units are to be built and maintained to the ERS 82 or higher, and that all units are to be solar-hot-water-ready, is required prior to rezoning bylaw adoption. As part of the Development Permit Application review process, the developer is also required to retain a certified energy advisor (CEA) to complete an Evaluation Report to confirm details of construction requirements needed to achieve the rating.

Amenity Space

The applicant is proposing a contribution in-lieu of on-site indoor amenity space in the amount of \$4,000 as per the Official Community Plan (OCP) and with Council Policy.

Outdoor amenity space will be provided on-site. Based on the preliminary design, the size of the proposed outdoor amenity space complies with the Official Community Plan (OCP) minimum requirements of 6 m² per unit. Staff will work with the applicant at the Development Permit stage to ensure the configuration and design of the outdoor amenity space meets the Development Permit Guidelines in the OCP.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the developer is required to provide a 2.0 m wide road dedication across the entire Garden City Road development frontage and a 3.0 m Public Rights- of-Passage (PROP) SRW along the new property line to align with the property line and the PROP SRW to the south along the Garden City Road frontage.

Then, prior to issuance of the Building Permit, the developer is required to enter into the City's standard Servicing Agreement to design and construct frontage beautification along the site frontages, as well as service connections (see Attachment 6 for details). All works are at the developer's sole cost. The developer is also required to pay DCC's (City & GVS & DD), School Site Acquisition Charge and Address Assignment Fee.

Financial Impact or Economic Impact

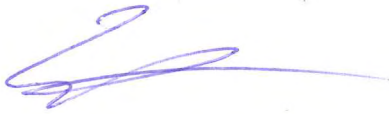
The rezoning application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The proposed four-unit townhouse development is consistent with the Official Community Plan (OCP) regarding developments within the McLennan South Sub-Area. The proposal would be consistent with the form and character of the surrounding area. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, and this will be completed as part of the Development Permit application review process.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) outlined in Attachment 6.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9682 be introduced and given first reading.



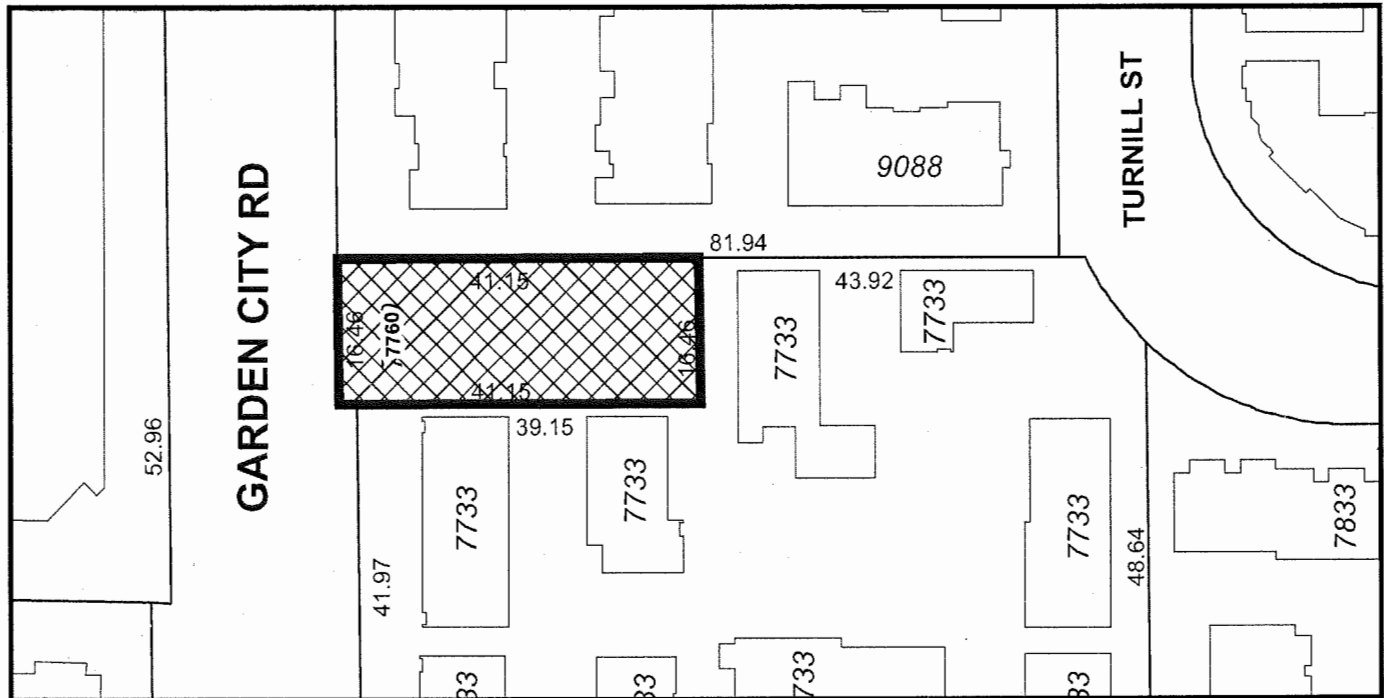
Edwin Lee
Planner 1
(604-276-4121)

EL:blg

- Attachment 1: Location Map
- Attachment 2: Proposed Development Plans
- Attachment 3: Development Application Data Sheet
- Attachment 4: McLennan South Sub-Area Plan Land Use Map
- Attachment 5: Tree Management Plan
- Attachment 6: Rezoning Considerations



City of Richmond



RZ 15-701939

Original Date: 07/14/15
 Revision Date: 02/02/17
 Note: Dimensions are in METRES



City of
Richmond



RZ 15-701939

Original Date: 07/14/15

Revision Date:

Note: Dimensions are in METRES



RZ 15-701939

Attachment 3

Address: 7760 Garden City Road

Applicant: Incircle Projects Ltd.

Planning Area(s): South McLennan Sub-Area (City Centre)

	Existing	Proposed
Owner:	Earl Kim Wing Luk Queenie Yu Yuk Law	To be determined
Site Size (m²):	677.0 m ²	644.3 m ² (after road dedication)
Land Uses:	Single-Family Residential	Multiple-Family Residential
OCP Designation:	Neighbourhood Residential	No Change
Area Plan Designation:	CCAP: General Urban T4 South McLennan Sub-Area Plan: Residential, Townhouse up to 3 storeys over 1 parking level, Triplex, Duplex, Single-Family, with 0.75 base FAR	No Change
702 Policy Designation:	N/A	No Change
Zoning:	Single Detached (RS1/F)	Town Housing (ZT49) - Moffatt Road, St. Albans Sub-Area and South McLennan Sub-Area (City Centre)
Number of Units:	2	4
Other Designations:	N/A	No Change

