



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

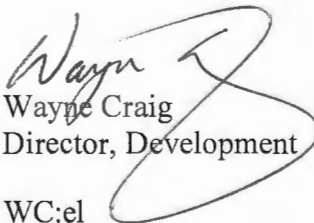
Date: August 22, 2016

File: RZ 12-600638

Re: Application by Jagtar Sihota for Rezoning at 10760/10780 Bird Road from Single Detached (RS1/E) to Single Detached (RS2/B)

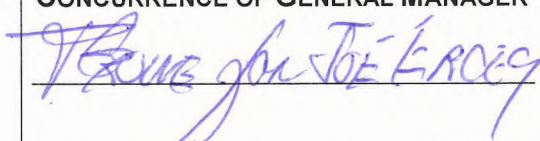
Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9576, for the rezoning of 10760/10780 Bird Road from "Single Detached (RS1/E)" to "Single Detached (RS2/B)", be introduced and given first reading.


Wayne Craig
Director, Development

WC:el

Att.8

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

Staff Report

Origin

Jagtar Sihota has applied to the City of Richmond to rezone the properties at 10760/10780 Bird Road (Attachment 1) from “Single Detached (RS1/E)” zone to “Single Detached (RS2/B)” zone in order to permit the properties to be subdivided into three (3) single-family lots fronting Shell Road with a shared driveway from Bird Road (see Attachment 2). The site is occupied by an existing duplex, which will be demolished.

Findings of Fact

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

Surrounding Development

The subject property is a large lot located at the southwest corner of Bird Road and Shell Road, in an existing residential neighbourhood that has experienced on-going redevelopment to smaller lots through rezoning and subdivision applications in recent years.

To the North: Directly across Bird Road, large single-family residential lots zoned “Single Detached (RS1/E)”.

To the South: Directly behind the subject site, single-family residential lots zoned “Single Detached (RS1/E)” fronting Caithcart Road.

To the East: Across Shell Road, a railway corridor, and then large single-family residential lots zoned “Single Detached (RS1/D)” and “Single Detached (RS1/E)”.

To the West: A non-conforming duplexes on a lot zoned “Single Detached (RS1/E)”, and small single-family residential lots zoned “Single Detached (RS1/B)”.

Related Policies & Studies

Official Community Plan/East Cambie Area Plan

The subject property is located in the East Cambie Planning Area. The OCP’s Land Use Map designation for this property is “Neighbourhood Residential”. The East Cambie Area Plan’s Land Use Map designation for this property is “Residential (Single-Family Only)”. This redevelopment proposal is consistent with these designations.

Single Family Lot Size Policy 5424

The subject site is located within the area covered by Single Family Lot Size Policy 5424, adopted by City Council on November 20, 1989 (Attachment 4). This Policy permits rezoning and subdivision of properties on Bird Road in accordance with the “Single Detached (RS2/B)” zone.

This redevelopment proposal would permit a subdivision to create three (3) lots fronting Shell Road, each approximately 14.32 m wide and 371 m² in area, consistent with Single Family Lot Size Policy 5424.

Aircraft Noise Sensitive Development (ANSD) Policy

The ANSD Policy applies to the subject site, which is located within the “Aircraft Noise Notification Area (Area 4)”. In accordance with this Policy, all aircraft noise sensitive land uses may be considered. Registration of an Aircraft Noise Sensitive Use Covenant on Title will be required prior to final adoption of the rezoning bylaw.

Floodplain Management Implementation Strategy

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

Public Consultation

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

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

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

Analysis

Built Form and Architectural Character

The applicant has submitted conceptual development plans showing:

- The proposed architectural elevations of the dwelling to be located on the corner lot at Bird Road and Shell Road (Attachment 5); and
- The proposed landscaping in the front and exterior side yards as well as landscaping along the shared driveway (Attachment 6).

The proposed elevations and landscape plans respond to the City’s urban design objectives by providing an articulated and visually interesting façade along both road frontages, and by enhancing the front and exterior side yard of the lot with a mix of coniferous and deciduous trees and a variety of evergreen shrubs.

Prior to final adoption of the rezoning bylaw, the applicant is required to register a restrictive covenant on title specifying that the Building Permit application and ensuing development at the subject site must be generally consistent with the plans included in Attachment 5. Plans submitted at Building Permit application stage must comply with all City regulations. The

Building Permit application process includes coordination between Building Approvals and Planning staff to ensure that the covenant is adhered to.

In order to ensure that this landscaping work is undertaken, the applicant is required to submit a final landscape plan along with a landscape security based on 100% of the cost estimates, including installation cost, provided by the Landscape Architect, prior to final adoption of the rezoning bylaw.

