



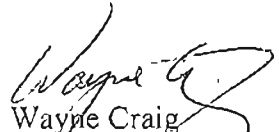
**City of
Richmond**

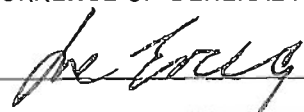
To Council - Nov. 25, 2013
Report to Committee
 To PLN - Nov. 19, 2013

To: Planning Committee **Date:** November 5, 2013
From: Wayne Craig **Xr:** RZ 11-586861
 Director of Development 12-8060-20-008907
Re: Application by Man-Chui Leung and Nora Leung for Rezoning at 7460 Ash
 Street from "Single Detached (RS1/F)" to "Single Detached (ZS14) – South
 McLennan (City Centre)"

Staff Recommendation

That Bylaw 8907, for the rezoning of 7460 Ash Street from "Single Detached (RS1/F)" to "Single Detached (ZS14) – South McLennan (City Centre)", be forwarded to the December 16, 2013 Public Hearing.


 Wayne Craig
 Director of Development
 (604-247-4625)
 Att.

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

Staff Report

Purpose

Rezoning Bylaw 8907 for this application was heard at the May 21, 2013 Public Hearing. After receiving several written submissions and hearing concerns from a number of local residents regarding this proposal, Council adopted the following motion:

That Richmond Zoning Bylaw 8500, Amendment Bylaw 8907 be referred to staff to provide more information regarding the following:

- 1) Species and dimensions of trees removed and of proposed replacement trees;*
- 2) Reduction in lots/density and the impact on the number of trees to be retained;*
- 3) Wildlife protection;*
- 4) Sidewalk extension to 7500 Ash Street and the City's plan for sidewalk improvements to Blundell Road; and*
- 5) Traffic calming measures.*

The purpose of this report is to provide Council with additional information related to these topics, and to recommend that Zoning Amendment Bylaw 8097 be forwarded to the December 16, 2013 Public Hearing.

Origin

Man-Chui Leung and Nora Leung have applied to rezone 7460 Ash Street (**Attachment 1**) from "Single Detached (RS1/F)" to "Single Detached (ZS14) – South McLennan (City Centre)" in order to permit a six (6) lot single-family subdivision fronting onto Ash Street, General Currie Road and Armstrong Street (**Attachment 2**). The original rezoning report for this application was considered at the April 16, 2013 Planning Committee meeting, and forwarded to the April 22, 2013 City Council meeting where it received first reading.

The creation of the proposed lots within this subdivision plan will require the construction of an undeveloped section of General Currie Road. The application also requires the dedication of lands for the introduction of Armstrong Street at the eastern edge of the subject site to connect to this new section of General Currie Road. The development of these roads is in accordance with the South McLennan Sub-Area Plan, and will provide vehicular and pedestrian access to the proposed new lots.

Findings of Fact

Please refer to the attached Development Application Data Sheet (**Attachment 3**) for a comparison of the proposed development data with the relevant Bylaw requirements.

Surrounding Development

To the North: Across the General Currie Road, a Single Detached lot zoned "Single Detached (RS1/F)".

To the East: Single Detached lots zoned "Single Detached (RS1/F)".

To the South: Single Detached lots zoned "Single Detached (RS1/F)".

To the West: Across Ash Street, Single Detached lots zoned "Single Detached (RS1/F)".

Related Policies & Studies

Official Community Plan

Official Community Plan (OCP) designation: Neighbourhood Residential: McLennan South Sub-Area Plan, Schedule 2.10D.

McLennan South Sub-Area Plan

OCP Sub-Area Land Use Map (**Attachment 4**): Residential, "Historic Single-Family", two and one-half storeys maximum, maximum density 0.55 F.A.R.

Floodplain Management Implementation Strategy

In accordance with the City's Flood Management Strategy, the minimum allowable elevation for habitable space is 2.9 m GSC or 0.3 meters above the highest crown of the adjacent road. A Flood Indemnity Covenant is to be registered on title prior to final adoption of rezoning.

Public Input

At the May 21, 2013 Public Hearing meeting, this item received four (4) written submissions and four (4) people spoke at the meeting. The minutes of the meeting as well as the written submissions are in **Attachment 5** of this report. Two pieces of additional correspondence were received after the Public Hearing and are provided in **Attachment 6**.

Staff Comments

In response to Council's referral, staff provides the following information to each of the five referral items.

Referral Item 1:

"Species and dimensions of trees removed and of proposed replacement trees"

With the submission of this rezoning application, the applicant submitted an Arborist Report to identify the location and condition of the existing on-site trees. The report also assessed the existing condition of these trees and recommended what trees would be suitable to retain with the proposed subdivision plan.

The Arborist report was reviewed by City staff and a site visit was conducted to confirm the possible condition of the existing trees that could be retained. The findings from the initial staff report are summarised in the following table.

Tree Summary Table

| Item | Number of Trees | Tree Compensation Rate | Tree Compensation Required | Comments |
|--|-----------------|------------------------|-------------------------------------|--|
| Total On Site Trees | 56 | - | - | - |
| Within Right of Ways for Armstrong Street | 11 | N/A | None, as Road Required by Area Plan | Located within excavation and construction zones for roadworks. |
| Within Single-Family Building Envelope and/or grade elevation change | 36 | 2:1 | 72 | To be removed, due to conflicts with proposed building locations, driveways, or poor health or structure of the trees. |
| Trees To be Retained | 9 | - | - | To be protected during construction. |

Of the 36 trees that were recommended for removal, 29 trees (approximately 80% of the total) are Birch trees, with the remainder consisting of a mixture of Western Red Cedar (2 trees), Norway Spruce (1 tree), Western Hemlock (1 tree), Japanese Flowering Cherry (1 tree), Lodgepole Pine (1 tree) and Cherry (1 tree). The size of the trees to be removed range from 17 cm to 45 cm DBH (diameter breast height) with a crown radius ranging from 1.5 metres to 6.0 metres. All the trees that are recommended for removal have been determined to be in either poor condition or located within the proposed building footprint.

The applicant has agreed to provide a portion of the required number of replacement trees in accordance with the City's 2:1 replacement policy, however given the number of required replacements (72), the likelihood of all the replacement trees on the proposed lots would be difficult given the allowable building area of the proposed zone. The initial staff report provided a table outlining the proposed tree planting.

Number of Trees to be Planted per Lot

| Proposed Lot Numbers | Proposed Lot Size | Number of trees | | | |
|----------------------|---|-----------------|------------------|---------------|-------------------------------------|
| | | Trees per Lot | Already Retained | To be Planted | Total Number of Trees to be planted |
| 1 | 773.3m ² | 6 | 5 | 1 | 14 |
| 2 | 469.3m ² | 4 | 1 | 3 | |
| 3 | 469.9m ² | 4 | 1 | 3 | |
| 4 | 324.7m ² | 3 | 1 | 2 | |
| 5 | 342.3m ² | 3 | 1 | 2 | |
| 6 | 325.2m ² | 3 | 0 | 3 | |
| Summary | 72 trees required (minus) 2 street trees to be planted for the frontage of 7480 Ash Street. 14 new trees to be planted on the proposed lots = 56 tree shortfall (to be paid cash-in-lieu) | | | | |

In response to the Council referral, staff have worked with the applicant to increase the quantity of tree planting as to identify the quantity of additional tree planting as seen in the following table.

Number of Trees to be Planted per Lot

| Proposed Lot Numbers | Proposed Lot Size | Number of trees | | | Total Number of Trees to be planted |
|----------------------|---|-----------------|------------------|---------------|-------------------------------------|
| | | Trees per Lot | Already Retained | To be Planted | |
| 1 | 773.3m ² | 7 | 5 | 2 | 18 |
| 2 | 469.3m ² | 4 | 1 | 3 | |
| 3 | 469.9m ² | 4 | 1 | 3 | |
| 4 | 324.7m ² | 4 | 1 | 3 | |
| 5 | 342.3m ² | 4 | 1 | 3 | |
| 6 | 325.2m ² | 4 | 0 | 4 | |
| Summary | 72 trees required (minus) 2 street trees to be planted for the frontage of 7480 Ash Street. 18 new trees to be planted on the proposed lots = 52 tree shortfall (\$26,000.00 to be paid cash-in-lieu) | | | | |

Of the 18 new trees to be planted, the City's arborist recommends to increase the ratio of non-birch trees to mitigate the infestation of bronze birch borer a common cause for the removal of existing birch trees in the area. Bronze birch borer is an insect infestation and the common cause for the decline in health and the inevitable removal of existing birch trees.

