

- To: Planning Committee
- From: Wayne Craig Director, Development

Date: February 20, 2019 File: RZ 17-785742

Re: Application by Fougere Architecture Inc. for Rezoning at 9391, 9393, and 9411 No. 2 Road from "Single Detached (RS1/E)" and "Two-Unit Dwellings (RD1)" to "Medium Density Townhouses (RTM2)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10001, for the rezoning of 9391, 9393, and 9411 No. 2 Road from "Residential Single Family (RS1/E)" and "Two-Unit Dwellings (RD1)" to "Medium Density Townhouses (RTM2)", be introduced and given first reading.

Wayne Craig

Director, Development

WC:je Att. 5

| REPORT CONCURRENCE | | | |
|--------------------|-------------|--------------------------------|--|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER | |
| Affordable Housing | | he Ener | |
| | | | |

Staff Report

Origin

Fougere Architecture Inc. has applied to the City of Richmond for permission to rezone 9391, 9393 and 9411 No. 2 Road (Attachment 1) from "Single Detached (RS1/E)" and "Two-Unit Dwellings (RD1)" to "Medium Density Townhouses (RTM2)" in order to permit the development of eleven townhouse units and one secondary suite with vehicle access from No. 2 Road.

Project Description

The properties under this application have a total combined frontage of 50.25 m, and are proposed to be consolidated into one development parcel. The proposed density is 0.65 FAR. The site layout includes five two-storey units and six three-storey units in four townhouse clusters. One secondary suite is included in this development proposal. A preliminary site plan, building elevations, and landscape plan are contained in Attachment 2.

Findings of Fact

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

Subject Site Existing Housing Profile

The development site consists of two legal lots, a duplex lot at 9391 and 9393 No. 2 Road and a single family dwelling at 9411 No. 2 Road. Each is occupied as follows:

- 9391 No. 2 Road: a half-duplex with a secondary suite, with only the main suite tenanted. The secondary suite is not occupied.
- 9393 No. 2 Road: a half-duplex with a secondary suite, with only the secondary suite tenanted. The main suite is not occupied.
- 9411 No. 2 Road: a single dwelling unit rented back to the previous owner by the developer.

Surrounding Development

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

To the North: An existing single family dwelling on a lot zoned "Single-Detached (RS1/E)".

To the South: A single-story commercial building on a lot zoned "Neighbourhood Commercial (CN)".

- To the East: Across No. 2 Road, duplex homes on lots zoned "Two-Unit Dwellings (RD1)" and a single family dwelling on a lot zoned "Single Detached (RS1/E)".
- To the West: Existing single family dwellings on lots zoned "Single-Detached (RS1/B)" fronting Laka Drive.

Related Policies & Studies

Official Community Plan/Blundell Area Plan

The 2041 Official Community Plan (OCP) Land Use Map designation for the subject site is "Neighbourhood Residential". This redevelopment proposal is consistent with this designation.

Arterial Road Policy

The Arterial Road Land Use Policy in the City's 2041 OCP (Bylaw 9000), directs appropriate townhouse development onto certain arterial roads outside the City Centre. The subject site is identified for "Arterial Road Townhouse" on the Arterial Road Housing Development Map and the proposal is in compliance with the Townhouse Development Requirements under the Arterial Road Land Use 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. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

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

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

Analysis

Built Form and Architectural Character

The applicant proposes to consolidate the two properties into one development parcel with a total area of 2,297 m² (24,724.7 ft²), and construct 11 townhouse units. The layout of the townhouse units is oriented around a 'T"-shaped driveway, with access provided to the site directly from No. 2 Road. The internal drive aisle is proposed to provide access to the unit garages as well as to provide future access to the parcels to the north. To ensure that future access can be provided

to a future development to the north, registration of a legal agreement on title to secure this access is required prior to final adoption of the rezoning bylaw.

A 73 m^2 (789 ft²) outdoor amenity area for townhouse residents will be situated in a central open courtyard at the rear of the site, opposite the site entrance. The size of the outdoor amenity space complies with the OCP requirement, and the design of play features will be refined through the Development Permit.

One ground-level secondary suite (studio) is included in this proposal. The secondary suite is proposed within the townhouse unit immediately north of the site access, facing No. 2 Road (Unit 2A1) (see Attachment 3). The total floor area of this 2A1 unit is approximately 140 m² $(1,511 \text{ ft}^2)$ and the size of the secondary suite is approximately 25 m² (269 ft²). Parking for the unit with the secondary suite is proposed as one parking stall enclosed within the townhouse unit's garage, and another parking stall located adjacent to the southern property line. Zoning Bylaw #8500 requires three parking stalls for a townhouse unit with a secondary suite on an arterial road, but waives the requirement for the third parking stall where parking is provided in a side-by-side, non-tandem arrangement. As the two parking stalls for this unit are not physically side-by-side, a variance is requested in order to allow the proposed physical arrangement of the two stalls. The arrangement of the two stalls meets the intent of the bylaw to enable independent access to each parking stall. Transportation staff have reviewed the proposal and support the variance.

To ensure that the secondary suite will be built, registration of a legal agreement on title stating that no final Building Permit inspection will be granted for any of the units until the secondary suite is constructed to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw, is required prior to final adoption of the rezoning bylaw.

To ensure that the surface parking stall is assigned to townhouse 2A1 for the sole use of that unit, registration of a legal agreement to this effect, or other measures, as determined to the satisfaction of the Director of Development, is required prior to final adoption of the rezoning bylaw.

Existing Legal Encumbrances

There is an existing 3.0 m wide utility right-of-way along the west property line of both parcels for the existing sanitary sewer and the existing storm sewer. This will be retained and the developer is aware that no construction can occur within the Right of Way.

There is currently a covenant registered on the title of 9391/9393 No. 2 Road, restricting the use of the site to a two-family dwelling only (RD150386). Prior to final adoption of the rezoning bylaw, the applicant must discharge the covenant from title.

Transportation and Site Access

Direct vehicular access to the subject site is to be provided from No. 2 Road. Through this development, cross access is proposed to be secured for the future redevelopment of parcels to the north via the new internal drive aisle. The SRW is to cover the entire width and length of the north-south drive aisle on the subject development.

<u>Parking</u>

The proposal will feature five units with a total of ten parking spaces in a tandem arrangement (45% of total required residential parking spaces), which is less than the maximum 50% of tandem parking permitted through the Richmond Zoning Bylaw 8500. A restrictive covenant to prohibit the conversion of tandem garage areas into habitable space is required prior to final adoption.

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 twenty-six bylaw-sized trees on the subject property, two trees on the neighbouring property at 9364 Laka Drive, and one street tree on City property (Attachment 4).

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

• Eleven trees located on site are to be retained (tags #383, 384, 362, 363, 365, 366, 367, 368, 370, 390 and 391). Tree tags #383,384,362,363,365,366,367, 368, and 370, of which the majority are large caliper trees north of the proposed townhouse units, must be protected by a minimum of 4m out from the base of the tree or through a 3 m setback from the base of the trees to the exterior face of the building, with a further 1 m setback from the building foundation and "L" shaped footings. To avoid impacts to protected tree roots, no excavation for drainage or utilities is permitted in the north side yard setback. A temporary bridge will need to be constructed between the north edge of townhouses and the row of trees in order to protect the ground from compaction and disturbance to allow for construction access.

Remaining trees to be retained (tags #390 and 391) are to be protected with protective fencing per the arborist's recommendations.

- Sixteen trees (tag# 352, 353, 354, 355, 356, 357, 360, 361, 369, 381, 382, 386, 393, 394, 395 and no tag (a 20 cm copper beech) are in poor condition and are to be removed and replaced:
 - #352 (35 cm hemlock) and 353 (48 cm Douglas fir) are heavily pruned for overhead wires, with foliage die back. #354 (51 cm Douglas fir) is in good condition but is crowded with #352 and 353 and is reliant on those trees for stability. All three trees conflict with the proposed location of the driveway.
 - #355, 356, 357, 360, and 361 are Norway spruces (37 cm, 52 cm, 44 cm, 44 cm and 46 cm respectively) that have been historically topped for overhead hydro line clearance, and show evidence of upper limb instability with a likelihood of failure.
 - #369 (83 cm cedrus deodora) is heavily topped (top portion of tree removed).
 - #381 (68 cm Western redcedar) is in poor condition with a cavity in the truck and dead wood in the canopy, and is crowded by #382 (may present hazard tree).

- #382 (51 cm Norway maple) has a crowded form and has been severely pruned. The tree exhibits a cavity in the lower trunk with a likelihood of root rot as evident by excessive dead wood in the canopy.
- o #386 (24 cm apple) fell over years ago and has very poor form and structure.
- #393 (34 cm Norway maple) has a large crack and cavity in the trunk (may present hazard).
- #394 (28 cm Norway maple), 395 (66 cm cherry), and no tag copper beech conflict with the proposed location of units.
- #395 (66 cm cherry) is in good form but conflicts with the development footprint.
- Two trees (tag# 385 and 387) located on the neighbouring property at 9364 Laka Drive are identified to be retained and protected. Provide tree protection as per City of Richmond Tree Protection Information Bulletin Tree-03.
- Replacement trees should be provided at a 2:1 ratio as per the OCP.