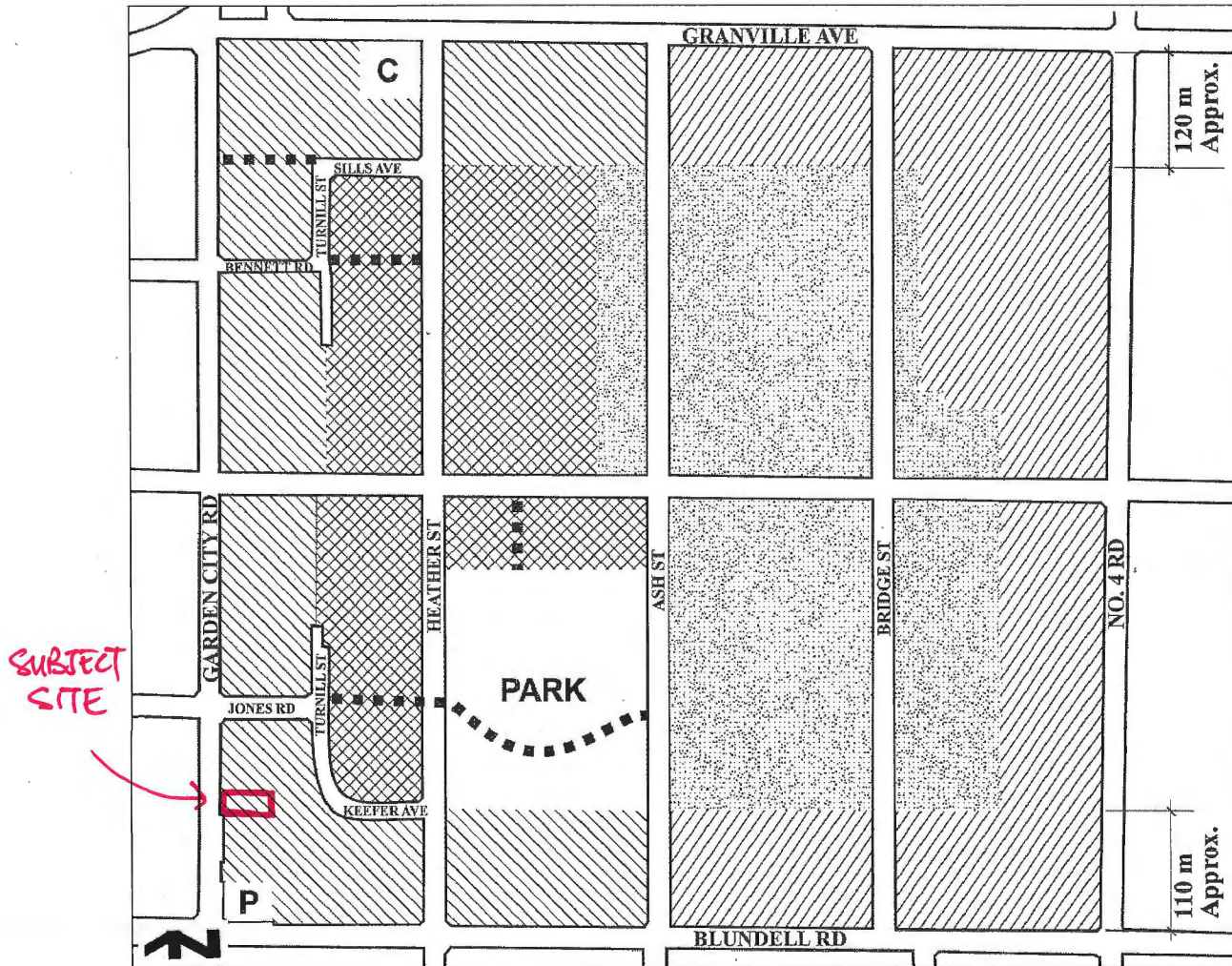
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.78 + 0.04 covered area	0.78	none permitted
Lot Coverage (% of lot area):	Building: Max. 40%	Building: Max. 40%	none
Setbacks (m):	Public Roads: Min. 6.0 m North: Min. 1.5 m South: Min. 1.5 m East: Min. 4.57 m	Public Roads: 6.04 m North: 1.52 m South: 1.73 m East: 3.07 m	Variance Requested
Height (m):	Max. 12 m or 3 Storeys	10.78 m and 3 storeys	none
Off-street Parking Spaces – Residential (R) / Visitor (V):	1.4 (R) and 0.2 (V) per unit	2 (R) and 0.25 (V) per unit	none
Off-street Parking Spaces – Total:	6 (R) and 1 (V)	8 (R) and 1 (V)	none
Standard Parking Spaces:	7	7	none
Small Car Parking Spaces:	None when fewer than 31 residential spaces are required on site	2 (surplus stalls)	none






