



To: Planning Committee
From: Wayne Craig
Director, Development

Date: September 15, 2022
File: RZ 22-011049

Re: Application by Iqbal Singh Bhullar for Rezoning at 10331/10333 Bird Road from the “Single Detached (RS1/E)” Zone to the “Single Detached (RS2/B)” Zone

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10415, for the rezoning of 10331/10333 Bird Road from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/B)” zone, be introduced and given first reading.

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

WC:na
Att. 8

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

Staff Report

Origin

Iqbal Singh Bhullar has applied to the City of Richmond, on behalf of the owners Pardeep Bhullar, Navjinder Bhullar and Gurveer Bhullar, for permission to rezone 10331/10333 Bird Road from the “Single Detached (RS2/E)” zone to the “Single Detached (RS2/B)” zone in order to permit the property to be subdivided into two lots. A location map and aerial photo are provided in Attachment 1. A survey showing the proposed subdivision plan is provided in Attachment 2.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is provided in Attachment 3.

Subject Site Existing Housing Profile

There is an existing non-conforming duplex (two-unit dwelling) on the subject site. The existing duplex is not strata titled. Both units are currently owner occupied and one unit contains a secondary suite that is untenanted. The owners intend on moving into the proposed new homes.

Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: A BC hydro line corridor on a provincially-owned parcel zoned “School & Institutional Use (SI)”.

To the South: Across Bird Road, single family homes on lots zoned “Single Detached (RS1/B)” and a property zoned “Single Detached (RS1/B)”.

To the East: A two-unit dwelling on a lot zoned “Single Detached (RS1/E)” fronting Bird Road.

To the West: A two-unit dwelling on a lot zoned “Single Detached (RS1/E)” fronting Bird Road.

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)” (Attachment 4). This redevelopment proposal is consistent with these designations.

Single-Family Lot Size Policy 5424/Zoning Bylaw 8500

The subject property is located within the area covered by Lot Size Policy 5424, adopted by City Council in 1989 (Attachment 5). The Policy permits properties along Bird Road to be rezoned and subdivided in accordance with the provisions of the “Single Detached (RS1/B)” zone. The proposed rezoning complies with the Lot Size Policy.

The subject site is currently occupied by a duplex. Amendment procedures contained in Section 2.3 of Richmond Zoning Bylaw 8500 indicate Lot Size Policies are not applicable for rezoning applications on sites that contain a duplex and which are intended to be subdivided into no more than two (2) single-family lots. Each lot at the subject site will be approximately 12 m (40 ft.) wide and approximately 691 m² (7,437.8 ft²) in area. The proposed subdivision would comply with these requirements.

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. Prior to rezoning adoption, the applicants are required to register an aircraft noise sensitive use covenant on Title to address public awareness and to ensure aircraft noise mitigation is incorporated into dwelling design and construction.

Ministry of Transportation & Infrastructure Approval

As the subject site is located within 800 m of an intersection of a Provincial Limited Access Highway and a City road, this redevelopment proposal was referred to the Ministry of Transportation and Infrastructure (MOTI) for review and comment. Preliminary confirmation has been received from MOTI indicating that they have no objections to the proposed redevelopment and that preliminary approval has been granted for a period of one year. Final approval from MOTI is 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 first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

This redevelopment proposes to rezone and subdivide the subject site into two new single-family lots with vehicle access from Bird Road.

Existing Legal Encumbrances

There is an existing restrictive covenant registered on Title that does not involve the City, restricting the use of the subject property to not more than one dwelling and for it to be a certain form and character (Document No. 167067C). The applicant's lawyer has indicated that discharging the covenant is not necessary as subdividing and building dwellings (including secondary suites) on the property would be permitted under the covenant.

There is an existing 6 m wide utility right-of-way (ROW) for sanitary service services that runs east-west through the rear portion of the subject site. The applicant has been advised that no encroachment into the ROW is permitted.

Transportation and Site Access

Vehicle access to the proposed lots is from Bird Road via separate driveway crossings and driveways. The conceptual plan (Attachment 6) demonstrates that the existing location of the driveways will be maintained and the Lot 2 driveway is to conform to the Tree Protection Zone.

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 nine bylaw-sized trees (Tag# 948, 949, 950, 951, 952, 953, 954, 955 and 956) on the subject property, zero trees on neighbouring properties, and zero street trees on City property.

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

- One tree, tag# 949 located in the front yard of the proposed lot 2 (45 cm caliper multi-stem Magnolia), is in good condition and is to be retained with some modification to the front driveway and minimum building setback (i.e. from 6.0 m to 7.52 m) from the front property line. A Tree Survival Security of \$10,000.00 is required.
- One tree, tag# 955 located along the rear property line of proposed lot 2 (33 cm caliper Oak) is in good condition and is to be retained and protected. A Tree Survival Security of \$10,000.00 is required.
- Three trees, tag# 950, 951 and 952 located on proposed lot 2 are in good condition but are in direct conflict with the proposed development. The building envelope is already constrained due to tree retention in the front yard (tag#949) and due to the location of the utility SRW in the rear therefore the three trees are recommended to be removed.
- Four trees, tag# 948, 953, 954 and 956 located on proposed lot 2 are all in poor condition; Sparse 50%-60% dead canopy or exhibiting heaving of the critical root zone – therefore, are not good candidates for retention and should be replaced.
- Replacement trees to be provided at 2:1 ratio as per the OCP.

Tree Replacement

The applicant wishes to remove seven on-site trees (Tag # 948, 950, 951, 952, 953, 954, and 956). The 2:1 replacement ratio would require a total of 14 replacement trees. The applicant has agreed to plant five new trees on proposed Lot 1 and three new trees on proposed Lot 2; for a total of eight trees. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

| No. of Replacement Trees | Minimum Caliper of Deciduous Replacement Tree | Minimum Height of Coniferous Replacement Tree |
|--------------------------|---|---|
| 8 | 8 cm | 4 m |

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$4,500.00 to the City’s Tree Compensation Fund in lieu of the remaining 6 trees that cannot be accommodated on the subject property after redevelopment.

Tree Protection

Two trees (Tag# 949 and 955) on the property 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 7). Staff worked with the applicant team to ensure that the proposed Lot 2 allowable building envelope has been purposely modified to facilitate the retention of a Magnolia tree (tag # 949) located in the front yard.

To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- A legal agreement will be registered on Title as a condition of rezoning to ensure that upon Building Permit issuance the Tree Protection Zones and additional minimum front yard setback requirement for the proposed Lot 2 building envelope from 6.0 m to 7.52 m is maintained.
- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, submission to the City of a tree survival security in the amount of \$20,000.00 for the two trees located on-site (Tag# 949 and 955).
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City’s Tree Protection Information Bulletin Tree-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

Affordable Housing Strategy

The City's Affordable Housing Strategy for single-family rezoning applications requires a secondary suite or coach house on 100% of new lots created through single-family rezoning and subdivision applications; a secondary suite or coach house on 50% of new lots created and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of the total buildable area of the remaining lots; or a cash-in-lieu contribution of the total buildable area of all lots where a secondary suite cannot be accommodated in the development.