The City's Arborist has provided a list of suitable trees for this proposal. It provides a good balance between conifers and deciduous trees. The table below outlines the number, type and size of trees to be planted, and the drawing in **Attachment 9** suggests appropriate locations. Staff have reviewed this with the applicant and they have agreed with this proposal.

| Type | Number | Size |
|---------------------------|--------|----------------|
| Japanese Flowering Cherry | 3 | 6 cm caliper |
| Paper Birch | 5 | 6 cm caliper |
| Western White Pine | 3 | 3 metre height |
| Serbian Spruce | 5 | 3 metre height |
| Western Red Cedar | 2 | 3 metre height |

Referral Item 2:

"Reduction in lots/density and the impact on the number of trees to be retained"

Staff and the applicant reviewed the idea of reducing the number of lots in the subdivision for the purpose of retaining more trees and has concluded that reducing the number of lots in the proposal would generally result in larger lots with larger houses, with no guarantee that any more mature trees would be saved due to the increased building footprint and need to increase the site grade due to flood construction level requirements. The current proposal with smaller lots allows for smaller houses that are more affordable than larger houses on larger lots. The rezoning proposed would

allow for the habitable space in the new homes on proposed lots 2-6 to be approximately 1,925 ft² to 2,750 ft² in size.

According to the submitted Arborist report, of the 36 trees listed for removal, only three (3) were listed in good condition. Their recommendation for removal stems from their location either within the allowable building footprint or would be further impacted by grade changes needed to comply with the flood protection bylaw. This situation would not change should there be a reduction of proposed lots as the buildable area within each lot would still require their removal.

The applicant has also noted that this development is required to provide considerable off-site road improvements which may not be economically feasible with a reduced lot yield.

Referral Item 3:

"Wildlife protection"

At the May 21, 2013 Public Hearing meeting, speakers advised Council that an active bird's nest was located on the subject property. As this was new information, staff recommended to the applicant that they hire an environmental consultant to determine if there was an active bird's nest(s) on the property. The applicant hired the consulting firm of Pottinger Gaherty who submitted a report (**Attachment 7**) stating that one inactive bird's nest was found on the subject property, located within the rear yard area of the proposed Lot 5 (**Attachment 2**).

The size and location of the nest on a birch tree led to conclude the nest was formerly occupied by a small to medium sized raptor such as a Cooper's or Sharp-Shinned Hawk. Bird whitewash (bird droppings) were found at the base of the tree which led the consultant to suggest the nest was active as recently as this past spring or summer. The submitted arborist report identified this tree as birch, and the arborist report recommended its removal due to the poor condition of the tree.

Regulations for bird nest protection fall under both Federal and Provincial regulations. The *BC Wildlife Act* prohibits the destruction of occupied bird nests, as well as unoccupied eagle and heron nests. Pottinger Gaherty's report recommends a "least-risk window" of October 1 to February 28 for the removal of the tree to mitigate harm to raptors and other bird species. Otherwise, should the tree be removed outside of the window, the owner will need to undertake a nest survey by a qualified environmental professional (QEP) to ensure the nest is not active. If the nest is active at that time, the QEP is to recommend mitigative action immediately prior to the tree removal.

Referral Item 4:

"Sidewalk extension to 7500 Ash Street and the City's plan for sidewalk improvements to Blundell Road"

This item was raised from letter submissions and at the Public Hearing to help aid the elderly occupant of 7500 Ash Street to better enable her to walk along Ash Street.

The applicant has agreed to install an asphalt sidewalk along the front of 7500 Ash Street and link it with the Ash Street frontage improvements they are undertaking for the subject property and 7480 Ash Street. Staff feel this is a considerable gesture and financial contribution on the part of the applicant as 7500 Ash Street has future redevelopment potential in accordance with the McLennan South Sub-Area Plan. The asphalt sidewalk will provide a safe pedestrian route until the ultimate frontage improvements are provided with the redevelopment of 7500 Ash Street.

Street front improvements are to be undertaken by the developer as part of their redevelopment, and are secured through rezoning or subdivision conditions. After the developer has completed the works and has passed the maintenance period, the City takes over the future maintenance.

Frontage improvements along the east side of Ash Street from General Currie Road to Blundell Road have already begun with the townhouse development at the corner of Ash Street and Blundell Road (7820 Ash Street) and the new single-family subdivision on the north and south side of Keefer Avenue with the installation of a 1.75 metre wide concrete sidewalk starting at the west property line, a 3.1 metre wide treed and grassed boulevard, curb and gutter and road widening to connect with the existing pavement. The subject development will continue this specification as part of their street improvements.

The frontage improvements for the remainder of the block are envisioned to occur in conjunction with redevelopment. There are eight (8) existing properties on the east side of Ash Street without frontage improvements. Two of these properties are subject to current redevelopment applications.

Referral Item 5:

“Traffic calming measures”

One of the issues at the Public Hearing was traffic calming along Ash Street, as residents raised concerns that the speed of vehicles was too high, and there should be means (such as speed bumps) to slow down traffic in the area.

The City’s Transportation Department undertook a week long speed survey on Ash Street near the location of the subject property in May 2013. The data was collected using an electronic traffic detector, located in each lane at the midblock point between General Currie Road and Blundell Road. The detectors logged data for a 24 hour period for each of the seven (7) days, recording traffic speed, direction and the time of day vehicles passed over the detectors. The result of the seven (7) day study was an average vehicle speed of 44 Km/h, lower than the posted speed limit of 50 Km/h.

The current condition of Ash Street in the area of the subject property is a paved road that is approximately 7.3 metres wide that provides full two-way traffic flow, but with no curb and gutter, boulevard or sidewalk. Street parking has been allowed along an unpaved shoulder along the side of the street.

As development along Ash Street proceeds, street frontage improvements will be installed to allow two-way traffic and provide street parking on both sides of the street. These improvements will replace the area where vehicles currently park with the frontage improvements while maintaining an appropriate paved road width to support two-way vehicle movement and street parking. Future intersections will feature curb extensions to remove space for street parking while maintaining lane width.

Analysis

No other aspects of the proposal have been changed since the Public Hearing. The following is provided for information.

Proposed Zoning to Single Detached (ZS14) – South McLennan (City Centre)

The proposal to rezone the subject site to create smaller single detached lots is consistent with the McLennan South Sub-Area Plan that establishes minimum lot sizes for Single Family use

(Attachment 4). The policy permits lot widths fronting Ash Street to be at least 18.0 meters wide, with the remaining lots fronting General Currie Road and Armstrong Street at 11.3 meters wide, with corner lots being a minimum width of 13.0 meters. The "Single Detached (ZS14) – South McLennan (City Centre)" zone was chosen as it has been used on other Single Detached lots in the area. The proposed lot dimensions meet the minimum lot size requirements set out in the McLennan South Sub-Area Plan and the "Single Detached (ZS14) – South McLennan (City Centre)" zone.

Affordable Housing

In accordance with the Affordable Housing Strategy, the applicant previously agreed to provide a voluntary contribution of \$1 per buildable square foot of density for all new lots in relation to the proposed zone instead of providing secondary suites to at least 50% of new homes in this subdivision. This voluntary contribution amount to the Affordable Housing Reserve Fund is \$11,412.65 and is payable prior to the adoption of rezoning Bylaw 8907.

Utilities and Site Servicing

Engineering has reviewed the submitted servicing plans and have determined that upgrades to existing sanitary services will be needed. Water provisions will be determined at the Building Permit stage to ensure adequate flow. A voluntary contribution towards the committed upgrades for the South McLennan drainage area is in the amount of \$36,510.61 is required prior to the adoption of rezoning Bylaw 8907.

Servicing Agreement and Subdivision

The applicant is required to enter into a separate application for a Servicing Agreement for the purpose of designing for road construction, frontage improvements for sections of Ash Street, General Currie Road and Armstrong Street that front the subject property. Some of the improvements include but are not limited to:

Ash Street (from the north property line of the subject site and to the south property line of 7480 Ash Street)

- 1.75 meter wide concrete side walk;
- 3.10 meter wide grass and treed boulevard;
- curb and gutter; and
- road widening to existing pavement.
- A 1.5 metre wide asphalt sidewalk along the frontage of 7500 Ash Street to connect to the sidewalk above (voluntary work by the developer).

General Currie Road (from the north property line of the subject site)

- 1.75 meter wide concrete sidewalk;
- 4.10 meter wide grass and treed boulevard;
- curb and gutter; and
- road pavement covering half the width of the road right-of-way.

Armstrong Street (from the eastern edge of the property – after the 9.0 meter land dedication)

- 1.50 meter wide concrete sidewalk;
- 1.50 meter wide grass and treed boulevard;
- curb and gutter; and
- road pavement to the extent of the land dedication.

Other items such as sanitary upgrades, are also to be included as well as extending existing service lines to service the individual lots.

Financial Impact

None.

Conclusion

The proposed rezoning for the six (6) lot subdivision meets the requirements of the OCP (McLennan South Neighbourhood Plan) as well as the zoning requirements set out in the "Single Detached (ZS14) – South McLennan (City Centre)" zone. The proposed road configuration is consistent with the neighbourhood plan and Staff is confident the outstanding conditions will be met prior to final adoption. Staff support this rezoning application and recommend that Bylaw amendment No. 8907 be forwarded to the December 16, 2013 Public Hearing.



David Johnson
Planner 2
(604-276-4193)

DJ:cas

Attachment 1: Location Map

Attachment 2: Proposed subdivision layout

Attachment 3: Development Application Data Sheet

Attachment 4: McLennan South Sub-Area Land Use Map

Attachment 5: Minutes of the May 21, 2013 Public Hearing minutes and written submissions

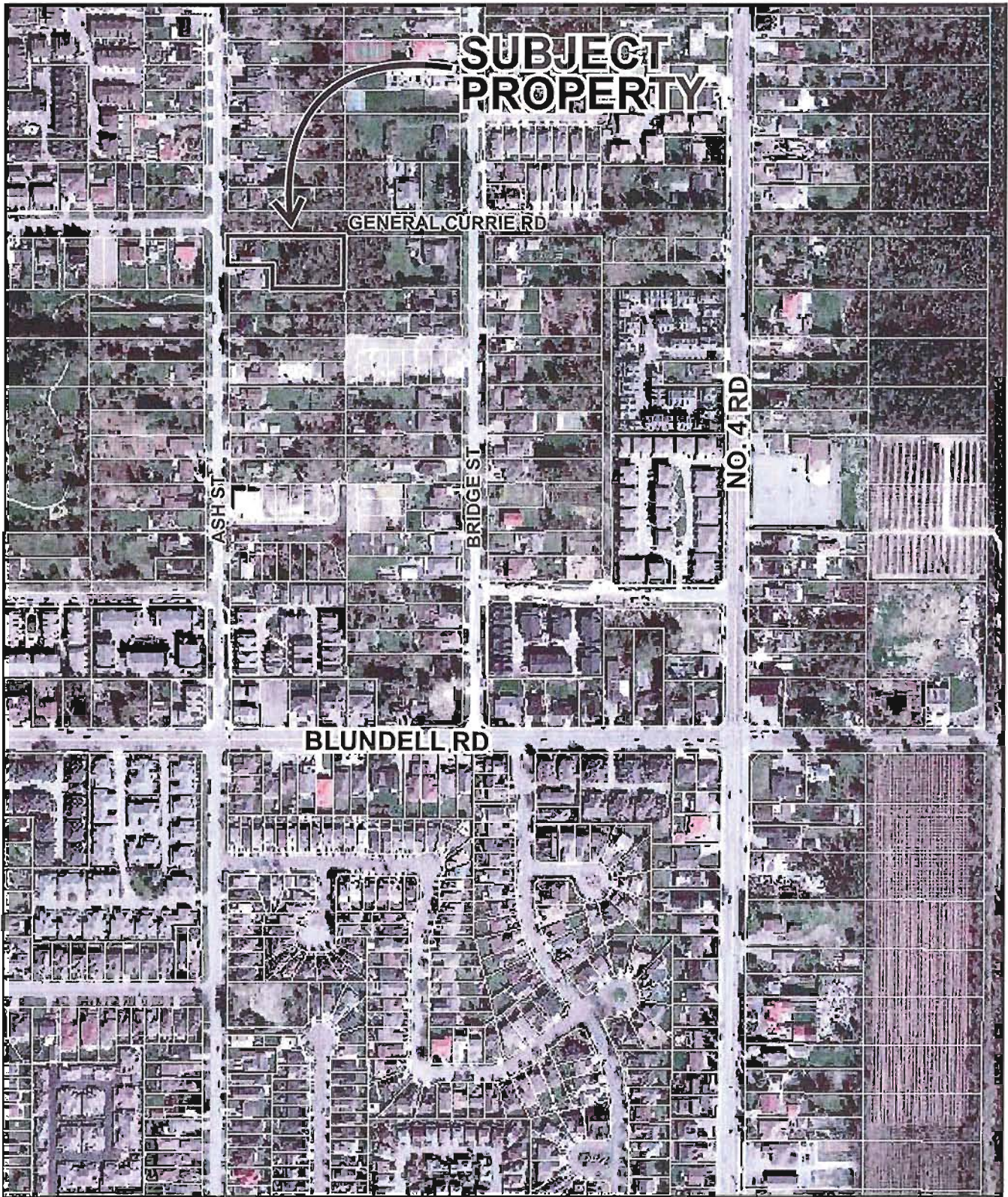
Attachment 6: Additional correspondence after Public Hearing

Attachment 7: Pottinger Gaherty report

Attachment 8: Tree Survey Map showing tree retention and removal of existing trees.

Attachment 9: Tree Survey Map showing tree retention and new plantings.

Attachment 10: Conditional Rezoning Requirements



RZ 11-586861

Original Date: 08/18/11

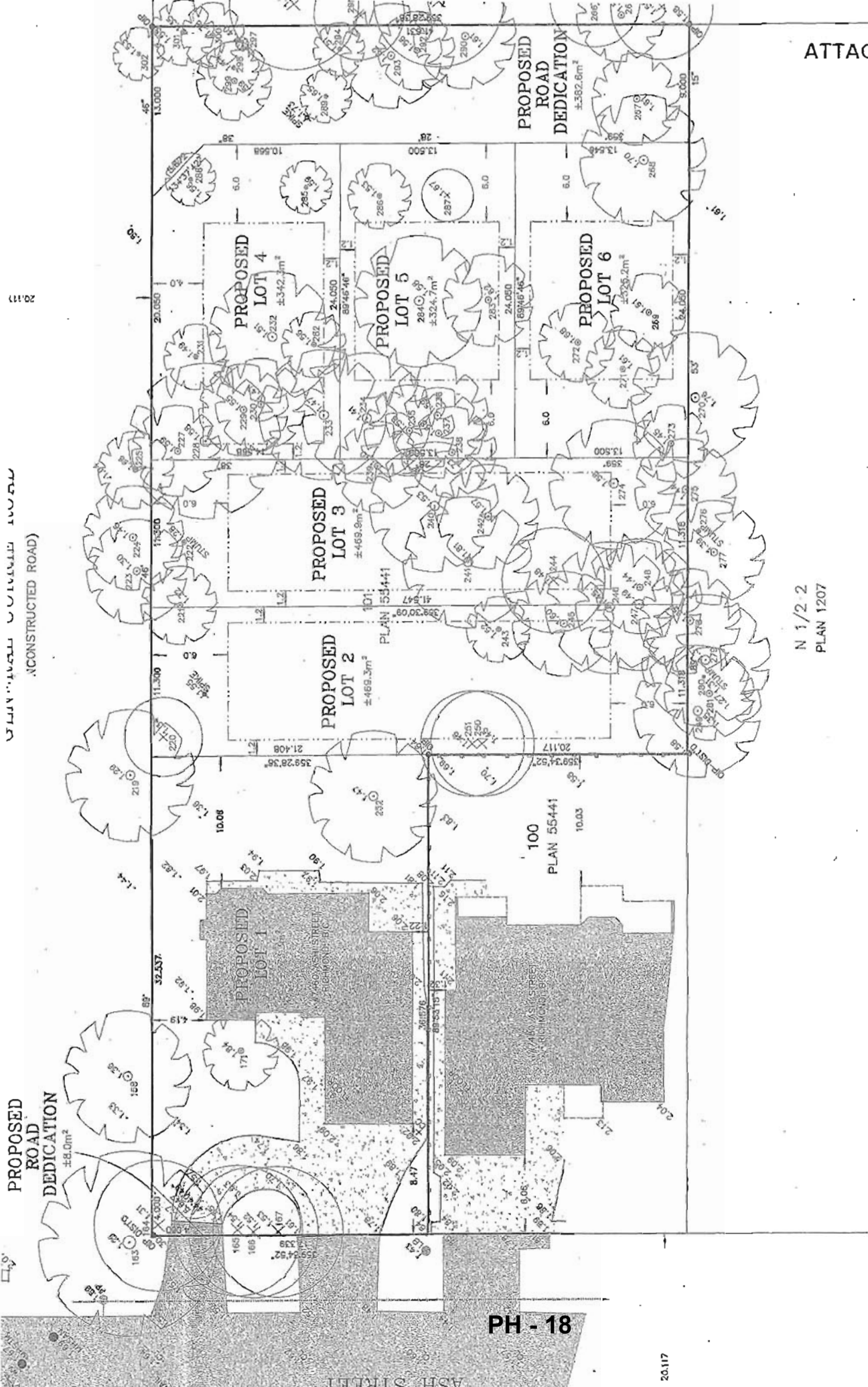
Amended Date:

Note: Dimensions are in METRES

PROPOSED ROAD DEDICATION ±8.0m²

UNCONSTRUCTED ROAD

PROPOSED ROAD DEDICATION ±352.6m²



N 1/2 2
PLAN 1207



City of Richmond

6911 No. 3 Road
Richmond, BC V6Y 2C1
www.richmond.ca
604-276-4000

Development Application Data Sheet

RZ 11-586861

Address: 7460 Ash Street

Applicant: Man-Chiu Leung and Nora Leung

Planning Area(s): City Centre Area, McLennan South Sub-Area Plan (Schedule 2.10D)

| | Existing | Proposed |
|--|---|---|
| Owner: | Man-Chiu Leung and Nora Leung | No change |
| Site Size (m ²): (by applicant) | 3,079.0 m ² | 2,704.1 m ² The gross site area is reduced by: <ul style="list-style-type: none"> 9.0 m wide dedicated right-of-way (Armstrong Street) along the site's eastern edge for road, complete with 4m x 4m corner cut at General Currie Road; and A 4 m x 4 m corner cut at Ash Street and General Currie Road. |
| Land Uses: | Single-family residential | No change |
| OCP Designation: | Neighbourhood Residential | No change |
| Area Plan Designation: | Residential, "Historic Single-Family" 2 1/2 storeys max. - 0.55 floor area ratio (FAR) | No change |
| Zoning: | Single-Family Housing District, Subdivision Area F (RS1/F) | Single Detached (ZS14) – South McLennan (City Centre) |
| Number of Units: | 1 single-family dwelling | 6 single-family dwellings |

| On Future Subdivided Lots | Bylaw Requirement (ZS14) | Proposed | Variance |
|--|--|---|----------------|
| Floor Area Ratio: | Max. 0.55 FAR for first 464.5m ² of lot area then 0.3 FAR for the remainder, plus additional areas for covered areas, off-street parking, and floor area above garage | 0.55 FAR for first 464.5m ² of lot area then 0.3 FAR for the remainder, plus additional areas for covered areas, off-street parking, and floor area above garage | none permitted |
| <u>Ash Street</u> Lot area Lot width | Min. 550.0 m ² (area) Min. 18.0 m (width) | Lot 1 – 773.3 m ² (area) 21.3 m (width) | none |

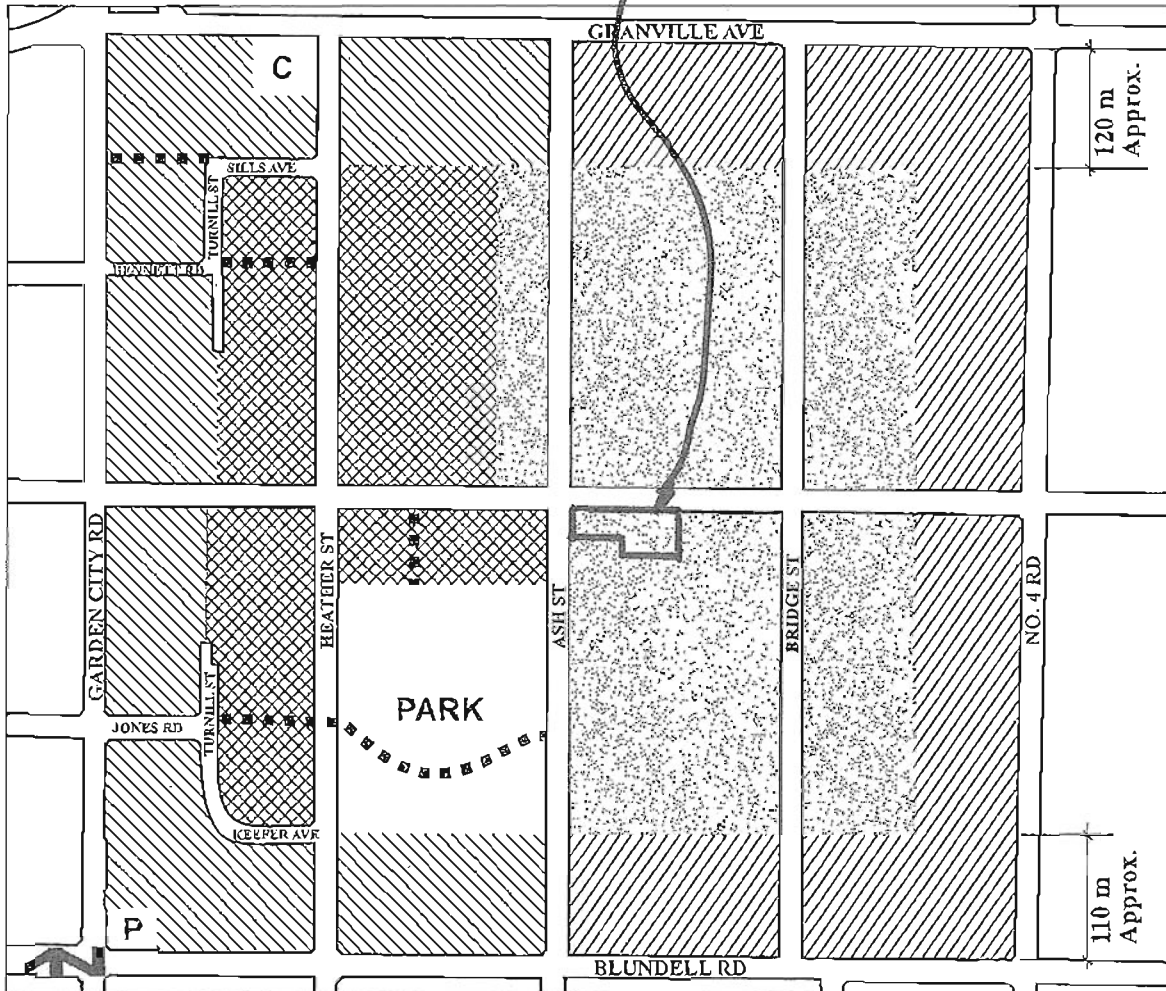
| On Future Subdivided Lots | Bylaw Requirement (ZS14) | Proposed | Variance |
|---|--|--|----------|
| Minimum Lot Area General Currie Rd. / Armstrong Street | Min. 320.0 m ² | Lot 2 – 469.3 m ² Lot 3 – 469.9 m ² Lot 4 – 342.3 m ² Lot 5 – 324.7 m ² Lot 6 – 325.2 m ² | none |
| Min. Lot Dimensions | 11.3 m (width) 13.0 m (width) (Lot 4) 24.0 m (depth) | Lot 2 – 11.30 m (width) 41.50 m (depth) Lot 3 – 11.30 m (width) 41.50 m (depth) Lot 4 – 14.57 m (width) 24.05 m (depth) Lot 5 – 13.50 m (width) 24.05 m (depth) Lot 6 – 13.55 m (width) 24.05 m (depth) | none |

City of Richmond

Land Use Map

Bylaw 7892
2005/04/18

**SUBJECT
PROPERTY
R2 11-586861**



| | | |
|---|---|--|
| Residential, Townhouse up to 3 storeys over 1 parking level, Triplex, Duplex, Single-Family 0.75 base F.A.R. | Residential, Historic Single-Family, 2 ½ storeys maximum 0.55 base F.A.R. Lot size along Bridge and Ash Streets: <ul style="list-style-type: none"> • Large-sized lots (e.g. 18 m/59 ft. min. frontage and 550 m²/ 5,920 ft² min. area) Elsewhere: <ul style="list-style-type: none"> • Medium-sized lots (e.g. 11.3 m/ 37 ft. min. frontage and 320 m²/ 3,444 ft² min. area), with access from new roads and General Currie Road; Provided that the corner lot shall be considered to front the shorter of its two boundaries regardless of the orientation of the dwelling. | Trail/Walkway C Church P Neighbourhood Pub |
| Residential, 2 ½ storeys typical (3 storeys maximum) Townhouse, Triplex, Duplex, Single-Family 0.60 base F.A.R. | | |
| Residential, 2 ½ storeys typical (3 storeys maximum), predominantly Triplex, Duplex, Single-Family 0.55 base F.A.R. | | |

Note: Sills Avenue, Le Chow Street, Keefer Avenue, and Turnill Street are commonly referred to as the "ring road".



**Regular Council Meeting for Public Hearings
Tuesday, May 21, 2013**

Place: Council Chambers
Richmond City Hall
6911 No. 3 Road

Present: Mayor Malcolm D. Brodie
Councillor Chak Au
Councillor Linda Barnes
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Michelle Jansson, Acting Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

1. **ZONING AMENDMENT BYLAW 8907 (RZ 11-586861)**
(Location: 7460 Ash Street; Applicant: Man-Chui Leung and Nora Leung)
Applicant's Comments:
The applicant was available to answer questions.
Written Submissions:
 - (a) Sharon MacGougan on behalf of Joyce MacGougan, 7500 Ash Street (Schedule 1)
 - (b) Sharon MacGougan, 7411 Ash Street (Schedule 2)
 - (c) Douglas Nazareth, 7480 Ash Street (Schedule 3)
 - (d) Annie and Wolfgang Schroeder, 9360 and 9380 General Currie Road (Schedule 4)



**Regular Council Meeting for Public Hearings
Tuesday, May 21, 2013**

Submissions from the floor:

Mr. James Wright, 8300 Osgoode Drive, spoke on behalf of the Garden City Conservations Society and was concerned with the trend to disregard the conservation of mature trees. The Society would like to see a change in the trend and suggested that the application under consideration is a good place to take action for nature and human liveability.

Sharon MacGougan, 7411 Ash Street, spoke on behalf of herself and her mother, Joyce MacGougan at 7500 Ash Street, expressed concern with regard to the following: i) pedestrian safety due to the fragmentation of sidewalks in the area; ii) traffic issues related to speed and access to and from the site; iii) failure of the City to provide promised street upgrades; and iv) loss of mature trees and the associated undergrowth and wildlife.

In response to queries, Wayne Craig, Director of Development provided additional information on requirements for offsite improvements (curb, sidewalk, etc.) for this site and the adjacent site to the south (which does not have redevelopment potential). Mr. Craig confirmed the tree removal and replacement recommendations from the Arborist's report as well as the cash-in-lieu contribution for replacement tree planting.

Mr. Michael Wolfe, 9731 Odlin Road, expressed concern for the loss of a natural area and the need to protect species at risk. He suggested that the extension of General Currie Road was not necessary and the lands would be better served as park space.

Mr. Douglas Nazareth, 7480 Ash Street, suggested that the development be reduced to permit 4 residential units in order to preserve many of the trees and requesting the sidewalk be extended to 7500 Ash Street.

Mayor Brodie acknowledged the conclusion of the first round of public speakers. Speakers then addressed Council for the second time with new information.

Discussion ensued with respect to tree preservation and lot density, the species and size of trees removed and replaced, sidewalk extension to 7500 Ash Street and offsite improvements on Ash Street to Blundell Road, traffic calming measures including conducting a traffic study, and the preservation of a raptors nest in accordance with the Wildlife Act.



Regular Council Meeting for Public Hearings
Tuesday, May 21, 2013

In response to queries from Council, Mr. Craig explained how tree removal and replacement is determined, cash-in-lieu contributions are calculated and how the City's Flood Protection Bylaw impacts possible tree removal. Mr. Craig advised that staff is unaware of the raptors nest and will require the applicant to retain a qualified environmental professional to assess the situation. Mr. Craig further advised that a traffic calming study can take months and also requires public input to determine acceptable traffic calming measures for the neighbourhood.

PH13/5-1

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 8907 be referred to staff to provide more information regarding the following:

- (1) species and dimensions of trees removed and of proposed replacement trees;*
- (2) reduction in lots/density and the impact on the number of trees to be retained;*
- (3) wildlife protection;*
- (4) sidewalk extension to 7500 Ash Street and the City's plan for sidewalk improvements to Blundell Road; and*
- (5) traffic calming measures.*

CARRIED

- 2. ZONING AMENDMENT BYLAW 9008 (RZ 13-627573)
(Location: 5131 Williams Road; Applicant: Balandra Development Inc.)

Applicant's Comments:

The applicant was available to answer questions.

Written Submissions:

None.

Submissions from the floor:

None.

Jansson, Michelle

From: City of Richmond Website [webgraphics@richmond.ca]
 Sent: Friday, 17 May 2013 3:20 PM
 To: MayorandCouncillors
 Subject: Send a Submission Online (response #734)

Categories: 12-8060-20-8907

| |
|---------------------------|
| To Public Hearing |
| Date: <u>May 21, 2013</u> |
| Item # <u>1</u> |
| Re: <u>7460 Ash St.</u> |
| <u>Zoning Amendment</u> |
| <u>Bylaw 8907</u> |

Send a Submission Online (response #734)

Survey Information

| | |
|-----------------------|---|
| Site: | City Website |
| Page Title: | Send a Submission Online |
| URL: | http://cms.richmond.ca/Page1793.aspx |
| Submission Time/Date: | 5/17/2013 3:28:30 PM |

Survey Response

| | |
|--|---|
| Your Name | Sharon MacGougan on behalf of Joyce MacGougan |
| Your Address | 7500 Ash Street |
| Subject Property Address OR Bylaw Number | Bylaw 8907 |
| Comments | <p>Re: File Reference No. 12-8060-20-8907 My name is Sharon MacGougan and I am submitting comments on the proposed rezoning on behalf of my 89 year-old mother, Joyce. She lives at 7500 Ash Street and she has lived there since 1948. Her property borders the property in question. These are her comments: there is already too much development in this area. There is too much traffic. She does not feel safe on Ash Street. She describes having to keep as far as possible from the road when travelling on Ash in her scooter or with her walker. She doesn't feel safe because, as she says, "I'm too slow". I also asked her about the trees. She is very upset that virtually all of them will be cut. She is worried for the birds. She also states that the neighborhood will look worse without the trees. Submitted on behalf of Joyce MacGougan by her daughter, Sharon MacGougan (7411 Ash</p> |

Street) 604.278-8108

| |
|-----------------------------|
| To Public Hearing |
| Date: <u>May 21, 2013</u> |
| Item # <u>1</u> |
| Re: <u>Zoning Amendment</u> |
| <u>Bylaw 8907</u> |
| <u>7460 Ash St.</u> |

Schedule 2 to the Minutes of the Council Meeting for Public Hearings held on Monday, May 21, 2013.

May 11, 2013

Attention: Director, City Clerk's Office

Re: Zoning Amendment Bylaw 8907 (RZ 11-586861)

My name is Sharon MacGougan. I live at 7411 Ash Street. I have a few comments about this proposed development.

Extension of Ash Street sidewalk

I request that the proposed new sidewalk/street improvements on Ash Street be extended to include my mother's house at 7500 Ash Street.

I believe my mother to be the last remaining "homesteader" still living on Ash Street (between Blundell and Granville). My father built their house in 1948. In 1949 - the year of the Great Flood - my father was one of the men who voluntarily sandbagged Richmond's dikes (after working a full day). My parents paid taxes in Richmond for 65 years. I think it would be a nice gesture and a real commitment to sense of community to provide my mother with a safe place to walk.

Traffic calming

Traffic calming and a full street upgrade were promised to Ash Street as part of the redevelopment process. According to the city's plan for South McLennan the money was to come from development cost charges. New homes have been built on our street. Now 6 more are planned. Do I understand correctly that development cost charges from these (built and to be built) homes will now go towards traffic calming and a street upgrade, as was promised?

Loss of Mature Trees

Our area has lots of mature trees. I am disappointed that plans for new housing developments in our area have seemingly not considered this unique aspect of our neighbourhood. We lost 24 trees on the Keefer extension (southeast of Ash). Barely any trees were replanted and none on the boulevard (something about pipes or wires). With this proposed new development 56 trees will be lost. And "Because of site constraints for new planting, no tree of significant size was recommended", pg.3.

What this really means is there is no room for trees. How is this possible? If the lots were a larger size there would be space for trees, bird habitat could be restored and the area would continue to reflect a respect for the natural world. Instead what we will get is lots of concrete and a few decorative trees that no bird will ever build a nest in. What a loss.

Supplementary comment: I have alerted city staff that there is an active hawk nest in the area slated to be clearcut. According to provincial regulations and common decency, the tree with the hawk nest and the immediate area surrounding it should not be cut while the nest is active.

Little Things Matter

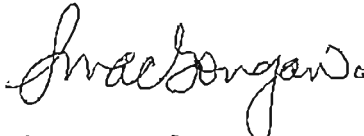
Safety is important. Good neighbourhoods are places where people can safely walk. And that should mean everyone, not just the sure-footed.

Overall planning would be nice when redevelopments of neighbourhoods are taking place. We have multiple sections of sidewalks that abruptly end. How about figuring out some way of connecting these walkways to nowhere?

Encouraging people to get out and walk (high density, park and shopping centre close by) is good but not in combination with speeding cars. Real traffic calming (not just cars parked at the side of roads) would deter some cars from rat running our street but it could also preserve lives.

Thank you for your consideration of these matters.

Yours truly,



Sharon MacGougan

7411 Ash Street

Richmond, B.C. V6Y 2R9

604.278-8108

Schedule 3 to the Minutes of the Council Meeting for Public Hearings held on Monday, May 21, 2013.

May 17, 2013

| |
|-----------------------------|
| To Public Hearing |
| Date: <u>May 21, 2013</u> |
| Item # <u>1</u> |
| Re: <u>Zoning Amendment</u> |
| <u>Bylaw 8907</u> |
| <u>7460 Ash St.</u> |

CITY OF RICHMOND
INFO CENTRE
MAY 17 2013

CITY OF RICHMOND
INFO CENTRE
MAY 15 2013

Attention: Director, City Clerk's Office

Re: Written Submission Re: Zoning Amendment Bylaw 8907 [RZ 11-586861]

From: Douglas Nazareth - Owner of 7480 Ash Street, Richmond

I am the immediate neighbor on the south and west of this proposed rezoning. While I understand that the applicant is within his rights to increase the density of the said lot to ZS14 and I wish him well, I wish to place on record the following points and request Council to please act upon them.

1] Trees and Wildlife: From the report you will see that of the 56 mature trees on the land, 45 will be cut down. While I understand that the developer will financially compensate the city to plant saplings elsewhere, this is in direct contradiction to the OCP for South MacLellan where you said that the mature trees in this neighbourhood give it its distinct character and will be protected. I would like to suggest that the number of lots on this property be reduced from 6 to 4. This will allow for many more of the 45 mature and magnificent tree's to be retained. We will also be able to say that we did not have to create a concrete jungle for future generations to come and have stood behind our commitment to the environment that we in Richmond are so proud of. We are spending millions on conservation efforts and going green, yet we will take down such mature trees for two extra lots? There is also a plethora of wildlife in this area such as hawk's nests, coyotes, raccoons and squirrels. Please give this your serious consideration. My request here is to also include a condition that the tree's will only be removed once a building permit is issued for the individual lot. This will ensure that all the trees are not simply razed upon rezoning and an eyesore created for an undetermined period of time.

2] Boulevard: While I understand that the zoning conditions require that the front of my property be developed, my request to Council is that they find the marginal additional funds to extend this boulevard to my neighbour at 7500 Ash Street, immediately to the south. This is because she is a very old, original inhabitant [since 1948] of Ash street and is not very mobile. The sidewalk would be a great help for her to maneuver her motorized scooter to get to her daughters house across this busy street. Please consider using your considerable authority to extend one of our original Richmond residents this convenience.

3] Traffic Calming: Since the mid nineties when the overall plan for South McLellenan was drafted, we have been promised traffic calming along Ash Street and unfortunately after many complaints and traffic studies by the city, we still have vehicles going through at breakneck speeds. Please consider using speed humps along Ash to avoid making our neighbourhood a death trap.

4) Street Lighting: I see that one of the conditions of the rezoning is lighting along Ash street. There is only one light in the front of 7460 Ash and I would like to request that these be changed to two lamp posts, the second one being in front of my property as it is very dark and even pedestrians coming out of Paulik Park or my property run the risk of being hit by traffic due to the poor lighting conditions.

Thank you for your attention to this.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Nazareth', written in a cursive style.

Douglas Nazareth
Owner, 7480 Ash St., Richmond, BC V6Y 2S1
Tel: 604 279 5491
Cell: 604 728 6283

Schedule 4 to the Minutes of the Council Meeting for Public Hearings held on Monday, May 21, 2013.

| |
|-----------------------------|
| To Public Hearing |
| Date: <u>May 21, 2013</u> |
| Item # <u>1</u> |
| Re: <u>Zoning Amendment</u> |
| <u>Bylaw 8907</u> |
| <u>7460 Ash St.</u> |

May 17, 2013

Attention: Director, City Clerk's Office

Re: Written Submission Re: Zoning Amendment Bylaw 8907 [RZ 11-586861]

From: Annie and Wolfgang Schroeder
Owners of 9360 and 9380 General Currie Road, Richmond

Dear Council,

As long term residents of Richmond, we are very upset that you are planning on cutting down 45 mature trees in our neighbourhood just to allow for 5 houses to be built! Please do not be so heartless. I would like to suggest that you only allow for 3 houses in the backlands so that much of those magnificent trees are allowed to remain standing. Have we not cut down enough number of trees already in this once so environmentally friendly and beautiful neighbourhood?

Please rezone this centre of South MacLellan for a total of 4 houses only, so there will only be 3 that can be developed in the back plus one that faces Ash Street [already standing]. You have considerably increased the density in South MacLellan over the last 10 years so please do not ruin our neighbourhood further just for a couple of houses.

Thank you,



Annie and Wolfgang Schroeder

Owners of 9360 and 9380 General Currie Road,
Richmond



CITY OF RICHMOND
INFO CENTRE
MAY 17 2013

RECEIVED
MAY 25 2013

From: MayorandCouncillors
Sent: Thursday, 23 May 2013 16:14
To: Johnson, David (Planning); Craig, Wayne
Subject: FW: Ash Street, Bylaw 8907 at public hearing

Sent to Staff Only.

Michelle Jansson
Manager, Legislative Services
City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1
Phone: 604-276-4006 | Email: mjansson@richmond.ca

-----Original Message-----

From: Sharon MacGougan [<mailto:sharonmacg@telus.net>]
Sent: Wednesday, 22 May 2013 3:42 PM
To: MayorandCouncillors
Subject: re: Ash Street, Bylaw 8907 at public hearing

Dear Mayor and Councillors,

Thank you for your kind concern regarding the extension of the sidewalk to include 7500 Ash Street. My mother cried when I told her. She doesn't express emotion easily, so I know that she was really moved. Thank you for making her feel valued.

Sincerely
Sharon MacGougan

From: MayorandCouncillors
Sent: Thursday, 23 May 2013 16:07
To: Johnson, David (Planning); Craig, Wayne
Subject: FW: Ash Street matter, Bylaw 8907 at public hearing

For your appropriate action.
Not provided to Council because of Public Hearing.

Michelle Jansson
Manager, Legislative Services
City of Richmond, 6911 No. 3 Road, Richmond, BC V6Y 2C1
Phone: 604-276-4006 | Email: mjansson@richmond.ca

From: Jim Wright [<mailto:jamesw8300@shaw.ca>]
Sent: Tuesday, 21 May 2013 9:54 PM
To: MayorandCouncillors
Subject: Ash Street matter, Bylaw 8907 at public hearing

Mayor Brodie and Councillors, re Bylaw 8907:

Great job with the Ash Street matter!

It seems that the problematic gap in the continuity of the sidewalk is only the width of one lot and that council is looking to address it, and it was thoughtful of council members to be so concerned about that.

There was also progress toward retaining enough of the trees and the areas around them to perhaps retain the ecological character of the area.

With regard to not being able to keep much more treed area if there are four new lots instead of six, I suggest that the treed areas should be the priority, with the houses fitting in. Surely the adapting should be in the FAR.

The answer to Coun. Bill McNulty's question about the equivalent of 325 square metres is about 3,500 square feet. With four houses, the four houses would add up to about 14,000 square feet where there was just one house.

Although the elevation of the new houses will be above the current lot elevation, surely the land around the houses can be sloped up to them, leaving plenty of area where the fill would not affect the existing trees and the vegetation below them.

With the higher priority given to retaining the nature of the land, the homes can easily be more appealing, increasing their value, to the developer's benefit.

— Jim Wright, 778-320-1936 or 604-272-1936



Pottinger Gaherty
Environmental Consultants Ltd.
1200 - 1185 West Georgia Street
T 604.682.3707
F 604.682.3497
Vancouver, BC Canada V6E 4E8
www.pggroup.com

September 20, 2013
PGL File: 4330.01.01

Via E-mail: JOHNLE3383@shaw.ca

John Man-Chiu Leung
7460 Ash Street
Richmond, BC
V6Y 2S1

Attention: John Man-Chiu Leung

RE: BIRD NEST SURVEY FOR 7460 ASH STREET, RICHMOND, BC

INTRODUCTION

A wildlife biologist from Pottinger Gaherty Environmental Consultants Ltd. (PGL) completed a bird nest survey at 7460 Ash Street in Richmond, BC. An application has been made to subdivide the 7460 Ash Street property and the process of subdivision will involve removing trees, most of which lie within a 120' x 140' area at the back of the property. To supplement the application, the City of Richmond has requested that a nest survey be completed for the property.

OBSERVATIONS

The nest survey was completed on the morning of September 18, 2013. The objective of the survey was to identify, active or inactive bird nests on the property. No active bird nests were found during the survey. One inactive, medium-sized stick nest was observed in the upper third of a birch tree on the property (Photographs 1-3). Based on the size of the nest and its location in the tree (i.e., top third, in a crotch) it was likely constructed by a small to medium sized raptor such as a Cooper's or Sharp-Shinned Hawk (*Accipiter cooperii* or *Accipiter striatus*). Bird whitewash (i.e., bird droppings) on shrub vegetation at the base of the tree suggest that the nest was likely used in the spring or summer of 2013.

The tree containing the nest is located in the center of the property as indicated on the attached Tree Location and Retention Plan (possibly tree identification number 236 or 237).

REGULATORY CONTEXT

The 1994 federal *Migratory Birds Convention Act* and attendant Migratory Birds Regulation protects migratory birds, their eggs and nests. Also, section 34 of BC's *Wildlife Act* prohibits the destruction of occupied bird nests, as well as unoccupied eagle, and heron nests.

Clearing activities within the bird nesting season can potentially harm nesting birds. In BC, the least-risk window identified for raptors, other than eagles and osprey, is October 1 to February 28 (Ministry of Environment's Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2012). To mitigate harm to raptors and other bird species, tree clearing should occur within this least-risk window.

RECOMMENDATIONS

We recommend that tree removal at 7460 Ash Street occur within the October 1 to February 28 least-risk window. If tree removal must occur outside of this window a nest survey should be completed by a qualified environmental professional immediately prior to tree removal (i.e., within 24 hours) to identify active nests on the property, if present. If active nests are identified, a qualified environmental professional would recommend mitigative action.

STANDARD LIMITATIONS

PGL prepared this letter for our client and its agents exclusively. PGL accepts no responsibility for any damages that may be suffered by third parties as a result of decisions or actions based on this report.


The findings and conclusions are Site-specific and were developed in a manner consistent with that level of care and skill normally exercised by environmental professionals currently practicing under similar conditions in the area. Changing assessment techniques, regulations, and site conditions means that environmental investigations and their conclusions can quickly become dated, so this report is for use now. The report should not be used after that without PGL review/approval.


The project has been conducted according to our instructions and work program. Additional conditions, and limitations on our liability are set forth in our work program/contract. No warranty, expressed or implied, is made.

We trust that this meets your needs. If you have any questions or require clarification, please contact Stephanie Louie at 604-895-7637.

POTTINGER GAHERTY ENVIRONMENTAL CONSULTANTS LTD.

Per:


Stephanie Louie, B.Sc., R.P.Bio.
Environmental Scientist


Susan P. Wilkins, M.Sc., P.Geo., LEED AP
Vice President, Operations

SFL/SPW/slr
P:\4300-4390\4330\01-01\4330-01 01-Sep13.doc

Attachments: Photographs
Tree Location and Retention Plan

Photographs



Photograph 1: Medium-sized stick nest located at 7460 Ash Street.

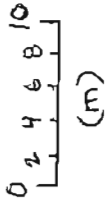


Photograph 2: Tree containing nest located at 7460 Ash Street.



Photograph 3: Nest location within tree (top left of photograph).

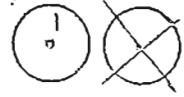
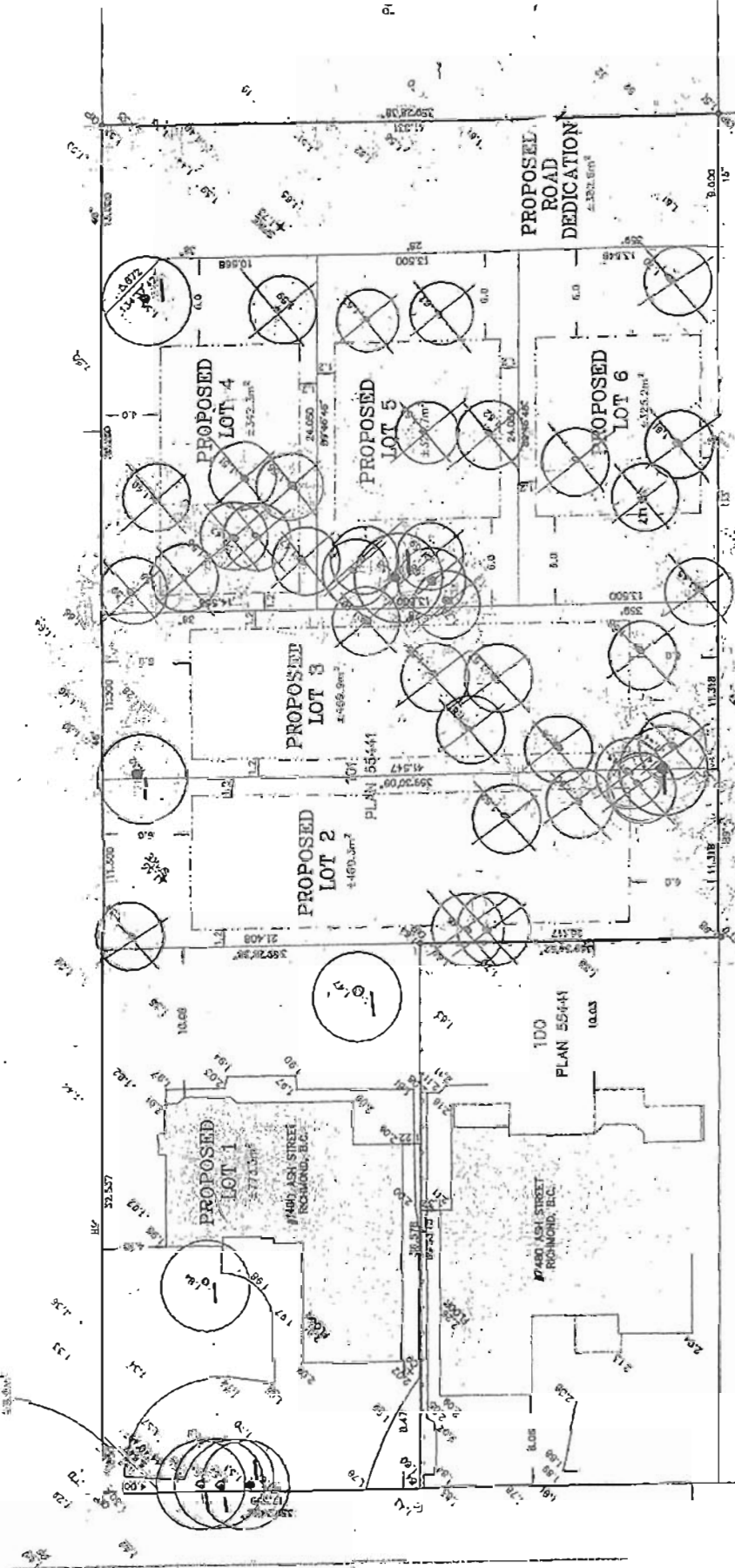
Tree Location & Retention Plan



Scale

GENERAL CURRIE ROAD
(UNCONSTRUCTED ROAD)

PROPOSED
ROAD
DEDICATION



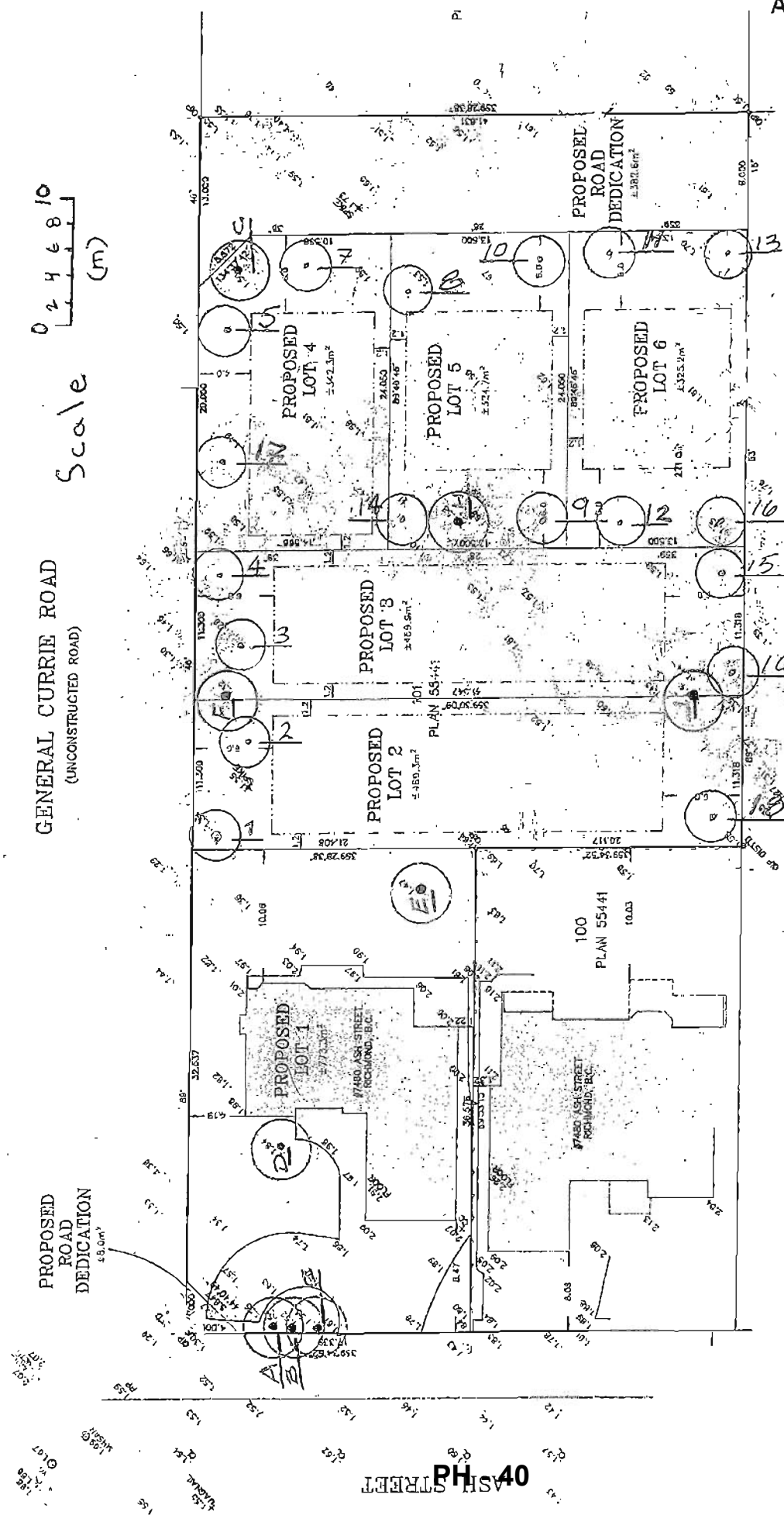
TREES TO BE RETAINED

TREES TO BE REMOVED

Scale
0 2 4 6 8 10 (m)

GENERAL CURRIE ROAD
(UNCONSTRUCTED ROAD)

PROPOSED ROAD DEDICATION
5.9,0m²



| Tree Inventory | | |
|----------------|------------|---------------------------|
| Tree # | Retain/Now | Type |
| A | Retain | Unidentified |
| B | Retain | Unidentified |
| C | Retain | Unidentified |
| D | Retain | Unidentified |
| E | Retain | Japanese Flowering Cherry |
| F | Retain | Cherry |
| G | Retain | Birch |
| H | Retain | Birch |
| I | Retain | Birch |
| 1 | New | Japanese Flowering Cherry |
| 2 | New | Serbian Spruce |
| 3 | New | Western White Pine |
| 4 | New | Paper Birch |
| 5 | New | Western Red Cedar |
| 6 | New | Paper Birch |
| 7 | New | Paper Birch |
| 8 | New | Japanese Flowering Cherry |
| 9 | New | Serbian Spruce |
| 10 | New | Western Red Cedar |
| 11 | New | Western White Pine |
| 12 | New | Serbian Spruce |
| 13 | New | Japanese Flowering Cherry |
| 14 | New | Paper Birch |
| 15 | New | Serbian Spruce |
| 16 | New | Paper Birch |
| 17 | New | Western White Pine |
| 18 | New | Serbian spruce |

ASH STREET PH-40

**Conditional Rezoning Requirements
7460 Ash Street
RZ 11-586861**

Prior to final adoption of Zoning Amendment Bylaw 8907, the developer is required to complete the following:

1. 9.0 metre land dedication along the entire eastern edge of the subject site for the facilitation of constructing Armstrong Street. In addition to 4 metre by 4 metre corner cuts at the corner of Ash Street and General Currie Road and General Currie Road and Armstrong Street.
2. City acceptance of the developer's offer to voluntarily contribute \$26,000.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Tree Survival Security to the City in the amount of \$9,000.00 (\$1,000.00 per tree) for the nine (9) trees to be retained for at least a one year period to ensure survival.
4. Submission of a Tree Survival Security to the City in the amount of \$9,000.00 (\$500.00 per tree) for the 18 trees to be planted to ensure survival for at least a one-year period. The planting schedule for these new trees is in accordance with the following table:

| Type | Number | Size |
|---------------------------|--------|----------------|
| Japanese Flowering Cherry | 3 | 6 cm caliper |
| Paper Birch | 5 | 6 cm callper |
| Western White Pine | 3 | 3 metre height |
| Serbian Spruce | 5 | 3 metre height |
| Western Red Cedar | 2 | 3 metre height |

5. 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.
6. Registration of a flood indemnity covenant on title.
7. The City's acceptance of the applicant's voluntary contribution of \$1.00 per buildable square foot of the single-family developments (i.e. \$11,412.65) to the City's Affordable Housing Reserve Fund.
Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a proposal to build a secondary suite on three (3) of the six (6) future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.
8. Voluntary contribution of \$36,510.61 to go towards the committed upgrades for the South McLennan Drainage Area to account 2221-10-000-14710-0000.
9. Enter into a Servicing Agreement* for the design and construction of frontage improvements to Ash Street and frontage works to both General Currie Road and Armstrong Street. Works include, but may not be limited to:
 - a) East side of Ash Street, from General Currie Road to the south property line of 7480 Ash Street, including road widening, curb & gutter, 3.1m wide grass and treed boulevard, decorative "Zed" street lights, and a 1.75m wide concrete sidewalk near the property line;

- b) East side of Ash Street and on the west side of the property line of 7500 Ash Street, a 1.5 metre wide asphalt sidewalk along the entire frontage of the property, and to connect with the sidewalk in 9(a).
- c) South half of General Currie Road along the entire north frontage of the subject site, including watermain & sanitary sewer extension, sand/gravel base, curb & gutter, asphalt pavement, a 1.75m concrete sidewalk at or near the north property line of the subject site, a 4.10m grass and treed boulevard, comes with decorative "Zed" street lighting, and BC Hydro producing; and
- d) West half of Armstrong Street along the entire east edge of the subject site including, but not limited to: peat removal (if required), sand/gravel base, curb & gutter, asphalt pavement, a 1.5m concrete sidewalk and 1.5m grass & treed boulevard, sanitary sewer, watermain, underground hydro, telephone, gas, cablevision, and any other servicing required to complete this portion of Armstrong Street. Note: At design stage it may be determined that the sanitary sewer cannot fit within the Road R.O.W., and may have to be located within its own Utility R.O.W. Design should also include water, storm & sanitary connections for each lot.

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 Division. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Division at 604-276-4285.

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.

[Original signature on file]

Signed

Date



Richmond Zoning Bylaw 8500
Amendment Bylaw 8907 (RZ 11-586861)
7460 Ash Street

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 (ZS14) - SOUTH McLENNAN - CITY CENTRE".

P.I.D. 003-822-605
LOT 101 SECTION 15 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER
DISTRICT PLAN 55441

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 8907".

FIRST READING

APR 22 2013

A PUBLIC HEARING WAS HELD ON

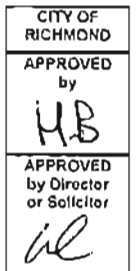
MAY 21 2013

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER