## Report to Committee

To: Planning Committee
From: Wayne Craig
Director, Development

Date: October 18, 2019
File: RZ 17-790028

## Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10091, for the rezoning of 5500 Williams Road from the "Single Detached (RS1/E)" zone to the "Arterial Road Two-Unit Dwellings (RDA)" zone, be introduced and given First Reading.


## Staff Report

## Origin

Vivid Green Architecture has applied to the City of Richmond for permission to rezone 5500 Williams (Attachment 1) from the "Single Detached (RS 1/E)" zone to the "Arterial Road Two-Unit Dwellings (RDA)" zone in order to permit the property to be subdivided into two duplex lots. Preliminary site plans, streetscape elevations and a landscape plan are provided for reference in Attachment 2. A Development Permit application will be required to address the form and character of the proposed duplexes.

A Servicing Agreement (SA) for frontage improvements, including a new 1.5 m wide concrete sidewalk and a 2.91 m wide treed and landscaped boulevard, and service connections, is required at the time of subdivision.

## Findings of Fact

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

## Subject Site Existing Housing Profile

There is one existing single-family dwelling on the property, which will be demolished prior to subdivision. The applicant has indicated that the dwelling is currently renter occupied. The house does not contain any secondary suites.

## Surrounding Development

- To the North: Across Williams Road, single-family homes on lots zoned "Single Detached (RS1/E)".
- To the South: Fronting Lawson Drive, a single-family home on a lot zoned "Single Detached (RS1/B)".
- To the East: Fronting Williams Road, a single-family home on a lot zoned "Single Detached (RS1/E)"
- To the West: Fronting Lassam Road, a single-family home on a lot zoned zoned "Single Detached (RS1/E)" and two small lots zoned "Single Detached (RS2/B)".


## Related Policies \& Studies

## Official Community Plan/Steveston Area Plan

The 2041 Official Community Plan (OCP) Land Use Map designation for the subject site is "Neighbourhood Residential". The Steveston Area Land Use Map designation for the subject site is "Single-Detached/Duplex/Triplex" (Attachment 4). The development proposal for two duplex lots is consistent with these designations.

## Arterial Road Policy

The Arterial Road Land Use Policy in the City's 2041 Official Community Plan Bylaw 9000 directs appropriate duplex and triplex developments onto certain minor arterial roads outside the City Centre. The subject site is identified for "Arterial Road Duplex/Triplex" on the Arterial Road Housing Development Map and the proposal is in compliance with the Arterial Road Duplex Development Requirements under the Arterial Road Policy.

On November 13, 2018, Council approved rezoning and issued a Development Permit for a nearby site (5660, 5680 and 5700 Williams), in order to allow development of 12 new duplex units under the Arterial Road Policy.

## 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. The developer has consulted with all immediate neighbours (Attachment 5). The majority of neighbours acknowledged receiving the development plans and had no concerns. One neighbour was unavailable on several separate occasions; a copy of the development plans was left in their mailbox along with contact information for the developer. Only one neighbour, residing at 10131 Lawson Drive, expressed concerns. As a result, the developer met with them to discuss their concerns and review the proposal in greater detail. The neighbour's concerns are listed below, followed by a summary of the developer's response in italics:

- Height of the proposed duplexes.

The neighbours were under the impression that the new duplexes were to have 3 storeys. The developer prepared renderings of the buildings, which were shared with the neighbours, demonstrating that the building height would not exceed 2 storeys or 9.0 m (29.5 feet) or two storeys, measured from finished grade, as permitted in the Arterial Two-Unit Dwelling (RDA) zone.

- Lot coverage, setbacks and privacy.

The developer provided confirmation that there are few windows on the side elevations: bathroom and den windows are located above 1.67 m ( 5.5 ft ) and all bedroom windows will have frosted glass to ensure no direct views into the neighbouring homes.

Staff also note that the retention of trees on-site and a hedge south of the southern property line, along with planting of new trees, will help to preserve privacy between existing homes and the proposed duplexes. Furthermore, the western side yard setback has been increased to 3.5 m ( 11.5 ft ) for the rear half of the property as a result of an existing Right-of-Way.

The 6 m rear yard setback is in compliance the Arterial Two-Unit Dwelling (RDA) zone. The landscape and building design will be further refined through the Development Permit process.

- Amount of parking and traffic in the area.

The developer reviewed the main floor plan drawings with the neighbours, confirming that each unit will have a two car garage and one additional visitor parking stall.

The City's Transportation Department has reviewed the proposal and confirms that the proposed parking for the duplexes meets the Zoning Bylaw.

The developer has indicated that they believe the neighbours are satisfied with the design and have no further concerns.

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

## Built Form and Architectural Character

The developer proposes to subdivide the site into two lots and construct a new duplex on each lot. Each duplex lot will feature a unit in the front of the property with direct pedestrian access from Williams Road, and one unit at the back of the property with the main entrance from the auto-court proposed on site. Unit sizes range from $126.5 \mathrm{~m}^{2}\left(1,362 \mathrm{ft}^{2}\right)$ to $147.1 \mathrm{~m}^{2}\left(1,584 \mathrm{ft}^{2}\right)$. All units will have a side-by-side attached garage. In keeping with the architectural character of the neighbourhood, each duplex will be two storeys and will feature a peaked roof. The height of both buildings is consistent with the RDA zone, which allows for a maximum height of 9.0 m ( 29.5 ft ), measured from finished grade.

A Development Permit application will be required to address the form and character of the proposed duplexes. Through the Development Permit, the following issues are to be further examined:

- Compliance with Development Permit Guidelines for duplex projects in the 2041 Official Community Plan (OCP).
- Review of the architectural character, scale, and massing to ensure that the proposed duplexes are well designed, fit well into the neighbourhood, and do not adversely impact adjacent homes.
- Review of aging-in-place features in all units and the provision of a convertible unit.
- Refinement of landscape design including new trees to be planted on site.

Additional issues may be identified as part of the Development Permit application review process.

## Existing Legal Encumbrances

There is an existing 3.0 m wide utility Right-of-Way (ROW) along the southern half of the west property line and the entire rear property line of the subject site for an existing sanitary sewer line. The developer is aware that no construction is permitted in these areas.

## Transportation and Site Access

Williams Road is a minor arterial road with a bike lane in this location. Vehicle access to the proposed duplex lots will be limited to one shared driveway crossing from Williams Road.

As per the parking requirements under the "Arterial Road Two-Unit Dwellings (RDA)" zone, one visitor parking space will be provided. All residential parking spaces will provide Level 2 EV charging outlets.

Prior to rezoning, the applicant is required to register a restrictive covenant on title to ensure that, upon subdivision of the property:

- Vehicle access to the two duplex lots is via a single shared driveway crossing, based on a design specified in a Development Permit approved by the City.
- A cross-access easement for the shared driveway access, common drive aisle, and the shared visitor parking stall is to be registered on title of the each of the duplex lots.
- The buildings and driveways on all proposed lots are to be designed to accommodate on site vehicle turn-around to prevent vehicles from reversing onto Williams.


## 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 on the subject property and one tree on City property.

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

- Five on-site trees, including three trees on the eastern side of the front yard and two trees along the western side yard within an existing Right-of-Way, are to be retained and protected with protective fencing per the arborist's recommendations (tag \#593, 594, 597, 598 and 599).
- Four trees located on-site are to be removed (tag \#590, 591, 592 and 596). Tree tag \#590, 591 and 592 are dead; tree tag \# 596 is an ornamental cherry tree that is in good condition but conflicts with the proposed driveway. Trees to be removed are to be replaced at a ratio of $2: 1$ as per the OCP.

The City Parks Department has visited the site and supports the Arborist's findings, with the following comments:

- One tree (tag \#595) and a cedar hedge located in the City-owned boulevard are in poor health and condition, and conflict with the proposed sidewalk. Compensation of $\$ 1,300$ is required to remove the tree for the City to plant two new trees at or near the development site. No compensation is required for removing the hedge.


## Tree Protection

The applicant is to submit a tree management plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 6). To ensure that the trees identified for retention are protected at the development stage, the applicant is required to complete the following items:

- Prior to approval of the Development Permit, the applicant is required to submit a tree security of $\$ 45,000$.
- Prior to final adoption of the rezoning bylaw, the applicant is to submit to the City 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 demolition of the existing dwelling on the subject site, the applicant is to ensure 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.


## Tree Replacement

The applicant wishes to remove four on-site trees (tag \#590, 591, 592 and 596). The 2:1 replacement ratio would require a total of eight replacement trees. The applicant has proposed to plant five trees in the proposed development. 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 <br> Replacement Tree | Minimum Height of Coniferous <br> Replacement Tree |
| :---: | :---: | :---: |
| 3 | 6 cm | 3.5 m |

To satisfy the $2: 1$ replacement ratio established in the OCP, the applicant will contribute a total of $\$ 2,500$ to the City's Tree Compensation Fund for the remaining five trees that cannot be accommodated on the subject property after redevelopment.

As part of the Development Permit application, the applicant must provide a Landscape Plan prepared by a registered Landscape Architect, which must include the agreed upon replacement trees. The City will collect a Landscape Security prior to issuance of the Development Permit
based on the cost estimate for the works, including a $10 \%$ contingency, provided by the Landscape Architect.

## Accessible Housing

The developer has agreed that aging-in-place features will be provided in all units (e.g., inclusion of blocking in bathroom walls for installation of grab-bars, provision of blocking in stair walls to accommodate lift installation at a future date, and provision of lever door handles). In addition, one convertible unit will be provided in the two-duplex-lot development. Details of the accessible housing features will be reviewed at the future Development Permit stage.

## Affordable Housing Strategy

The applicant proposes to make a cash contribution to the Affordable Housing Reserve Fund in accordance to Section 5.15.1(c) of Zoning Bylaw 8500. The applicant will make a cash contribution of $\$ 8.50$ per buildable square foot as per the requirement for a contribution of $\$ 51,569.50$. A list of rezoning considerations is included in Attachment 7 which includes a commitment to provide the cash contribution for affordable housing.

## Energy Step Code

The applicant has committed to design the subject development to meet the City's Step Code requirements. Details on how all units are to be built and maintained to this commitment will be reviewed at Building Permit stage.

## Site Servicing and Frontage Improvements

The developer is required to design and construct frontage improvements and service connections through a Servicing Agreement. Works include, but are not limited to, construction of a new 1.5 m wide concrete sidewalk and a 2.91 m wide treed and landscaped boulevard. Special stamped/tinted concrete treatments will be provided for the sidewalk across the new driveway to the site with green bike lane paint at the crossing to better highlight the driveway for cyclists and pedestrians.

Through the Servicing Agreement, the developer is to install a new water connection and water meters for the eastern duplex, and install new storm and sewer service connections to service both duplexes.

All frontage and servicing works are at the applicant's sole cost (i.e., no credits apply).
At future subdivision stage, the developer will be required to pay Development Cost Charges (DCC's) (City \& GVS\&DD), School Site Acquisition Charge, and Address Assignment Fee. Servicing connections are to be determined at the time of Building Permit.

## 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

The purpose of this rezoning application is to rezone 5500 Williams Road from the "Single Detached (RS1/E)" zone to the "Arterial Road Two-Unit Dwellings (RDA)" zone (Bylaw 10091), in order to permit the development of two duplex lots (four dwelling units in total) on the subject site.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10091 be introduced and given First Reading.

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## City of Richmond




RZ 17-790028

Original Date: 10/27/17
Revision Date:

Note: Dimensions are in METRES

## City of

## Richmond









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## RZ 17-790028

Attachment 3
Address: 5500 Williams
Applicant: Vivid Green Architecture
Planning Area(s): Steveston

|  | Pxisting | Proposed |
| :--- | :--- | :--- |
| Site Size $\left(\mathrm{m}^{2}\right):$ | $940 \mathrm{~m}^{2}$ | Lot A: $470 \mathrm{~m}^{2}$ <br> Lot B: $470 \mathrm{~m}^{2}$ |
| Land Uses: | Single-family dwelling | Two-unit dwellings |
| OCP Designation: | Neighbourhood Residential | No change |
| Area Plan Designation: | Steveston Area Plan: <br> Single-Detached/Duplex/Triplex | No Change |
| 702 Policy Designation: | N/A | No Change |
| Zoning: | Single-Detached (RS1/E) | Arterial Road Two-Unit Dwellings (RDA) |
| Number of Units: | 1 | 4 |
| Other Designations: | $\mathrm{n} / \mathrm{a}$ | No change |


| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
| :---: | :---: | :---: | :---: |
| Density: | 0.6 FAR | 0.6 FAR | none permitted |
| Lot Coverage (\% of lot area): | Building: Max. 45\% Non-porous Surfaces: Max. 70\% Landscaping: Min. 20\% | Building: 45\% Max. <br> Non-porous Surfaces: 70\% Max. Landscaping: 20\% Min. | none |
| Lot Size: | Min. $464.5 \mathrm{~m}^{2}$ | Lot A: $474 \mathrm{~m}^{2}$ <br> Lot B: $466 \mathrm{~m}^{2}$ | none |
| Lot Dimensions (m): | Width: Min. 10.35 m for proposed lots with shared vehicle access and Min. 13.4 m for proposed lot with individual vehicle access Depth: Min. 30 m | Width: 11.8 m Depth: 39.69 m | none |
| Setbacks (m) : | Front: Min. 6 m Rear: Min. 6 m Side: Min. 1.2 m | Front: 6 m Min. Rear: 6 m Min. Side: 1.2 m Min. | none |
| Height ( m ) | Max. 9.0 m (2 storeys) | 9.0 m (2 storeys) | none |
| Off-street Parking <br> - Regular (R): | 2 per unit | 2 per unit | none |


| On Future <br> Subdivided <br> Lots | Bylaw Requirement | Proposed | Variance |
| :--- | :--- | :--- | :---: |
| Off-street Parking <br> -Visitor $(\mathrm{V}):$ | 0.2 per unit when 3 or more units <br> share one access $(0.2 \times 4)=1$ | 1 | none |
| Off-street Parking <br> (total): | 5 | 5 | none |
| Tandem Parking <br> Spaces: | Permitted | 0 | none |

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




VividGreen


NEIGHBOURS CONSULTED ABOUT UPCOMING DEVELOPMENT


## Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10091, the developer is required to complete the following:

1. Registration of a flood indemnity covenant on title.
2. Registration of a legal agreement on Title to ensure that, upon subdivision of the property:
a) Vehicle access is via a single shared driveway crossing, based on a design specified in a Development Permit approved by the City;
b) A cross-access easement for the shared driveway access, common drive aisle, and the shared visitor parking stall is to be registered on Titles of the each of the two lots.
c) The buildings and driveways on the two proposed lots are to be designed to accommodate on-site vehicle turnaround to prevent vehicles from reversing onto Railway Avenue.
3. City acceptance of the developer's offer to voluntarily contribute $\$ 1,300$ to the City's Tree Compensation Fund for the planting of replacement trees within the City.
4. Submission of a Tree Survival Security to the City in the amount of $\$ 45,000$ for the 5 trees to be retained.
5. Submission of a Contract entered into between the applicants/developers and a Certified Arborist for supervision of any on-site works conducted within/near the tree protection zone on site for the protection of the trees to be retained on neighbouring properties. 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.
6. City acceptance of the developer's offer to voluntarily contribute $\$ 8.50$ per buildable square foot (e.g. $\$ 51,569.50$ ) to the City's Affordable Housing Reserve Fund.
7. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

## Prior to a Development Permit* issuance, the developer is required to complete the following:

1. Submission of a Landscaping Security based on $100 \%$ of the cost estimate provided by the landscape architect.

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

1. Enter into a Servicing Agreement* for the design and construction of frontage and servicing works. 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,
a) Water Works:

- Using the OCP Model, there is $572.00 \mathrm{~L} / \mathrm{s}$ of water available at a 20 psi residual at the Williams Road frontage. Based on your proposed development, your site requires a minimum fire flow of $95 \mathrm{~L} / \mathrm{s}$.
- The Developer is required to:
- 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.
- Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements.
- Provide a right-of-way for the water meters. Exact right-of-way dimensions to be finalized during the service design phase.
- At Developer's cost, the City is to:
- Complete all tie-ins for the proposed works to existing City infrastructure.
- Upgrade the existing water service connection located 4.3 m east of the west property line. The water service connection shall have two separate water meters for the proposed duplex on the west lot.
- Install a new water service connection for the east duplex, complete with 2 meters and meter boxes, to service the proposed duplex on the east.
b) Storm Sewer Works:
- The Developer is required to:
- Check the existing storm service connections STCN11030 and STCN33207. Confirm the material and condition of the inspection chambers and pipes. If deemed acceptable by the City, the existing service connections may be retained. In the case that a service connection is not in a condition to be re-used, the service connection shall be replaced by the City, at the Developer's cost, as described below.
- At Developer's cost, the City is to:
- Cut and cap the existing storm service leads STCN11030 and STCN33207 along the north property line. The existing inspection chambers STIC58550 and STIC50611 shall be retained to service 5520 Williams Road and 10028 Lassam Road respectively.
- Install a new storm service connection at the adjoining property line of the proposed duplexes, complete with inspection chamber and dual service leads.
c) Sanitary Sewer Works:
- The Developer is required to:
- Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
- At Developer's cost, the City is to:
- Complete all tie-ins for the proposed works to existing City infrastructure.
- Install a new sanitary service connection at the adjoining property line of the proposed duplexes, complete with inspection chamber, and dual service leads.
- Cut, cap, and remove the existing sanitary service connection and inspection chamber located at the southeast corner of the subject site.
d) Frontage Improvements:
- Remove the existing sidewalk and construct a new 1.5 m wide concrete sidewalk next to the property line. Over the remaining width between the new sidewalk and the curb, construct a grass boulevard with street trees. The new sidewalk and boulevard are to transition to meet the existing frontage treatments to the east and west of the subject development.
- All existing driveways along the Williams Road development frontage are to be closed permanently. The Developer is responsible for the removal of the existing driveway let-downs and the replacement with barrier curb/gutter, boulevard and concrete sidewalk per standards described under Item 1 above.
- Construct a new single shared driveway to the site. The new driveway is to be constructed to City design standards.
- Provide special stamped/tinted concrete treatments for the sidewalk across the new driveway to the site and green bike lane paint at the crossing to better highlight the driveway for cyclists and pedestrians.
- Consult Parks on the requirements for tree protection/placement including tree species and spacing as part of the frontage works.
- Consult Engineering on lighting and other utility requirements as part of the frontage works.
- The Developer is required to:
- Coordinate with BC Hydro, Telus and other private communication service providers:
(1) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
(2) To locate/relocate all above ground utility cabinets and kiosks required to service the proposed development, and all above ground utility cabinets and kiosks located along the development's frontages, within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:
- BC Hydro PMT - $4.0 \times 5.0 \mathrm{~m}$
- BC Hydro LPT - $3.5 \times 3.5 \mathrm{~m}$
- Street light kiosk $-1.5 \times 1.5 \mathrm{~m}$
- Traffic signal kiosk $-2.0 \times 1.5 \mathrm{~m}$
- Traffic signal UPS $-1.0 \times 1.0 \mathrm{~m}$
- Shaw cable kiosk $-1.0 \times 1.0 \mathrm{~m}$
- Telus FDH cabinet $-1.1 \times 1.0 \mathrm{~m}$
- Review street lighting levels along all road and lane frontages, and upgrade as required.
e) General Items:
- The Developer is required to:
- Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, dewatering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Not encroach into the existing SRW with proposed trees, non-removable fencing, or other structures.
- Ensure that there is no encroachment of the proposed house in the SRW.

2. Payment of the current year's taxes, Development Cost Charges (City and GVS \& DD), School Site Acquisition Charge, and Address Assignment Fees.

## Prior to Demolition Permit Issuance, 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 and/or Development Permit processes.
3. If applicable, payment of latecomer agreement charges, plus applicable interest 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 10091 (17-790028) 5500 Williams 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 "ARTERIAL ROAD TWO-UNIT DWELLINGS (RDA)".
P.I.D. 006-586-449

Lot 96 Except: Part Subdivided by Plan 55424, Section 36 Block 4 North Range 7 West New Westminster District Plan 31420
2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10091".

FIRST READING


OTHER CONDITIONS SATISFIED
ADOPTED $\qquad$


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    Jeanette Elmore
    Planner 2
    (604-247-4660)

    ## JE:cas

    Attachment 1: Location Map

    Attachment 2: Conceptual Development Plans
    Attachment 3: Development Application Data Sheet
    Attachment 4: Steveston Area Land Use Map
    Attachment 5: Neighbours Consulted
    Attachment 6: Tree Management Plan
    Attachment 7: Rezoning Considerations