Tree Protection

Eleven trees (tags #383, 384, 362, 363, 365, 366, 367, 368, 370, 390 and 391) located on site and two trees (tag# 385, 387) on the neighbouring property are to be retained and protected. 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 4). 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 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, including tree pruning, 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 approval of the Development Permit, submission of an \$110,000 tree protection security.
- 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.

Tree Replacement

The applicant wishes to remove sixteen on-site trees (tag# 393, 394, 395, 386, 382, 381, 369, 361, 360, 357, 356, 355, 352, 353, 354 and no tag (a 20 cm copper beech). The 2:1 replacement ratio would require a total of thirty-two replacement trees. According to the preliminary landscape plan, the applicant is planning to plant fifteen new trees on site. 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 |
|--------------------------|--|--|
| 5 | 9 cm | 5 m |
| 4 | 10 cm | 5.5 m |
| 6 | 11 cm | 6 m |

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute a total of \$8,500 to the City's Tree Compensation Fund for the remaining 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. 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.

Affordable Housing Strategy

The applicant proposes to make a cash contribution to the Affordable Housing Reserve Fund in accordance to the City's Affordable Housing Strategy. As the proposal is for townhouses, the applicant will make a cash contribution of \$8.50 per buildable square foot as per the Strategy, for a contribution of \$136,170.

Public Art

In response to the City's Public Art Program (Policy 8703), the applicant will provide a voluntary contribution at a rate of \$0.83 per buildable square foot to the City's Public Art Reserve Fund; for a total contribution in the amount of \$13,297.

Townhouse Energy Efficiency and Renewable Energy

The applicant has committed to achieving an EnerGuide Rating System (ERS) score of 82 and to provide pre-ducting for solar hot water heating for the proposed development. If an acceptable Building Permit application for the proposed development is not submitted to the City by December 31, 2019, the proposed development will be subject to the Energy Step Code. A Restrictive Covenant to ensure that all units are built and maintained to this commitment is required prior to rezoning bylaw adoption. As part of the Building Permit Application review process, the developer will ensure compliance with the terms of the covenant.

Amenity Space

The applicant is proposing a cash contribution in-lieu of providing the required indoor amenity space on site. The Official Community Plan (OCP) allows a cash contribution of \$1,600 per unit for developments up to 19 units in lieu of providing the indoor amenity space. The total cash contribution required for this 11 unit townhouse development is \$17,600.

Outdoor amenity space with an area of 73 m² (789 ft²) will be provided on site. Based on the preliminary design, the size of the proposed outdoor amenity space complies with the Official Community Plan (OCP) requirements of 6 m² per unit. Staff will work with the applicant at the Development Permit stage to ensure the configuration and design of the outdoor amenity space, including landscaping and children's play equipment, meets the Development Permit Guidelines in the OCP.

Site Servicing and Frontage Improvements

Prior to adoption of Rezoning, the client is required to enter into the City's standard Servicing Agreement to design and construct frontage improvements along the site frontage, as well as service connections (see Attachment 5 for details). All works are at the client's sole cost (i.e., no credits apply). The developer is also required to pay DCC's (City & GVS & DD), School Site Acquisition Charges and Address Assignment Fees.

Required frontage improvements include:

- Removing the existing sidewalk and constructing a new 1.5 m wide sidewalk,
- Constructing a new 1.5 m wide grass boulevard with street trees, and
- Completing upgrades to an existing bus stop on No. 2 Road.

A 0.14 m road dedication is required to accommodate the frontage improvements.

The developer will also be required to provide \$30,000 cash contribution for the purchase and installation of a City standard bus shelter.

Variances Requested

The applicant requests to vary the provisions of Richmond Zoning Bylaw 8500 to:

• Vary Section 7.5.13 to allow one small car parking stall in each of the side-by-side garages in the five two-storey townhouse units (five small car stalls in total).

Staff are supportive of the proposed variance as it enables the required resident parking spaces to be provided within the garages of all two-storey units in a side-by-side arrangement. The Zoning Bylaw allows small parking stalls for on-site parking areas which contain 31 or more spaces.

• Vary Section 8.7.6.1 to reduce the front yard setback from 6.0 m to a minimum of 5.05 m.

Staff are supportive of the proposed variance for the following reasons:

- the Arterial Road Guidelines for Townhouses in the OCP support a reduced front yard setback where a larger rear yard is provided, on the condition that there is an appropriate interface with neighbouring properties. The proposal includes a 6 m landscaped rear yard setback with a privacy screen at the property line;
- the setback is varied across the frontage, including a setback of 5.05 m for four of the fronting units, 5.51 m for two of the units and 6.57 m for the seventh fronting unit;
- a 0.14 m road dedication is being provided in order to accommodate a sidewalk and a landscaped boulevard; and
- significant tree protected is provided along the northern property boundary near No.2 Road.
- Vary Section 5.4.1.0) to enable parking stalls for the townhouse unit with the secondary suite in a non-tandem arrangement but not in a side-by-side arrangement.

Staff are supportive of the proposed variance as the proposed parking configuration meets the intent of the parking regulation by allowing independent use of the two required parking stalls.

Development Permit

A Development Permit processed to a satisfactory level is a requirement of zoning approval. Through the Development Permit, the following issues are to be further examined:

- Compliance with Development Permit Guidelines for the form and character of multiplefamily projects provided in the 2041 Official Community Plan.
- Refinement of the proposed site grading and building foundations to ensure survival of all proposed protected trees and development of an appropriate transition between the proposed development to the public sidewalk on No. 2 Road, and to the adjacent existing properties.
- Review of the size and species of on-site replacement trees to ensure bylaw compliance and to achieve an acceptable mix of coniferous and deciduous trees on site.
- Refinement of the outdoor amenity area design, including the choice of play equipment, to create a safe and vibrant environment for children's play and social interaction.
- Review of relevant accessibility features and aging-in-place design features in all units.
- Review of a sustainability strategy for the development proposal.

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

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 proposed 11-unit townhouse and one secondary suite development is consistent with the Official Community Plan (OCP) and the Arterial Road Policy in the OCP. Further review of the project design is required to ensure a high quality project and design consistency with the existing neighbourhood context, which will be completed as part of the Development Permit application review process. The list of rezoning considerations is included as Attachment 5, which has been agreed to by the applicants (signed concurrence on file). On this basis, staff recommend support of the application.

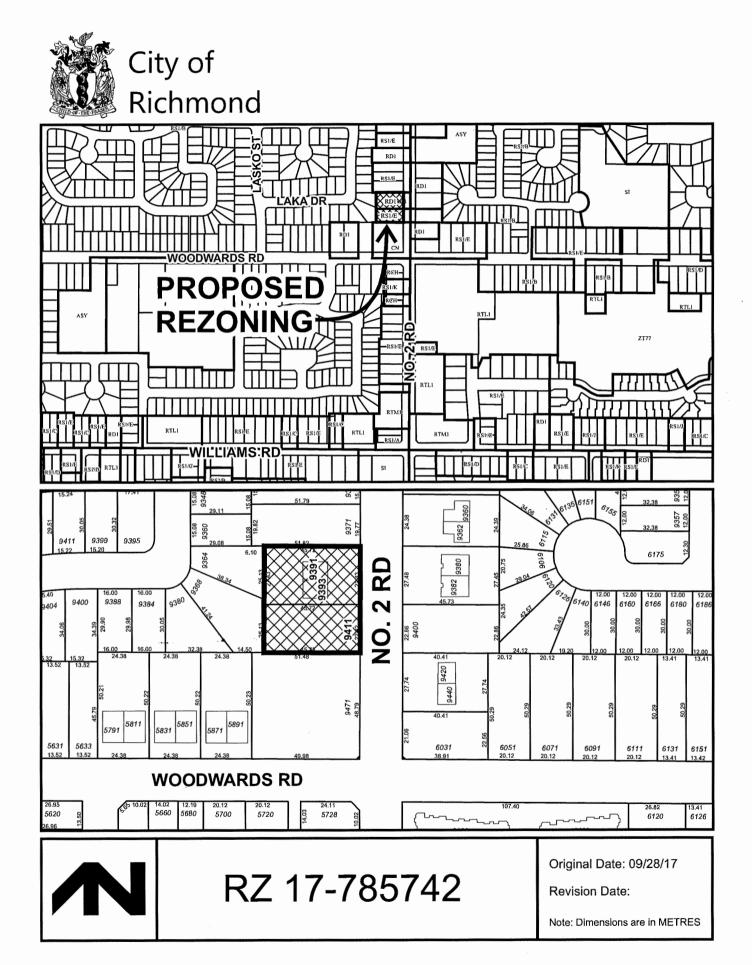
It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10001 be introduced and given first reading.

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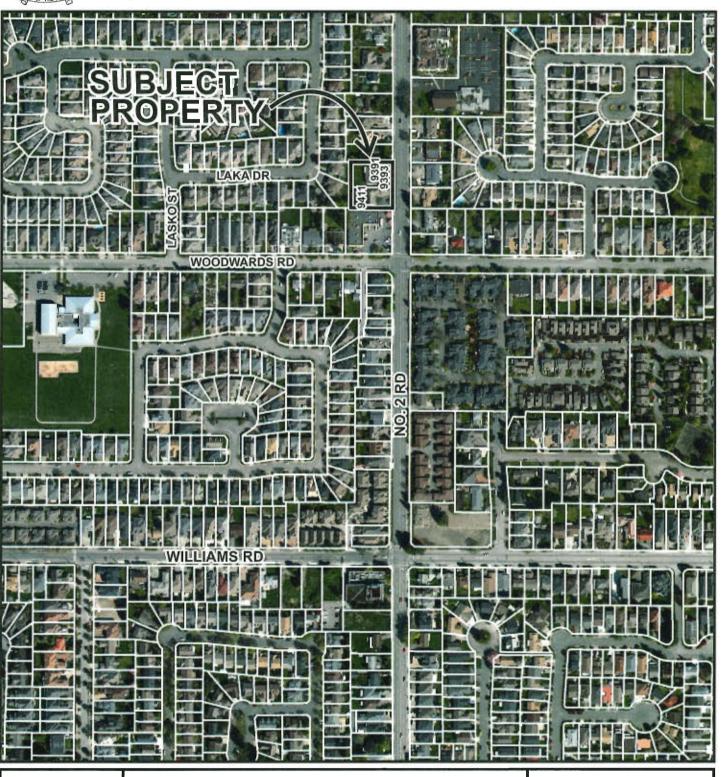
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Attachment 1: Location Map Attachment 2: Conceptual Development Plans Attachment 3: Development Application Data Attachment 4: Tree Management Plan Attachment 5: Rezoning Considerations







RZ 17-785742

Original Date: 09/29/17

Revision Date:

Note: Dimensions are in METRES











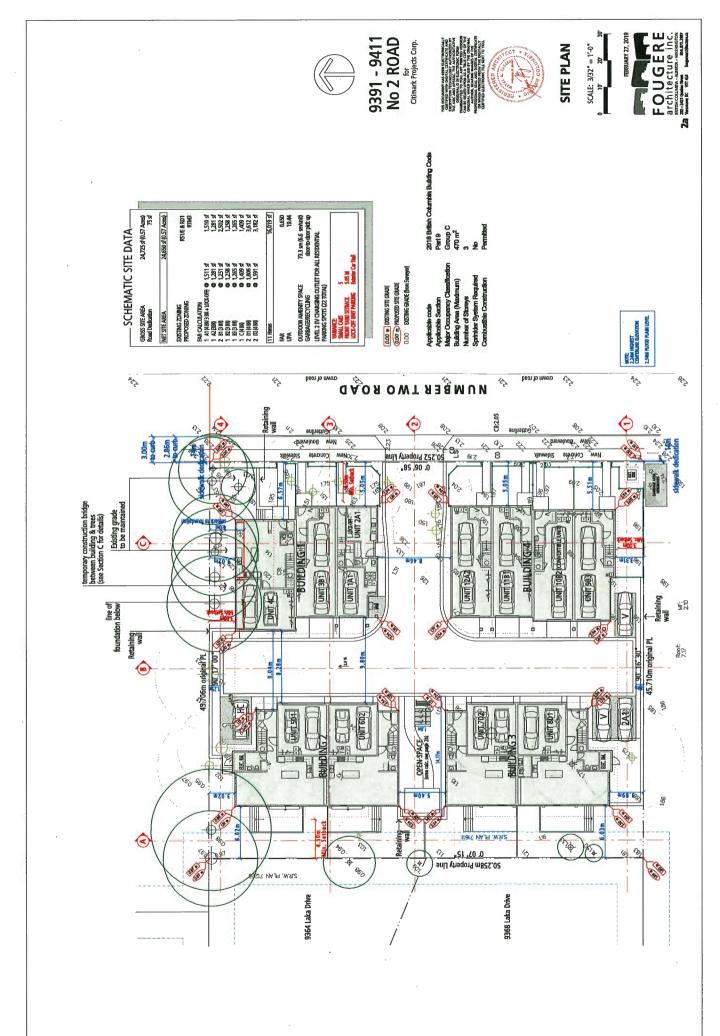


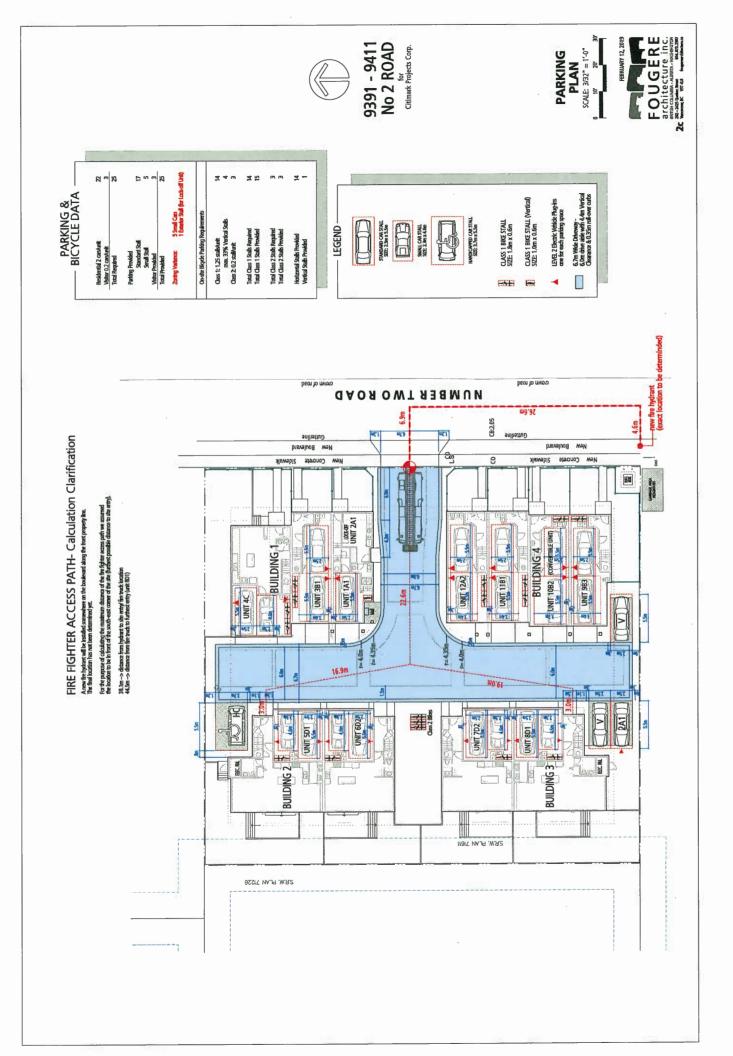


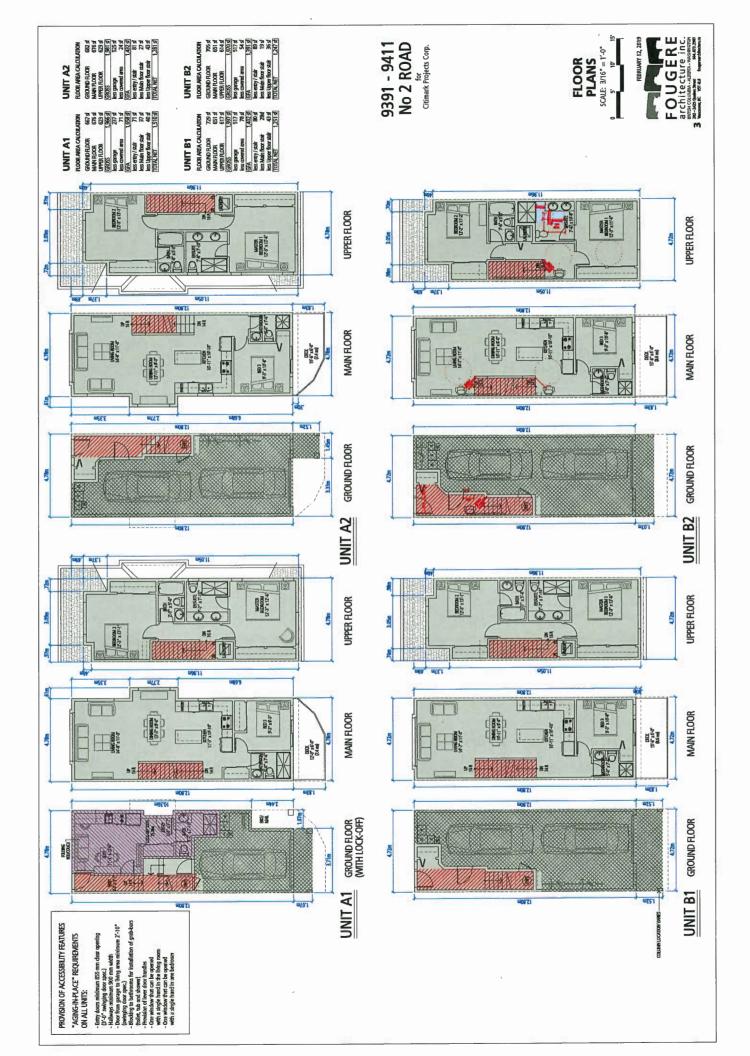


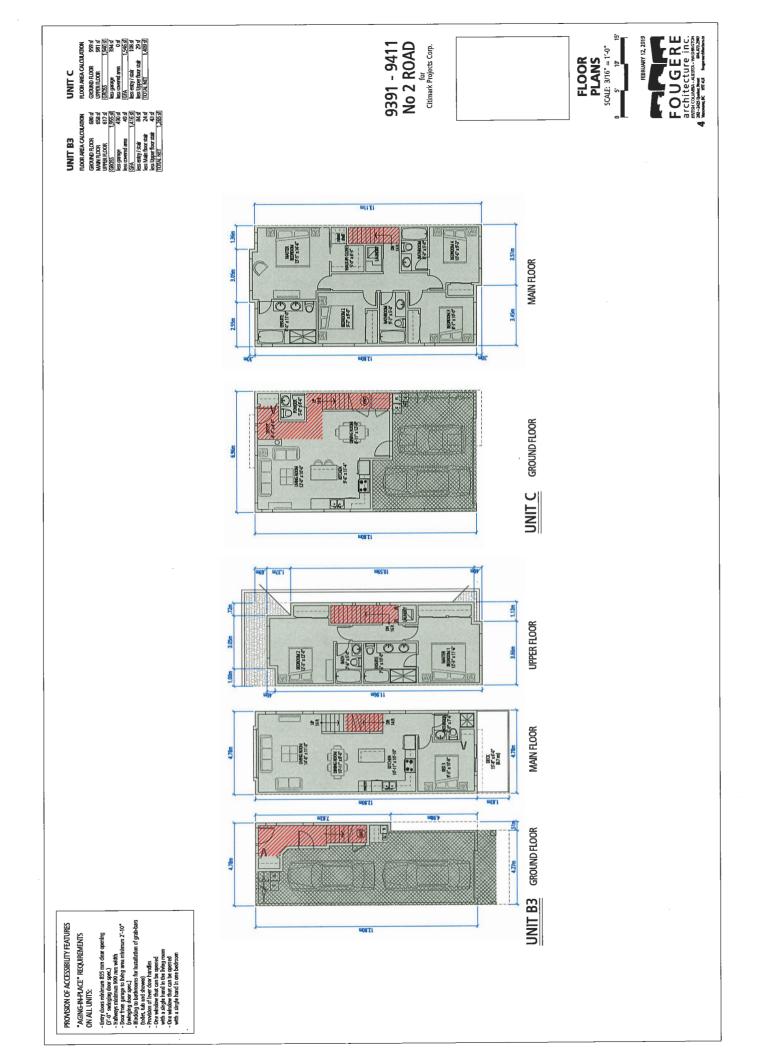


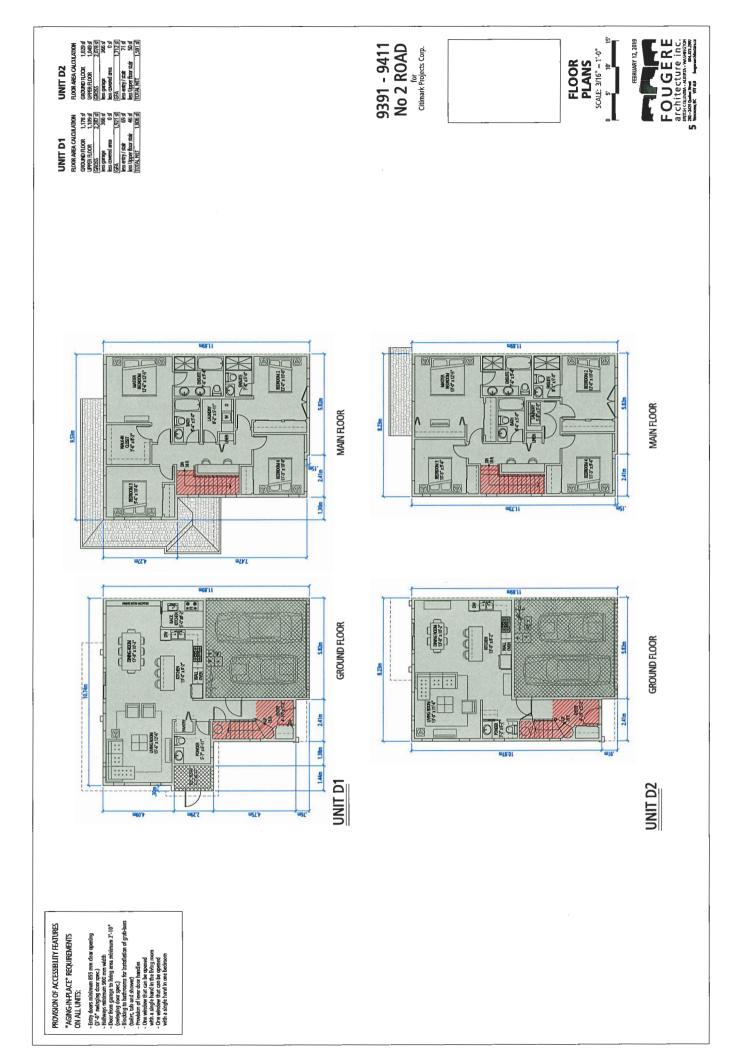
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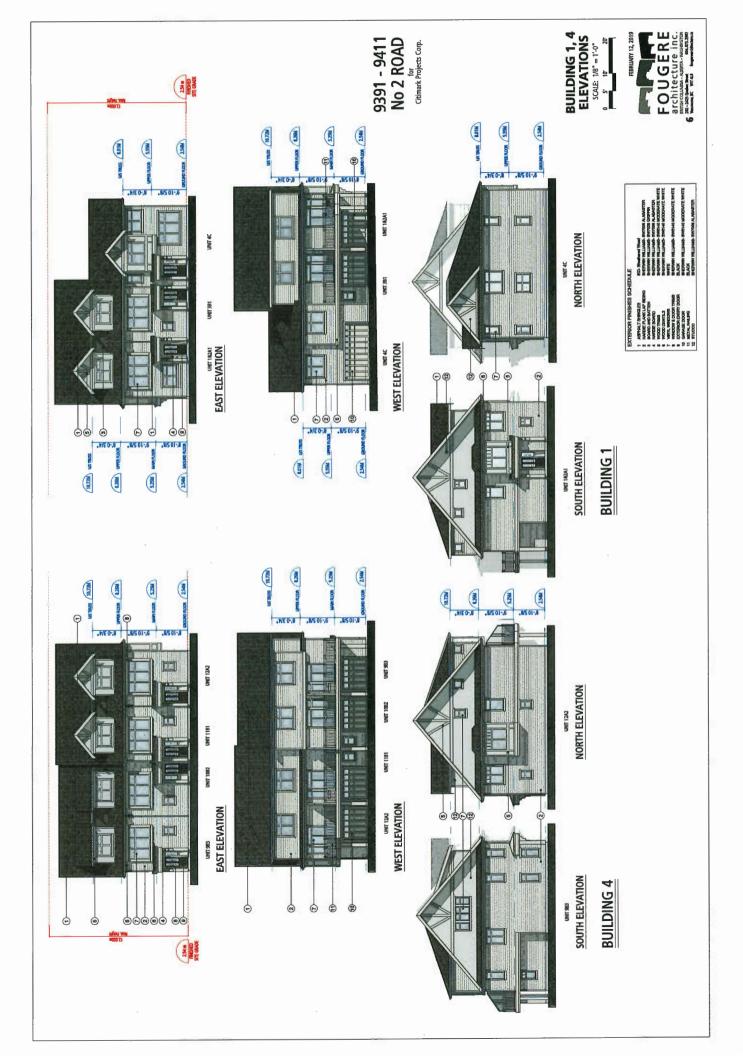


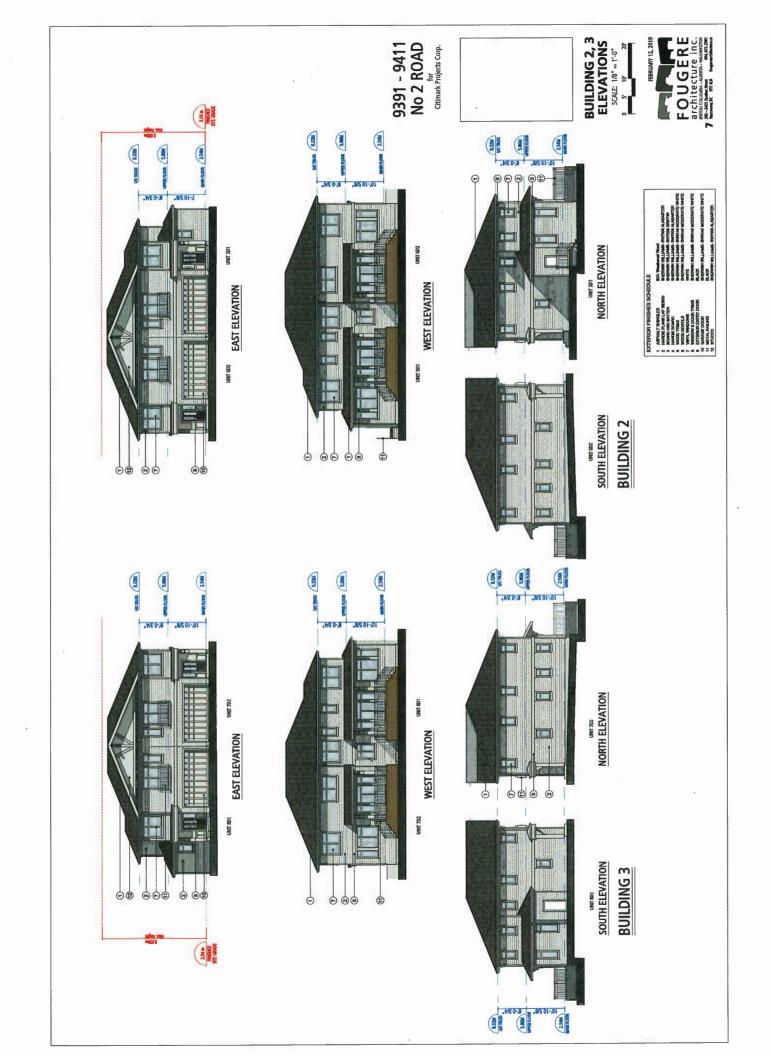


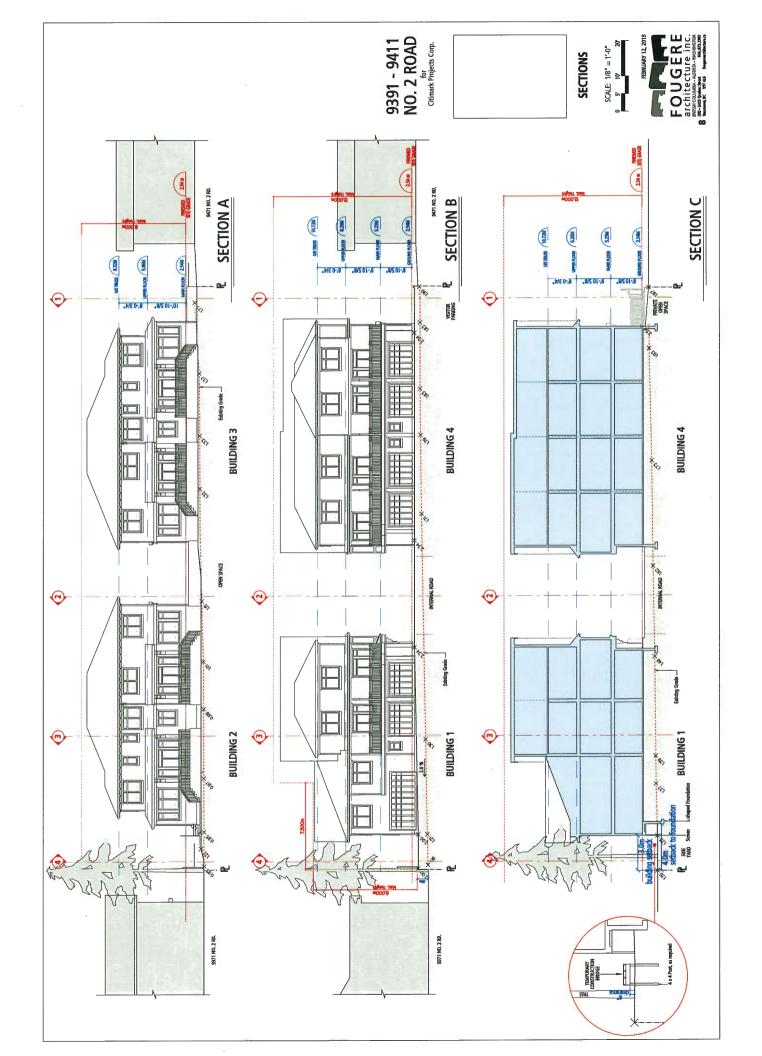


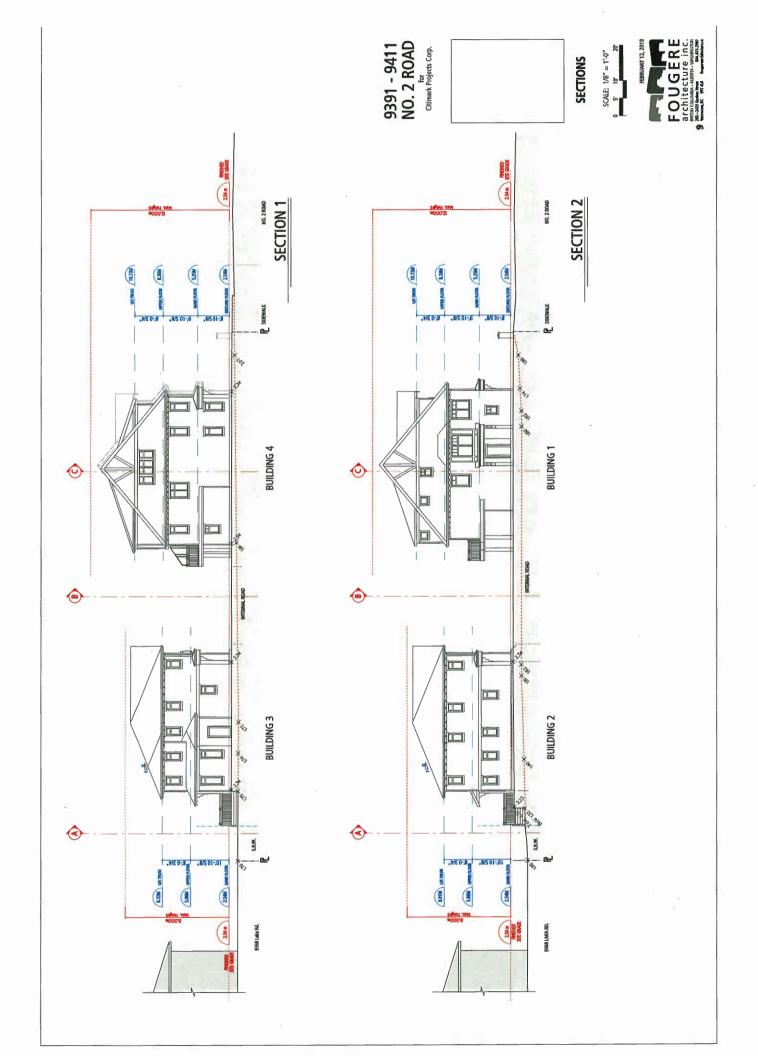


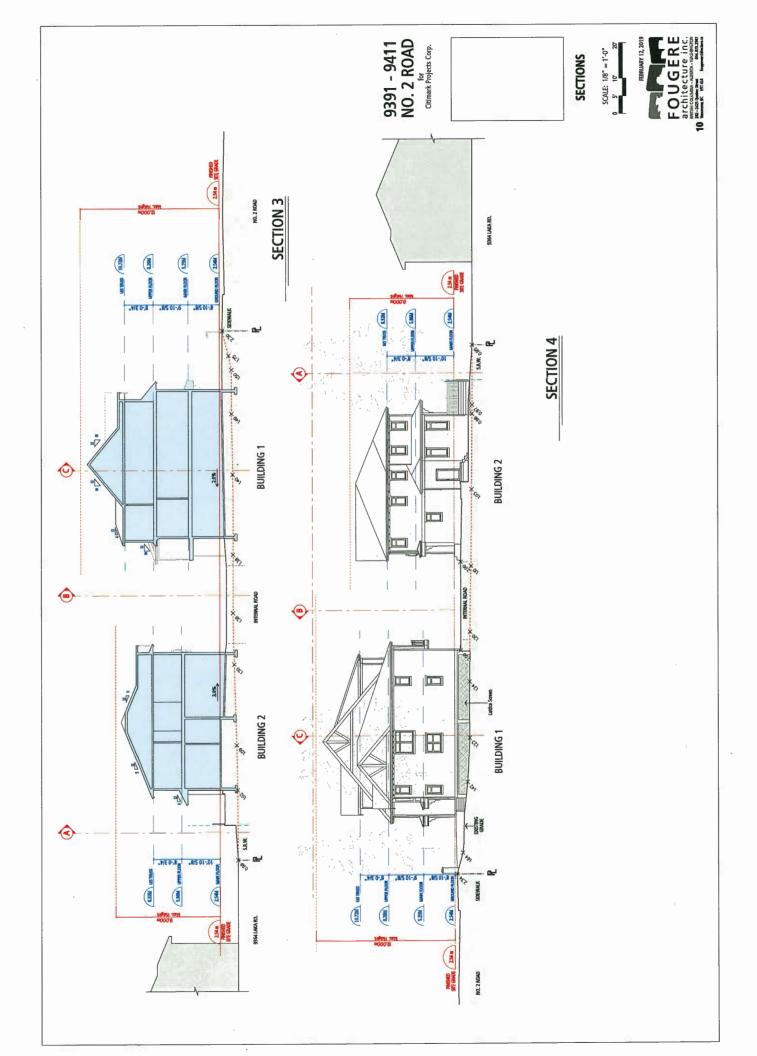






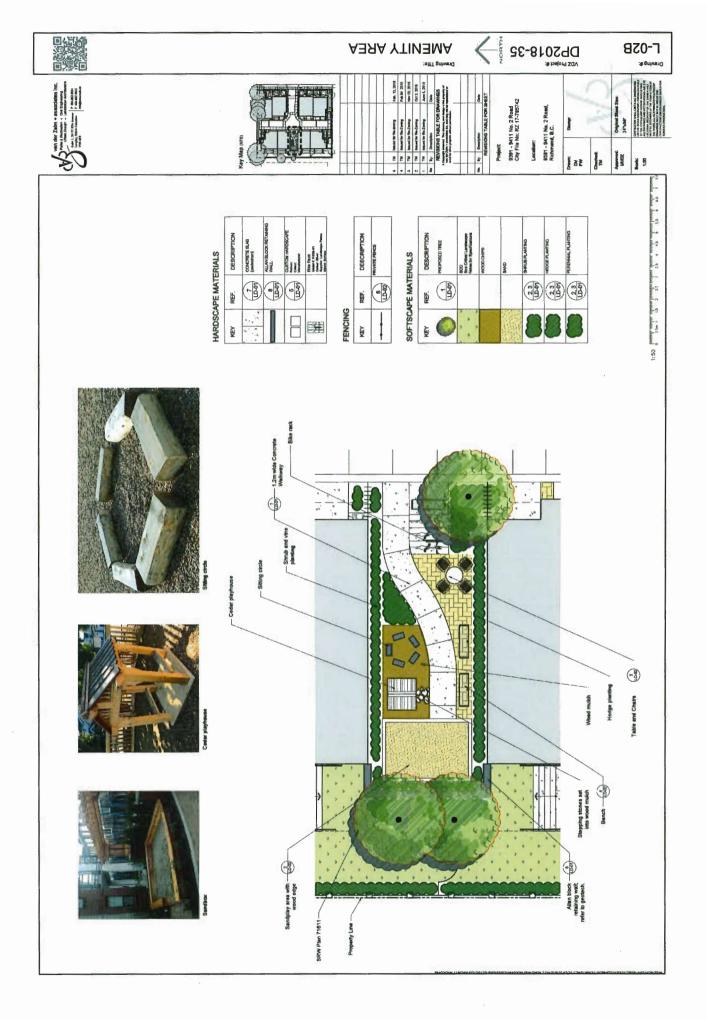


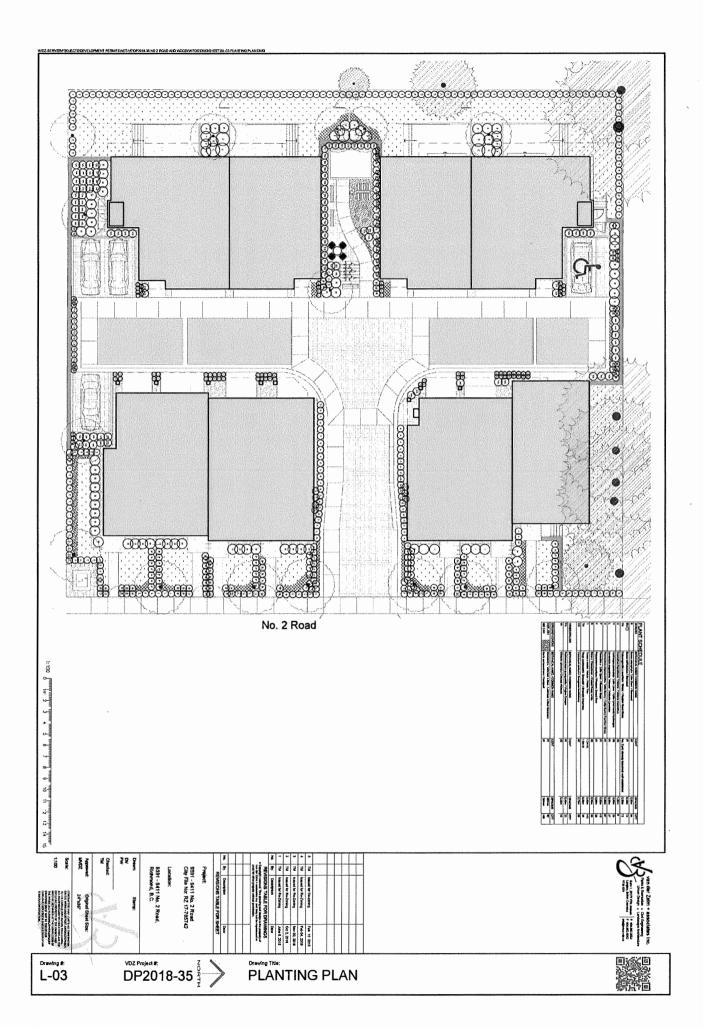


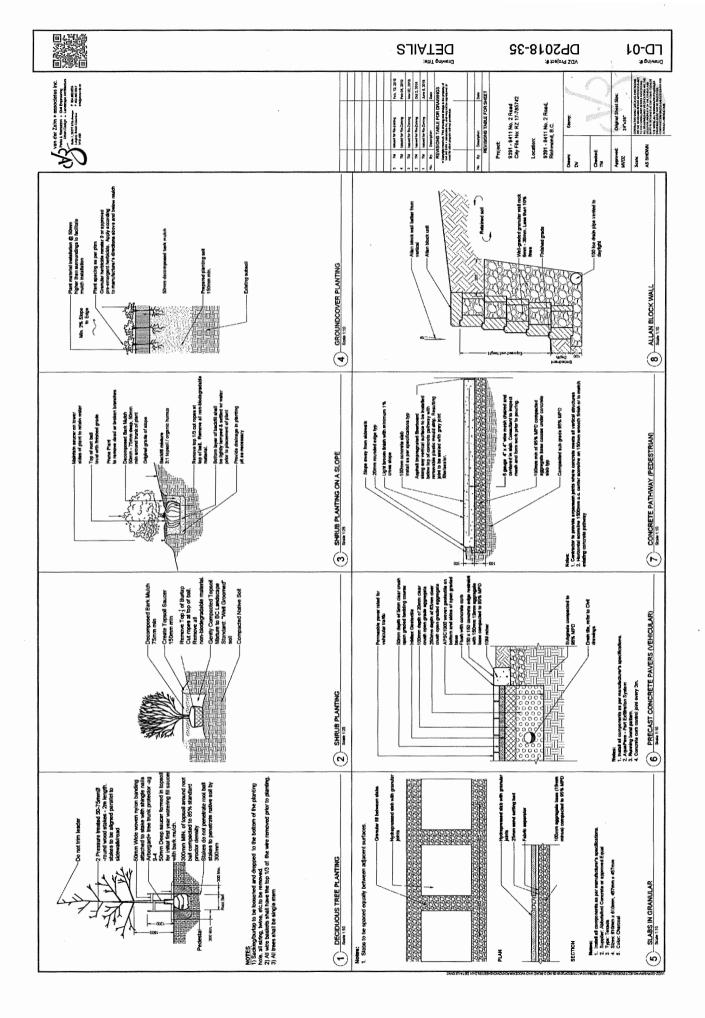


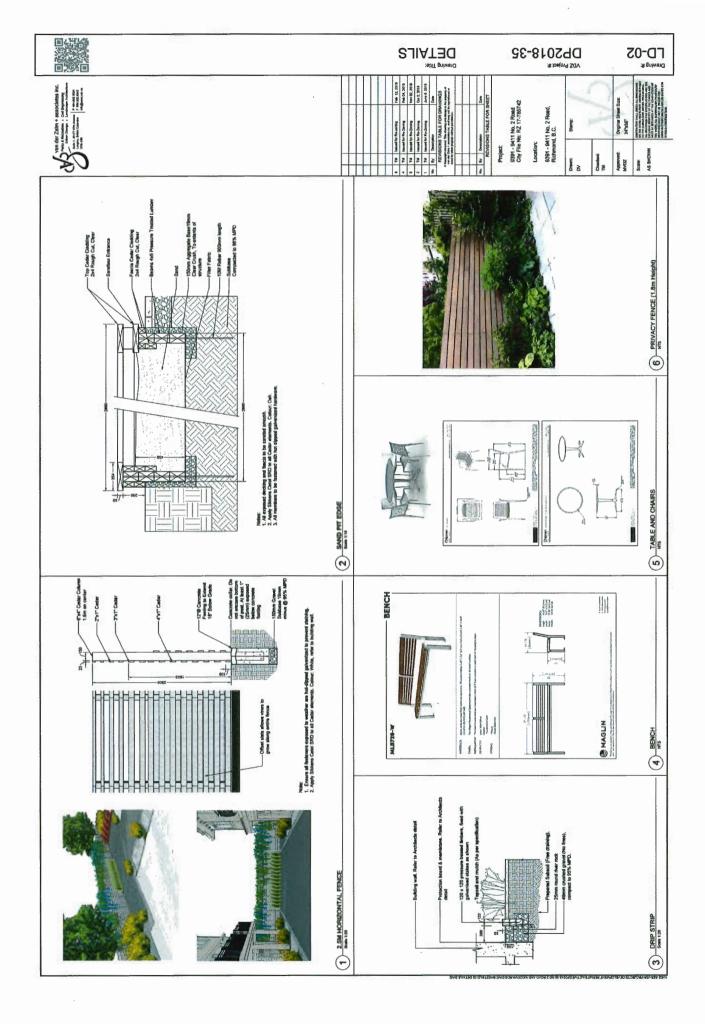


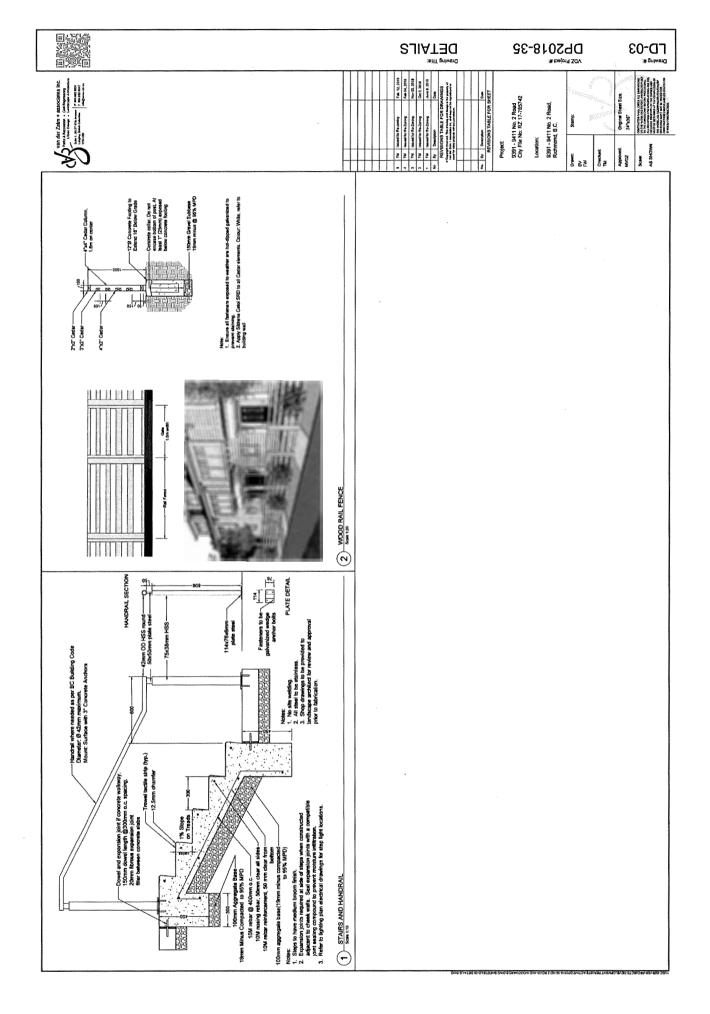


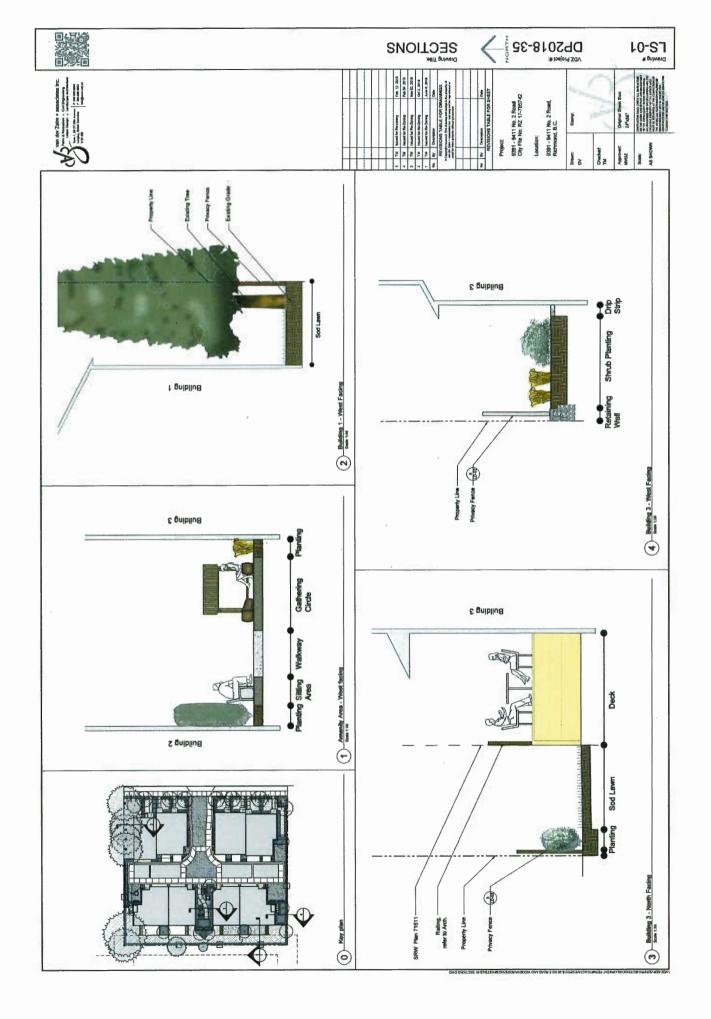














Development Application Data Sheet

Development Applications Department

RZ 17-785742

Attachment 3

Address: _____9391, 9393, and 9411 No. 2 Road

Applicant: Fougere Architecture Inc.

Planning Area(s): Blundell Plan Area

| | Existing | Proposed |
|------------------------------|--|----------------------------------|
| Owner: | Citimark No. 2 Road Project Inc. | No change |
| Site Size (m ²): | 2,297.3 | 2,290 |
| Land Uses: | Single Family and Duplex | Townhouses |
| OCP Designation: | Neighbourhood Residential | No change |
| Zoning: | Single Detached (RS1/E) and Two-Unit Dwellings (RD1) | Medium Density Townhouses (RTM2) |
| Number of Units: | 3 | 11 |
| Other Designations: | N/A | No change |

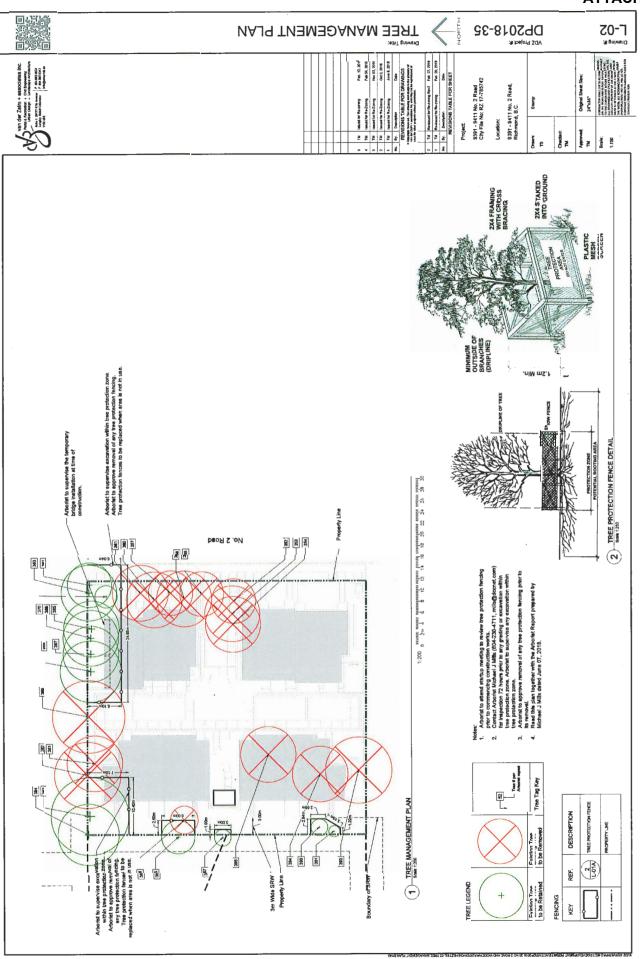
| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|---|--|--|--|
| Floor Area Ratio: | Max. 0.65 FAR | 0.65 FAR | none permitted |
| Lot Coverage (% of lot area): | Building: Max. 40% Non-porous Surfaces: Max. 65% Live landscape: Min. 25% | Building: Max. 39.1% Non-porous Surfaces: 61.4% Live landscape: 25% | none |
| Lot Dimensions (m): | Width: Min. 50 m Depth: Min.35 m | Width: 50.25 m Depth: 45.12 m | none |
| Setbacks (m): | Front: Min. 6.0 m Rear: Min. 3.0 m Side: Min. 6.0 m | Front: 5.05 m Rear: 6.0 m Side: 3.0 m | Variance to front yard setback |
| Height (m): | 3 storeys or 12.0 m | 11.5 m | none |
| Off-street Parking Spaces – Regular (R) / Visitor (V): | 2 (R) and 0.2 (V) per unit | 2 (R) and 0.2 (V) per unit | none |
| Off-street Parking Spaces – Total: | 22 (R) and 3 (V) | 22 (R) and 3 (V) | none |
| Small Car Parking Spaces | None when fewer than 31 spaces are provided on site | . 5 | Variance to allow 5 small car stalls |
| Tandem Parking Spaces: | Permitted – Maximum of 50% of required spaces | 10 tandem stalls | none |
| Handicap Parking Spaces | Min. 2% of parking stalls required when 3 or more visitor stalls are required (28 x 2% = 1 space) | 1 | none |

| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|--------------------------------|--|---|---|
| Secondary Suite Parking Spaces | When parking provided in side-by-side, non-tandem arrangement, no additional stall needed | Parking provided in non- tandem arrangement, but not side-by-side | Variance to allow suite parking in non-tandem but not side- by-side arrangement |
| Bicycle Parking Spaces | 1.25 (Class 1) and 0.2 (Class 2) per unit | 1.25 (Class 1) and 0.25 (Class 2) per unit | none |
| Total Bike Parking Spaces | 14 (Class 1) and 3 (Class 2) | 14 (Class 1) and 3 (Class 2) | none |
| Amenity Space – Indoor: | Min. 70 m ² or cash-in-lieu | Cash-in-lieu | none |
| Amenity Space – Outdoor: | Min. 6 m² per unit | 71 m² | · none |

Other: Tree replacement compensation required for loss of significant trees.

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

ATTACHMENT 4





Rezoning Considerations

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

Address: 9391, 9393, and 9411 No. 2 Road

File No.: RZ 17-785742

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10001, the developer is required to complete the following:

- 1. 0.14 m road dedication along the entire No. 2 Road frontage.
- 2. Consolidation of all the lots into one development parcel (which will require the demolition of the existing dwellings).
- 3. City acceptance of the developer's offer to voluntarily contribute \$500 per on-site tree (a total of \$8,500) to the City's Tree Compensation Fund for the planting of replacement trees within the city (based on the landscape plan demonstrating that 15 trees can be accommodated on site). If additional trees can be accommodated on site, the contribution may be reduced by \$500 per tree.
- 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: pruning trees on the neighbouring property, 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 \$110,000 for the 11 trees to be retained.
- 6. The registration of a SRW (Statutory Right-of-Way) PROP (Property Right-of-Passage) on Title to provide legal means of public/vehicle access to future developments located to the north and south of the subject development. The SRW PROP is to cover the development driveway on No. 2 Road and the entire length of all on-site drive aisles. Language should be included in the SRW document that the City will not be responsible for maintenance or liability within the SRW and that no permanent structures, including concrete curbs, are to be constructed at the north and south ends of the on-site north-south drive aisle.
- 7. Registration of a flood indemnity covenant on title.
- 8. Registration of a legal agreement on title or other measures, as determined to the satisfaction of the Director of Development, to ensure that:
 - a) No final Building Permit inspection granting occupancy will be completed until one secondary suite is constructed on site, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
 - b) One surface parking stall is assigned to the unit with a secondary suite, and that the parking stall will be for the sole use of that unit.
 - c) The secondary suite cannot be stratified or otherwise held under separate title.
- 9. Registration of a legal agreement on Title, prohibiting the conversion of all tandem parking stalls into habitable space.
- 10. City acceptance of the developer's offer to voluntarily contribute \$0.83 per buildable square foot (e.g. \$13,297) to the City's public art fund.
- 11. Contribution of \$1,600 per dwelling unit (e.g. \$17,600) in-lieu of on-site indoor amenity space.
- 12. City acceptance of the developer's offer to voluntarily contribute \$8.50 per buildable square foot (e.g. \$136,170) to the City's affordable housing fund.
- 13. Discharge of existing covenant RD150386 registered on title, which restricts the use of the property to a duplex.
- 14. The City's acceptance of the developer's offer to voluntarily contribute \$30,000 for the purchase and installation of a City standard bus shelter.

Initial: _____

- 15. 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:
 - Using the OCP Model, there is 320.0 L/s of water available at a 20 psi residual at the No. 2 Road frontage. Based on your proposed development, your site requires a minimum fire flow of 220 L/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 designs.
 - Provide a right-of-way for the proposed water meter, at no cost to the City. Exact right-of-way dimensions to be finalized during the servicing agreement process.
 - At Developer's cost, the City is to:
 - Install one new water service connection, complete with meter and meter box. Connection to be made to the 200 mm water main along No. 2 Road. Meter to be located onsite in a right-of-way.
 - Install a new fire hydrant south of the proposed driveway entrance for the development site to meet City hydrant spacing requirements for multi-family areas.
 - Cut and cap all existing water service connections to the development site, and remove meters.
 - Complete all tie-ins for the proposed works to existing City infrastructure.

Storm Sewer Works:

- At Developer's cost, the City is to:
 - Cut and cap all existing storm service connections to the development site and remove inspection chambers.
 - Install one new storm service connection, complete with inspection chamber, to serve the proposed development. An existing opening into the box culvert is to be reused if possible.

Sanitary Sewer Works:

- At Developer's cost, the City is to:
 - Cut, cap, and remove all existing sanitary connections and inspection chambers serving the development site.
 - Install one new sanitary service connection, complete with inspection chamber, to serve the proposed development.

Frontage Improvements:

- The Developer is required to:
 - Complete frontage improvements including:
 - Remove the existing sidewalk and construct a new 1.5 m wide concrete sidewalk next to the new property line.
 - Construct a new 1.5 m wide grass/tree boulevard over the remaining width between the new sidewalk and the existing west curb of No. 2 Road.
 - Close all existing driveways along No.2 road frontage permanently. The Developer is responsible for the removal of the existing driveway let-downs and the replacement with barrier curb/gutter, grass/tree boulevard and concrete sidewalk per standards described above.
 - Review street lighting levels on the No. 2 Road frontage and upgrade as required.
 - Relocate the existing street lights to the ultimate location as required by the proposed frontage improvements.
 - Upgrade the existing northbound bus stop on No. 2 Road far-side Woodwards Road to provide a 2.9 m x 9.0 m concrete bus pad. The bus pad works are to include conduit pre-ducting for bus shelter electrical connections. This bus pad is to be constructed in accordance with TransLink's 'Universal Accessible Bus Stop Design Guidelines'.

Initial: ____

- o Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground overhead service lines.
 - Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To relocate or underground the overhead lines and poles as required by the proposed frontage improvements.
 - To locate/relocate all above-ground utility cabinets and kiosks within the development site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development process design review. 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 above-ground structures. If a private utility company does not require an above-ground 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 in the functional plan and registered prior to SA design approval:
 - BC Hydro PMT 4mW X 5m (deep)
 - BC Hydro LPT 3.5mW X 3.5m (deep)
 - Street light kiosk 1.5mW X 1.5m (deep)
 - Traffic signal kiosk 2mW X 1.5m (deep)
 - Traffic signal UPS 1mW X 1m (deep)
 - Shaw cable kiosk 1mW X 1m (deep) show possible location in functional plan
 - Telus FDH cabinet-1.1 m W X 1 m (deep show possible location in functional plan
- 16. Registration of a legal agreement on Title, identifying that the proposed development must be designed and constructed to meet or exceed EnerGuide 82 criteria for energy efficiency and that all dwellings are pre-ducted for solar hot water heating. Language should be included in the legal agreement that if an acceptable Building Permit application for the proposed development is not submitted to the City by December 31, 2019, the proposed development would be subject to the Energy Step Code.
- 17. The submission and processing of a Development Permit* completed to a level deemed acceptable by the Director of Development.

Prior to a Development Permit^{*} being forwarded to the Development Permit Panel for consideration, the developer is required to complete the following:

- 1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees;
 - include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report; and,
 - include the 15 required replacement trees with the following minimum sizes:

| No. of Replacement Trees | Minimum Caliper of Deciduous Tree | or | Minimum Height of Coniferous Tree |
|--------------------------|-----------------------------------|----|-----------------------------------|
| 5 | 9 cm | | 5 m |
| 4 | 10 cm | | 5.5 m |
| 6 | 11 cm |] | 6 m |

2. 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. Incorporation of energy efficiency, CPTED, sustainability, and accessibility measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
- 4. If applicable, payment of latecomer agreement charges, plus applicable interest associated with eligible latecomer works.
- 5. 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.

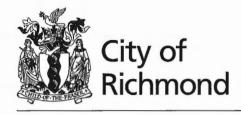
The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director 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

Bylaw 10001



Richmond Zoning Bylaw 8500 Amendment Bylaw 10001 (RZ 17-785742) 9391, 9393 and 9411 No.2 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 "Medium Density Townhouses (RTM2)":

P.I.D. 001-930-036

Strata Lot 1 Section 25 Block 4 North Range 7 West New Westminster District Strata Plan NW1729 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1;

P.I.D. 001-930-044

Strata Lot 2 Section 25 Block 4 North Range 7 West New Westminster District Strata Plan NW1729 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1; and

P.I.D. 003-286-258

Lot 250 Except: Part Subdivided by Plan 71225, Section 25 Block 4 North Range 7 West New Westminster District Plan 57906.

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10001". EIDST DEADING MAR 1 1 2010

| FIK51 KEADING | RICHMOND |
|------------------------------|-----------------------------|
| A PUBLIC HEARING WAS HELD ON | |
| SECOND READING | APPROVED by Director |
| THIRD READING | or Solicitor |
| ADOPTED | <i>//</i> |
| | |

MAYOR

CORPORATE OFFICER