

From: Wayne Craig Director, Development Date:June 19, 2023File:RZ 21-941597

#### Re: Application by 1243059 BC Ltd. for Rezoning at 12120 No. 5 Road from "Agriculture (AG1)" Zone to "Light Industrial (IL)" Zone

#### Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10424, for the rezoning of 12120 No. 5 Road from "Agriculture (AG1)" zone to "Light Industrial (IL)" zone, be introduced and given first reading.

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

WC:ak Att. 7

REPORT CONCURRENCE				
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER		
Transportation				

#### Staff Report

#### Origin

1243059 BC Ltd. (Directors: Menghe Zhu and Zhe Yan Huang) has applied to the City of Richmond for permission to rezone 12120 No. 5 Road from the "Agriculture (AG1)" zone to the "Light Industrial (IL)" zone to permit the development of two multi-tenant industrial buildings for a total of 13 strata-titled units (Attachment 1). Temporary vehicle access will be from No. 5 Road and ultimate vehicle access from the rear lane to Rice Mill Road.

#### **Findings of Fact**

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 2).

#### **Surrounding Development**

The subject site fronts onto No. 5 Road and is currently vacant.

- To the North: A vacant lot zoned "Agriculture (AG1)", outside the Agriculture Land Reserve (ALR) and designated "Industrial" in the Official Community Plan (OCP). The property is part of an active rezoning application (RZ 22-005648) to rezone the property to "Light Industrial (IL)" to develop a two-storey industrial building with vehicle access from an extension to the existing rear lane. The rezoning application is currently under staff review and will be presented to Council for consideration via a separate staff report.
- To the South: A single-family house on a lot zoned "Agriculture (AG1)" outside of the Agriculture Land Reserve and designated "Industrial" in the OCP.
- To the East: A site containing the BC Ferries maintenance/operations harbour, split-zoned "Agriculture (AG1)" and "Light Industrial (IL)" and designated "Industrial" in the OCP. The property is part of an active rezoning and Development Permit application (RZ 18-824565 & DP18-824566) to rezone to a site-specific zone in order to upgrade the fleet maintenance operations. The rezoning application is current at 3<sup>rd</sup> reading, while the DP application is under staff review.
- To the West: Immediately across No. 5 Road are Machrina Way and sites zoned "Industrial Business Park (IB1)" with warehouses and light industrial buildings.

#### **Related Policies & Studies**

#### Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is "Industrial". The proposed rezoning is consistent with this designation.

The site is zoned "Agriculture (AG1)", but is not located within the ALR.

#### Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. The subject site is located in an area with a designated Flood Construction Level (FCL) of 2.9 m GSC. 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 rezoning sign on the property.

Should the Planning Committee endorse this application and Council grants first reading to the rezoning bylaw, the public will have an opportunity to comment further on all of the proposed amendments at the Public Hearing.

Public notification of the Public Hearing will be provided as per the *Local Government Act* and the City's *Zoning Bylaw* 8500.

#### Analysis

#### Built Form and Architectural Character

The proposed light industrial development consists of two buildings in a North-South arrangement with a bridging element over the drive aisle access to No. 5 Road. The two buildings total approximately 4,266 m<sup>2</sup> in light industrial space and 1,276 m<sup>2</sup> in ancillary office space. The buildings front No. 5 Road and have a proposed setback of 3.28 m from No. 5 Road and proposed height of 11.6 m, complying with Zoning Bylaw 8500. Conceptual development plans are provided in Attachment 3.

Landscaping including tree replacement planting within the front yard setback, in conjunction with required frontage upgrades along No. 5 Road (multi-use pathway and landscaped boulevard), will improve the pedestrian scale of the development.

In order to meet the minimum Flood Construction Level (FCL) of 2.9 m GSC as required in the City's Flood Plain Designation and Protection Bylaw 8204, the elevation of the subject site will be increased, resulting in the need for a retaining wall along the perimeter of the site. Fencing along the south property line will be used to screen the retaining wall and industrial-related activities from the adjacent residential property and will be limited to a maximum height of 2.4 m as measured from the averaged finish site grade.

#### Transportation and Site Access

Vehicle access to the site will be provided at the rear through the continuation and dedication of an existing lane established from Rice Mill Road. This lane is ultimately intended to extend south to the City-owned road allowance south of 12200 No. 5 Road. The ability to connect the lane to Rice Mill Road is contingent on the redevelopment of the site directly to the north, which is the subject of a current rezoning application (RZ 22-005648).

The ability to connect the lane to the City-owned road allowance south of 12200 No. 5 Road is contingent on the redevelopment of the properties to the south, which are not subject to any current development applications. Prior to rezoning adoption, the applicant will be required to dedicate the 7.5 m rear lane along the entire east portion of the site to facilitate the lane construction.

To facilitate access to the site prior to the rear lane connecting to Rice Mill Road, vehicle access to No. 5 Road will be provided. A Traffic Impact Assessment (TIA) report has been provided to demonstrate the functionality of their proposal. The report reviewed traffic operations and confirmed the proposed driveway to No. 5 Road and ultimate site access via the rear lane are acceptable. The vehicle access from No. 5 Road would allow the subject site to provide access and egress independently while the adjacent sites to the north redevelop and construct the remaining portion of the lane. All off-street parking and loading areas for the proposed industrial buildings are provided on-site. To address construction traffic, a Construction Parking and Traffic Management Plan acceptable to the Transportation Division is required prior to the issuance of a Building Permit.

#### 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, 22 trees on neighbouring properties and one street tree on City property. The proposed Tree Management Plan is provided in Attachment 5.

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

- Six trees (Tree # 1015, 1017, 1018, 1027, 1033, 1034) located on the development site are in fair to very poor condition. Four trees (Tree # 1015, 1017, 1018, 1033) are in conflict with the required rear lane dedication. These six trees are not good candidates for retention and should be removed and replaced.
- One tree (Tree # 1016) located on neighbouring property to the east is a 59 cm cottonwood tree located in conflict with the proposed City lane and will be removed and replaced subject to authorization from the property owner. The applicant is in ongoing discussion with BC Ferries regarding this tree.
- A total of 15 trees located on the adjacent neighbouring properties to the north (Tree #1029, 1030, 1031, 1032, 2002), south (Tree # 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2001) and City boulevard (Tree # 1028) are identified to be retained and protected. As these trees along the north and south edges of the site would be impacted by the change in site grade required for flood control and/or the proposed building envelope, staff have worked with the applicant to work around these trees. The applicant proposes to cantilever the foundation of the building in these areas to facilitate the retention of the trees. The assessment of tree retention opportunities on the site to the north and City boulevard, will be addressed through the rezoning application for that site which is still under staff review. Tree protection fencing and tree survival security is required as per the Tree Protection Bylaw No. 8057.

- Another seven trees (Tree # 1019, 1020, 1021, 1022, 1023, 1024, 1026) located on the adjacent east property are identified to be retained and protected.
- Three existing hedges noted on the plan (Attachment #5) along the north side of the property are to be removed. One hedge to the south of the site on the neighbouring property is to be retained and protected.

#### Tree Replacement

The applicant wishes to remove six on-site trees (Trees # 1015, 1017, 1018, 1027, 1033, 1034) and one tree (Tree # 1016) on the adjacent east property. The 2:1 replacement ratio would require a total of 14 replacement trees for the removal of the six on-site trees and one tree on the adjacent east property.

The removal of the tree on the adjacent east property (Tree # 1016) is required to facilitate the lane construction. The applicant is in discussion with BC Ferries regarding this tree and should BC Ferries consent to the removal of the tree, the applicant will be required to provide two replacement trees as indicated in the section above. In the event that BC Ferries does not consent to the removal of the tree, the applicant will be required to develop an alternate lane design, which may also require additional land dedication.

The applicant proposes to plant the 14 replacement trees on site in the building frontage as shown on Attachment 6. Prior to final adoption of the rezoning bylaw, the applicant will be required to provide a final landscape for the property and a Landscaping Security based on 100 per cent of the cost estimate provided by the Landscape Architect to ensure the landscaping is installed.

#### Tree Protection

21 trees (Trees # 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2001, 1019, 1020, 1021, 1022, 1023, 1024, 1026, 1032, 1031, 1303, 2002, 1029) on neighbouring properties and one City tree (Tree #1028) 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 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.
- Registration of a legal agreement requiring that the building setbacks and foundation designs reflect any special requirements needed to retain the trees on the adjacent properties to the north and south.

#### Public Art

Based on the buildable floor area for the new construction of approximately 45,927 ft<sup>2</sup> (4,266.8 m<sup>2</sup>) industrial and 13,642 ft<sup>2</sup> (1,2637.4 m<sup>2</sup>) commercial floor area, the recommended public art contribution (2023 rate) is  $0.29/ft^2$  for industrial and  $0.52/ft^2$  for commercial, for a total contribution of approximately 20,413.00 to the Public Art Reserve Fund. This is consistent with the City's Public Art policy.

#### **Sustainability**

The applicant proposes to incorporate sustainably and building energy efficiency features into the proposed development including:

- A minimum of 13 Level 2 EV charging stations to be provided on site;
- Pre-ducting within each unit for future rooftop solar photovoltaic infrastructure as an alternative energy source for individual tenants;
- Provision of energy reducing light sensors for interior lighting;
- Provision of water conservation features including high efficiency irrigation and water conserving plumbing fixtures; and,
- Buildings are proposed to be constructed to achieve a minimum 10 per cent better energy efficiency than the base BC Building Code requirement.

These sustainability features will be secured through legal agreements registered on Title, prior to adoption of the rezoning bylaw.

#### Site Servicing and Frontage Improvements

A Servicing Agreement is required for the installation of a new fire hydrant, lane construction, frontage improvements and site servicing works and are summarized as follows:

- Installation of a new fire hydrant along the No. 5 Road frontage.
- Construction of the rear lane along the entire east portion of the subject site. The lane is to be 7.5 m wide with rollover curbs on both sides and street lighting on the east side.
- No. 5 Road frontage works to accommodate additional on-street parking and related frontage improvements (asphalt trail, grassed/treed boulevard and new curb and gutter).
- Site servicing works to extend the necessary services along the No. 5 Road frontage of the site, including any required connections, inspection chambers and meter gauges.

#### **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

This application is to rezone the property at 12120 No. 5 Road from the "Agriculture (AG1)" zone to the "Light Industrial (IL)" zone, to permit the development of two industrial buildings, with temporary vehicle access from No. 5 Road and ultimate vehicle access from the rear lane to Rice Mill Road.

Staff supports the rezoning application as it is consistent with the existing OCP designation and recent industrial redevelopment in the area.

The list of rezoning considerations is included in Attachment 7 which has been agreed to by the applicant (signed concurrence on file).

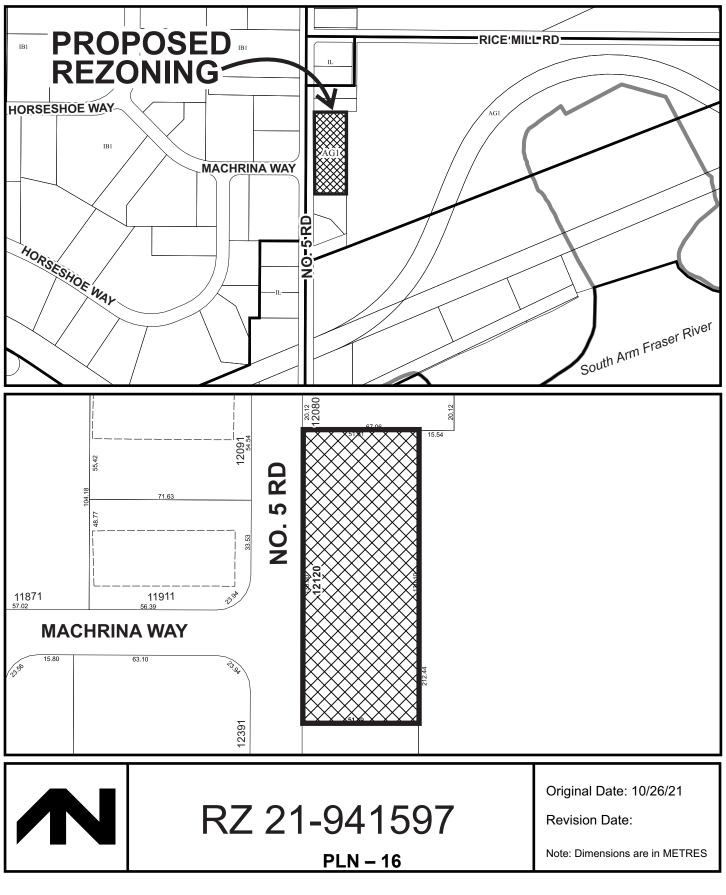
It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10424 be introduced and given first reading.

Ashley Kwan Planner 1 (604-276-4173)

AK:js

- Att. 1: Location Map
  - 2: Development Application Data Sheet
  - 3: Conceptual Development Plans
  - 4: Proposed Ultimate Site Plan
  - 5: Tree Management Plan
  - 6: Conceptual Landscape Plan
  - 7: Rezoning Considerations











RZ 21-941597

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Original Date: 10/28/21

**Revision Date:** 

Note: Dimensions are in METRES



### **Development Application Data Sheet**

Development Applications Department

#### RZ 21-941597

Attachment 2

Address: 12120 No 5 Road

Applicant: 1243059 BC Ltd

	Existing	Proposed	
Owner:	1243059 BC Ltd	No Change	
Site Size (m <sup>2</sup> ):	6,6771.31 m <sup>2</sup>	5,579.00 m <sup>2</sup>	
Land Uses:	Vacant	Two Light Industrial Buildings	
OCP Designation:	Industrial	No Change	
Zoning:	Agriculture (AG1)	Light Industrial (IL)	

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 1.0	1.0	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Max. 5579 m <sup>2</sup> (60,055 ft <sup>2</sup> )	Max. 5579 m² (60,055 ft²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 75%	Building: 70%	none
Setbacks (m):	Front: Min. 3.0 m Rear and Side Yards: N/A	Front: 3.28 m Rear: 13.33 m Side Yard (North): 0.1 m Side Yard (South): 0.8 m	none
Height (m):	12 m	11.6 m	none
Off-street Parking Spaces – Regular (R) / Accessible (A):	Min. 41 (R) and 1 (A)	49 (R) and 1 (A)	none
Off-street Parking Spaces – Total:	43	50	none
Bicycle Spaces:	Min. Class 1: 15 Min. Class 2: 17		
Loading Spaces	Min. 2 Medium Min. 1 Large	Min. 2 Medium Min. 2 Large	none

\*Preliminary estimate; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.

#### Attachment 3

# CODE ANALYSIS - B.C.B.C. 2018

# 3.2.2.63. Group D, up to 2 Storeys, Sprinklered

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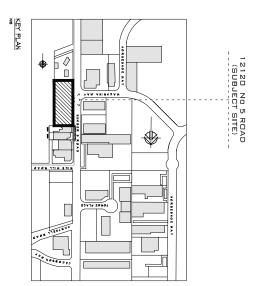
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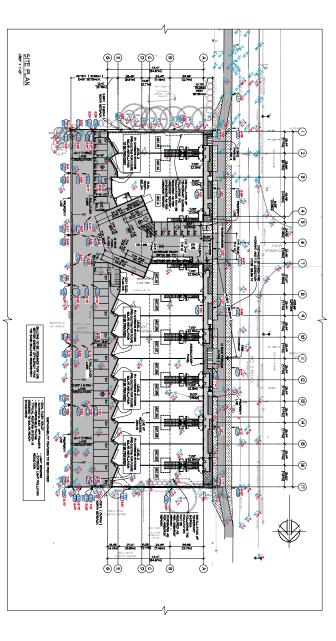
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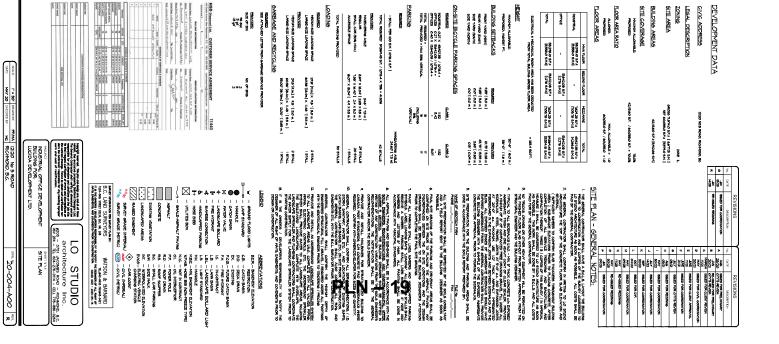
# F, Division 2, up to 4 Storeys, Sprinklered

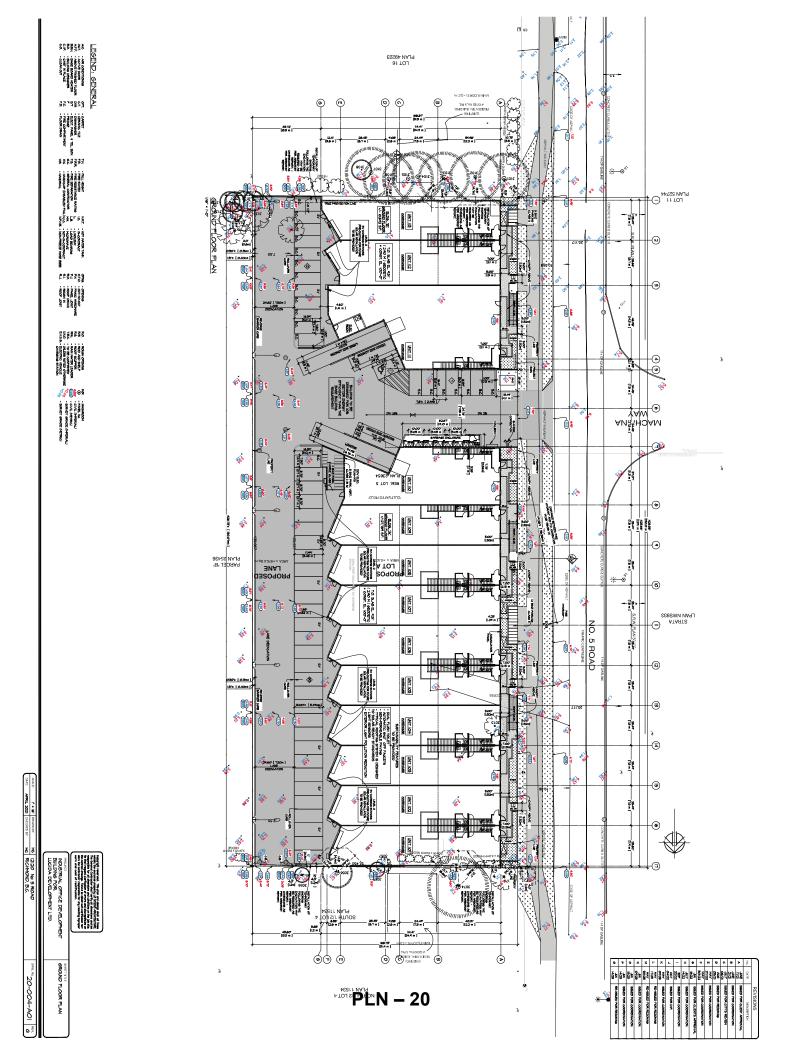
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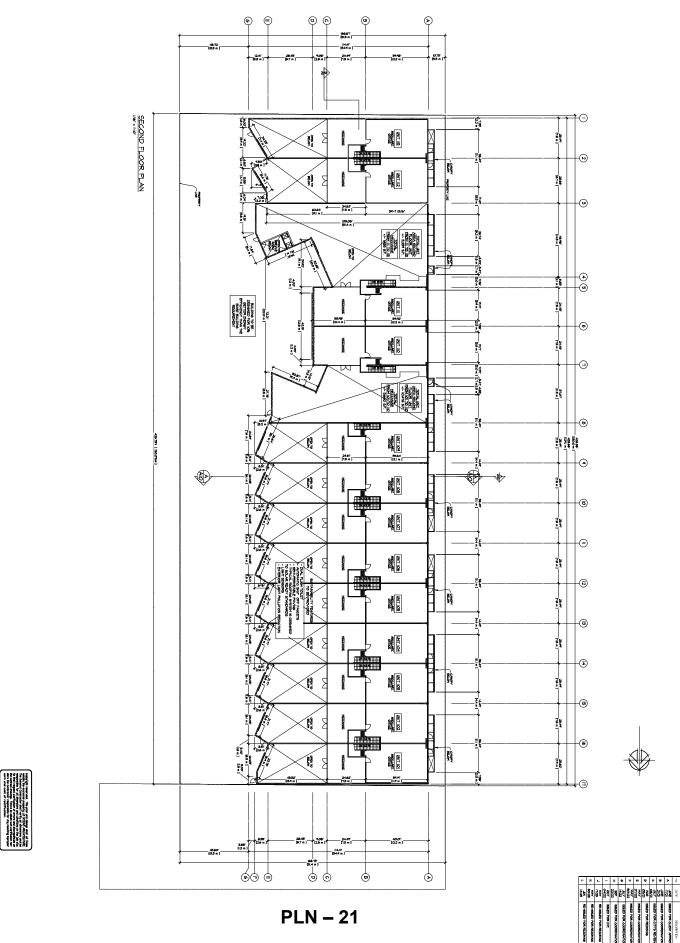
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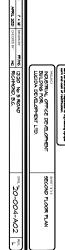


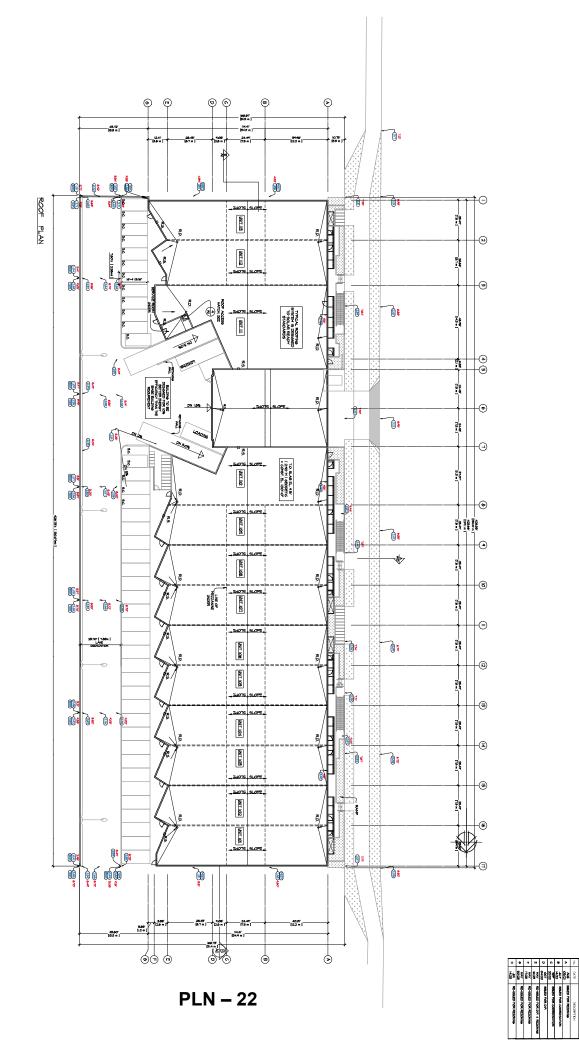




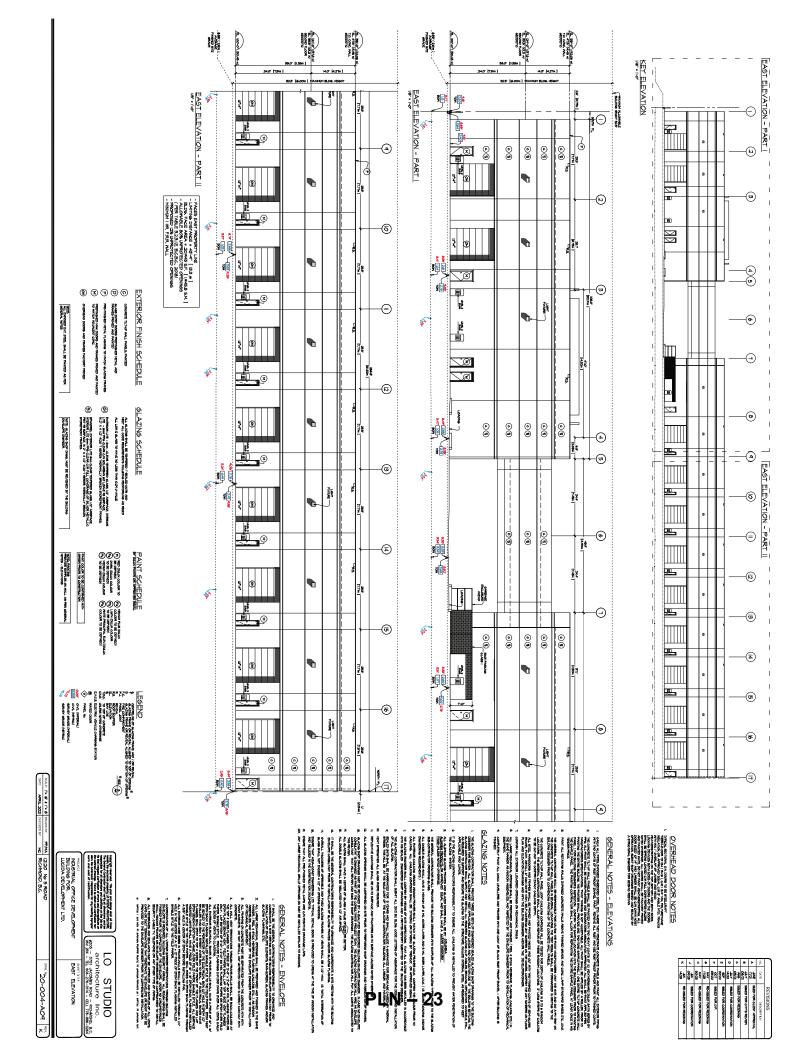


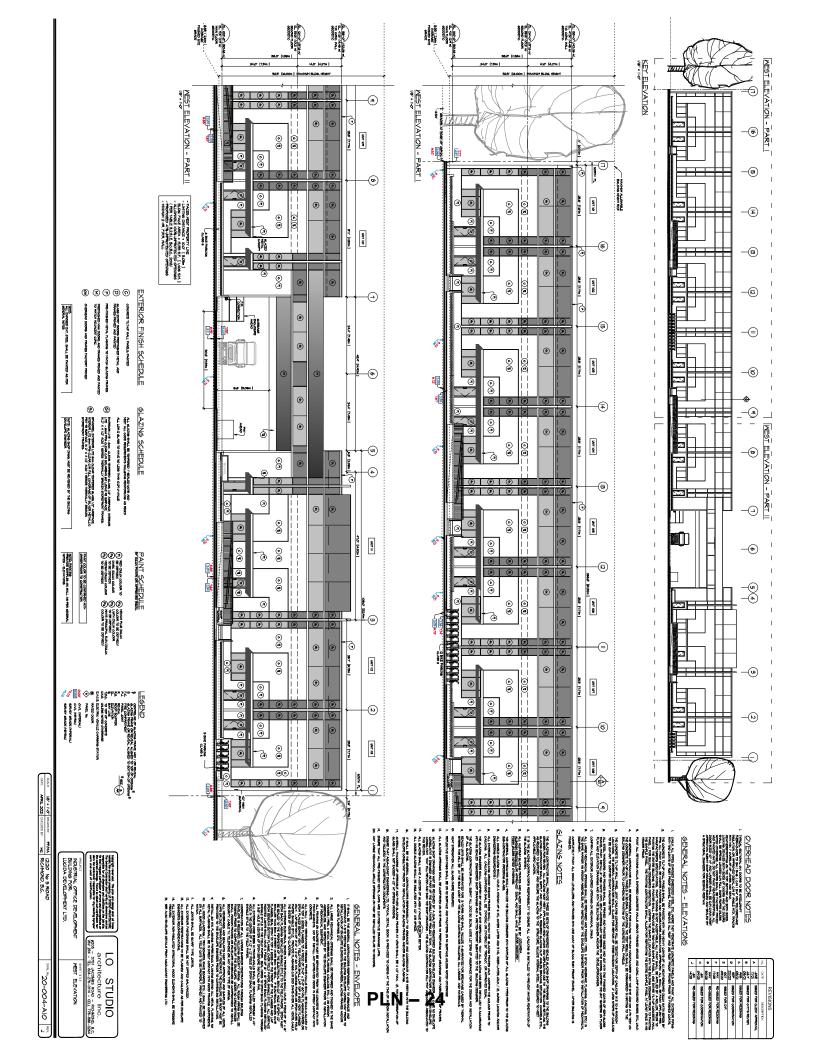
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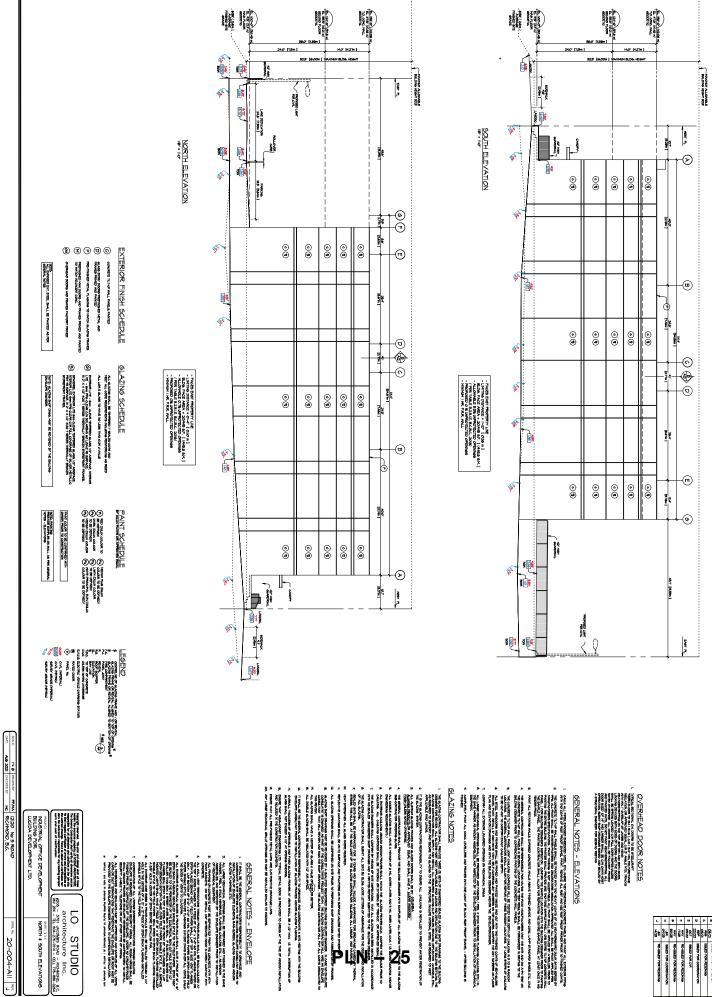






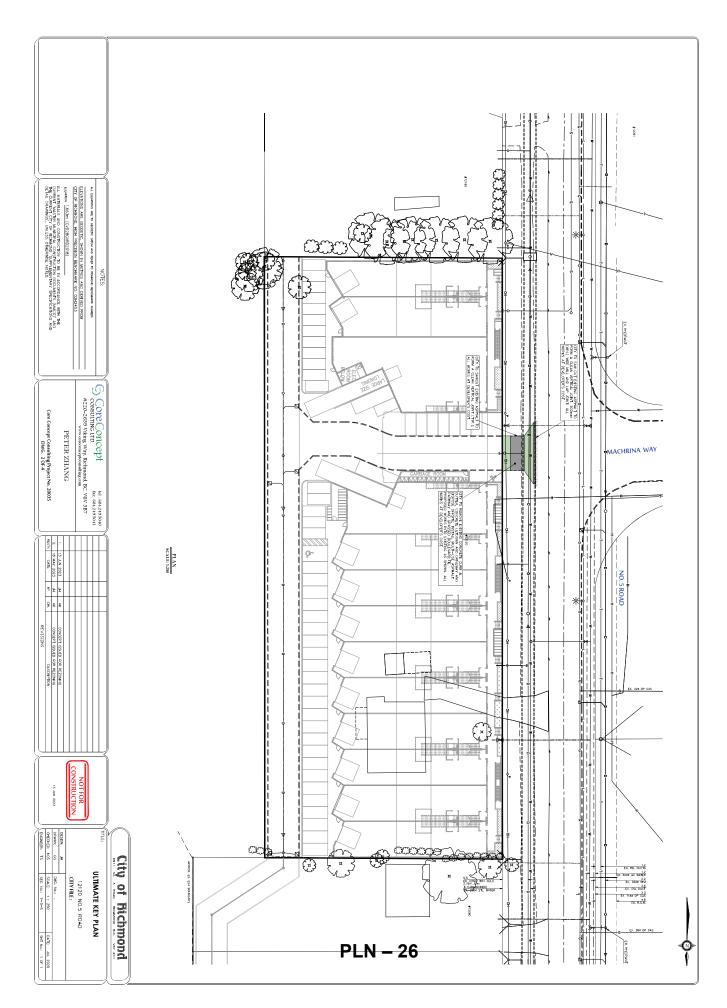


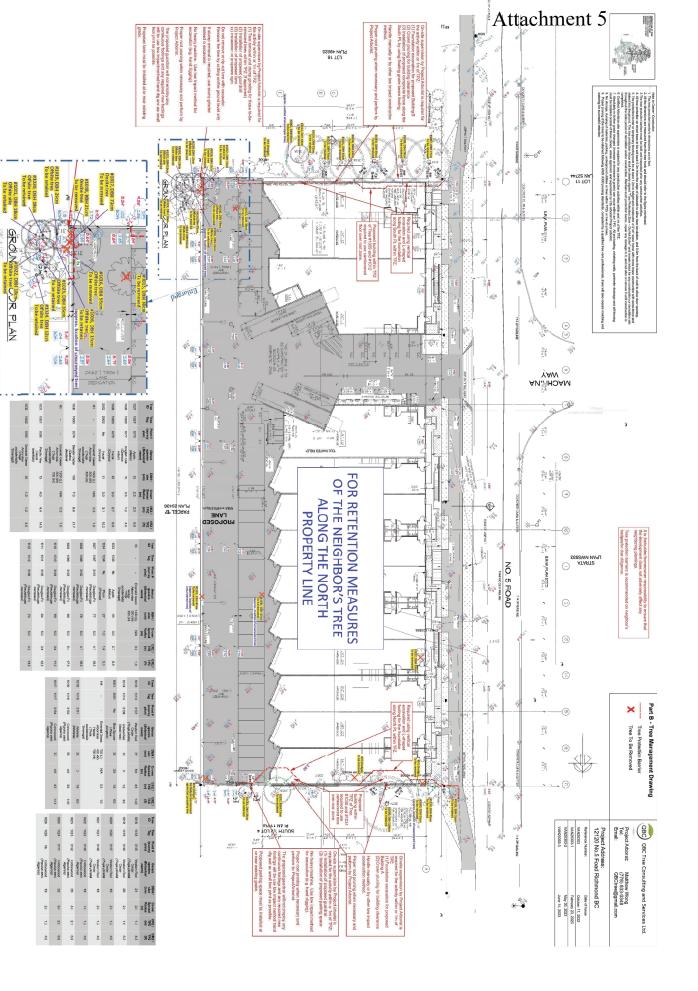




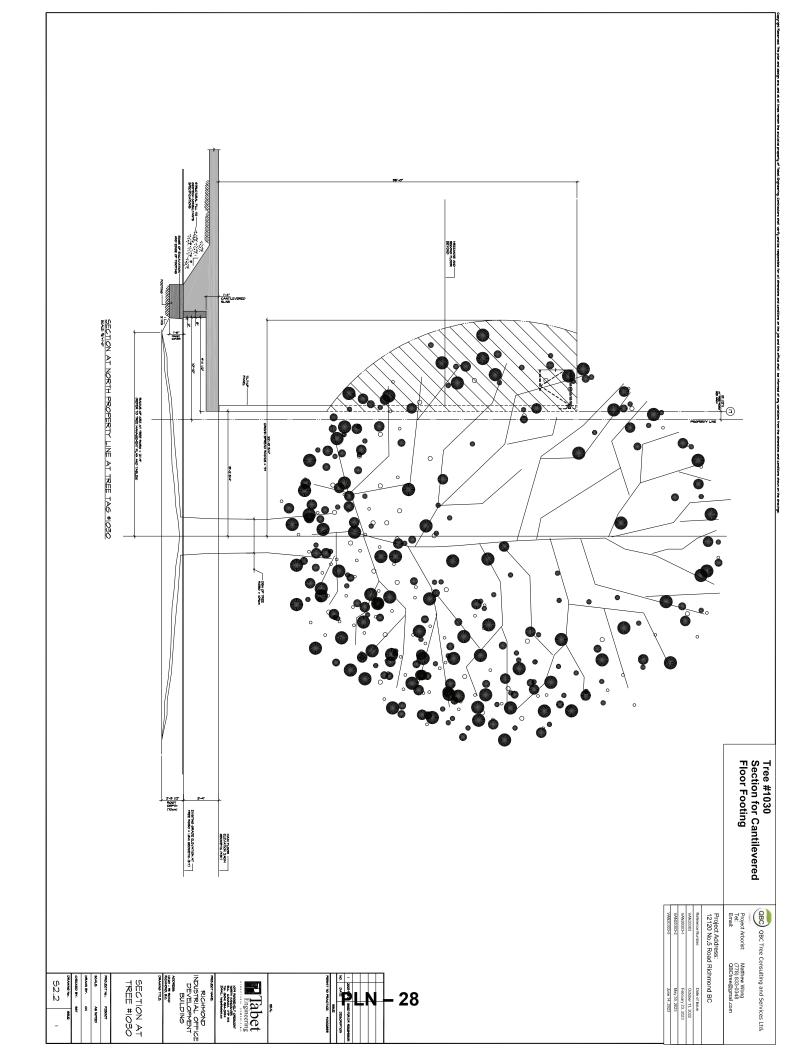
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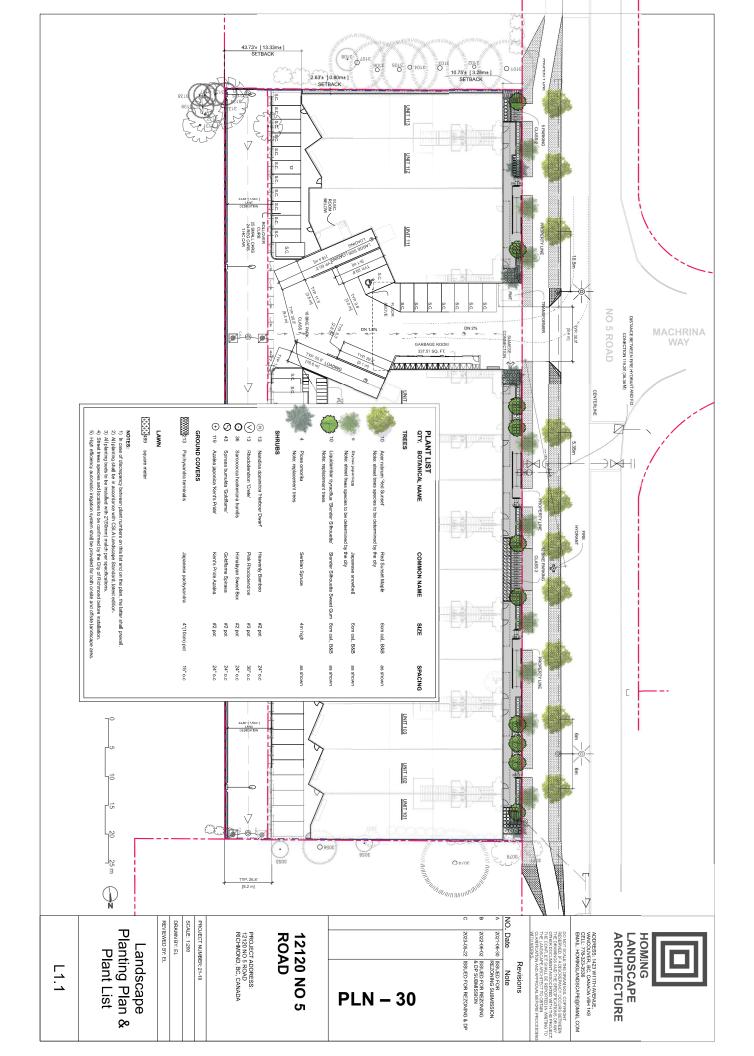


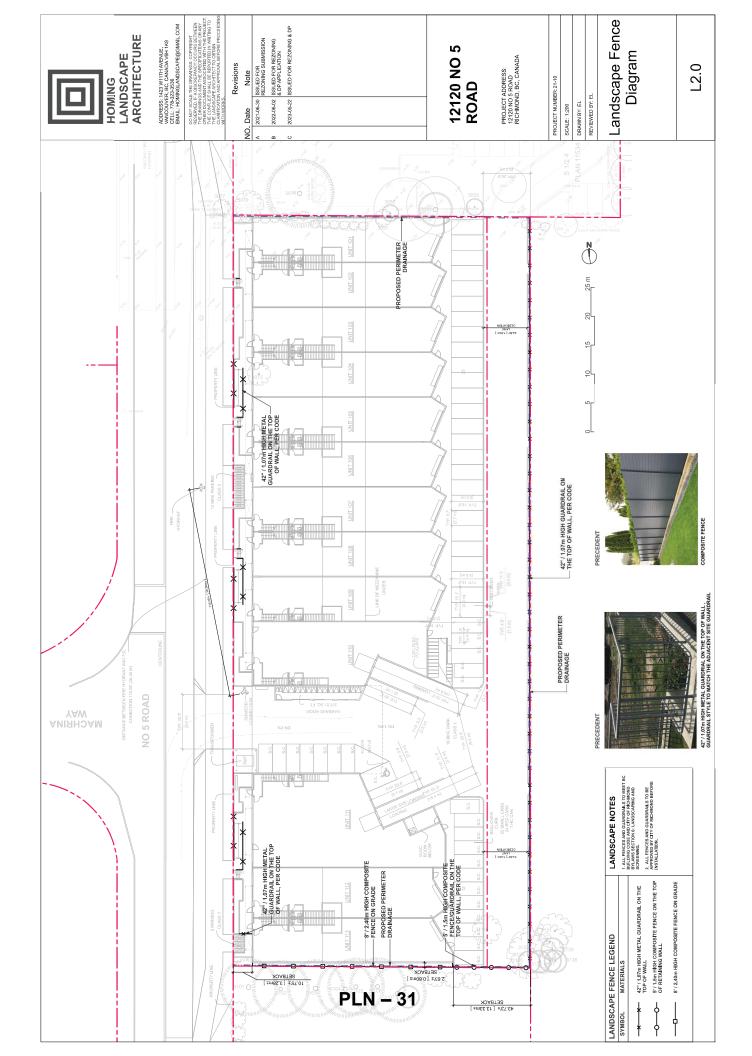


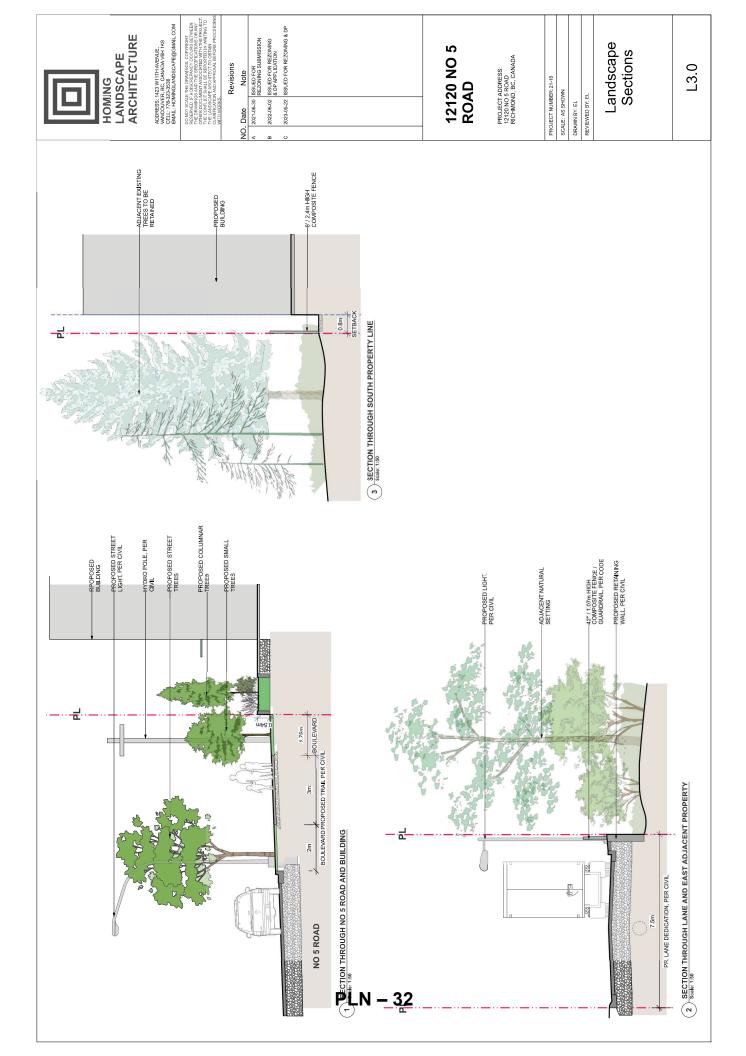
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Attachment 7



**Rezoning Considerations** 

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

#### Address: 12120 No 5 Road

#### File No.: RZ 21-941597

## Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10424, the developer is required to complete the following:

- 1. 7.5 m lane dedication along the entire east property line.
- 2. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
  - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
  - include a mix of coniferous and deciduous trees;
  - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and
  - include the 14 required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree	or	Minimum Height of Coniferous Tree
14	8 cm		4 m

- 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. 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. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
- 5. Registration of a legal agreement on Title requiring building design and setbacks to:
  - a. ensure retention of nine trees (Tree # 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 2001) on the adjacent south property through (a) design and construction of a cantilevered foundation slab design as shown on the Architectural plans provided or (b) building setbacks in compliance with the tree protection zones as required by the City; and
  - b. if trees on the adjacent north property be identified for retention through rezoning (RZ 22-005648), ensure retention of those trees through (a) design and construction of a cantilevered foundation slab design as shown on the Architectural plans provided or (b) building setbacks in compliance with the tree protection zones as required by the City
- 6. Registration of an Electric Vehicle (EV) Charging Infrastructure covenant on Title, securing the owner's commitment to voluntary provide, install, and maintain EV charging equipment for the use of the commercial tenants and others as determined to the satisfaction of the City. More specifically, a minimum of 13 of the required parking spaces must be provided with Level 2 EV charging.
- 7. Registration of a legal agreement on Title ensuring all units provide energy reducing light sensors for building interior lighting and are pre-ducted for solar photovoltaic or other alternative energy system to the satisfaction of the Director of Building Approvals.
- 8. Registration of a legal agreement on Title ensuring the provision of water conserving plumbing fixtures and high efficiency irrigation.

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- 9. Registration of a legal agreement on Title ensuring the building energy use will be a minimum 10% less than current code (BC Building Code 2018) requirements. Compliance will be confirmed at Building Permit stage through energy modelling to the satisfaction of the Director of Building Approvals.
- 10. Registration of a legal agreement on Title for industrial development within 30 m of any residential use indicating that they are required to mitigate unwanted noise and demonstrate that the building envelope is designed to avoid noise generated by the internal use from penetrating into residential areas that exceed noise levels allowed in the City's Noise Bylaw and noise generated from rooftop HUAC units will comply with the City's Noise Bylaw.
- 11. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 2.9 m GSC.
- 12. Registration of a legal agreement granting of a public-right-of-passage (PROP) statutory right-of-way (SRW) along the east/west local drive aisle to allow public vehicle egress from the rear lane through the subject site to No. 5 Road. This PROP SRW is intended to remain on title until full north-south lane connection has been achieved from Rice Mill Road to the City owned road allowance south of 12200 No. 5 Road.
- 13. Registration of a legal agreement on Title providing the City with the ability to require the closure of the driveway providing access to No. 5 Road and construction of the remaining frontage improvements through a City Work Order at the cost of the owner once the rear lane provides a complete north-south connection from Rice Mill Road to the City owned road allowance south of 12200 No. 5 Road becomes operational. Once the lane is fully functional, the only means of vehicle access is to be restricted to the east lane only and no access is permitted to the site from No. 5 Road.
- 14. City acceptance of the developer's offer to voluntarily contribute \$0.29 per buildable square foot for industrial floor area and \$0.52 per buildable square foot for commercial floor area to the City's Public Art Reserve Fund (\$20,413.00).
  - a. In the event that the contribution is not provided within one year of the application receiving third reading of Council (i.e. Public Hearing), the contribution rate (as indicated in the table in item a) above) shall be increased annually thereafter based on the Statistics Canada Consumer Prince Index (All Items) Vancouver yearly quarter-to-quarter change, where the change is positive.
- 15. Payment of all fees in full for the cost associated with the Public Hearing Notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.

### A Servicing Agreement is required to design and construction the following works, to be registered on Title prior to Rezoning adoption.

- 1. **Extension of the lane**: Within the 7.5 m wide lane dedication, design and construct roll over curbs on both sides, pavement, and lighting.
  - a. BC Ferries approval for the removal of one tree (Tree # 1016) on their property is required. Tree removal replacement (2:1 replacement ration) or compensation is to be provided by the applicant (included in item #2 in the section above).
- 2. No. 5 Road frontage improvements: Road widening works to maintain two travel lanes and accommodate a new parking lane, new curb and gutter, grass and treed boulevard and asphalt trail along the east side of the road. Total pavement width to be approximately 10.15 m. One the east site of the road, install a new curb and gutter, 2 m wide grass and treed boulevard and 3 m wide asphalt trail. The developer's consultant is also required to complete a roadway lighting assessment and recommend lighting upgrade through the Servicing Agreement.

#### 3. Water works:

- a. Using the OCP Model, there is 601 L/s of water available at a 20 psi residual at the No 5 Road frontage. Based on your proposed development, your site requires a minimum fire flow of 250 L/s.
- b. At Developer's cost, the Developer is required to:
  - (1) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.
  - (2) Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements for the proposed land use.

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(3) Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the

bypass on W2o-SD) + 0.5 m on all sides. Exact right-of-way location and dimensions to be finalized via the servicing agreement process.

- c. At Developer's cost, the City will:
  - (1) Complete all tie-ins for the proposed works to existing City infrastructure.
  - (2) Cut and cap the existing water service connection located on No 5 Road.
  - (3) Install a new service connection complete with water meter and water meter box as per city specs. Water service connection should extend from the existing water main on No 5 Road to service the proposed lot. Diameter of newly proposed water service connections to be finalize during the servicing agreement process.

#### 4. Storm Sewer Works:

- a. At Developer's cost, the Developer is required to:
  - (1) Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
- b. At Developer's cost, the City will:
  - (1) Complete all tie-ins for the proposed works to existing City infrastructure.
  - (2) Cut and cap all existing storm service connections.
  - (3) Install a new service connection complete with inspection chamber as per city specs. Storm service connection shall tie in to the existing storm main on No 5 Road. Diameter of proposed storm service connection to be finalized during the servicing agreement process.

#### 5. Sanitary Sewer Works:

- a. At Developer's cost, the Developer is required to:
  - (1) Extend to the north the existing sanitary line along No. 5 Road located south of Machrina Way. The extension shall be from the existing manhole SMH-3735 approximately 125m to the north of SMH-3735.
  - (2) Install a new sanitary service connection at the southwest corner of the proposed site complete with inspection chamber as per city specs. Sanitary service connection shall tie in from the proposed sanitary main. Diameter of the proposed sanitary service connections to be finalized during the servicing agreement process.
- b. At Developer's cost, the City will:
  - (1) Complete all tie-ins for the proposed works to existing City infrastructure.
- 6. **Street lighting:** At Developer's cost, the Developer is required to review street lighting levels along all road and lane frontages, and upgrade as required.
- 7. General Items:
  - a. At Developer's cost, the Developer is required to:
    - (1) Complete other frontage improvements as per Transportation requirements.
    - (2) Coordinate with BC Hydro, Telus and other private communication service providers:
      - (a) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
      - (b) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages. Relocation of existing BC Hydro poles may be required subject to Transportation department's requirements. If the frontage improvements required along the west property line to service the proposed development conflict with the existing BC Hydro poles then the existing BC Hydro poles need to be relocated to avoid conflict. This shall be confirmed via the servicing agreement review.
      - (c) To underground overhead service lines.
    - (3) Locate/relocate all above ground utility cabinets and kiosks required to service the proposed development and proposed undergrounding works, and all above ground utility cabinets and kiosks located along the development's frontages, within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:

- BC Hydro PMT  $4.0 \times 5.0 \text{ m}$
- BC Hydro LPT 3.5 x 3.5 m
- Street light kiosk 1.5 x 1.5 m
- Traffic signal kiosk 2.0 x 1.5 m
- Traffic signal UPS 1.0 x 1.0 m
- Shaw cable kiosk 1.0 x 1.0 m
- Telus FDH cabinet 1.1 x 1.0 m
- (4) If site preparation (e.g., preloading, soil densification, etc.) is required, provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a preload plan and geotechnical assessment of preload, dewatering, and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
- (5) Provide a video inspection report of the existing storm sewer along the No 5 Road frontage prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection, complete with a civil engineer's signed and sealed recommendation letter, is required after site preparation works are complete (i.e. pre-load removal, completion of dewatering, etc.) to assess the condition of the existing utilities and provide recommendations to retain, replace, or repair. Any utilities damaged by the pre-load, de-watering, or other ground preparation shall be replaced or repaired at the Developer's cost.
- (6) If preload required, conduct pre- and post-preload elevation surveys of all surrounding roads, utilities, and structures. Any damage, nuisance, or other impact to be repaired at the developer's cost. The post-preload elevation survey shall be incorporated within the servicing agreement design.
- (7) If site preparation (e.g., preloading, soil densification, etc.) is required, monitor the settlement at the adjacent utilities and structures during pre-loading, dewatering, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.
- (8) Submit a proposed strategy at the building permit stage for managing excavation de-watering. Note that the City's preference is to manage groundwater onsite or by removing and disposing at an appropriate facility. If this is not feasible due to volume of de-watering, the Developer will be required to apply to Metro Vancouver for a permit to discharge into the sanitary sewer system. If the sanitary sewer does not have adequate capacity to receive the volume of groundwater, the Developer will be required to enter into a de-watering agreement with the City wherein the developer will be required to treat the groundwater before discharging it to the City's storm sewer system.
- (9) Not encroach into City rights-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.
- (10) Coordinate the servicing agreement design for this development with the servicing agreement(s) for the adjacent development(s), both existing and in-stream. The developer's civil engineer shall submit a signed and sealed letter with each servicing agreement submission confirming that they have coordinated with civil engineer(s) of the adjacent project(s) and that the servicing agreement designs are consistent. The City will not accept the 1st submission if it is not coordinated with the adjacent developments. The coordination letter should cover, but not be limited to, the following:
  - (a) Corridors for City utilities (existing and proposed water, storm sewer, sanitary and DEU) and private utilities.
  - (b) Pipe sizes, material and slopes.
  - (c) Location of manholes and fire hydrants.
  - (d) Road grades, high points and low points.
  - (e) Alignment of ultimate and interim curbs.
  - (f) Proposed street lights design.
- (11) 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, dewatering, 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 Building Permit Issuance, the developer must complete the following requirements:

- 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.
- 2. 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

CITY OF

RICHMOND APPROVED by

APPROVED by Director or Solicitor



#### Richmond Zoning Bylaw 8500 Amendment Bylaw 10424 (RZ 21-941597) 12120 No. 5 Road

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it "LIGHT INDUSTRIAL (IL)".

P.I.D. 004-283-775 Lot 5 Section 7 Block 3 North Range 5 West New Westminster District Plan 23654, Except: Part subdivided by Plan 49223

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10424".

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

CORPORATE OFFICER