

Report to Committee

Planning and Development Department

To:

Planning Committee

July 3, 2012 Date:

From:

Brian J. Jackson, MCIP

File: AG 11-566932

Director of Development

Re:

Application by the Trustees of the Lansdowne Congregation of Jehovah's

Witnesses for Agricultural Land Reserve Non-Farm Use at 11014 Westminster

Highway.

Staff Recommendation

That authorization for the Trustees of the Lansdowne Congregation of Jehovah's Witnesses to apply to the Agricultural Land Commission for a non-farm use for the purposes of redeveloping the existing assembly hall building on an existing Assembly (ASY) zoned site at 11014 Westminster Highway generally in accordance with the development plans (contained in Attachments 2 and 3 to the staff report dated July 3, 2012 from the Director of Development) be granted.

Brian Jackson, MCIP Director of Development

BJ:ke Att.

REPORT CONCURRENCE

CONCURRENCE OF ACTING GENERAL MANAGER

Staff Report

Origin

The Trustees of the Lansdowne Congregation of Jehovah's Witnesses has applied to the City of Richmond for a non-farm use for the purposes of redeveloping the congregation hall building at 11014 Westminster Highway to enable the demolition and construction of a new assembly facility for the congregation. A location map of the subject site is contained in **Attachment 1**.

The subject site is 6,719 sq. m (1.7 acres) in total area and is located in the Agricultural Land Reserve (ALR). Although the site is less than 2 acres in area, the provisions of the Agricultural Land Commission Act and Regulations apply to the property. The proponent has undertaken the necessary legal title research to confirm that the property does not meet the provisions of the Agricultural Land Commission (ALC) Act exemption applying to properties that are less than two acres in area and listed on separate certificate of title when the ALR was created. Therefore, a "non-farm use" application to demolish and redevelop the congregation's assembly hall is required.

The non-farm use application involves consideration by Richmond City Council first. If the application is granted by a Council resolution, the non-farm use application is forwarded to the ALC for a decision on the proposal. Should Richmond City Council not grant approval of the non-farm use proposal, the application does not proceed any further. Once applications are forwarded to the ALC, they have the sole decision making authority on the proposal.

If Richmond City Council and the ALC approve the non-farm use application, no additional Council approvals are required as the subject site has existing Assembly (ASY) zoning and the current proposal complies with the zone.

Background - Historical Use of the Subject Site

The existing congregation hall building (constructed in the 1970's) is located on the north (front) portion of the subject site closest to Westminster Highway. The building is approximately 418 sq. m (4,500 sq. ft.) in area with off-street parking on southern portions of the site.

Although the property is located in the ALR, it has existing Assembly (ASY) zoning over the entire property. When the ALR was first created in 1972, the City's previous Agricultural zoning permitted church and school facilities as an outright use in the zoning. This resulted in a number of church and school buildings locating in the ALR in Richmond, which is the situation applicable to the congregation's assembly hall on the subject site.

Project Description

The proposal for the subject site is to demolish the existing assembly building on the north portion of the property to enable redevelopment of a new, larger assembly hall on the southern portion of the property to accommodate the growth of the congregation. Due to the shape of the site (narrower at the north end and wider at the southern end), redevelopment of a new, larger assembly building on the narrower northern portion of the site is limited. Therefore, the proposed site plan places the building at the southern, wider portion of the site and utilizes

remaining areas for off-street parking and drive-aisles. This proposed site plan also enables maximum opportunities for tree retention, enhancement planting and no encroachment of development into the Riparian Management Area (RMA) that exists along west adjacency of the site.

The total building area proposed is 825 sq. m (8,882 sq. ft.). The assembly hall facility contains an auditorium (562 sq. m or 6,048 sq. ft.), residential caretaker suite (on the second floor mezzanine of the assembly building) (89 sq. m or 960 sq. ft.) and supporting uses (i.e., washrooms, storage areas) (174 sq. m or 1,874 sq. ft.). The auditorium will be used for religious services, bible-education, funeral ceremonies and wedding ceremonies (no use for receptions or banquets permitted).

Remaining areas of the site consist of landscaped buffer areas around the perimeter of the site, off-street parking (87 total stalls provided) and space for the on-site sanitary sewer septic disposal system (refer to Attachment 2 for a copy of the site plan and Attachment 3 for a copy of the preliminary landscape plan). The current proposal complies with Assembly (ASY) zoning provisions for the subject site.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in **Attachment 4**.

Surrounding Development

To the North: A property contained in the ALR on the north side of Westminster Highway zoned School and Institutional (SI), which contains the Richmond Nature Park.

To the East: Properties zoned Agricultural (AGI) that contains a single-family dwelling and blueberry field on the rear portion of the site.

To the South: Properties zoned Agricultural (AG1) adjacent to an unimproved road allowance that contain existing blueberry fields and existing treed/natural areas

To the West: Properties zoned Agricultural (AGI) that contains an open canal and existing rail line running adjacent to Shell Road trail with existing Environmentally Sensitive Area (ESA) and RMA (5 m) designations.

Related Policies & Studies

Official Community Plan

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The subject site is designated for Agriculture in the Official Community Plan and East Richmond McLennan Sub Area Plan land use maps. The subject site has existing Assembly (ASY) zoning and has been utilized as an assembly facility since the 1970's. If the non-farm use application is approved by Richmond City Council and the ALC, no rezoning application will be required as the property has appropriate zoning in place that can accommodate the proponent's redevelopment proposal. As a result, no OCP amendment is required as the land use designation permits proposals that have been approved in accordance with the ALR regulations.

Official Community Plan - Aircraft Noise Sensitive Development Policy

According to the OCP Aircraft Noise Sensitive Development Map, the subject site is contained in Area 4 (Attachment 5). Based on this designation, all aircraft noise sensitive uses can be considered.

Consultation

Agricultural Advisory Committee (AAC)

The AAC reviewed and supported the project on April 12, 2012 with the following motion:

That the AAC support the non-farm use application at 11014 Westminster Highway to enable the existing assembly hall to be redeveloped.

An excerpt of the April 12, 2012 AAC meeting minutes is contained in Attachment 6.

Surrounding Neighbours

The proponents contacted the property owners immediately to the west of the subject site containing a house and blueberry field to inform them of the proposed redevelopment plans and obtain feedback. No objections were noted by the neighbours and property owners.

Staff Comments and Examination of Issues

Engineering and Site Servicing

The subject site has sufficient water system service for the proposed redevelopment of the congregation hall. No upgrades are required to the existing City water system. City storm system upgrades will be required along the subject site's Westminster Highway frontage to meet current OCP requirements. Storm system upgrades will be completed through the City's Servicing Agreement process, which is required to be reviewed and completed prior to Building Permit issuance for the new assembly hall building.

The subject site is not serviced by a City sanitary sewer system. The new redevelopment is also required to be serviced by a new on-site sanitary sewer system contained on the subject property as no City sanitary sewer services are available in this area. The new on-site sanitary sewer disposal system is required to be designed by the appropriate consultant to ensure the system is capable of servicing the proposed development. The on-site sanitary sewer system design is required to be reviewed and approved by Vancouver Coastal Health through the Building Permit approval process. The congregation has engaged a professional consultant who has developed an on-site sanitary sewer disposal system specific to the proposed building area, uses, site plan and conditions present on the property.

Environmentally Sensitive Area

The property immediately west of the subject site has an Environmentally Sensitive Area (ESA) designation in conjunction with a naturally landscaped and treed area. The ESA does not encroach onto the subject site; however, there are existing treed areas that extend along the western edge of the site that are outside of the ESA area. The proposed site plan takes into account the existing natural treed area adjacent to the ESA on the neighbouring property along

the entire west side of the property and does not propose any building development that would require tree removals for this portion of the property. Parking areas have also been designed to ensure adequate setbacks to existing treed areas adjacent to the ESA on the subject site to facilitate tree protection and retention. No ESA Development Permit application is required as the ESA on the neighbouring property is not impacted and the proposal makes provisions for tree and vegetation retention along the west edge of the site.

Riparian Management Area (5 m)

An existing open canal is located on the neighbouring property to the west of the site that also has the ESA designation. This open canal has a Riparian Management Area (RMA) designation associated with the watercourse and requires the establishment of a 5 m setback area measured from the top of bank of the watercourse. This 5 m RMA has been confirmed by a legal survey and noted on the site plan. All proposed development takes into account the 5 m RMA associated with the watercourse on the neighbouring property that extends onto the development site's western edge. All existing trees and vegetation within the RMA will be retained and protected.

The preliminary landscape plan proposed for the development site contains provisions for protection fencing around the RMA to ensure no disturbance of existing natural vegetation and trees occurs. Provisions for additional plantings of native species trees and shrubs are also proposed to enhance the existing RMA, thus providing a substantial buffer area along the west edge of the site. A final landscape plan confirming plantings within the RMA is required to be submitted and approved by City staff prior to issuance of the building permit. Fencing and appropriate measures to prevent encroachment or disturbance of the RMA is required to be identified in the final landscape plan to be reviewed and approved by Environmental Sustainability staff.