Existing Legal Encumbrances

There is an existing 3.0 m wide statutory right-of-way (SRW) registered on Title of the lot for utilities along the south property line. Staff from the Engineering Department advised that the extent of this SRW may be reduced subject to the Servicing Agreement design. As part of the Servicing Agreement, the applicant may propose to replace the existing SRW with a new SRW that is 3.0 m wide (measured from the south property line) and extend 3.0 m east of the centre of the existing sanitary manhole onsite. The exact dimensions of the SRW are to be confirmed by a field survey, to the satisfactory of the Director of Engineering. In case the existing SRW cannot be reduced, the building envelope of the proposed Lot 3 (southern lot) will be reduced correspondingly.

Transportation and Site Access

The Transportation Division has stipulated that no direct vehicular access is permitted to Shell Road; vehicular access to the new lots is to be only from a new 6.0 m wide shared driveway secured by an access easement along the west property line of the subject site. Registration of a legal agreement on Title ensuring that vehicle access is limited to Bird Road only, at the west property line of the site, will be required prior to final adoption of the rezoning bylaw. This agreement will also include language that no subdivision of the property is permitted until such time that the abovementioned 6 m wide cross-access easement is registered.

An additional 1.0 m setback to the building will be required from the easement to facilitate vehicular turning. The southern parcel will be required to have its garage situated at the north edge of the site (subject to the minimum side yard setback requirement under the RS2/B zone). Registration of a restrictive covenant to reflect the above access arrangement and additional setbacks will be required prior to subdivision approval.

British Columbia Ministry of Transportation and Infrastructure (MOTI) Referral

The subject site is located within 800 m of a controlled access highway (i.e., Highway 99), and the rezoning application was referred to the BC Ministry of Transportation and Infrastructure (MOTI). Preliminary approval of the subject rezoning was granted on August 4, 2016 for a period of one (1) year pursuant to Section 52(3)(a) of the Transportation Act. Prior to final adoption of the rezoning bylaw, final approval from MOTI is required.

Tree Retention and Replacement

A Tree Survey and a Certified Arborist's Report were submitted as part of the application. The City's Tree Preservation Coordinator and Parks Operations staff have reviewed the Arborist Report and has provided the following comments:

- Three (3) trees located on site, including a 21 cm cal Douglas Fir tree (tag# 474), a 31 cm cal Portuguese Laurel tree (tag#476), and a 23 cm cal Japanese Maple tree (tag# 477), have been historically topped and are in direct conflict with the proposed development; these trees cannot be retained.
- Six (6) bylaw-sized White Cedar trees (tag #475) located at the northeast corner of the development site are in poor condition due to historical topping and should be removed.
- Five (5) trees (tag# A, B, C, D & E) located on neighbouring property to the west along the common property line must be protected as per the Arborist's recommendations.
- A 38 cm cal Red Maple tree (tag# 473) located on the city boulevard along the Bird Road frontage of the subject site is in good condition and matches the rest of the street planting; this tree must be retained at its current location.

Tree Replacement

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, 18 replacement trees in a mix of minimum 6 cm to 8 cm calliper deciduous trees and minimum 3.5 m to 4.0 m high coniferous trees are required to compensate for the removal of the nine (9) trees listed above.

According to the Preliminary Landscape Plan provided (Attachment 6), the developer is proposing to plant a minimum of nine (9) new trees on-site. The total number of new trees to be planted on site and the size of replacement trees will be reviewed in detail after the functional plan for future frontage works is completed, prior to final adoption of the rezoning bylaw. The applicant has agreed to provide a voluntary cash contribution in the amount of \$500/tree to the City's Tree Compensation Fund if required replacement trees cannot be accommodated on-site.

Tree Protection

A Tree Management Plan (Attachment 7) has been submitted as part of this application. Tree protection fencing is required to be installed prior to any construction activities (including demolition) occurring on-site. In addition, proof that the owner has entered into a contract with a Certified Arborist to monitor all works to be done near or within the tree protection zone will be required prior to final adoption of the rezoning bylaw.

Affordable Housing Strategy

For single-family development proposals received prior to September 14, 2015, Richmond's Affordable Housing Strategy requires a secondary suite within a dwelling on 50% of new lots created through rezoning and subdivision, or a cash-in-lieu contribution of \$1.00/ft² of total building area towards the City's Affordable Housing Reserve Fund for single-family rezoning applications.

The applicant proposes to provide a voluntary contribution to the Affordable Housing Reserve Fund based on \$1.00/ft² of total buildable area of the single-family developments (i.e. \$6,552.64) in-lieu of providing a secondary suite on 50% of the new lots.

Site Servicing and Frontage Improvements

Prior to final adoption, the developer is required to dedicate a 4 m x 4 m corner cut at the northeast corner of the site and provide a statutory right-of-way (SRW) along the Shell Road frontage to accommodate future frontage improvements (see Attachment 8 for details). A functional plan of the SRW and frontage works design is required prior to final adoption to determine the exact dimension of the SRW.

Prior to approval of the Subdivision, the developer is required to enter into a City's standard Servicing Agreement for the design and construction of the shared driveway along the west property line. The design must include new storm and sanitary sewers within the proposed shared driveway, as well as water, storm and sanitary connections for all three (3) proposed lots (see Attachment 8 for details).

Prior to approval of the Subdivision, the developer is also required to pay DCC's (City & GVS&DD), School Site Acquisition Charge, and Address assignment fee.

Kinder Morgan Canada Inc. (KMC) - Jet Fuel Line – Not Affected

The jet fuel line to YVR is located in close proximity to the proposed development site along Shell Road. No frontage improvement works is required along the Shell Road frontage of the property. As such, a Pipeline Proximity Installation Permit from Kinder Morgan is not required.

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 rezoning application to permit the subdivision of the subject site into three (3) lots zoned "Single Detached (RS2/B)" is consistent with the applicable policies and land use designations outlined within the Official Community Plan (OCP) and with Single-Family Lot Size Policy 5424.

The applicant has agreed to the list of rezoning considerations (signed concurrence on file) outlined in Attachment 8.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9576 be introduced and given first reading.