On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Tandem Parking Spaces:	Permitted	4	none
Handicap Parking Spaces:	None when fewer than 3 visitor parking spaces are required	0	none
Bicycle Parking Spaces – Class 1 / Class 2:	1.25 (Class 1) and 0.2 (Class 2) per unit	1.5 (Class 1) and 0.25 (Class 2) per unit	none
Off-street Bicycle Parking Spaces – Total:	5 (Class 1) and 1 (Class 2)	6 (Class 1) and 1 (Class 2)	none
Amenity Space – Indoor:	Min. 70 m ² or Cash-in-lieu	Cash-in-lieu	none
Amenity Space – Outdoor:	Min. 6 m ² x 4 units = 24 m ²	24 m ² Min.	none

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

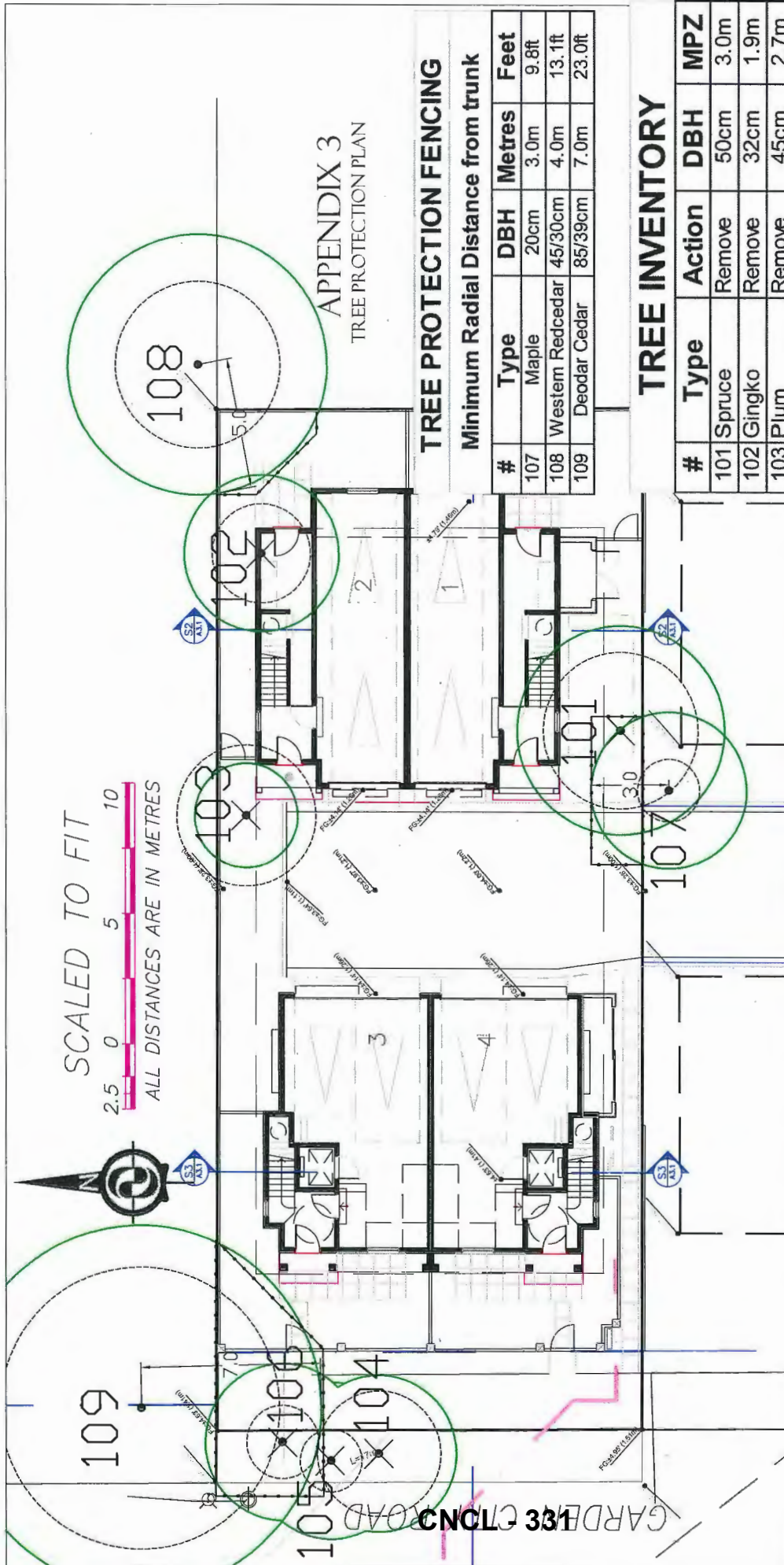
City of Richmond

Land Use Map Bylaw 9106
2015/09/14



	Residential, Townhouse up to 3 storeys over 1 parking level, Triplex, Duplex, Single-Family 0.75 base F.A.R.		Residential, Historic Single-Family, 2 1/2 storeys maximum 0.55 base F.A.R. , Lot size along Bridge and Ash Streets:		Trail/Walkway
	Residential, 2 1/2 storeys typical (3 storeys maximum) Townhouse, Triplex, Duplex, Single-Family 0.60 base F.A.R.		<ul style="list-style-type: none"> Large-sized lots (e.g. 18 m/59 ft. min. frontage and 550 m²/ 5,920 ft² min. area) 	C	Church
	Residential, 2 1/2 storeys typical (3 storeys maximum), predominantly Triplex, Duplex, Single-Family 0.55 base F.A.R.		<p>Elsewhere:</p> <ul style="list-style-type: none"> Medium-sized lots (e.g. 11.3 m/ 37 ft. min. frontage and 320 m²/ 3,444 ft² min. area), with access from new roads and General Currie Road; <p>Provided that the corner lot shall be considered to front the shorter of its two boundaries regardless of the orientation of the dwelling.</p>	P	Neighbourhood Pub

Note: Sills Avenue, Le Chow Street, Keefe Avenue, and Turnill Street are commonly referred to as the "ring road".



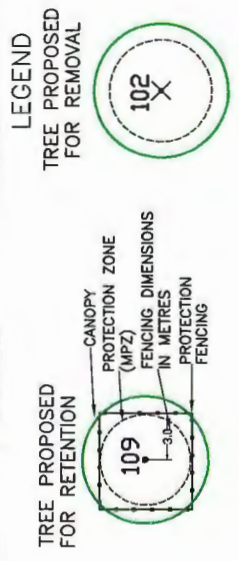
Froggers Creek
Tree Consultants Ltd

7763 McConner Avenue Burnaby BC V5C 4H4
Telephone: 604-721-8002 Fax: 604-437-0970
7760 Garden City Road Richmond

TREE PROTECTION PLAN
THE DRAWING PLOTS ALL TREES PROPOSED FOR REMOVAL AND PROTECTION FENCING IN RELATION TO PROPOSED LAYOUT

DRAWN BY: GJ
January 23, 2017

- NOTES:
- SITE LAYOUT INFORMATION AND TREE SURVEY DATA PER SUPPLIED DRAWING
 - REFER TO ATTACHED TREE PROTECTION REPORT FOR INFORMATION CONCERNING TREE SPECIES, STEM DIAMETER, HEIGHT, CANOPY SPREAD AND CONDITION.
 - ALL MEASUREMENTS ARE METRIC





Address: 7760 Garden City Road

File No.: RZ 15-701939

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9682, the developer is required to complete the following:

1. Dedicate 2.0 m across the entire Garden City Road frontage.
2. The granting of 3.0 m Public Rights-of-Passage (PROP) Statutory Right of Way (SRW) for sidewalk and boulevard along the entire new west property line (Garden City Road) to match the current alignment and frontage improvements to the south of the development site. Utilities should be allowed within this SRW.
3. Registration of a flood indemnity covenant on Title.
4. Registration of a legal agreement or measures, as determined to the satisfaction of the Director of Development; ensuring that the only means of vehicle access to and from 7760 Garden City Road is from the access easement (BV299944) burdening the adjacent property at 7733 Turnill Street; and that there be no direct vehicle access to or from Garden City Road.
5. Registration of a legal agreement on Title; prohibiting the conversion of the tandem parking area into habitable space.
6. Registration of a legal agreement on Title; identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating.
7. 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 on adjacent properties. 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.
8. City acceptance of the developer's offer to voluntarily contribute \$4.00 per buildable square foot (e.g. \$21,638.49) to the City's affordable housing fund.
9. Contribution of \$1,000 per dwelling unit (e.g. \$4,000) in-lieu of on-site indoor amenity space.
10. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

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

1. Complete a proposed townhouse energy efficiency report and recommendations prepared by a Certified Energy Advisor which demonstrates how the proposed construction will meet or exceed the required townhouse energy efficiency standards (EnerGuide 82 or better), in compliance with the City's Official Community Plan.

Prior to a Development Permit* issuance, the developer is required to complete the following:

1. Submission of a Landscaping Security to the City of Richmond based on 100% of the cost estimates provided by the landscape architect.

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

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.

Note: Should the applicant wish to begin site preparation work after third reading of the rezoning bylaw, but prior to final adoption of the rezoning bylaw, the applicant will be required to obtain a Tree Permit and submit a landscape security (i.e. \$3,000) to ensure the replacement planting will be provided.

2. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
3. Incorporation of accessibility, CPTED and sustainability measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
4. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. Works include, but may not be limited to:

Water Works:

- a. Using the OCP Model, there is 746.0 L/s of water available at a 20 psi residual at the Garden City Road frontage. Based on your proposed development, your site requires a minimum fire flow of 220.0 L/s.
- b. The Developer 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 onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- c. At Developers cost, the City is to:
 - Cut and cap the existing water service connection along the Garden City Road frontage.
 - Install a new water service connection complete with meter and meter box (to be placed on-site).

Storm Sewer Works:

- a. At Developers cost, the City is to:
 - Cut and cap the existing storm service connection at the northwest corner of the development site.
 - Cut and cap the existing storm service connection at the southwest corner of the development site.
 - Upgrade the existing storm service connection and IC, located along the Garden City Rd frontage.

Sanitary Sewer Works:

- a. At Developers cost, the City is to:
 - Cut and cap the existing sanitary service connection and remove the existing IC.
 - Install one new sanitary service connection complete with new IC within the existing SRW.

Frontage Improvements:

- a. Developer to coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements and the locations for the above ground structures. If a private utility company does not require an above ground structure, that company shall confirm this via a letter to be submitted to the City.
- b. The Developer is required to:
 - Provide 2.0 m wide concrete sidewalk within the proposed 3 m wide PROP to connect the existing sidewalk both north and south ends.
 - Provide the sidewalk around the existing trees (if they are required to retain).
 - Provide grassed boulevard between existing road curb and the new sidewalk, and between the new sidewalk and east edge of the PROP SRW boundary.

General Items:

- a. Provide, prior to first SA design submission, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site, proposed utility installations, the adjacent developments and provide mitigation recommendations. The mitigation recommendations (if required) shall be incorporated into the first SA design submission or if necessary prior to pre-load.
 - b. 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.
5. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.
 6. 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

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 9682 (RZ 15-701939)
7760 Garden City 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 "TOWN HOUSING (ZT49) - MOFFATT ROAD, ST. ALBANS SUB-AREA AND SOUTH MCLENNAN SUB-AREA (CITY CENTRE)".

P.I.D. 000-885-584

Lot 72 Section 15 Block 4 North Range 6 West New Westminster District Plan 46184

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9682".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Horizontal lines for signature and date entry.

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

MAYOR

CORPORATE OFFICER