

# **Report to Committee**

Planning and Development Division

To:

Planning Committee

Date: March 13, 2017

From:

Wayne Craig

File:

ZT 16-754143

Re:

Director, Development

Application by OpenRoad Auto Group Ltd. for a Zoning Text Amendment to the

"Vehicle Sales (CV)" Zone to Increase the Maximum Permitted Floor Area Ratio

to 0.70 for the Property Located at 13100 Smallwood Place

#### **Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9672, for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone, to increase the maximum permitted Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place, be introduced and given first reading.

Wayne Craig

Director, Development

CL:blg/ Att.8

REPORT CONCURRENCE

CONCURRENCE OF GENERAL MANAGER

# Staff Report

# Origin

OpenRoad Auto Group Ltd. has applied to the City of Richmond for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone in order to increase the maximum permitted Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place, to allow the development of an auto dealership. A location map of the subject site is included in Attachment 1. A survey of the site is included in Attachment 2.

### **Findings of Fact**

The applicant proposes a text amendment to the "CV" zone to increase the maximum permitted FAR on the subject site to 0.70 FAR based on consideration of the site-specific context (i.e., the Richmond Auto Mall), and the feasibility of accommodating the proposed density on the subject site. Under the current "CV" zone, the maximum permitted FAR is 0.50. The "CV" zone includes reference to three other properties within the Richmond Auto Mall where the maximum density ranges from 0.58 FAR to 0.78 FAR. The proposed 0.70 FAR at the subject site would be consistent with other developments in the auto mall, and evolving trends for new car dealerships to more intensively utilize the land.

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

#### Site Description and Surrounding Development

The subject property is located within the Richmond Auto Mall at the northeast corner of the intersection of Westminster Highway and Jacombs Road. The former fleet facility operated by OpenRoad Auto Group Ltd. at the subject site has been demolished and the applicant has commenced site preparation for the proposed auto dealership. Existing land uses and development immediately surrounding the subject site are as follows:

- To the North, immediately across Smallwood Place, is an existing Hyundai dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13171 Smallwood Place.
- To the South, across Westminster Highway and a frontage road further south, are large properties zoned "Agriculture (AG1)" in the Agricultural Land Reserve (ALR), which contain single-family dwellings and accessory buildings.
- To the East is an existing Nissan dealership on a site zoned "Vehicle Sales (CV)" within the Richmond Auto Mall at 13220 Smallwood Place.
- To the West, across Jacombs Road, is the "Richmond Nature Park East" on a site zoned "School & Institutional Use (SI)" at 5991 Jacombs Road.

#### Related Policies & Studies

# Official Community Plan/East Cambie Area Plan

The subject site is designated "Commercial" in both the Official Community Plan (OCP) and the East Cambie Area Plan (Attachment 4). The proposed auto dealership at the subject site is consistent with the OCP and Area Plan land use designations.

# Agricultural Land Reserve (ALR) Buffer Zone

Where there is an intervening road between ALR lands and non-ALR lands, the OCP encourages an appropriate landscaping buffer on the non-ALR lands through the rezoning and Development Permit processes.

The applicant's proposal is consistent with these land use considerations in the OCP, as follows:

- The Agricultural Land Reserve (ALR) is located to the south of the site and to the west (Richmond Nature Park). The site is separated from the ALR by existing roads (Jacombs Road and Westminster Highway). Formal landscaping plans to adequately buffer the site from the ALR will be a requirement of the forthcoming Development Permit for the proposed auto dealership.
- There is an existing 1.8 m high solid fence along the south property line next to Westminster Highway and the applicant proposes a row of new trees, a 3 m setback to on-site surface parking, and a setback of approximately 15 m to the south building façade.
- The applicant also proposes to retain the existing planting and 1.8 m high solid fence along the west property next to Jacombs Road, replace the existing London Plane trees (which are in poor condition) with a new row of Ginkgo Biloba trees, and to provide a minimum 3 m setback to on-site surface parking and proposed buildings.

Details of the landscaping plans will be finalized during the Development Permit.

Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on title to identify the buffer area and ensure that landscaping planted within the buffer is maintained and will not be abandoned or removed. The covenant is also to indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations.

### 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. In this location, the required Flood Construction Level is 2.9 m GSC for habitable spaces.

#### Aircraft Noise Sensitive Development Policy

The OCP's Air Noise Sensitive Development (ANSD) Policy applies to the subject site, which is located within the "Restricted Area (Area 1B)". The proposed auto dealership at the subject site is consistent with the ANSD Policy as it is not a residential use.

Registration of an Aircraft Noise Indemnity Covenant on Title will be required prior to final adoption of the rezoning bylaw. At future Building Permit stage, the applicant is required to submit an Acoustic Report and to incorporate noise mitigation into building construction.

# Ministry of Transportation and Infrastructure (MOTI) 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 MOTI. Preliminary approval from MOTI for the proposed development was granted for a period of one year (i.e., until January 10, 2018). Final approval from MOTI is required prior to final adoption of the rezoning bylaw.

# Ministry of Environment (MOE) Approval

Since the Site Profile submitted by the applicant identifies that the subject site had been used for one of the industrial or commercial purposes or activities set out in the provincial Contaminated Sites Regulation, this rezoning application may not be approved until a Certificate of Compliance (or alternative approval) has been provided by the MOE.

#### Richmond Auto Mall Association Review

The applicant has confirmed that the proposed Zoning Text Amendment to permit increasing the density on the subject site from 0.5 FAR to 0.70 FAR is supported by the Richmond Auto Mall Association (Attachment 5).

#### **Public Consultation**

A rezoning sign has been installed on the subject property. Notification signage of the associated Development Permit application for the auto dealership is also currently posted on-site. Staff have not received any comments from the public about the Zoning Text Amendment 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**

# Site Access, Built Form and Architectural Character

The applicant has submitted preliminary concept plans of the proposed auto dealership, associated on-site uses and surface parking, and landscaping, as shown in Attachment 6. Further review of the preliminary concept plans, including transportation-related issues, will be undertaken as part of the Development Permit Application review process to ensure consistency with the design guidelines in the OCP with specific consideration of the Richmond Auto Mall context.

The proposed concept plans show a principal two-storey building in the centre of the subject site with surface parking and landscaping located around the perimeter of the site. A one-storey carwash and garbage/recycling enclosure is proposed in the southwest of the site. The main floor of the principal building is to contain the sales reception area, vehicle showroom, customer lounge, and associated uses such as offices, auto servicing and detailing, parts and tool storage, accessory retail of parts, etc. The upper and rooftop levels of the principal building are to contain vehicle display, storage, and delivery areas, as well as meeting rooms and offices, indoor and outdoor staff amenity areas.

Vehicle access to the site is proposed from Smallwood Place via two driveway crossings. Pedestrian access is proposed from Smallwood Place to the building main entry via a wide walkway and entry plaza.

# Variances Requested

Based on the proposed preliminary concept plans, the applicant will be requesting to vary the provisions of Richmond Zoning Bylaw 8500 at the Development Permit Application review stage to:

- 1) Waive the requirement for on-site medium/large size loading spaces.
- 2) Increase the maximum permitted height for a building from 12.0 m to a maximum of 15.44 m for rooftop mechanical equipment and storage, as well as an elevator and stairways, which enable access to/maintenance of the rooftop parking area.

Staff is supportive of the proposed variances, as they are similar to those that have been granted to other auto dealerships in recent years, due to the special context and operating characteristics within the Richmond Auto Mall. These variance requests will be reviewed and analysed further at the Development Permit Application review stage.

#### 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 number of undersized and bylaw-sized trees on-site, on the adjacent property to the east at 13220

Smallwood Place, and on City-owned property along Smallwood Place, Jacombs Road, and Westminster Highway.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and provides the following comments:

- 10 trees located on-site have been historically topped (are in poor condition) and should be removed and replaced with new trees on-site along Jacombs Road (Trees # C11 to C20).
- Nine trees located on-site are in good condition and should be retained and protected (Trees # 2105 to 2113).
- One tree located on the shared neighbouring property line with 13220 Smallwood Place to the East is in good condition and should be retained and protected (Tree # OS1)
- Tree protection fencing must be installed as per the City's Tree Protection Information Bulletin TREE-03.
- Replacement trees should be specified at a 2:1 ratio, as per the OCP.

The City's Parks Department staff have reviewed the Arborist's Report and provide the following comments:

- Three trees on City-owned property along Smallwood Place are authorized for removal due to conflict with the proposed construction and site access (Trees # C3, C4, C5), and three trees along Jacombs Road are authorized for removal due to poor structure and health (Trees # C8, C9, C10).
- The remaining 12 trees on City-owned property are to be retained and protected as per the City's Tree Protection Information Bulletin TREE-03 (Trees # C1, C2, C6, C7 and OS2 to OS9).

#### Tree Protection

A total of nine trees on-site, one tree shared with 13220 Smallwood Place, and 12 trees off-site are proposed to be retained and protected (Trees # 2105 to 2113, C1, C2, C6, C7, and OS1 to OS9). The applicant has submitted a Tree Management Drawing showing the trees to be retained and the required tree protection zones (Attachment 7).

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.

- Submission of a Tree Survival Security in the amount of \$16,000 for Trees # 2105 to 2113.
- Submission of a Tree Survival Security in the amount of \$22,300 for Trees # C1, C2, C6, C7 and OS2 to OS9 on City-owned property.

# • Prior to Building Permit issuance:

- Installation of tree protection barriers in accordance with the City's Tree Protection Information Bulletin TREE-03.