Consistent with the Affordable Housing Strategy, the applicant has proposed to provide a one-bedroom secondary suite of minimum 35.6 m² (383 ft²) in each of the dwellings to be constructed on the new lots, for a total of two suites. Prior to the adoption of the rezoning bylaw, the applicant must register a legal agreement on Title to ensure that no Building Permit inspection is granted until a minimum one-bedroom secondary suite of approximately 35.6 m² (383 ft²) is constructed on each of the two future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Site Servicing and Frontage Improvements

At the subsequent subdivision stage, the applicant must enter into a Servicing Agreement for the design and construction of the required site servicing works and improvements outlined in Attachment 8, including the installation of a new sidewalk along the Bird Road frontage and the installation of a new sanitary connection to service both lots.

In addition, at the subdivision stage the applicant is required to pay the current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, and Address Assignment Fees.

Financial Impact

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

Conclusion

The purpose of this rezoning application is to rezone the property at 10331/10333 Bird Road from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two lots.

The rezoning application complies with the land use designation and applicable policies contained within the OCP, East Cambie Area Plan and Lot Size Policy 5424 for the subject site.

The list of rezoning considerations is included in Attachment 8; which has been agreed to by the applicant (signed concurrence on file).

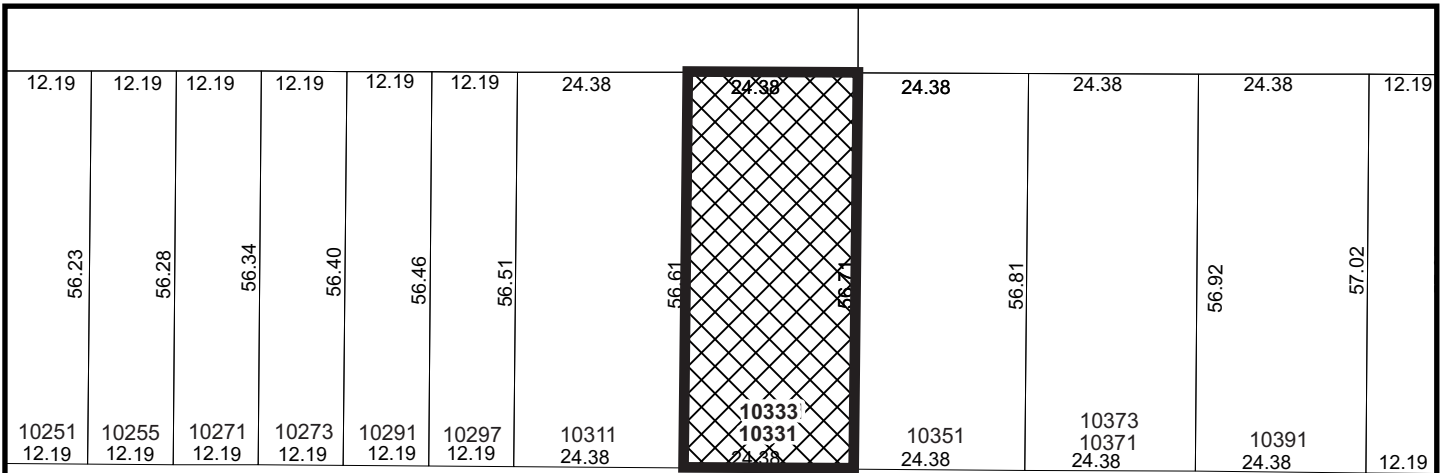
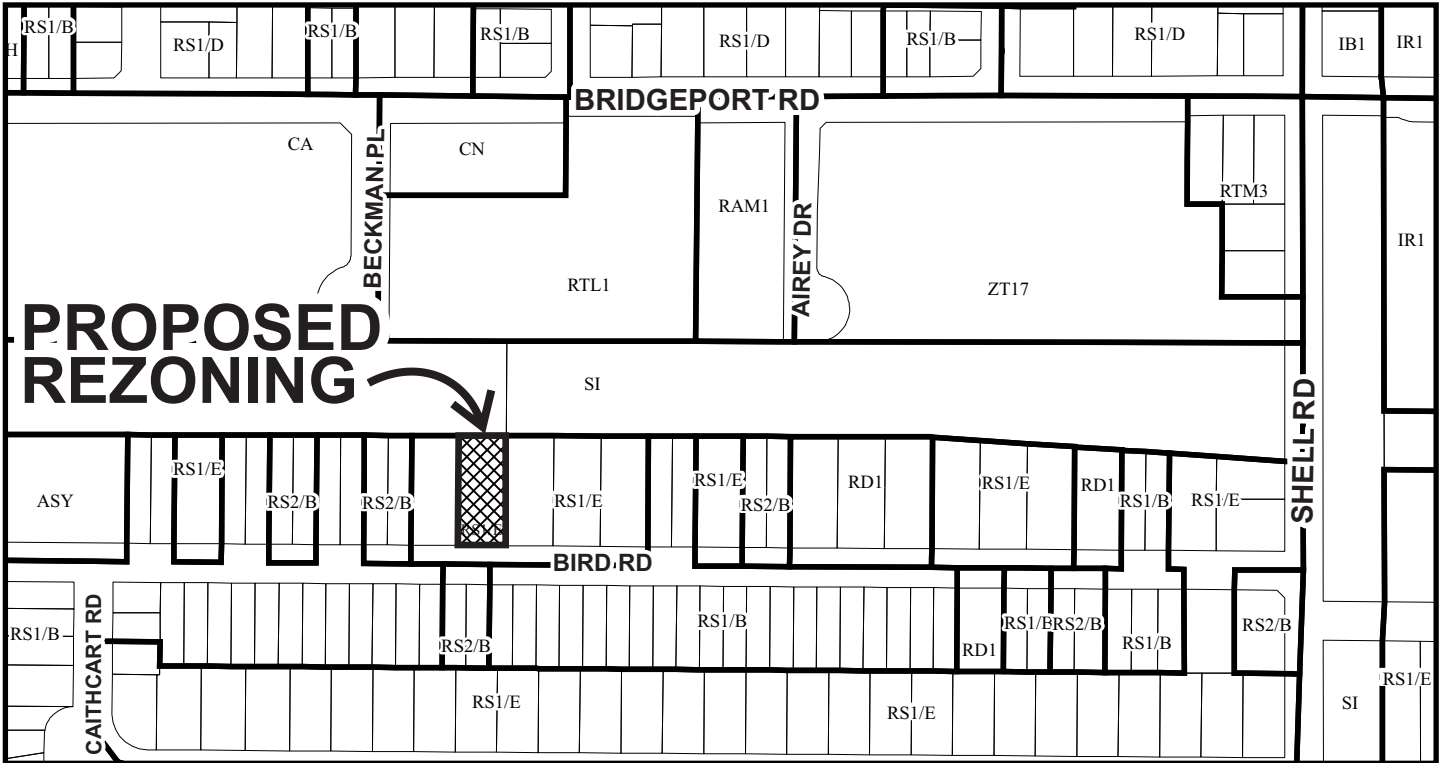
On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10415 be introduced and given first reading.