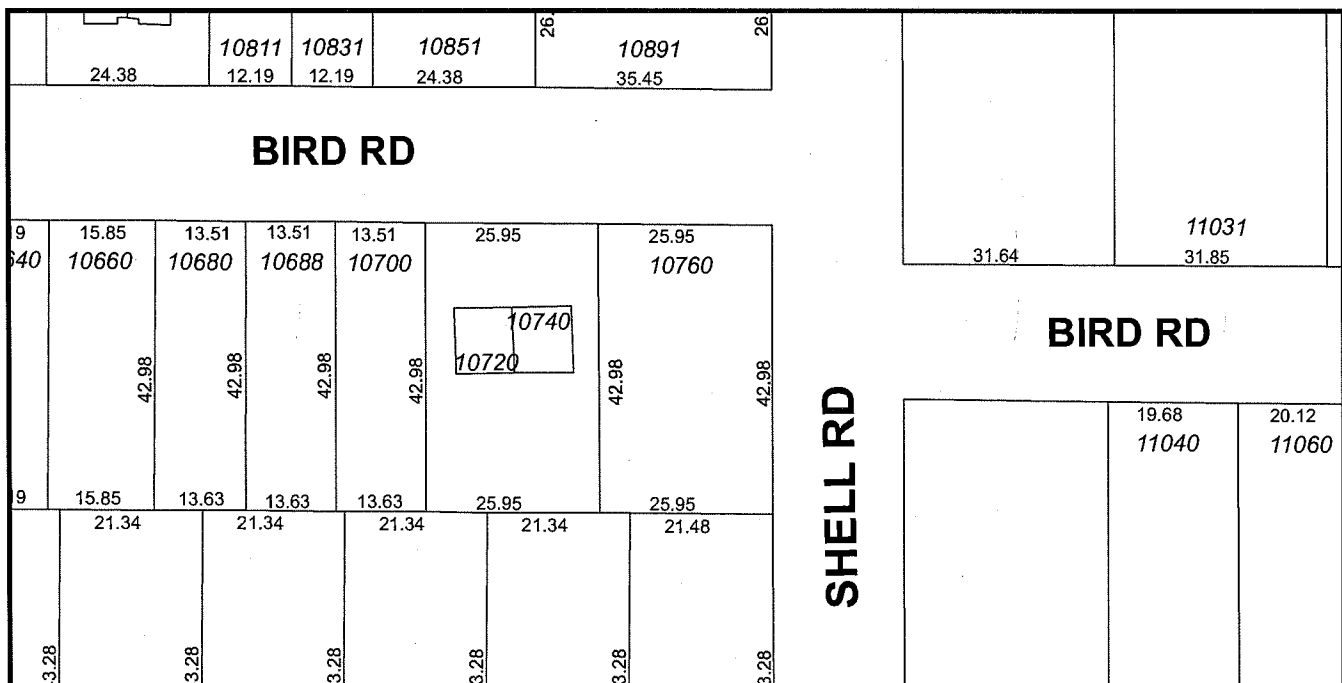
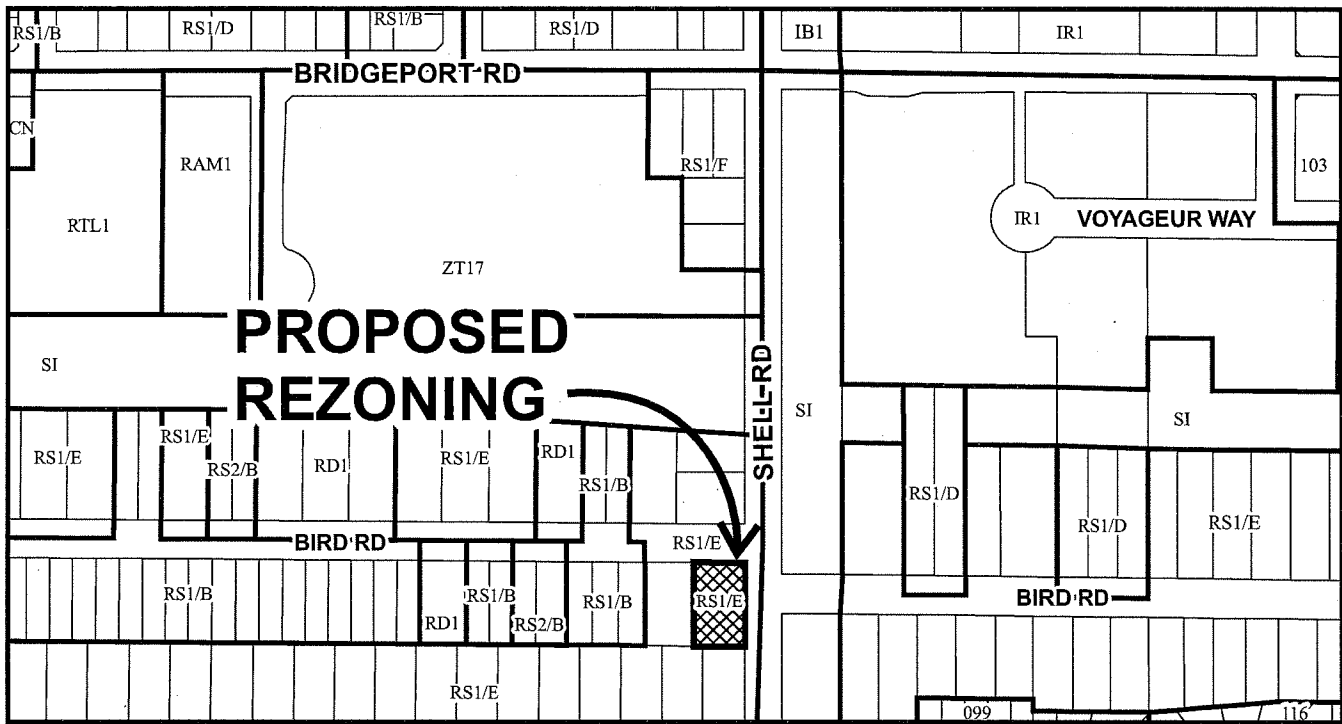
Edwin Lee
Planner I

EL:rg

- Attachment 1: Location Map
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Lot Size Policy 5424
- Attachment 5: Proposed Building Elevations
- Attachment 6: Preliminary Landscape Plan
- Attachment 7: Tree Management Plan
- Attachment 8: Rezoning Considerations



City of Richmond



RZ 12-600638

Original Date: 06/07/16

Revision Date:

Note: Dimensions are in METRES



RZ 12-600638

Original Date: 02/24/12

Revision Date: 06/07/16

Note: Dimensions are in METRES



RZ 12-600638

Attachment 3

Address: 10760/10780 Bird Road

Applicant: Jagtar Sihota

Planning Area(s): East Cambie

	Existing	Proposed
Owner:	Jagtar Singh Sihota, Baldish Kaur Sihota, Gurpreet Singh Sihota	To be determined
Site Size (m²):	1,115 m ²	Approx. 371.6 m ² each
Land Uses:	One (1) non-conforming duplex	Three (3) single-family lots
OCP Designation:	Neighbourhood Residential	Complies
Area Plan Designation:	Residential (Single-Family Only)	Complies
702 Policy Designation:	Lot Size Policy 5424	Complies
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)
Number of Units:	2 units (duplex)	3 single family lots
Other Designations:	N/A	No change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Building, structures, non-porous surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Landscaping with live plant material:	Min. 25%	Min. 25%	none
Setback – Front & Rear Yards (m):	Min. 6.0 m	Min. 6.0 m	none
Setback – Interior Side Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height:	Max. 2½ storeys	Max. 2½ storeys	none
Lot Size (m ²):	Min. 360m ²	Approx. 371.6 m ² each	none
Lot Width (m):	Min. 12 m	14.32 m	none
Lot Depth (m):	Min. 24 m	Approx. 25.95 m	none
Lot Frontage (m):	Min. 6.0 m	14.32 m	none

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



Page 1 of 1

Adopted by Council: November 20, 1989

Policy 5424

File Ref: 4045-00

SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 26-5-6

Policy 5424:

The following policy establishes lot sizes in Section 26-5-6, located on **Bird Road** and **Caithcart Avenue**:

That properties located in a portion of Section 26-5-6, be permitted to subdivide on Bird Road and at the westerly end of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/B) and be permitted to subdivide on the remainder of Caithcart Road in accordance with the provisions of Single-Family Housing District (R1/E) in Zoning and Development Bylaw 5300, and that this policy, as shown on the accompanying plan, be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

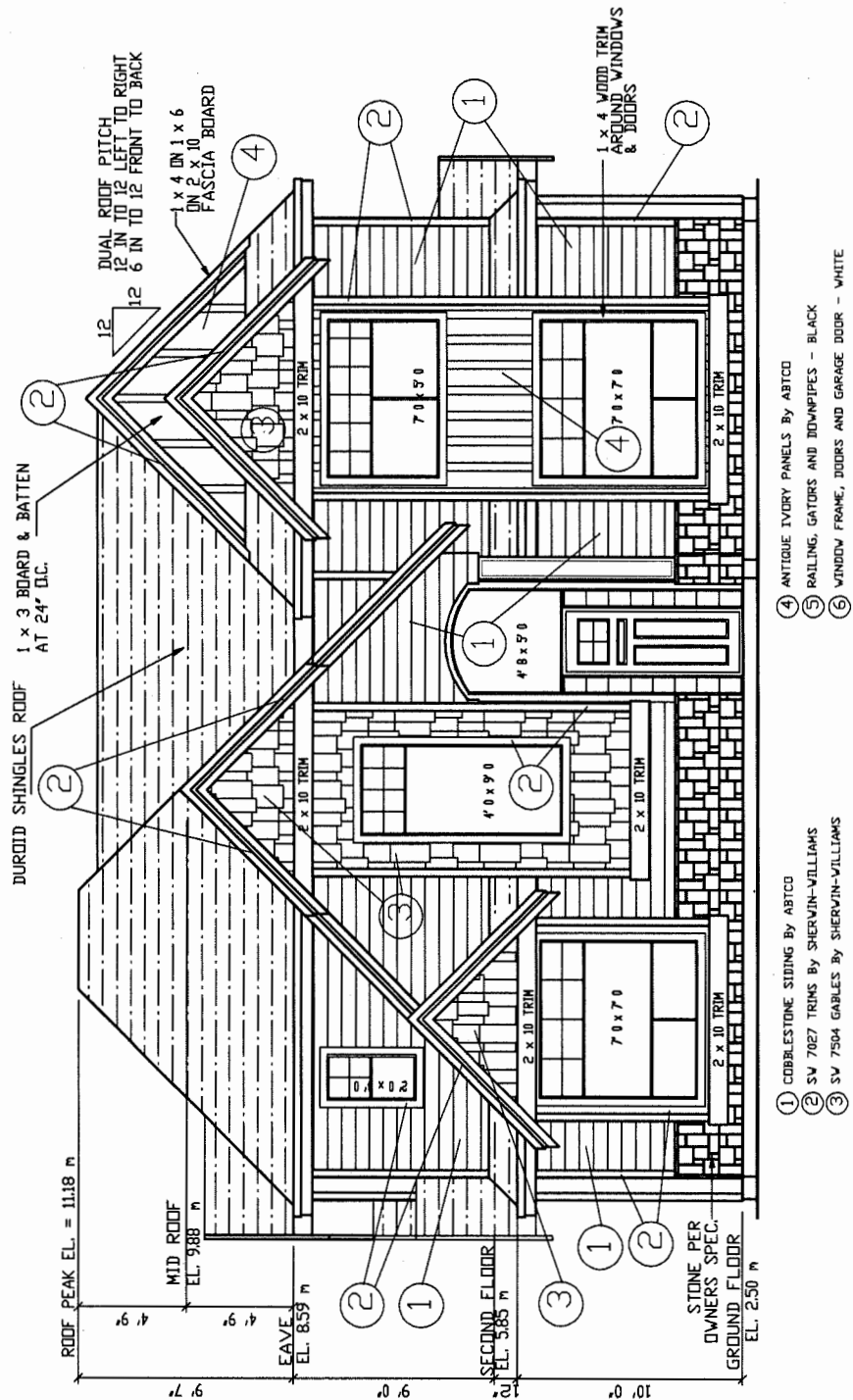


POLICY 5424
SECTION 26, 5-6

Amended Date:

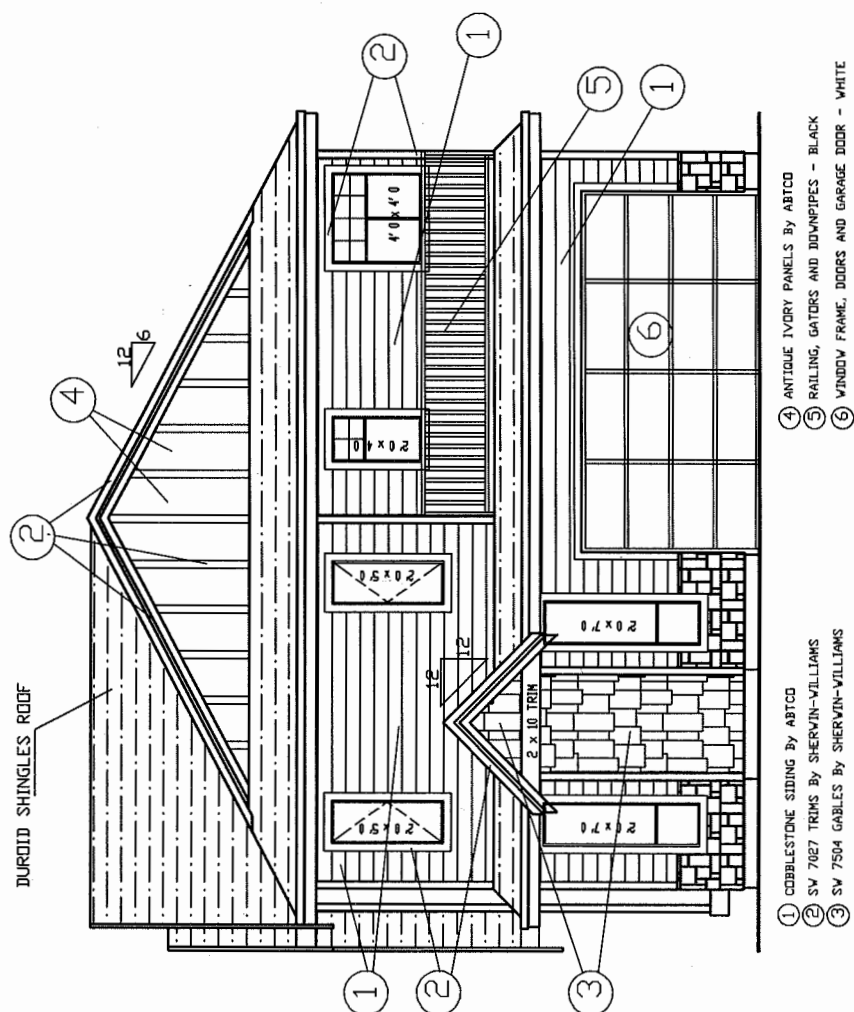
BIRD ROAD

FRONT ELEVATION

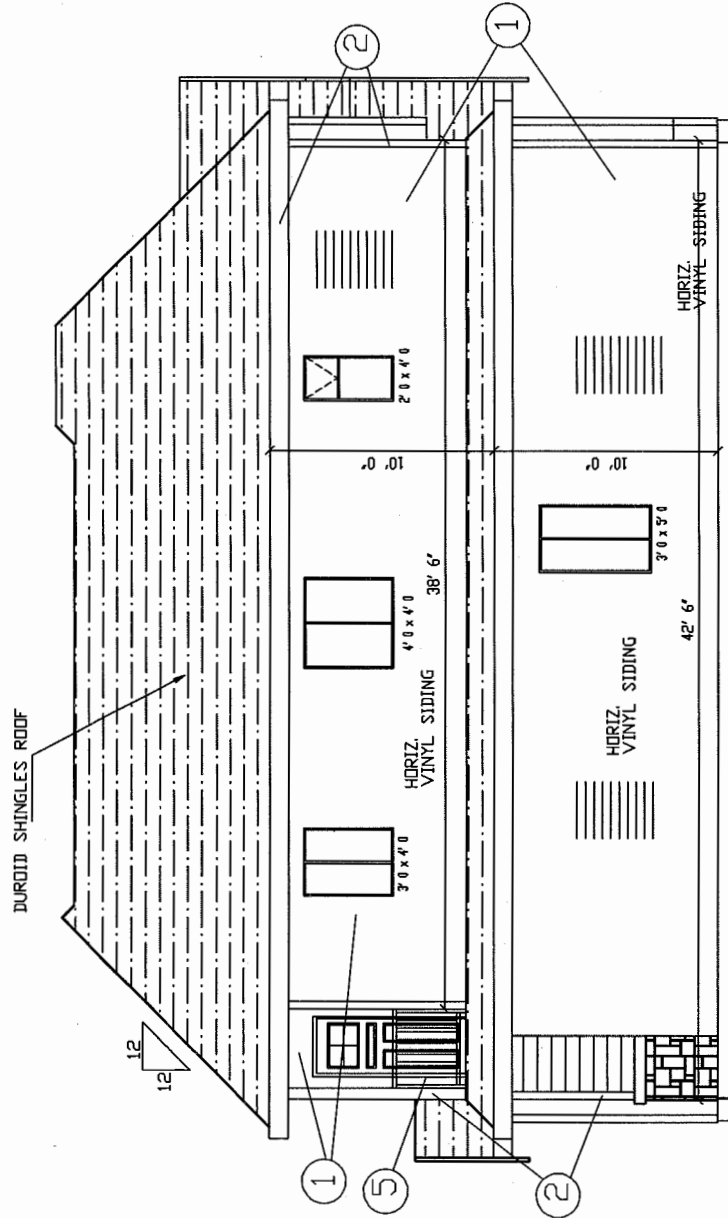


SHARED DRIVEWAY

RIGHT SIDE ELEVATION



REAR ELEVATION



- | | |
|--------------------------------------|---|
| ① COBBLESTONE SIDING BY ABTCD | ④ ANTIQUE IVORY PANELS BY ABTCD |
| ② SV 7027 TRIMS BY SHERVIN-WILLIAMS | ⑤ RAILING, GATORS AND DOWNPIPES - BLACK |
| ③ SV 7504 GABLES BY SHERVIN-WILLIAMS | ⑥ WINDOW FRAME, DOORS AND GARAGE DOOR - WHITE |



Address: 10760/10780 Bird Road

File No.: RZ 12-600638

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9576, the developer is required to complete the following:

1. A 4 m x 4 m corner cut dedication at the southwest corner of the intersection between Bird Road and Shell Road.
2. Submission of a functional design to accommodate the future frontage works including but not limited to: a new 2.0 m concrete sidewalk at east property line, with the remaining space to existing curb set by sidewalk at the southwest corner of Bird Road/Shell Road intersection to be landscaped boulevard, curb and gutter and pavement widening. A 9m corner radius is required for the new curb at the southwest corner of the intersection. A 30:1 transition from new curb to existing extruded curb /walkway on Shell Road is required.
3. The granting of a statutory public-rights-of-passage right-of-way along the entire east property line (Shell Road frontage) for future frontage works (exact dimension to be confirmed via Owners' BCLS and as per the functional design).
4. Registration of an aircraft noise sensitive use covenant on title.
5. Registration of a flood indemnity covenant on title.
6. Registration of a legal agreement on title to ensure that, at the Building Permit stage, the proposed development at the subject site is generally consistent with the plans included in Attachment 5. Minor modifications to the plans at the Building Permit application stage are acceptable and may be required to ensure compliance with all City regulations.
7. Registration of a legal agreement on Title ensuring that:
 - a) the only means of vehicle access is to Bird Road, at the west property line of the site; and that there be no access to Shell Road;
 - b) upon subdivision of the property, registration of a cross-access easement, restrictive covenant, and/or other legal agreements or measures, as determined to the satisfaction of the Director of Development; language must be included in the legal documents to ensure that:
 - (1) vehicular access to all new lots to be from a new 6.0 m wide access easement along the west property line of the subject site. The cross section for the 6.0 m shared driveway from east to west will be: 0.15m rollover curb, 5.1m pavement width and 0.75m landscaped buffer;
 - (2) all buildings to be set back 1.0 m from the eastern boundary of the access easement to facilitate vehicular turning;
 - (3) any garages on the southern parcel to be situated at the north edge of the site (subject to minimum side yard setback requirement under the RS2/B zone); and
 - (4) the easement must not be modified or discharged without City Consent.
8. Submission of a Landscape Plan for the front yards along Shell Road and the exterior side yard of the proposed corner lot, 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:
 - not include hedges along property lines abutting the street;
 - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan included in Attachment 7; and
 - include six (6) replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Tree
16	6 cm
2	8 cm

or

Minimum Height of Coniferous Tree
3.5 m
4.0 m

Note: the security will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the security for a 1-year maintenance period.

9. City acceptance of the developer's offer to voluntarily contribute \$500/tree to the City's Tree Compensation Fund for off-site planting if required replacement trees cannot be accommodated on-site as per the final landscape plan.
10. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within or near the tree protection zones of the protected trees on the adjacent properties and on city boulevard. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections at specified stages of construction, any special measures required to ensure tree protection (e.g. pruning etc.), and a provision for the Arborist to submit a post-construction assessment report to the City for review.
11. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$6,552.64) to the City's Affordable Housing Reserve Fund.

At Subdivision* stage, the developer must complete the following requirements:

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

Water Works:

- a) Using the OCP Model, there is 188 L/s of water available at a 20 psi residual at the Bird Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b) The Developer is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- c) At the Developers cost, the City is to:
 - Cut and cap the existing water service connection along the Bird Rd frontage.
 - Install 3 new water service connections complete with meters and meter boxes, 1 on the Bird Road frontage and 2 on Shell Road frontage, locations to maximize the distance away from the existing jet fuel line (minimum distance 8m). The Shell Rd meters should be located within the property line, SRW required.

Storm Sewer Works:

- d) The Developer is required to install a rear lane storm sewer tying into the Bird Rd drainage system via a new manhole. An additional manhole is required at the new mains south end.
- e) At the Developers cost, the City is to:
 - Cut and cap existing storm service connections located at the sites northwest corner and 15m east of property 10740 Bird Rd.
 - Along the Shell Rd frontage, install one new storm service connection complete with IC and dual connections located at the adjoining property line of the two most southern newly subdivided Lots. The IC should be within the property line, SRW required.

Sanitary Sewer Works:

- f) The Developer is required to construct a new sanitary sewer within the proposed lane complete with two new ICs (one to have dual connections). A new manhole may be required to tie the new sewer into the existing sewer.
- g) At the Developers cost, the City is to cut, cap and remove the existing sanitary service connection.
- h) The developer may propose to replace the existing SRW along the south property line with a new SRW that is 3.0 m wide (measured from the south property line) and extend 3.0 m east of the centre of the existing sanitary manhole onsite. Exact dimensions of the SRW to be confirm by a field survey.

Frontage Improvements:

i) The Developer is required to:

- Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines and to locate an LPT within the most northern lot along the Bird Road frontage.
 - 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 on-site (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc).
- Install a new lane complete with drainage, asphalt, rollover curbs and street lighting ducts (to facilitate future light installation).
- Review street lighting levels along Bird Road and upgrade lighting as required.
- Relocate or underground existing utility poles. The landscape plan shows the poles in the sidewalk are too close to the curb at the corner, which is not acceptable.
- No City infrastructure shall be installed within 7.5m of the Kinder Morgan jet fuel line.

General Items:

j) The Developer is required to:

- Enter into a servicing agreement.
 - Provide a 6m utility and public right of passage SRW along the properties entire west property line.
 - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
2. Pay Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fee, and Servicing costs. Servicing costs will be determined via the Servicing Agreement.
 3. Registration of a cross-access easement, restrictive covenant, and/or other legal agreements or measures, as determined to the satisfaction of the Director of Development, on Title ensuring that:
 - a) vehicular access to all new lots to be from a new 6.0 m wide access easement along the west property line of the subject site. The cross section for the 6.0 m shared driveway from east to west will be: 0.15m rollover curb, 5.1m pavement width and 0.75m landscaped buffer;
 - b) all buildings to be set back 1.0 m from the eastern boundary of the access easement to facilitate vehicular turning;
 - c) any garages on the southern parcel to be situated at the north edge of the site (subject to minimum side yard setback requirement under the RS2/B zone); and
 - d) the easement must not be modified or discharged without City Consent.

At Demolition Permit Stage, the developer must complete the following requirements:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

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

1. 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. Incorporation of accessibility measures in Building Permit (BP) plans as determined via the Rezoning.

ENCL - 136

Initial: _____

3. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.
4. 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 9576 (RZ 12-600638)
10760/10780 Bird 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 **"SINGLE DETACHED (RS2/B)"**.

P.I.D. 002-981-815

Lot 98 Section 26 Block 5 North Range 6 West New Westminster District Plan 19289

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9576"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE APPROVAL

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED by <i>PK</i>
APPROVED by Director or Solicitor <i>al</i>