Tree Retention. Removal and Protection

A tree survey, accompanying arborist report and preliminary landscape plan was reviewed by the City's Tree Preservation Staff who concur with the assessment and recommendations of the report. The arborist report and tree survey reviewed a total of 48 on-site and 11 off-site trees. A total of 23 trees are proposed to be retained on the subject site. A majority of tree retention is proposed along the subject site's western boundary, which corresponds with the existing ESA and RMA designated areas. Other tree retention is proposed along the eastern perimeter of the subject site in conjunction with a proposed landscape buffer implemented within building and parking setback areas (Please refer to Attachment 7 for a plan summarizing proposed tree retention and removal).

25 trees are recommended for removal due to either a conflict with the parking lot and building development areas or poor/declining health of the tree. The OCP guideline relating to tree replacement is at a 2:1 ratio. On this basis, a total of 50 replacement trees are recommended to be planted on the subject site. A preliminary landscape plan submitted for the development has confirmed a minimum of 50 replacement trees can be accommodated on the subject site. A majority of replacement trees are proposed to be planted around the perimeter of the subject site to supplement plantings in the RMA (i.e., with native plant species only) and landscape buffer

areas. Requirements for landscape buffering around the perimeter and opportunity to enhance plantings within the RMA enable the 50 replacement trees to be planted on-site.

Environmental Sustainability staff have reviewed and support the retention of existing trees in RMA designated areas and replacement tree planting of native species trees and shrubs to enhance the RMA area along the west adjacency of the subject site.

All off-site trees on neighbouring properties (11 trees total) are proposed to be retained. A final landscape plan (with tree/RMA protection fencing measures identified) and corresponding bond to cover planting and landscape works is also required to be submitted, reviewed and approved by City staff prior to issuance of the building permit to secure all replacement tree planting on the subject site. Prior to issuance of a building permit for the proposed development and any preparation work on the subject site, inspection and approval of tree/RMA protection fencing (to the City and consulting arborists specifications) based on the approved landscape plan is required.

Transportation

Transportation division staff have reviewed the proposed vehicle access configuration for the subject site as well as on-site traffic related components (i.e., off-street parking, maneuvering aisles, on-site bicycle parking). The proposed redevelopment of an assembly hall on the site meets all City Transportation requirements. The proposed vehicle entrance and exit is centred on the subject site's Westminster Highway frontage. This portion of Westminster Highway contains an existing landscaped median, which separates east and west bound traffic. As a result, vehicles will only be able to do a right-in and right-out vehicle movement to enter and exit the subject property.

Adjacency Conditions – Buffering and Shadow Impacts

As the subject site is located in the ALR and is situated in an area with active blueberry farming (primarily blueberry operations with some small nursery operations), the proponent developed a specific agricultural landscape buffer around the perimeter of the subject site. A summary of the proposed landscape buffer is summarized as follows (refer to **Attachment 8** for a copy of the preliminary landscape plan):

- Along the west edge of the site, a buffer area ranging in width from 5 m (16 ft.) to 7 m (23 ft.) consisting mainly of existing trees and vegetation associated with the RMA running along the west property line. Where possible, additional RMA enhancement plantings are proposed within the buffer area.
- Along the southern edge, a buffer area ranging in width from 2.5 m (8 ft.) to 3.8 m (12 ft.) to be planted with evergreen hedging.
- Along the eastern edge of the site, a buffer area ranging in width from 3 m (adjacent to off-street parking areas) and 5 m (16 ft.) to 7 m (23 ft.) (adjacent to the new assembly building). The proposed buffer will consist of a wooden fence (1.8 m or 6 ft. in height), with evergreen hedging and a mix of deciduous and evergreen trees.
- Grading around the perimeter of the subject site will involve gradually sloped transitions from higher elevations associated with the building and parking/drive-aisle areas to meet the existing grade on neighbouring properties.

A final landscape buffer plan (including submission of a detailed plant/tree listing and bond to complete the works) will be required to be reviewed and approved by staff prior to issuance of the building permit for the new assembly building. A legal agreement is also required to be registered on title of the subject site that identifies that the on-site agricultural landscape buffer (as identified in a submitted explanatory plan) to be implemented on the subject site:

- Cannot be removed, modified or altered without prior approval of the City; and
- Is to help mitigate against typical farm activities involving noise, dust and odour.
- Confirmation of registration of this legal agreement on title of the subject site is required prior to issuance of the building permit.

The proponent also undertook a shadow analysis of the proposed new assembly building on the subject site to determine shadowing impacts on neighbouring agricultural operations located to the immediate east of the subject site. The shadow analysis confirmed that the proposed new assembly building (based on setbacks, height and roof design) would have minimal impacts on adjoining agricultural areas, with the exception of some late afternoon/early evening shadowing occurring to the east.

Non-Permitted Uses

The congregation has confirmed that the existing assembly hall facility is only used for religious services and teachings, wedding and funeral ceremonies only. This similar programming and use will be implemented for the future redeveloped assembly hall facility, which complies with the existing uses permitted in the subject site's Assembly (ASY) zoning. The congregation has confirmed that the proposed new assembly hall facility will not be used as a reception venue or banquet hall facility, which is not permitted in the existing zoning.

Flood Plain Covenant

Registration of a Flood Plain Covenant on title of the subject site identifying a minimum flood construction level of 2.9 m is required prior to issuance of the Building Permit for the site.

Aircraft Noise Sensitive Development Policy

Based on the OCP Aircraft Noise Sensitive Development Map (Attachment 5), the subject site is contained in Area 4 (All aircraft noise sensitive land uses can be considered). The assembly use is not considered an aircraft noise sensitive land use. The accessory residential caretaker unit is an aircraft noise sensitive land use. As a result, an aircraft noise sensitive use covenant will be required to be registered on title of the subject site prior to issuance of the Building Permit.

In addition to the registration of an aircraft noise sensitive use covenant on title, the proponent is required to submit a report from the appropriate professional prior to issuance of the Building Permit to confirm that the aircraft noise sensitive land use component of the project (i.e., residential caretaker suite) is designed and constructed to meet the following requirements contained in the OCP Aircraft Noise Sensitive Development Policy:

- Bedrooms 35 decibels.
- Living, dining, and recreation rooms 40 decibels.
- Kitchen, bath, hallways and utility rooms 45 decibels.
- The standard required for air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers and acoustical ducting) is the ASHRAE 55-2004

"Thermal Environmental Conditions for Human Occupancy" standard and subsequent updates as they may occur.

Analysis

The existing congregation has owned and operated out of the existing assembly hall facility on the subject site since the 1970's. As the property is located in the ALR, a non-farm use application is required to obtain approval from Richmond City Council and the ALC to redevelop the site to enable a new congregation hall to be built. No additional properties are necessary to facilitate the redevelopment as the entire site is large enough to accommodate the proposal.

If approved by Richmond City Council and the ALC and as outlined in this report, there are a number of items to be completed by the owner/developer prior to issuance of a Building Permit for the new assembly hall. The owner/proponent has provided their sign-off and acknowledgement that the requirements identified in the "Non-farm Use Development Considerations" (Attachment 8) will be completed prior to the submission of a building permit to construct the new assembly hall facility. The subject site is zoned Assembly (ASY) and the proposal complies with all provisions of the zone; therefore, no rezoning application will be required.

The proposed development enables the existing congregation to build a larger assembly hall facility to replace the existing building and also enables the group to remain at their present location. The following issues were addressed through the non-farm use application:

- Site servicing (water, storm and on-site sanitary sewage system disposal).
- Transportation and off-street parking.
- Protection and enhancement of the RMA and ESA that run along the western edge of the subject site.
- Tree retention, removal and appropriate replacement plantings.
- Submission of a preliminary landscape plan for the proposal to confirm tree replacement and establishment of an agricultural landscaped buffer around the perimeter of the site.

Conclusion

The non-farm use application at 11014 Westminster Highway proposes to redevelop the congregations existing assembly hall facility to accommodate a larger building, supporting off-street park and landscape buffering around the perimeter. The proposed new building complies with all provisions of Assembly (ASY) zoning and has addressed all land use issues related to the development. Staff recommend that the non-farm use application be authorized to proceed to the ALC.

Kevin Eng Planner 1

KE:cas

Attachment 1: Location Map

Attachment 2: Conceptual Development Plans Attachment 3: Preliminary Landscape Plan

Attachment 4: Development Application Data Sheet

Attachment 5: Aircraft Noise Sensitive Development Location Map Attachment 6: Excerpt of April 12, 2012 AAC Meeting Minutes

Attachment 7: Tree Retention, Removal, Replacement and Protection Plan Attachment 8: Non-Farm Use Application Development Considerations

PLN - 202



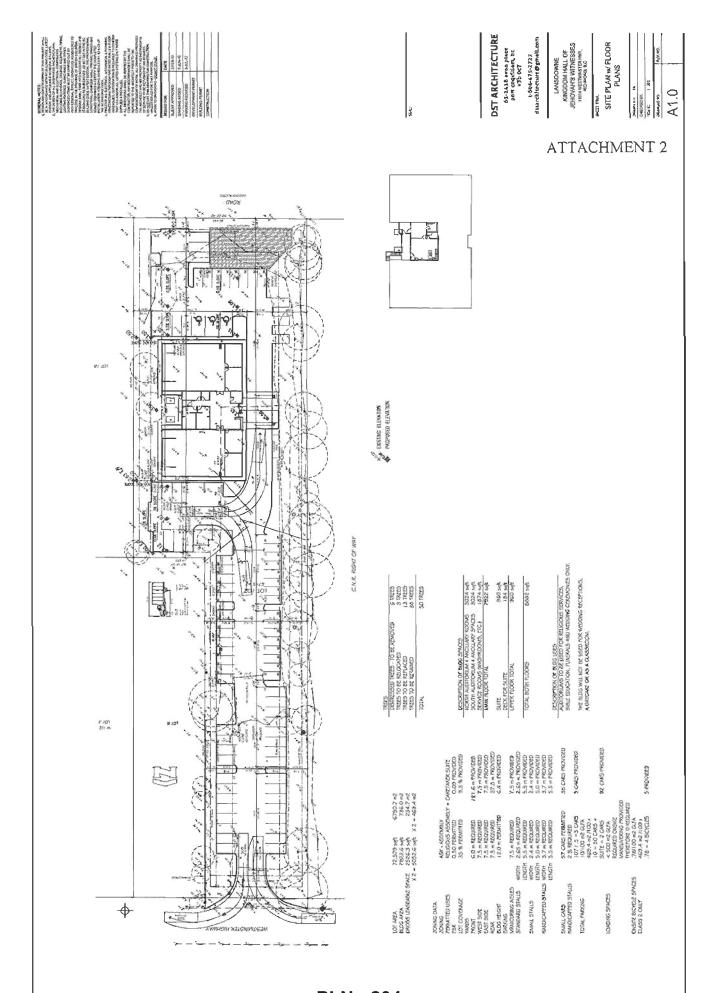


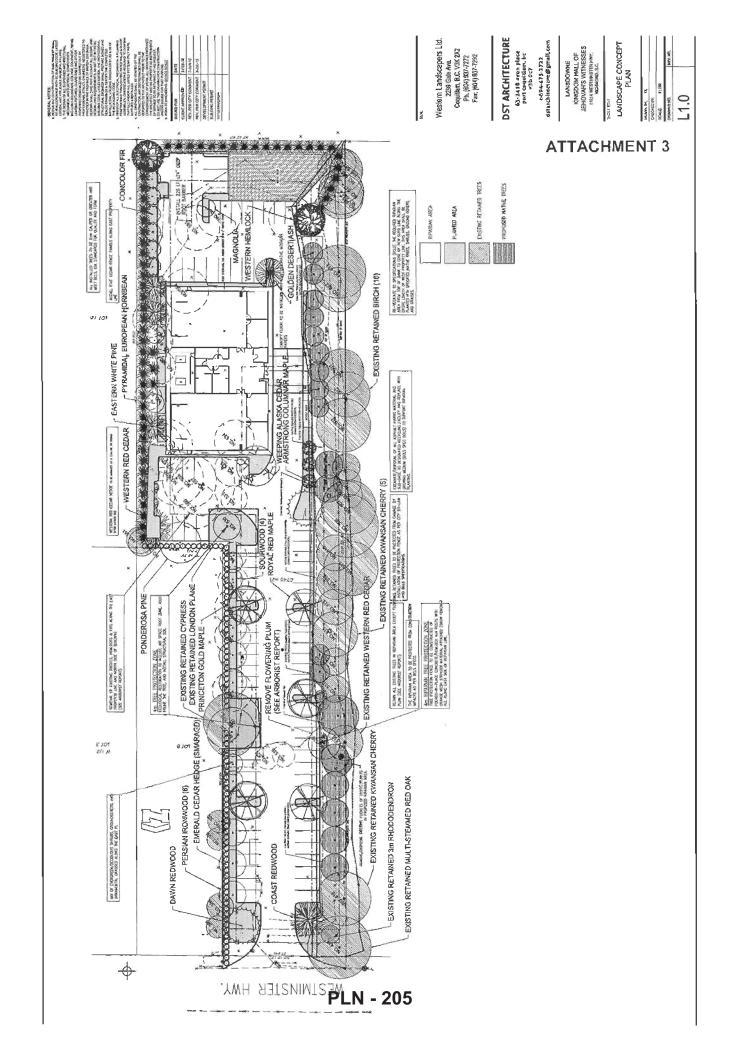
AG 11-566932

Original Date: 04/20/11

Revision Date:

Note: Dimensions are in METRES







Development Application Data Sheet

Development Applications Division

AG 11-566932 Attachment 4

Address: 11014 Westminster Highway

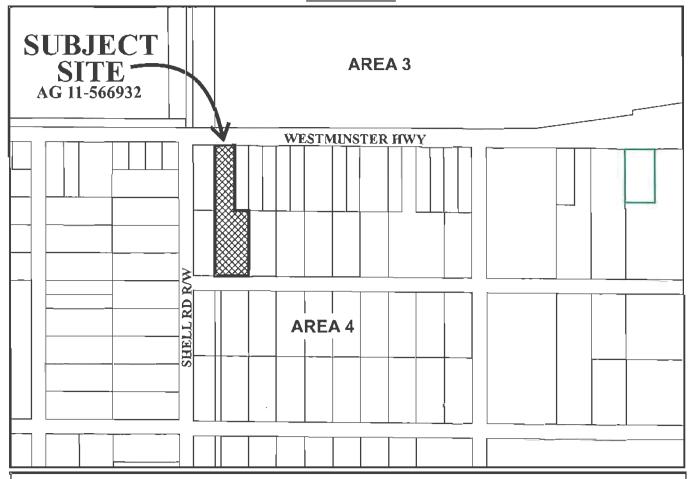
Applicant: Lansdowne Congregation of Jehovah's Witnesses (The Trustees)

Planning Area(s): East Richmond - McLennan Sub Area

	Existing	Proposed
Owner:	Lansdowne Congregation of Jehovah's Witnesses (The Trustees)	No change
Site Size (m²):	6,719 m ²	No change
Land Uses:	Existing assembly hall on north portion of site with supporting off- street parking	New assembly hall on south portion of site with supporting off- street parking and landscape buffering
OCP Designation (General):	Agriculture	No change
McLennan Sub Area Plan Designation:	Agriculture	No change
Zoning:	Assembly (ASY)	No change
Other Designations:	5 m Riparian Management Area along west property line	No change – Riparian Management Area will be maintained and enhanced with tree plantings

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5 FAR	0.12 FAR	none permitted
Lot Coverage - Building:	Max. 35%	11%	none
Setback - Front Yard (m):	Min. 6 m	122 m	none
Setback - Side Yard (m):	Min. 7.5 m	7.5 m	none
Setback – Rear Yard (m):	Min. 7.5 m	33 m	none
Height (m):	12 m	6.4 m	none
Off-street Parking Spaces – Assembly Hall Total:	74 stalls	85 stalls	none
Off-street Parking Spaces – Residential Caretaker Total:	2 stalls	2 stalls	none

Other. Tree replacement compensation regulred for loss of significant trees.



LEGEND

Aircraft Noise Sensitive Development Policy (ANSD) Areas (see Aircraft Noise Sensitive Development Policy Table)

No New Aircraft Noise Sensitive Land Uses:

AREA 1A - New Aircraft Noise Sensitive Land Use Prohibited.

AREA 1B - New Residential Land Uses Prohibited.

Areas Where Aircraft Noise Sensitive Land Uses May be Considered: Subject to Aircraft Noise Mitigation Regulrements:

AREA 2 - All Aircraft Noise Sensitive Land Uses (Except New Single Family) May be Considered (see Table for exceptions).

AREA 3 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

AREA 4 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

No Aircraft Noise Mitigation Requirements:

AREA 5 - All Aircraft Noise Sensitive Land Use Types May Be Considered.



Aircraft Noise Sensitive Development Location Map Original Date: 03/02/11

Amended Date:

Note: Dimensions are in METRES

The following additional comments were made by AAC members:

- The issue of adopting the proposed GE free resolution, based on limited information and understanding of the issue and implications, is premature.
- People should be 1) Opposed to the possibility of cross contamination between non-GE and GE crops; and 2) Supportive of improved education through labelling.
- A member highlighted that education about GE products and their role in the food system should and needs to be supported. It was also noted that GE products in the agricultural sector is not a new phenomenon. As a result, emphasis should also be placed on the role GE products have to play in advancing the agricultural sector forward and improving viability.
- A suggestion was made that improved/enhanced labelling of GE products and
 education initiatives were part of the same initiative. It was also noted that improved
 labelling and other education initiatives should be developed with caution to ensure
 that they are not too far reaching, premature or overly restrictive.

A motion was forwarded to support labelling of food with GE ingredients. This motion was not seconded with members noting concerns on a blanket approach of labelling and identifying food with GE ingredients. Conversely, other members questioned what drawbacks, if any, there would be for labelling GE products or food with GE inputs.

A member suggested that a more macro-view be taken on this issue and that any advice given by the AAC should identify that the Federal Government strictly regulates and controls labelling, so any initiative to support labelling of GE products needs to start with senior levels of government.

As a result of the discussion, the following motions were moved and seconded by the AAC:

That the AAC is in favour of education initiatives in relation to GE product awareness.

Carried Unanimously

That the AAC supports initiatives by the appropriate Federal agencies in efforts to move towards labelling of GE food and related products.

Carried (B. Jones Opposed)

5. Development Proposal – 11014 Westminster Highway (Non-Farm Use Application)

City staff summarized the non-farm use development proposal (based on the summary table in agenda packages) to redevelop an existing assembly zoned site in the ALR to enable the assembly hall to be redeveloped. The existing site and assembly hall was developed when the agricultural zone in the 1970's included churches and schools as a permitted use. As the subject site is located in the ALR and subject to the ALC Act, a non-farm use application is being processed. The development involves the demolition of the existing assembly hall

located at the north end of the site and redeveloping a larger congregation hall on the southern portion of the site, which allows for more space for the building and improved buffering to surrounding farm and residential uses. The non-farm use application is the only application required to be reviewed by Richmond City Council as no rezoning and/or Development Permit application is required on this site.

Buffering consists of generally maintaining the existing landscaped buffer edge along the west edge of the site (associated with an existing Riparian Management Area) and implementing new buffering (landscaped hedging and fencing) varying from 3 m to 6 m in width along the eastern adjacency.

AAC members made the following comments on the development proposal:

- Question were asked about the storm drainage for the new development, height of new building and impacts of shadowing, inclusion of provisions to limit daycare/banquet hall uses and turnaround for vehicles. In response, the applicant and staff noted that all storm drainage captured would need to be drained to the City storm system and impacts on shadowing would be minimal. The applicants noted that they were amenable to placing a restriction (via covenant or other legal agreement) to restrict the use of the facility as a daycare or banquet hall facility).
- In response to questions about operation of the congregation during construction, the applicant noted that no plans have been made to address congregation operations during construction.
- Members noted that any fill to be brought onto the site to raise portions of the building and parking areas must also consider agricultural drainage/irrigation in the surrounding areas to ensure this infrastructure properly functions after redevelopment on this site.
- Questions about the number of parking stalls and traffic generated from this
 development. City staff noted that the off-street parking stalls being provided was
 sufficient and that Transportation staff had reviewed the development and determined
 no concerns with traffic volumes and flows to and from the site.

As a result, the following motion was moved and seconded by the AAC:

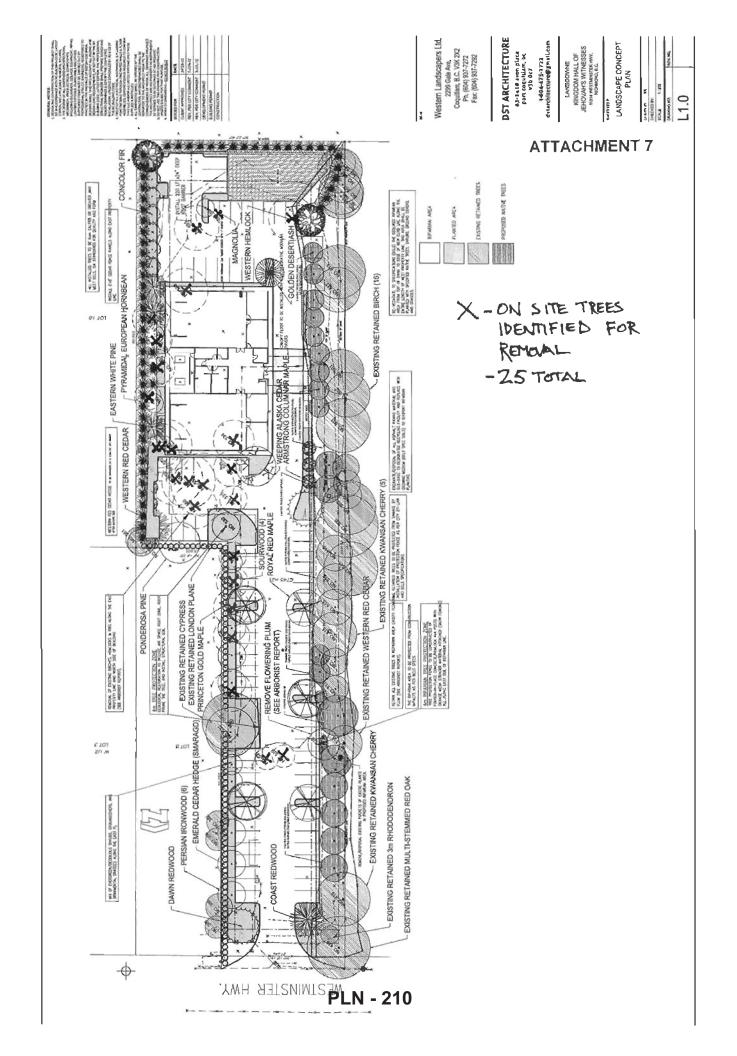
That the AAC support the non-farm use application at 11014 Westminster Highway to enable the existing assembly hall to be redeveloped.

Carried Unanimously

6. Meeting Minutes from March 8, 2012 and Business Arising From Minutes

The March 8, 2012 meeting minutes were adopted.

Kathleen Zimmerman noted that their agency was now called the Ministry of Agriculture. No further business arising from the minutes.





Non-Farm Use Development Considerations

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

Address: 11014 Westminster highway _____ File No.: AG 11-566932

Date: July 3, 2012

Prior to issuance of the Building Permit for the new assembly hall facility, the developer/proponent is required to complete the following:

- 1. Confirmation of ALC approval of the non-farm use application.
- 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 Bond to cover installation of plantings. The Landscape Plan should:
 - include native plantings only within the RMA area;
 - include an agricultural landscape buffer around the perimeter of the subject site.
 - include a mix of coniferous and deciduous trees;
 - include the dimensions and specifications of tree/RMA protection fencing; and
 - include a minimum of 50 required replacement trees.
- 3. Installation of tree/RMA protection fencing based on the landscape plan and in accordance with the consulting arborist and City specifications around all trees to be retained prior to any construction activities, including building demolition, occurring on-site.
- 4. Registration of an aircraft noise sensitive use covenant on title.
- 5. Registration of a legal agreement on title identifying that the proposed development must be designed and constructed in a manner that mitigates potential aircraft noise within the proposed residential caretaker unit. The residential caretaker unit must be designed and constructed to achieve:

a) CMHC guidelines for interior noise levels as indicated in the chart below:

Portions of Dwelling Units	Noise Levels (decibels)	
Bedrooms	35 decibels	
Living, dining, recreation rooms	40 decibels	
Kitchen, bathrooms, hallways, and utility rooms	45 decibels	

- b) the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard for interior living spaces.
- 6. Submit a report and recommendations prepared by an appropriate registered professional, which demonstrates that the proposed residential caretaker unit can achieve CMHC interior noise level standards and the interior thermal conditions identified below. The standard required for interior air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers and acoustic ducting) is the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard and subsequent updates as they may occur. Maximum noise levels (decibels) within the residential caretaker dwelling unit must be as follows:

Portions of Dwelling Units	Noise Levels (decibels)	
Bedrooms	35 decibels	
Living, dining, recreation rooms	40 decibels	
Kitchen, bathrooms, hallways, and utility rooms	45 decibels	

- 7. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 2.9 m GSC.
- 8. Registration of a legal agreement on title to ensure that landscaping planted along the perimeter of the subject site (as identified in a submitted explanatory plan) is for the purposes of an agricultural buffer and is to be maintained and cannot be modified without approval from the City. The legal agreement will also indicate that the agricultural landscape buffer is to mitigate against noise, odor and dust associated with surrounding farm activities.

- 9. Enter into a Servicing Agreement* for the design and construction of storm sewer works along the subject site's Westminster Highway frontage to meet current OCP requirements. Works will include, but are not limited to the following:
 - a) Upgrade the existing 300 mm diameter storm sewer to a 600 mm diameter storm sewer at the site's Westminster Highway frontage from the existing manhole STMH 1537 (located 5 meters west of the proposed site's west property line) to the proposed site's east property line for an approximate length of 35 meters.
 - b) The existing manhole STMH 1537 (1050 mm diameter) may also require upgrading to 1200 mm diameter pending the design submission.
- 10. Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. 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.

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

- Submission of a Construction Parking and Traffic Management Plan to the Transportation Division. 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 Division at 604-276-4285.

If the non-farm use application is approved by Richmond City Council and the Agricultural Land Commission, the owner/proponents acknowledges and agrees to complete and fulfill all considerations and items identified in the document titled "Non-Farm Use Development Considerations" dated July 3, 2012 from the City of Richmond <u>prior</u> to submission of a Building Permit application for the purposes of building a new assembly hall facility at 11014 Westminster Highway

Signed Copy on File		
Signed	Date	

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.

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