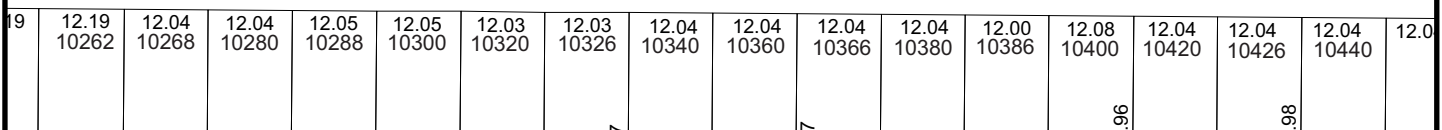
Nathan Andrews
Planning Technician
(604-247-4911)

NA:js

- Att. 1: Location Map/Aerial Photo
- 2: Site Survey and Proposed Subdivision Plan
- 3: Development Application Data Sheet
- 4: East Cambie Area Plan
- 5: Single-Family Lot Size Policy 5424
- 6: Conceptual Development Plan
- 7: Tree Retention Plan
- 8: Rezoning Considerations



BIRD RD



RZ 22-011049

PLN - 16

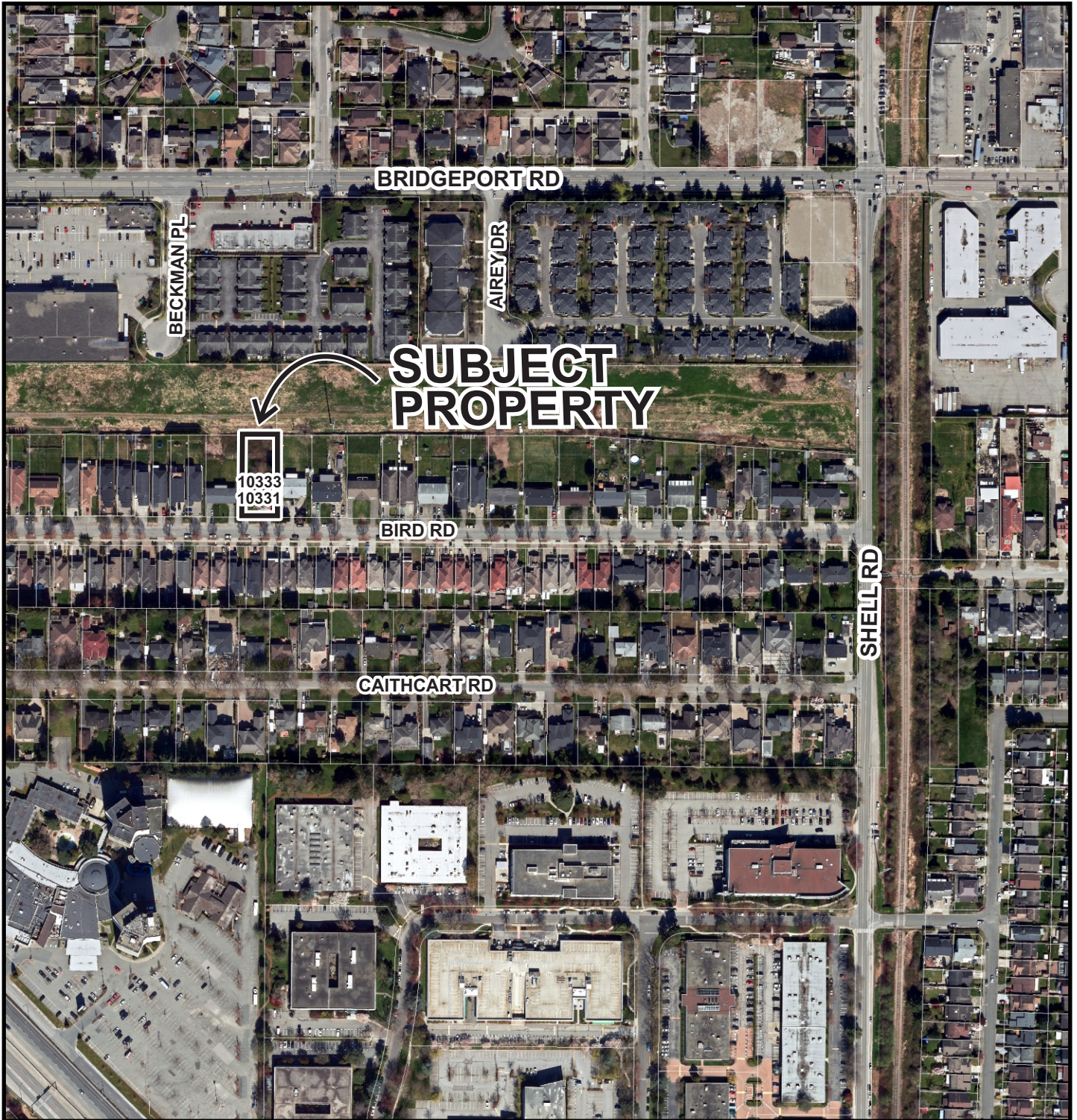
Original Date: 05/09/22

Revision Date:

Note: Dimensions are in METRES



City of Richmond



RZ 22-011049

PLN - 17

Original Date: 05/09/22

Revision Date:

Note: Dimensions are in METRES

**TOPOGRAPHIC SITE PLAN OF LOT 40
BLOCK B SECTION 26 BLOCK 5 NORTH RANGE 6
WEST NEW WESTMINSTER DISTRICT PLAN 14105**

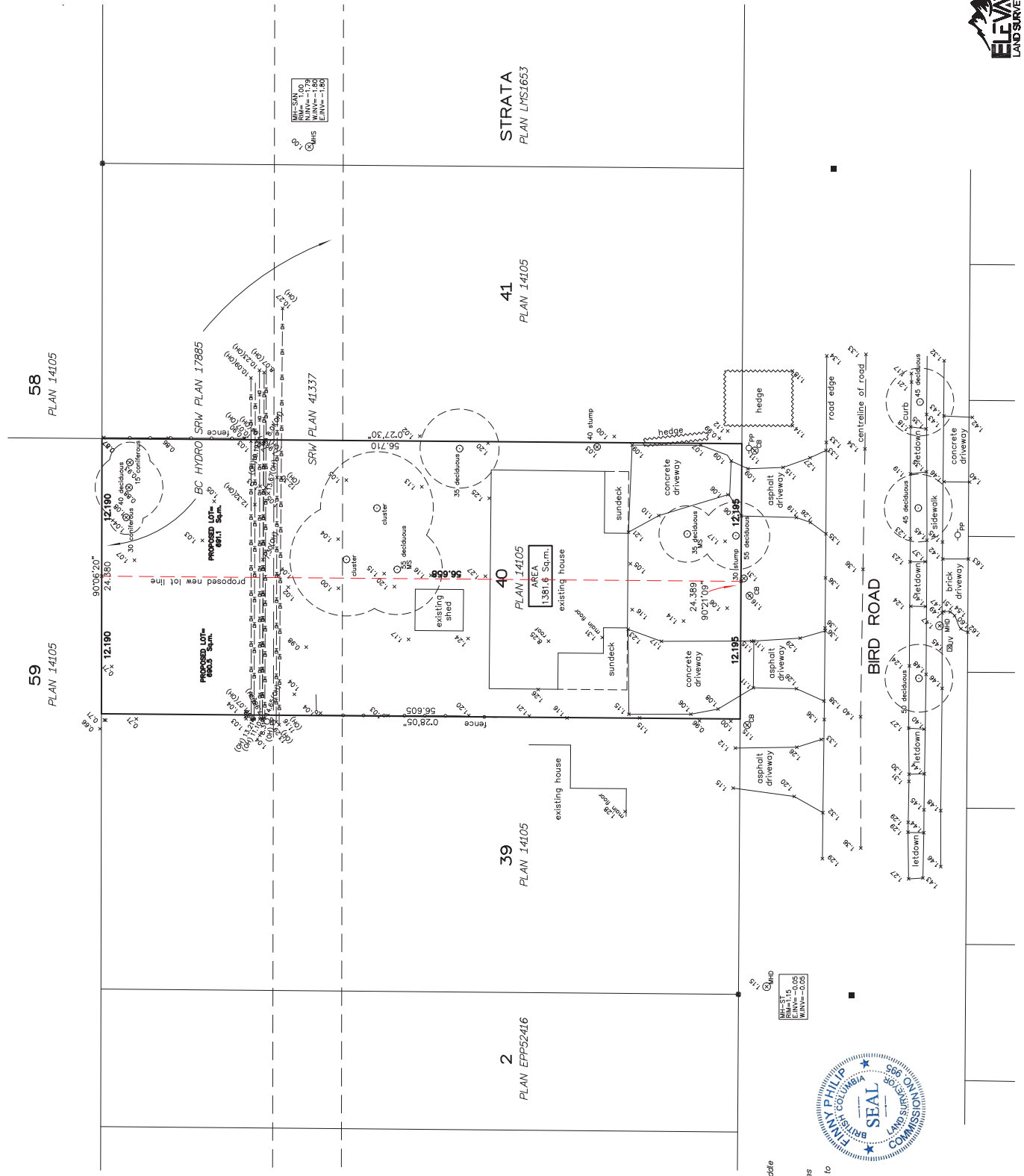
CIVIC ADDRESS:
10331 Bird Road, Richmond, BC
P.L.N. 007-462-370

SCALE 1 : 250
0 5 10
ALL DISTANCES ARE IN METRES

- LEGEND**
- DENOTES LEAD PLUG FOUND
 - DENOTES STANDARD IRON POST FOUND
 - Sqm. DENOTES SQUARE METRES
 - SB DENOTES CATCH BASIN - ROUND
 - PP DENOTES UTILITY POLE
 - UV DENOTES UTILITY VAULT
 - MHS DENOTES SANITARY MANHOLE
 - MHO DENOTES STORM MANHOLE
 - (T) DENOTES TREE AND CANOPY EXTENT
 - DENOTES GROUND ELEVATION
 - (OH) DENOTES OVERHEAD POWERLINE ELEVATION
 - OH - DENOTES OVERHEAD HYDRO LINES



PLN - 18



Lot dimensions are derived from FIELD SURVEY
Elevations are Geoidic (VDZ8 GVD-2018 - IN METERS)
from Central Trenching 789471 located in the middle
of the road along the centerline of the road, checked to
HFN194 = 3.337m. Elevation = 1.055m and
checked to HFN194 = 3.337m.

Invert elevations and offsets of services from property lines
are derived from municipal records and field survey.
Care to verify all service locations and inverts prior to
construction.

Spot elevations along curb are taken in gutter
Tree diameters are taken at 1.4m above grade and are
shown in cm.

This Plan was prepared for architectural design and permit
purposes, and is for the exclusive use of our client. The
client is responsible for ensuring that the plan and any
damages that may be suffered by a third party as a
result of reproduction, transmission or alteration to this
document without consent of the signatory.

CERTIFIED CORRECT
DATED THIS 23rd DAY OF MARCH, 2022

Finny Philip
Finny Philip
B.C.S.



RZ 22-011049

Attachment 3

Address: 10331/10333 Bird Road

Applicant: Iqbal Singh Bhullar

Planning Area(s): East Cambie

| | Existing | Proposed |
|-------------------------------------|---|--|
| Owner: | Pardeep Bhullar, Navjinder Bhullar, and Gurveer Bhullar | To be determined |
| Site Size (m²): | 1,381.6 m ² | Lot 1: 690.5 m ² Lot 2: 691.1 m ² |
| Land Uses: | One (1) two-family dwelling | Two (2) single-family dwellings |
| OCP Designation: | Neighbourhood Residential | No change |
| Area Plan Designation: | Residential (Single-Family Only) | No change |
| Lot Size Policy Designation: | Single Detached (RS1/B) | No change |
| Zoning: | Single Detached (RS1/E) | Single Detached (RS2/B) |
| Number of Units: | 2 | 2 |