# Tree Replacement

The applicant proposes to remove 9 bylaw-sized trees from the subject site (Trees # C12 to C20). According to the 2:1 replacement ratio specified in the OCP and the size requirements for replacement trees in Tree Protection Bylaw No. 8057, a total of 18 replacement trees are required to be planted and maintained on-site, with a minimum size of 6 cm caliper (deciduous) or 3.5 m high (conifer).

The preliminary Landscape Plan illustrates that the applicant proposes to plant 45 trees on-site, of a variety of sizes. To ensure that the proposed Landscape Plan and replacement trees are installed and maintained on-site, the applicant is required to submit a Landscaping Security in the amount of 100% of a cost estimate prepared by the Registered Landscape Architect prior to Development Permit issuance.

The applicant proposes to remove six trees located off-site on City-owned property (Trees # C3, C4, C5, C8, C9, C10). The applicant is required to submit a cash-in-lieu contribution in the amount of \$7,800 to the City's Tree Compensation Fund prior to final adoption of the rezoning bylaw (\$650/tree at a 2:1 replacement ratio).

#### **Existing Legal Encumbrances**

There is an existing 1.5 m wide statutory right-of-way for utilities (X135851, Plan 68776) along the north property line to which the City is a party, as well as a covenant (Y2390) registered on title to ensure that the original development at the subject site was consistent with the original Development Permit (DP 84-134). Covenant Y2390 must be discharged from title as part of the new Development Permit application process (DP 16-741123).

The applicant is required to ensure that the proposed development at the subject site does not conflict with any other third party charges registered on title.

# Site Servicing and Frontage Improvements

The City's Engineering Department has conducted a review of the proposed development, and has identified that a Servicing Agreement is required prior to Building Permit issuance to design and construct water, storm and sanitary sewer connections, as well as a drainage upgrade along Jacombs Road. The requirements involve the granting of a 3.0 m wide Statutory Right-of-Way

for utilities parallel to the Smallwood Place frontage. Further details on the scope of the required servicing and frontage works associated with this application are described in Attachment 8.

The City's Transportation Department has conducted a review of the proposed development, and has identified that road dedication of a 4 m x 4 m corner cut at the southeast corner of Jacombs Road and Smallwood Place is required prior to final adoption of the rezoning bylaw. All other transportation-related aspects of the proposal will be reviewed as part of the Development Permit application process.

# **Financial Impact**

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

#### Conclusion

OpenRoad Auto Group Ltd. has applied to the City of Richmond for a Zoning Text Amendment to the "Vehicle Sales (CV)" zone in order to increase the overall allowable Floor Area Ratio (FAR) to 0.70 for the property located at 13100 Smallwood Place; where the development of an auto dealership is proposed.

The list of Rezoning Considerations is included in Attachment 8, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9672 be introduced and given first reading.

Planner 1

(604-276-4108)

CL: blg

Attachment 1: Location Map/Aerial Photo

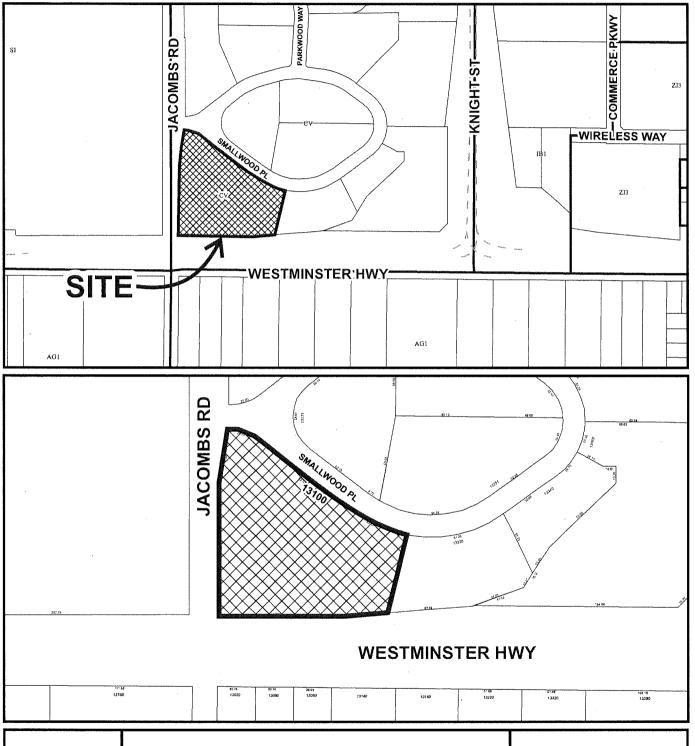
Attachment 2: Site Survey

Attachment 3: Development Application Data Sheet Attachment 4: East Cambie Area Plan Land Use Map

Attachment 5: Letter from Richmond Auto Mall Association

Attachment 6: Preliminary Concept Plans Attachment 7: Tree Management Drawing Attachment 8: Rezoning Considerations





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ZT 16-754143

Original Date: 12/14/16

Revision Date: 01/04/17

Note: Dimensions are in METRES







ZT 16-754143

Original Date: 12/14/16

Revision Date:

Note: Dimensions are in METRES

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# **Development Application Data Sheet**

Development Applications Department

ZT 16-754143 Attachment 3

Address: 13100 Smallwood Place

Applicant: OpenRoad Auto Group Ltd.

Planning Area(s): East Cambie

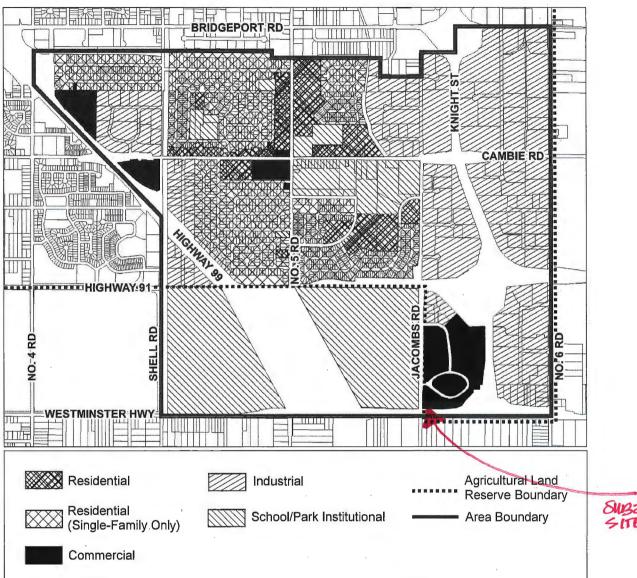
	Existing	Proposed
Owner:	OpenRoad Auto Group Ltd.	No change
Site Size (m²):	15,932 m² (171,490 ft²)	No change
Land Uses:	Vacant lot	Auto dealership and service
OCP Designation:	Commercial	No change
Area Plan Designation:	Commercial	No change
Zoning:	Vehicle Sales (CV)	Vehicle Sales (CV), with a Zoning Text Amendment to allow a maximum 0.70 FAR at the subject site
Other Designations:	ANSD Policy applies to the subject site; which is located in Area 1B, where all new residential land uses are prohibited and some other noise sensitive uses will be considered.	The proposed auto dealership and services is consistent with the ANSD Policy as it is a commercial use.

	Zoning Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	A Zoning Text Amendment is proposed to allow a maximum 0.70 FAR at the subject site	0.68 FAR	none permitted
Buildable Floor Area (m²):*	11,152 m² (120,043 ft²)	10,842 m² (116,703 ft²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 50%	Building: 37.56%	none
Building Setbacks (m):	Front: Min. 3.0 m	16.00 m	none
	Rear: Min. 3.0 m	<ul> <li>Principal building: 14.75 m (main floor)</li> <li>10.81 m (2<sup>nd</sup> floor)</li> </ul>	none
	,	Garbage/recycling enclosure: 3.0 m	
	Interior Side: Min. 3.0 m	21.81 m	none
	Exterior Side: Min. 3.0 m	<ul><li>Principal building: 22.63 m</li><li>Carwash: 3.0 m</li></ul>	none

	Zoning By Requirem		Proposed	Variance
Height (m):	12.0 m		Main roof height: 11.81 m SE stair, roof equip/ storage: 13.02 m NW elevator: 15.44 m	Variances to be considered for stair/elevator/ rooftop equipment and storage as part of
On-site Vehicle Parking	Rate	#	Car Wasii. 5.20 iii	DP 16-741123
Spaces:	rate	Spaces		
Vehicle sales and Office:	3 spaces per 100 m <sup>2</sup> gross leasable area	146	Min. 146	none
Service Area, parts and storage:	2 spaces per 100 m² gross leasable area; plus 3 spaces per bay	111	Min. 111	none
Carwash:	1 space per bay	. 2	Min. 2	none
Accessible:	0.2 spaces of the total required spaces	6	Min. 6	none
	Rate	# Spaces		
On-site Bicycle Parking Spaces (Class 1 & Class 2):	0.27 spaces per each 100 m <sup>2</sup> of gross leasable area greater than 100 m <sup>2</sup>	Class 1 Min. 20 Class 2 Min. 20	Class 1 Min. 20 Class 2 Min. 20	none
	Rate	# M/L Spaces		Variance to be considered as
On-site Loading	1 space, plus 1 per 5000 m <sup>2</sup>	3	N/A	part of DP 16-741123
Amenity Space – Indoor:	1 m² per 100 gross leasable = 182 m	e area	Approx 300 m <sup>2</sup> For customers and employees	none

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

# Land Use Map Bylaw 8948 2016/10/24





June 23, 2016

MEMO TO:

Christian Chia, OpenRoad Toyota Richmond

FROM:

RAMA Board of Directors

RE: OpenRoad Toyota Richmond Building Design Application

Dear Christian,

This letter is to inform you that your building design application submitted on June 21, 2016 for the new OpenRoad Toyota Richmond dealership in the Richmond Auto Mall has been approved by RAMA's Board of Directors.

We note that the maximum Floor Area Ratio of .7 is higher than the municipal bylaw of .5 and that the height of the stair and elevator tower exceeds the bylaw maximum of 12m by 2.86 m. Based on the variances granted on the recent Audi and Jaguar LandRover applications on these same two issues, the Board has also approved the variances on your application.

If you have any questions, please don't hesitate to call. On behalf of the Directors and myself, we wish you the very best with your new facility!

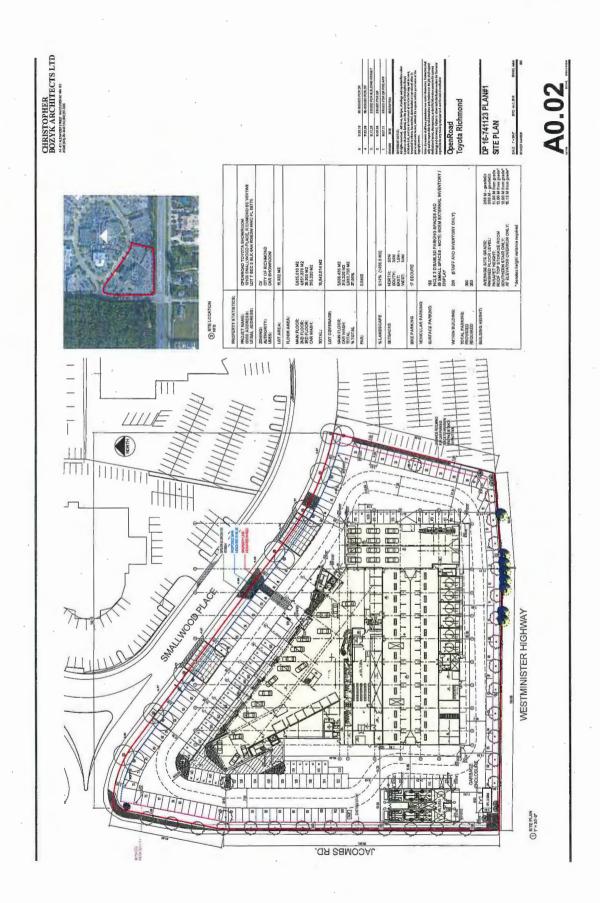
Kind regards,

Gail Terry

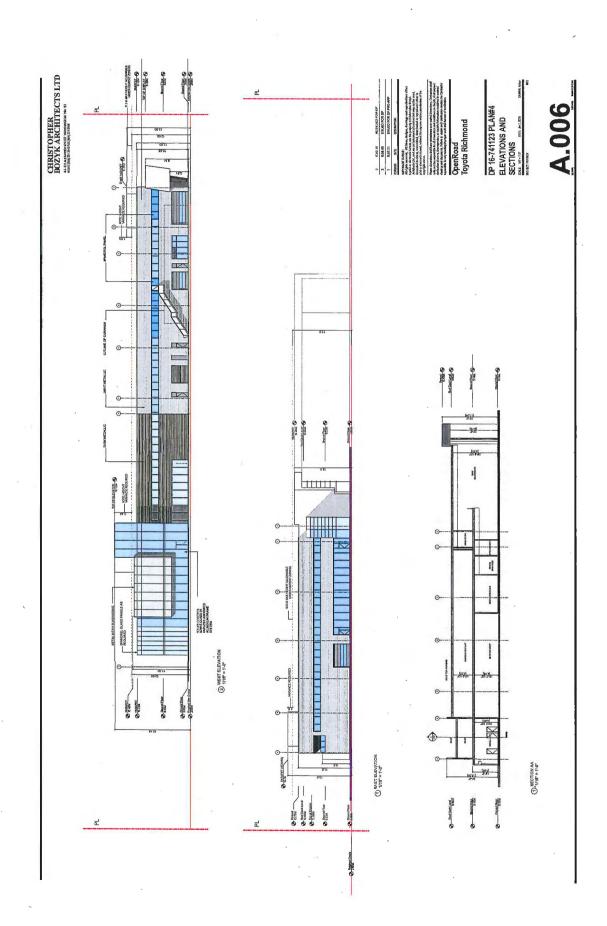
General Manager

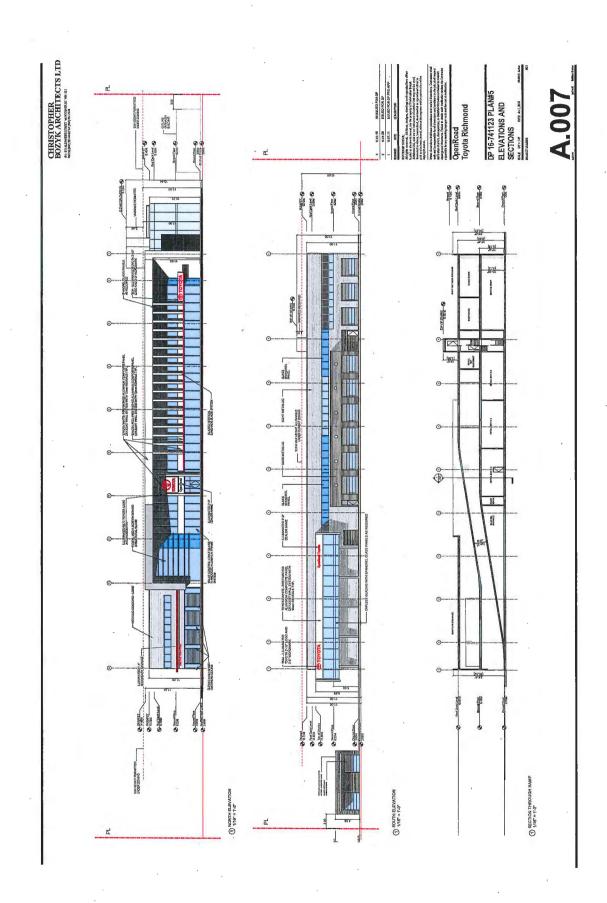
Richmond Auto Mall Association

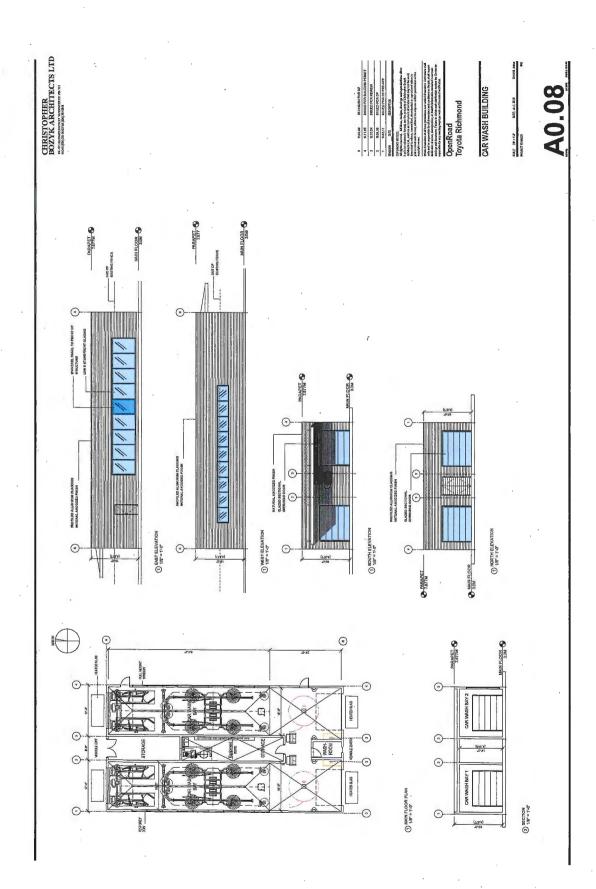
CC: RAMA Board of Directors, Bibiane Dorval



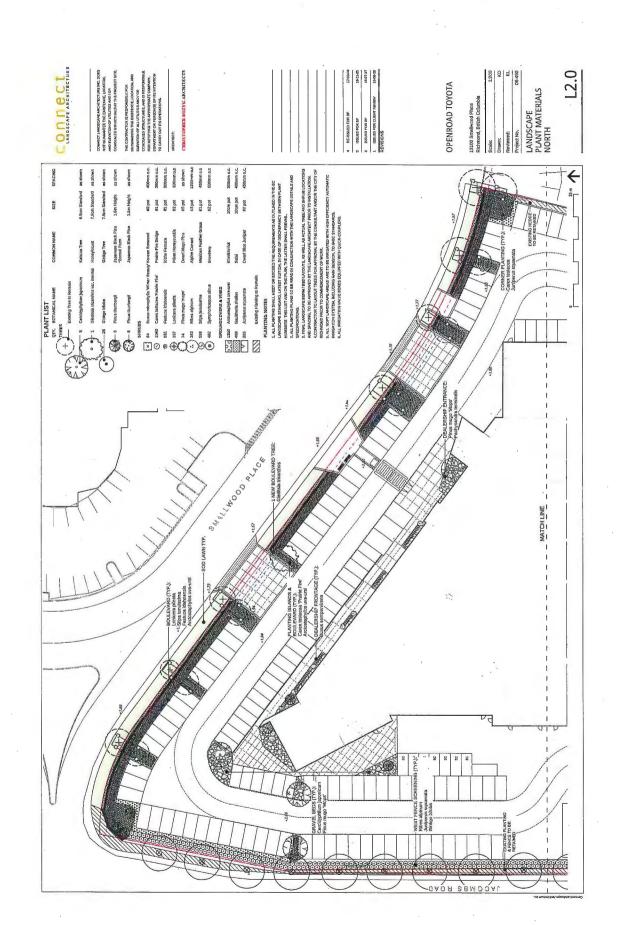
**CNCL - 248** 

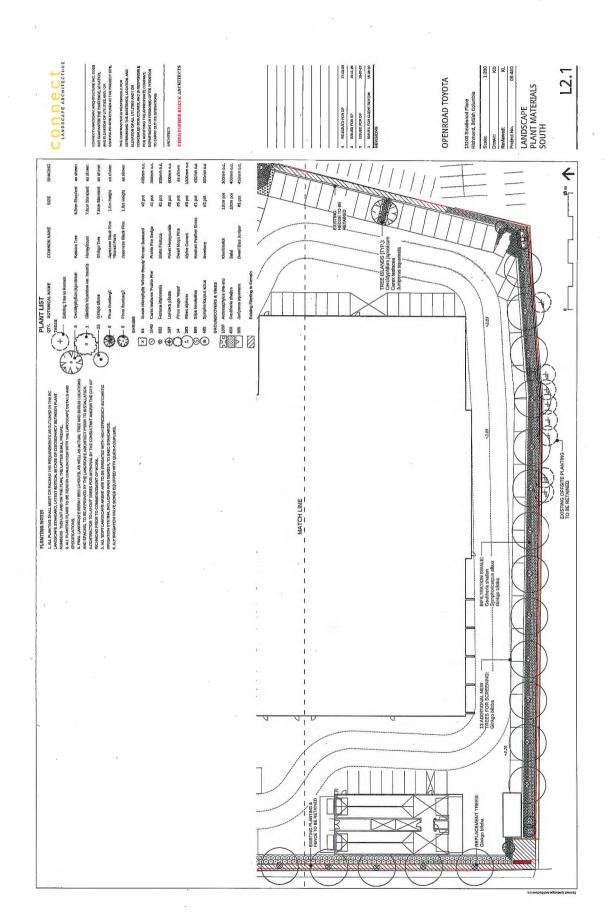


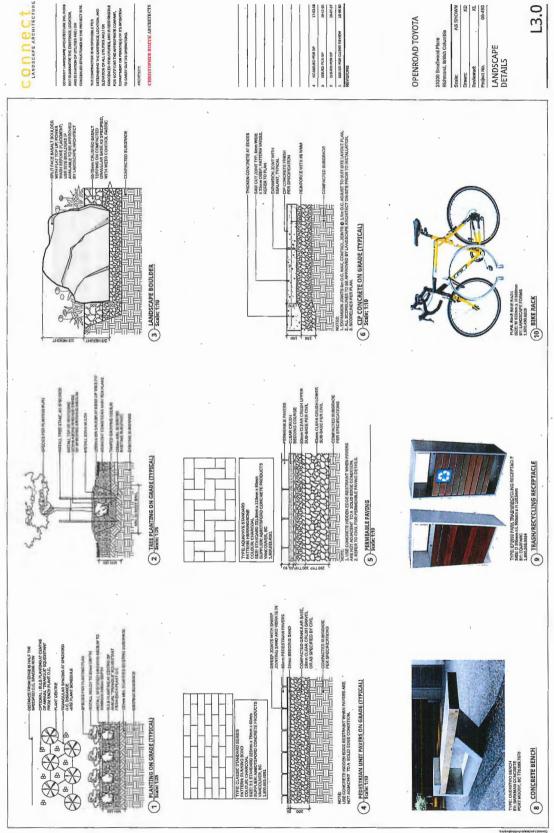












**CNCL - 258** 

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# **Rezoning Considerations**

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

Address: 13100 Smallwood Place

File No.: ZT 16-754143

# Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9672, the applicant is required to complete the following:

- 1. Provincial Ministry of Transportation & Infrastructure Approval.
- 2. Ministry of Environment (MOE) Certificate of Compliance or alternative approval to proceed granted from MOE regarding potential site contamination issues. This approval is required prior to dedication of land or road to the City if applicable.
- 3. Road dedication of a 4 m x 4 m corner cut at the southeast corner of Jacombs Road and Smallwood Place.
- 4. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any works conducted within the tree protection zones of the trees to be retained (Trees # 2105 to 2113, C1, C2, C6, C7, and OS1 to OS9). 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.
- 5. Submission of a Tree Survival Security to the City in the amount of \$16,000 for the nine trees to be retained on-site (Trees # 2105 to 2113).
- 6. Submission of a Tree Survival Security to the City in the amount of \$22,300 for the 12 trees to be retained on Cityowned property (Trees # C2, C6, C7, and OS2 to OS9).
- 7. City acceptance of the applicant's contribution in the amount of \$7,800 to the City's Tree Compensation Fund for the removal of Trees # C3, C4, C5, C8,C9, C10 from City-owned property so that replacement trees may be planted within the City.
- 8. The granting of a 3.0 m wide statutory utility right-of-way along the north property line for the existing water main along the Smallwood Place frontage.
- 9. Registration of an aircraft noise indemnity covenant on Title.
- 10. Registration of a flood plain covenant on Title identifying a minimum habitable elevation of 2.9 m GSC.
- 11. Registration of a legal agreement on Title to identify the landscaped ALR Buffer area along the south property line and to ensure that landscaping planted within the buffer is maintained and will not be abandoned or removed. The legal agreement is also to indicate that the property is potentially subject to impacts of noise, dust, and odour resulting from agricultural operations.
- 12. 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 applicant is required to:

- Discharge Covenant Y2390 that is registered on title of the subject site for the original Development Permit (DP 84-134).
- Submit a Landscaping Security in the amount of 100% of a cost estimate for the proposed Landscape Plan, prepared by a Registered Landscape Architect (including a 10% contingency).

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

• Enter into a Servicing Agreement\* for the design and construction of engineering infrastructure improvements. Works are to include, but are not limited to:

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#### Water Works

- Using the OCP Model, there is 551.0 L/s of water available at a 20 psi residual at the Smallwood Pl frontage. Based on your proposed development, your site requires a minimum fire flow of 200.0 L/s.
- At future Building Permit application stage, 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 onsite 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 Developer shall be required to upgrade the existing water system that may extend beyond the development site frontage.
- The applicant is required to:
  - Retain the existing 150 mm water service connection off of the 300 mm PVC water main along the Smallwood Place frontage, subject to adequate fire flow being achieved based on the fire flow calculations.
  - Grant to the City, a 3.0 m wide Statutory Right-of-Way (SRW) for utilities along the entire Smallwood Place frontage.

#### Storm Sewer Works

- The applicant is required to:
  - Confirm the capacity and condition of the existing northwest 375 mm storm service connection and inspection chamber off of the 600 mm storm main along the Smallwood Place frontage via video inspection. If the capacity and condition of the pipe meets the satisfaction of the City, the developer shall retain the connection. If not, a new storm service connection complete with inspection chamber shall be installed at applicant's cost.
  - Remove the existing 300 and 375 mm storm sewers along the Jacombs Road frontage, from Westminster Highway to Smallwood Place.
  - Install approximately 170 m of new 600 mm storm sewer along the Jacombs Road frontage west of the existing water main. Tie-in to the north shall be to the existing manhole STMH6747, tie-in to the south shall be to the culvert along Westminster Highway via a new manhole.
  - Reconnect all existing catch basins to the new storm sewer.
  - Cut and cap, at manhole, the existing southeast 375 mm storm service connection off of the 600 mm storm main along the Smallwood Place frontage.
  - Cut and cap, at manhole, the existing 375 mm storm service connection off of the 375 mm storm main along the Jacombs Road frontage.
- At the applicant's cost, the City is to:
  - Perform all tie-ins of the proposed works to existing City infrastructure.

#### Sanitary Sewer Works

- At the applicant's cost, the City is to upgrade the existing 100 mm PVC sanitary service connection to 150 mm.

#### Frontage Improvements

- The applicant is required to coordinate with BC Hydro, Telus and other private communication service providers:
  - 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).
  - Complete other frontage improvements as per Transportation's requirements.

#### General Items

• The applicant is required to provide, prior to Development Permit issuance, a geotechnical assessment of the proposed retaining wall along the development's south property line. The report must confirm no impact to the existing ditch through the installation of the proposed retaining wall, including subsidence and any other nuisance or damage.

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Initial:	

- The applicant is required to retain a professional geotechnical engineer to monitor settlement at the storm sewer along the Jacombs Road frontage and the water main along the Smallwood Place frontage during pre-loading. Any breakage, nuisance, settlement, or other damage caused by the site preparations (including pre-load, densification, etc) shall be repaired/replaced at the applicant's cost via the Servicing Agreement.
- The applicant is not allowed to encroach into the Statutory Rights-of-Ways along the Smallwood Place frontage with trees, parking, fencing, or other on-site elements.
- 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.
- Submission of 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	Date



# Richmond Zoning Bylaw 8500 Amendment Bylaw 9672 (ZT 16-754143) 13100 Smallwood Place

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

- 1. Richmond Zoning Bylaw 8500, section 10.7 entitled "Vehicle Sales (CV)", is amended by inserting the following subsection 10.7.4.1 d) after subsection 10.7.4.1 c):
  - d) 0.70
     13100 Smallwood Place
     P.I.D. 000-955-574
     Lot 7 Section 5 Block 4 North Range 5 West New Westminster District Plan 68775
- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9672".

FIRST READING	C
PUBLIC HEARING	
SECOND READING	AP
THIRD READING	or
MINISTRY OF TRANSPORTATION APPROVAL	
OTHER CONDITIONS SATISFIED	· .
ADOPTED	
· · · · · · · · · · · · · · · · · · ·	
MAYOR	CORPORATE OFFICER