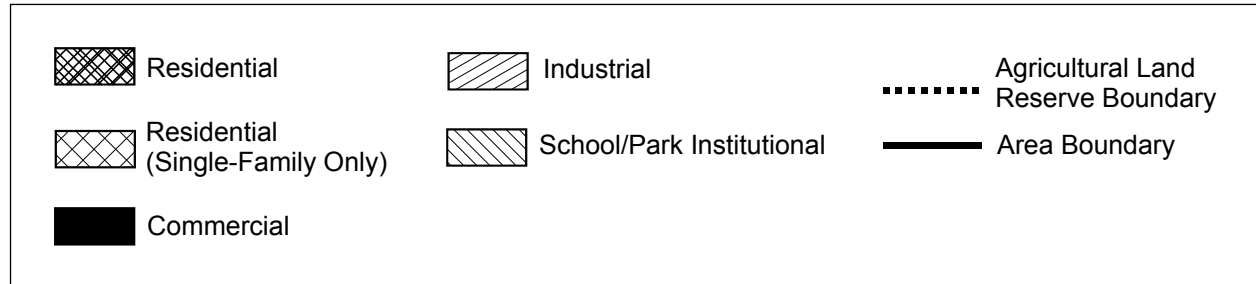
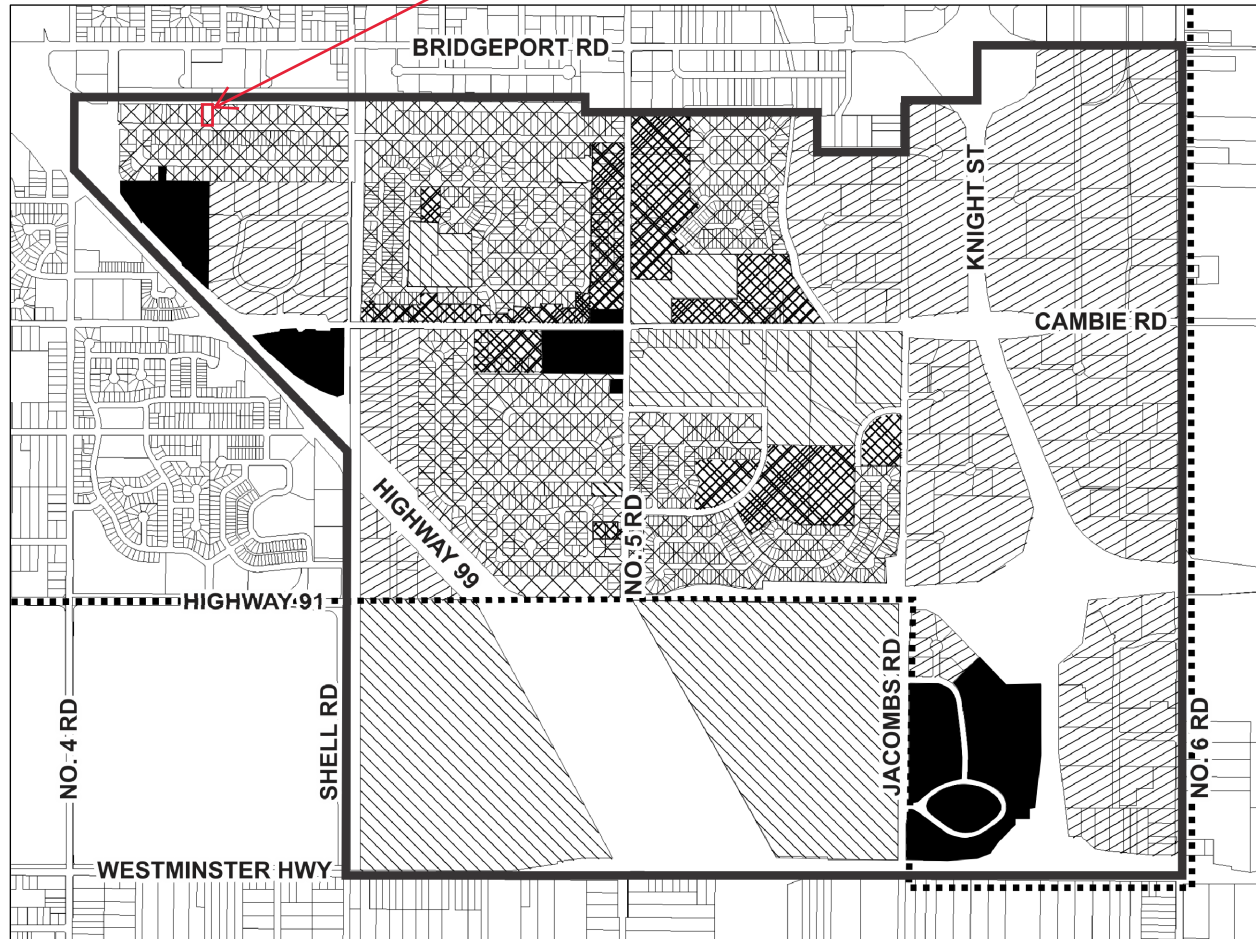
| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|--|--|--|----------------|
| Floor Area Ratio: | Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ² | Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ² | none permitted |
| Buildable Floor Area (m ²):* | Lot 1: Max. 323.3 m ² (3,480 ft ²) Lot 2: Max. 323.5 m ² (3,482 ft ²) | Lot 1: Max. 323.3 m ² (3,480 ft ²) Lot 2: Max. 323.5 m ² (3,482 ft ²) | none permitted |
| Lot Coverage (% of lot area): | Building: Max. 45% Non-porous Surfaces: Max. 70% Live Landscaping: Min. 25% | Building: Max. 45% Non-porous Surfaces: Max. 70% Live Landscaping: Min. 25% | none |
| Lot Size: | Min. 360 m ² | Lot 1: 690.5 m ² Lot 2: 691.1 m ² | none |
| Lot Dimensions (m): | Min. Width: 12.0 m Min. Depth: 24.0 m | Width: 12.2 m Depth: 56.6 m | none |
| Setbacks (m): | Front: Min. 6.0 m Rear: Min. 10.7 m Side: Min. 1.2 m | Front: 7.52 m Rear: 21.54 m Side: Min. 1.2 m | none |
| Height (m): | Max. 2 ½ storeys | Max. 2 ½ storeys | none |

Other: _____

* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.

Land Use Map *Bylaw 8948
2016/10/24*

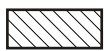
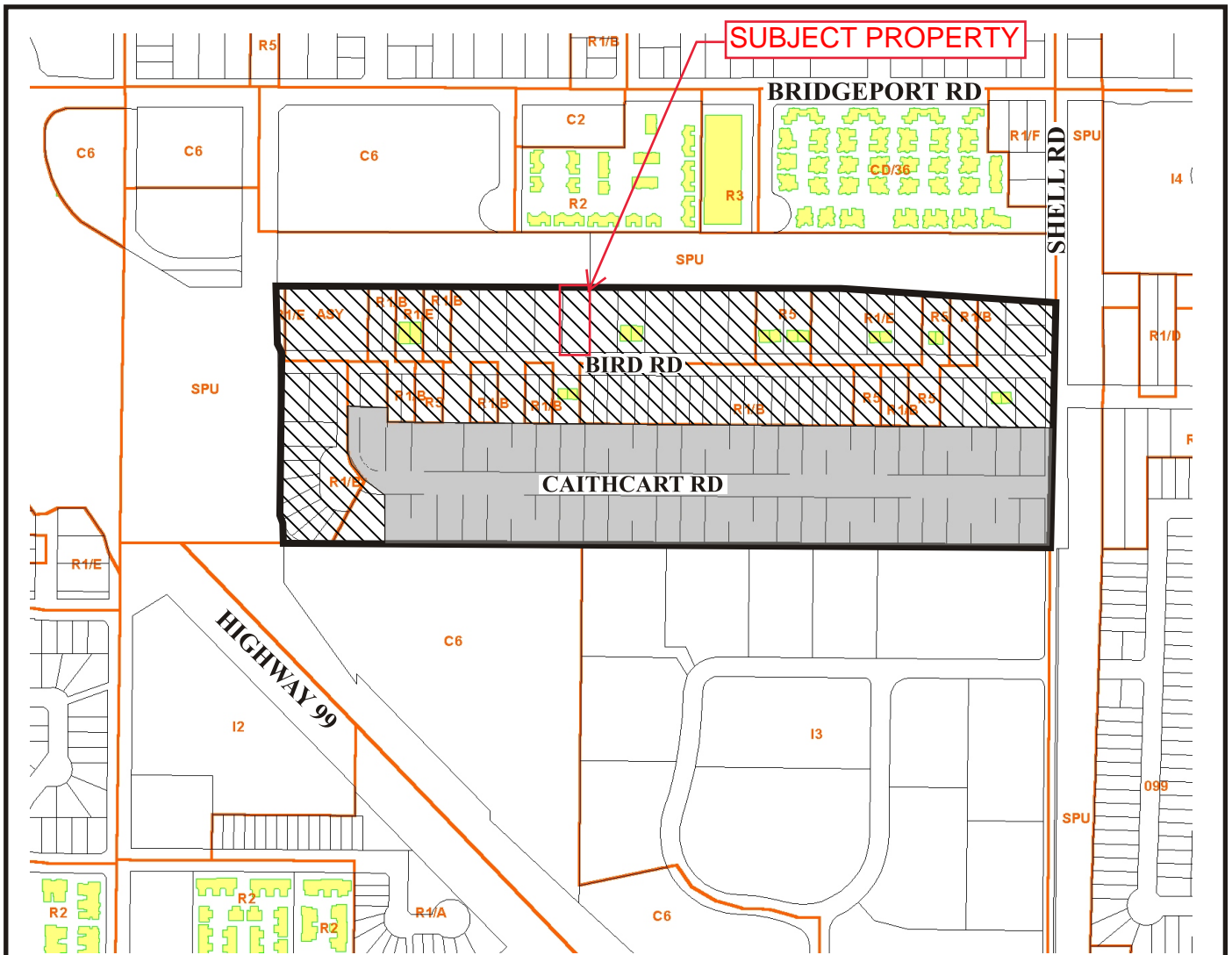
SUBJECT PROPERTY



**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.



Subdivision permitted as per Single-Family Housing District (R1/B) on Bird Road and Caithcart Road.



Subdivision permitted as per Single-Family Housing District (R1/E) on Caithcart Road.



POLICY 5424 SECTION 26, 5-6

PLN - 22

Adopted Date: 11/20/89

Amended Date:

AWANA GROUP

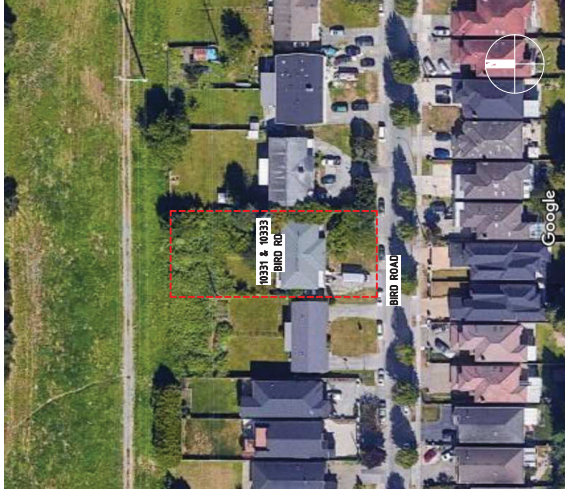
Email: info@awana.com
Phone: (770) 862-5000

GENERAL NOTES:

- 1. THE DOCUMENTS AND DESIGN ARE AT ALL TIMES THE EXCLUSIVE PROPERTY OF AWANA GROUP AND MAY NOT BE REPRODUCED WITHOUT PRIOR WRITTEN CONSENT.
- 2. AWANA GROUP SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND LEVELS PRIOR TO COMMENCEMENT OF WORK ON SITE.
- 3. ANY DISCREPANCIES OR OMISSIONS SHALL BE IMMEDIATELY REPORTED TO AWANA GROUP BEFORE COMMENCEMENT OF WORK ON SITE.
- 4. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED OTHERWISE.
- 5. ALL WORK SHALL CONFORM TO THE STANDARDS OF BIRMINGHAM BUILDING CODE 318.
- 6. ALL FOUNDATIONS SHALL BE CONSTRUCTED TO BE PROTECTED FROM FLOODING AND BE PROTECTED FROM COLLAPSE.
- 7. ALL FOUNDATIONS SHALL BE PROTECTED FROM COLLAPSE AND BE PROTECTED FROM COLLAPSE.
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CONTEXT PLAN

0 N.T.S.

PROJECT SUMMARY - LOT 1

| | |
|-----------------------------|--|
| PROPERTY INFORMATION | 8131 BIRD ROAD, RICHMOND, B.C. |
| CIVIC ADDRESS | 8131 BIRD ROAD, RICHMOND, B.C. |
| LOCAL DESCRIPTION | SHRUB LOT (SINGLE-FAMILY RESIDENCE) |
| PROPOSAL | PROPOSED SINGLE-FAMILY RESIDENCE (GROUP 0) |
| USE | RESIDENTIAL |
| LOT NUMBER | 10331 |
| LOT AREA | 6,519 SQ. FT. (0.15 AC.) |
| LOT DEPTH | 65.69 FT. |
| LOT WIDTH | 95.77 FT. |
| LOT SIZE | 743,537 SQ. FT. (16.9 AC.) |

ZONING ANALYSIS

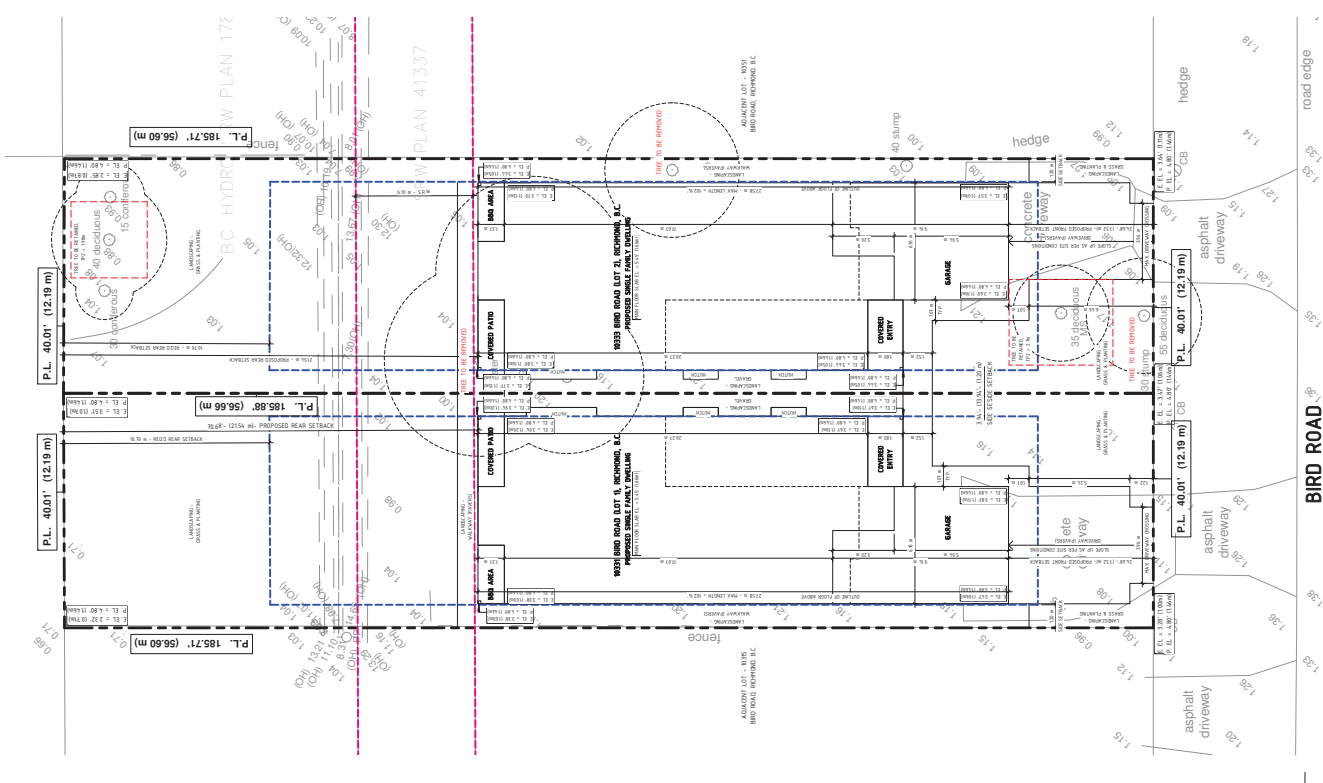
| | |
|-------------------------------------|----------------|
| REQUIREMENTS | REQUIRED |
| FRONT LOT LINE SETBACK | 10 FT. (10.00) |
| REAR LOT LINE SETBACK | 10 FT. (10.00) |
| REAR LOT LINE SETBACK CORNER | 10 FT. (10.00) |

PROJECT SUMMARY - LOT 2

| | |
|-----------------------------|--|
| PROPERTY INFORMATION | 8131 BIRD ROAD, RICHMOND, B.C. |
| CIVIC ADDRESS | 8131 BIRD ROAD, RICHMOND, B.C. |
| LOCAL DESCRIPTION | SHRUB LOT (SINGLE-FAMILY RESIDENCE) |
| PROPOSAL | PROPOSED SINGLE-FAMILY RESIDENCE (GROUP 0) |
| USE | RESIDENTIAL |
| LOT NUMBER | 10333 |
| LOT AREA | 6,519 SQ. FT. (0.15 AC.) |
| LOT DEPTH | 65.69 FT. |
| LOT WIDTH | 95.77 FT. |
| LOT SIZE | 743,537 SQ. FT. (16.9 AC.) |

ZONING ANALYSIS

| | |
|-------------------------------------|----------------|
| REQUIREMENTS | REQUIRED |
| FRONT LOT LINE SETBACK | 10 FT. (10.00) |
| REAR LOT LINE SETBACK | 10 FT. (10.00) |
| REAR LOT LINE SETBACK CORNER | 10 FT. (10.00) |



PLN - 23

1 SITE PLAN
1" = 10'-0"

PROJECT
BHULLAR RESIDENCE
10331/10333 BIRD RD, RICHMOND, B.C.

DRAWING TITLE
COVER SHEET

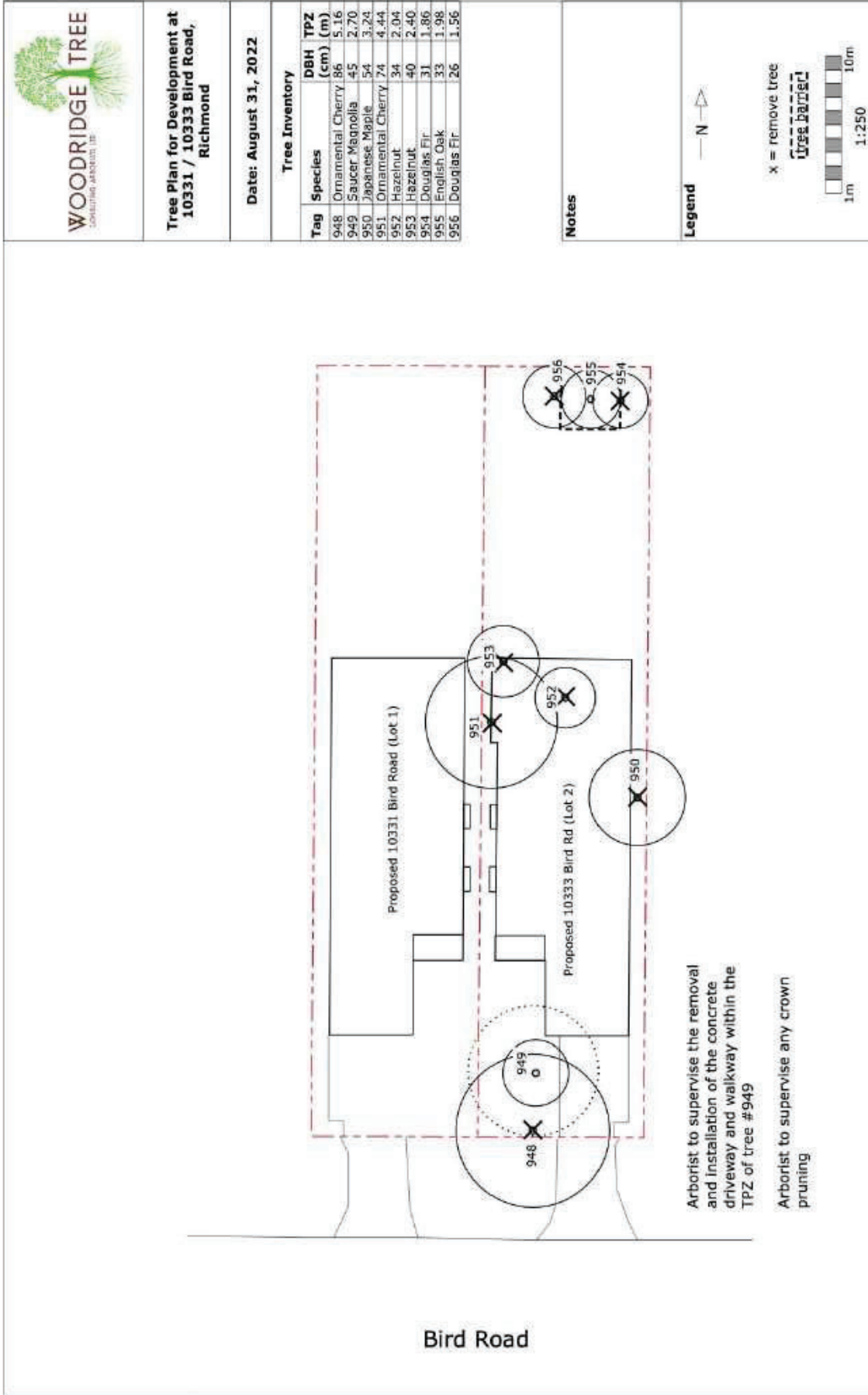
PROJECT NUMBER
22107311

DRAWN
J

DATE
AUGUST 29, 2022

SCALE
AS SHOWN

DRAWING NO.
A0.00



PLN - 24



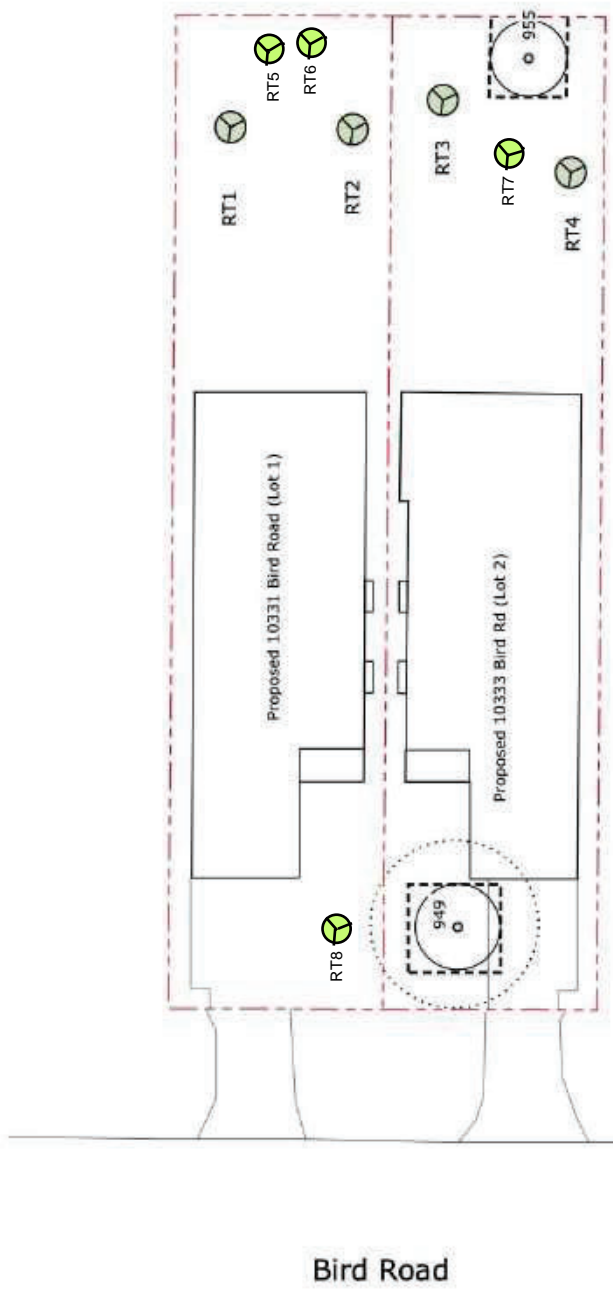
**Tree Plan for Development at
10331 / 10333 Bird Road,
Richmond**

Date: August 31, 2022

| Tree Inventory | | | |
|----------------|-----------------|----------|---------|
| Tag | Species | DBH (cm) | TPZ (m) |
| 949 | Saucer Magnolia | 45 | 2.70 |
| 955 | English Oak | 33 | 1.98 |

| Suggested Replacement Trees | |
|-----------------------------|-------------------------------------|
| Tag | Species |
| RT1 | <i>Persea persica</i> |
| RT2 | <i>Metasequoia glyptostroboides</i> |
| RT3 | <i>Metasequoia glyptostroboides</i> |
| RT4 | <i>Persea persica</i> |

Replacement tree selection, planting and maintenance to meet or exceed BCLNA/BSCLA Landscape Standards



Arborist to supervise the removal and installation of the concrete driveway and walkway within the TPZ of tree #949

Arborist to supervise any crown pruning

Legend

- = existing tree
 - with X = remove tree
 - with green = replacement tree
 - with dashed border = tree barrier
- 1m 1:250 10m



Address: 10331/10333 Bird Road

File No.: RZ 22-011049

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10415, the developer is required to complete the following:

1. Provincial Ministry of Transportation & Infrastructure Approval.
2. Submission of a Landscape Security in the amount of \$6,000.00 (\$750/tree) to ensure that five replacement trees are planted and maintained on proposed Lot 1 and three replacement trees are planted and maintained on proposed Lot 2 (for a total of eight trees); minimum 8 cm deciduous caliper or 4 m high conifers). **NOTE: minimum replacement size to be as per Tree Protection Bylaw No. 8057 Schedule A – 3.0 Replacement Trees.**
3. City acceptance of the developer's offer to voluntarily contribute \$4,500.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
4. 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.
5. Submission of a Tree Survival Security to the City in the amount of \$20,000.00 for the two on-site trees to be retained (Tag# 949 and 955).
6. Registration of an aircraft noise sensitive use covenant on Title.
7. Registration of a flood indemnity covenant on Title (2.9m GSC – Area A).
8. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a 1-bedroom secondary suite of minimum 35.6 m² (383 ft²) is constructed on both future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
9. Prior to final adoption of the rezoning bylaw, upon subdivision, a legal agreement is required to be registered on Title to ensure that the future building permit application for the dwelling on proposed Lot 2 contains a modified front yard building setback from minimum 6.0 m to minimum 7.52 m to ensure retention of the Magnolia tree (tag# 949) identified on the Conceptual Development Plan (Attachment 6) and Tree Retention Plan (Attachment 7).

At Demolition* stage, the applicant must complete the following requirements:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development in accordance with the City's Tree Protection Information Bulletin TREE-03, prior to any construction activities, including building demolition, occurring on-site, and must remain in place until construction and landscaping on-site is completed.

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

1. Modification of the building setbacks covenant (Rezoning Consideration #9) such that the covenant is registered against Lot 2 only.
2. Payment of the current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, and Address Assignment Fees.
3. Enter into a Servicing Agreement* for the design and construction of engineering infrastructure improvements. A Letter of Credit or cash security for the value of the Service Agreement works, as determined by the City, will be required as part of entering into the Servicing Agreement. Works include, but may not be limited to:

Water Works:

- a) Using the OCP Model, there is 197.0 L/s of water available at a 20 psi residual at the Bird Rd frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b) At Developer's cost, the Developer is required to:
 - i) Install a new water service connection complete with water meter and water meter box to service the east lot, as per standard City specifications.
 - ii) Confirm the condition and capacity of the existing water service connection and reuse if in good condition to service the west lot, as per standard city specifications.
 - iii) 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.
 - iv) 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 dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).
- c) At Developer's cost, the City will:
 - i) Complete all tie-ins for the proposed works to existing City infrastructure.

Storm Sewer Works:

- d) At Developer's cost, the Developer is required to:
 - i) Confirm the condition and capacity of the existing storm service connection located near the proposed middle PL. Existing storm service connection to service the west lot of the site.
 - ii) Confirm the condition and capacity of the existing storm service connection located at the south east corner of the site. Existing storm service connection to service the east lot of the site.
 - iii) 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.
 - iv) Cut and cap the existing storm service connection located at the south west corner of the site.
- e) At Developer's cost, the City will:
 - i) Complete all tie-ins for the proposed works to existing City infrastructure.

Sanitary Sewer Works:

- f) At Developer's cost, the Developer is required to:
 - i) Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
 - ii) Confirm the condition / capacity of the existing sanitary sewer service connection located in the north east side of the lot. Reuse if in good condition for the east lot as per standard City specifications.
 - iii) Install a new sanitary sewer service connection complete with inspection chamber to service the west lot.
- g) At Developer's cost, the City will:
 - i) Complete all tie-ins for the proposed works to existing City infrastructure.

General Items:

- h) At Developer's cost, the Developer is required to:
 - i) Complete other frontage improvements as per Transportation requirements:
 - (1) Applicant to confirm compliance with Bylaw 8751 and 7222
 - (2) Frontage works to be in accordance with local road standards and;
 - Across the subject site's entire Bird Rd frontage, construct a new 1.5 m wide concrete sidewalk at the property line and a landscaped boulevard over the remaining width between the new sidewalk and the new north curb of Bird Rd. The road works are to include pavement widening between the new curb and existing edge of pavement. The cross-section of the frontage improvements (north to south) is to include:
 - 1.5m wide concrete sidewalk
 - 1.5m wide landscaped boulevard
 - 0.15m wide curb

- Road widening between the new north curb along the subject site's Bird Rd frontage and existing edge of pavement.
 - Provide functional design to confirm the frontage improvement listed above.
- ii) 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.

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. 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 10415 (RZ 22-011049)
10331/10333 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. 007-482-370

Lot 40 Block B Section 26 Block 5 North Range 6 West New Westminster District Plan 14105

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10415".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

ADOPTED

Series of horizontal lines for signatures and dates.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER