

#### **Report to Committee**

To: Planning Committee Date: May 20, 2025

From: Joshua Reis File: RZ 23-026410

Director, Development

Re: Application by Matthew Cheng Architect Inc. for Rezoning at 8160 No. 5 Road

from Agriculture (AG1) to Assembly (ASY)

#### **Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10662, for the rezoning of the westerly 110 m of 8160 No. 5 Road from "Agriculture (AG1)" to "Assembly (ASY)" to facilitate the proposed assembly use (religious statues), associated parking, existing barn and proposed roadside stand be introduced and given first reading.

Joshua Reis, MCIP, RPP, AICP

Director, Development

Jan Her

(604-247-4625)

JR:jsh

Att. 8

REPORT CONCURRENCE

**CONCURRENCE OF GENERAL MANAGER** 

#### **Staff Report**

#### Origin

Matthew Cheng Architect Inc., has applied on behalf of Thrangu Monastery Association, to the City of Richmond to rezone the westerly 110 m (360.9 ft) of 8160 No.5 Road from "Agriculture (AG1)" to "Assembly (ASY)" to allow religious statues and an accessory parking lot associated with the existing religious assembly use at 8140 No. 5 Road. The rezoning would also facilitate the proposed roadside stand on the frontlands. The existing agricultural building on the site is proposed to be retained. A location map and an aerial photograph are included in Attachment 1. Architectural plans are provided in Attachment 2.

The applicant also proposes to consolidate 8140 and 8160 No. 5 Road into one lot.

A Non-Farm Use application was presented to Council on January 16, 2023, and Council resolved to forward the application the ALC. On June 15, 2023, the South Coast Regional Panel of the Agricultural Land Commission approved the proposal. This application is generally consistent with the Non-Farm Use application, with minor amendments to the landscape plan including a decrease in provided parking stalls and an increase in retained trees.

#### **Findings of Fact**

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

#### Surrounding Development

To the North: Religious assembly building with surface parking area and agriculture on a site

split-zoned "Assembly (ASY)" on the westerly 110 m and "Agriculture (AG1)" on the remaining back lands, fronting No. 5 Road. The property is also owned by Thrangu Monastery Association and proposed to be consolidated with the subject

property.

To the South: Religious assembly building with surface parking area and agriculture use on a

site split-zoned "Assembly (ASY)" and "Agriculture (ASY", fronting No. 5 Road.

To the East: Religious assembly and school buildings with surface parking area and

playground on a site zoned "Assembly (ASY)", fronting Blundell Road.

To the West: Across No. 5 Road, single-family dwellings on properties zoned "Agriculture

(AG1)".

#### **Related Policies & Studies**

#### Official Community Plan/East Richmond Area McLennan Sub-Area Plan

The subject site is split-designated "Community Institutional (INST)" ("Frontlands") and "Agriculture (AGR)" ("Backlands") in the Official Community Plan (OCP). The subject site is also split-designated "Agriculture and Religious Assembly" and "Agriculture" in the McLennan Sub-Area Plan. The McLennan Sub Area Map is found in Attachment 4. "Community Institutional (INST)" includes those areas intended for institutions engaged in religious, educational or cultural activities, and may include other uses as permitted under OCP policies. "Agriculture (AGR)" includes those areas where the principal use is agriculture and food production, but may include other land uses as permitted under the Agricultural Land Commission Act (ALCA). The proposal is consistent with these designations.

#### No. 5 Road Backlands Policy

The subject site is located within the No. 5 Road Backlands Policy area, as identified in the City's OCP. The Policy allows religious assembly uses on the westerly 110 m ("Frontlands"), subject to the remaining portions ("Backlands") being actively farmed. As per the Policy, all applicants proposing to develop new religious assembly facilities or expand existing religious assembly facilities must either:

- Provide evidence of farm status under the BC Assessment Act to demonstrate that the subject parcel has been farmed for five consecutive years; or
- Provide evidence that the Backlands portion of the subject parcel is currently available for farming via a lease registered on title between the property owner and a legitimate farming enterprise for a term of at least five years, and either:
  - o Provide evidence that the parcel is currently being farmed; or
  - Provide a plan for how it will be farmed (to be produced by a Professional Agrologist). The applicant has provided evidence of farm status under the BC Assessment Act to demonstrate that both 8160 No. 5 Road (subject parcel) and 8140 No. 5 Road (associated parcel) have been farmed for five consecutive years.

The applicant has provided evidence that the parcel is currently being farmed through submission of BC assessments documents identifying that the subject parcel has been farmed for five consecutive years. A Farm plan is on file and identifies that the back lands are farmed for a variety of different fruits and produce including apples, pears, Asian pears, peaches, cherries, tomatoes, peppers, and lettuce, among others. The applicant has provided sufficient documentation demonstrating active farming operations in the backlands of the site and has agreed to enter into a legal agreement on Title specifying the use of the "Backlands" as agriculture and restricting any non-farm related services or uses.

#### Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. The subject site is located in an area with a designated Flood Construction Level (FCL) of 2.9 m GSC. Registration of a flood plain covenant on Title is required prior to final adoption of the rezoning bylaw.

#### **Environmentally Sensitive Area Designation**

The property contains a small portion of Environmentally Sensitive Area (ESA) designation at the rear of the property, which is currently separated from the agricultural activities by hedging. The proposed assembly use does not encroach into the ESA area and the ESA does not apply to the agriculture activities that take place in the rear of the property. No impact to the ESA is proposed as part of this application.

#### Food Security and Agricultural Advisory Committee

The proposal was previously reviewed and supported by the Food Security and Agricultural Advisory Committee (FSAAC) when being reviewed as a Non-Farm Use application. An excerpt from the October 27, 2022 FSAAC meeting minutes is provided in Attachment 5.

#### **Analysis**

#### Proposed Land Use

The purpose of the subject rezoning is to allow religious statues, an accessory parking lot, a proposed roadside stand, and an existing agricultural building within the westerly 110 m of 8160 No. 5 Road, in association with the existing religious assembly use at 8140 No. 5 Road (Thrangu Monastery Association). The remaining "Backlands" would continue to be farmed.

The proposed eight religious statues, known as "stupas", will have a maximum height of 4.11 m. The proposed roadside stand building is approximately  $53.5 \text{ m}^2 (576 \text{ ft}^2)$  in indoor floor area and  $53.5 \text{ m}^2 (576 \text{ ft}^2)$  outdoor floor area, and is proposed to only sell farm product produced on the farm.

The proposed accessory parking lot contains 49 vehicle parking stalls, including the six required parking stalls for the roadside stand building. The remaining spaces will supply overflow parking for monastery special events. The total supply of parking between the two sites is 114 stalls which exceeds the zoning requirements for religious assembly use.

The parking lot is proposed to consist of a combination of asphalt and permeable materials (permeable pavers) and no additional fill is anticipated as the parking lot is at grade. Should any additional fill be required the applicant may be required to obtain additional approvals from the ALC.

#### Farm Operation

Currently, the front portion of the subject site is used as an informal overflow parking lot for the existing religious assembly use at 8140 No. 5 Road. The remaining portion is actively farmed and contains an accessory building for farm equipment and supplies. The applicant has provided evidence of farm status under the BC Assessment Act to demonstrate that both 8160 No. 5 Road (subject parcel) and 8140 No. 5 Road (associated parcel) have been farmed for five consecutive years. The existing farm operation includes vegetables, fruits, ornamental flowers and an orchard. Thrangu Monastery Association manages the farm, sells farm product to members by donation and donates excess to local food banks.

Prior to rezoning bylaw adoption, the applicant proposes to 8140 and 8160 No. 5 Road, which would result in a total parcel area of 1.9 ha, with 1.1 ha dedicated to agricultural uses and 0.8 ha to religious assembly use.

#### Farm Access Road

The No. 5 Road Backlands Policy requires registration of a statutory right-of-way on title for a future farm access road along the eastern edge of the property along the backlands. The intent of the future farm access road is to facilitate connections between the agricultural backland portions of properties within the Policy area. Prior to rezoning bylaw adoption, the applicant is required to provide a 4 m wide right-of-way along the eastern edge of the subject property (8160 No. 5 Road) and the adjacent property to the north (8140 No. 5 Road).

#### **ALC Non-Farm Use**

While the proposed rezoning would permit assembly uses on site, the parcel remains in the ALR, and is subject to the ALR Use Regulations. The ALC approved the associated Non-Farm Use application on June 15, 2023. Any additional religious assembly uses other than those currently approved through the previous approved Non-Farm Use application may require a new Non-Farm Use application and be subject to Council and ALC approval.

#### 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 nineteen bylaw-sized trees on the subject property including three trees that will be on City property following road dedication, and six trees on neighbouring properties.

At the time of the Non-Farm Use application, staff supported the following:

- Three trees located on-site to be retained and protected (Tag# 14, 428 and 433);
- Five trees located on-site to be relocated (Tag# 1, 5, 6, 425 and 426);
- Eight trees located on-site to be removed (Tag# 2, 7, 8, 11, 12, 424, 427 and 434);
- Three trees located on-site will be located on City property following road dedication to be retained and protected (Tag# 13, 431 and 432); and

• Three trees, located on neighbouring property to be retained and protected (Tag# 9, 10 and 16).

The applicant has submitted an updated Arborist Report and has worked with staff to modify their tree retention plan to retain five additional on-site trees above what was identified at the time of the Non-Farm Use application.

During the processing of the subject application, staff became aware that three trees (Tag# 2, 7 and 424) were removed from the site without City authorization and four trees (Tag# 1, 5, 6 and 425) were relocated (with supervision by a certified Arborist) prior to receiving authorization from the City. The unauthorized tree removal included three of the eight trees that had been identified for removal at the time of the non-farm use application. After review by the City's Tree Preservation Coordinator, the property owner will be fined \$3,000.00. In addition, the applicant has agreed to provide a 3:1 replacement to compensate for the three trees removed without authorization.

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

- Eight trees located on site (Tag# 8, 11, 12, 14, 427, 428, 433 and 434) were identified in the Arborist report to be retained and protected.
- Five trees located on site (Tag# 1, 5, 6, 425 and 426) were identified in the Arborist report as to be relocated.
- Three trees located on site (Tag# 2, 7 and 424) which have been removed, had unresolvable canopy defects due to past poor pruning and have decay cavities.
- Three trees (Tag# 13, 431 and 432) currently located on-site will be located on City property following road dedication. These trees are to be retained and protected. A survival security is required for these trees.
- Three trees (Tag# 9, 10 and 16) located on neighbouring property to the South are to be retained and protected as per the Arborist report recommendations.
- Replacement trees to be provided at a 3:1 ratio.

#### Tree Replacement

In consideration of the three trees identified for removal and which were removed without authorization (Trees Tag# 2, 7 and 424), the applicant has agreed to provide replacement trees at a 3:1 ratio, therefore requiring the planting of nine replacement trees. The applicant has agreed to plant a total of 41 new trees on 8160 No. 4 Road. 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
9	8 cm	4 m

#### Tree Protection

Eight trees located on site, three future City trees located within the road dedication, and three trees on neighbouring properties are to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 6). To ensure that the trees identified for retention are protected at the development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a
  Certified Arborist for the supervision of all works conducted within or in close proximity
  to tree protection zones. The contract must include the scope of work required, the
  number of proposed monitoring inspections at specified stages of construction, any
  special measures required to ensure tree protection, and a provision for the arborist to
  submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, submission of a tree survival securities being:
  - o \$100,000.00 for the retention of eight on-site trees and five on-site trees to be relocated; and
  - \$30,000.00 for the retention of the three trees within the future City road dedication.
- Prior to undertaking any works 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.

#### Landscaping

The applicant has submitted a Landscape plan (Attachment 7). Live landscaping includes adequate buffering and screening along the perimeter of the site, offering visual screening from No. 5 Road. A diversity of trees are proposed including a variety of native species. The applicant has agreed to enter into a legal agreement on title to ensure that landscaping planted along No. 5 Road is maintained and will not be abandoned or removed.

The applicant has also proposed a 3 m landscape buffer between the proposed "Assembly (ASY)" zoned portion of the property and the "Agriculture (AG1)" zoned portion, similar to the existing buffer at 8160 No. 5 Road. As per the OCP DP Guidelines, appropriate landscaped buffers between agricultural and non-agricultural lands are encouraged. The proposed landscape buffer will be located on the "Assembly (ASY)" zoned portion of the property, within the westerly 110 m.

The applicant is proposing a parking area (driveway and parking stalls) comprised of approximately 47 per cent permeable pavers. The plaza where the Stupas will be located will consist of colourful and intricately patterned pavers consisting of sand brown, red, charcoal and desert sand colours. Details on the paver pattern and colours are found in Attachment 2.

In order to ensure that the proposed landscape works are completed, the applicant is required to provide a Landscape Security of \$274,222.62 (based on the cost estimate provided by the Landscape Architect) prior to final adoption of the rezoning bylaw.

#### Transportation and Site Access

A 4 m wide road dedication along the subjects site's entire No. 5 Road frontage has been secured for road widening, consistent with the dedication provided at 8140 No. 5 Road. The existing driveway entrance at 8160 No. 5 Road is to be closed via a gate and lock except for emergency vehicles, and the existing access at 8140 No. 5 Road is to be maintained as the primary access.

That upon consolidation the site would have 114 vehicle parking stalls, which meets the requirements under the City's zoning bylaw and has been confirmed by the applicant as meeting the needs for the site, including during special events. The proposed parking will also provide parking for the monastery's volunteers who work on the farm and visitors who wish to purchase farm product from the proposed roadside stand.

#### Site Servicing and Frontage Improvements

Prior to final adoption of Rezoning, the developer is required to enter into the City's standard Servicing Agreement for the design and construction of required frontage and engineering works including, but not limited to (Attachment 8):

- The removal of the existing driveway letdown at 8160 No 5 Road;
- A new 3.5 m wide sidewalk and 1.5 m wide boulevard along the frontages of both 8160 and 8140 No. 5 Road; and
- Sanitary upgrades.

#### **Financial Impact**

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

#### Conclusion

Matthew Cheng Architect Inc., has applied on behalf of Thrangu Monastery Association, to the City of Richmond to rezone the westerly 110 m (360.9 ft) of 8160 No. 5 Road from "Agriculture (AG1)" to "Assembly (ASY)" to allow religious statues, an accessory parking lot, a proposed roadside stand, and an existing agricultural building within the westerly 110 m of 8160 No. 5 Road, in association with the existing religious assembly use at 8140 No. 5 Road (Thrangu Monastery Association).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10662 be introduced and given first reading.

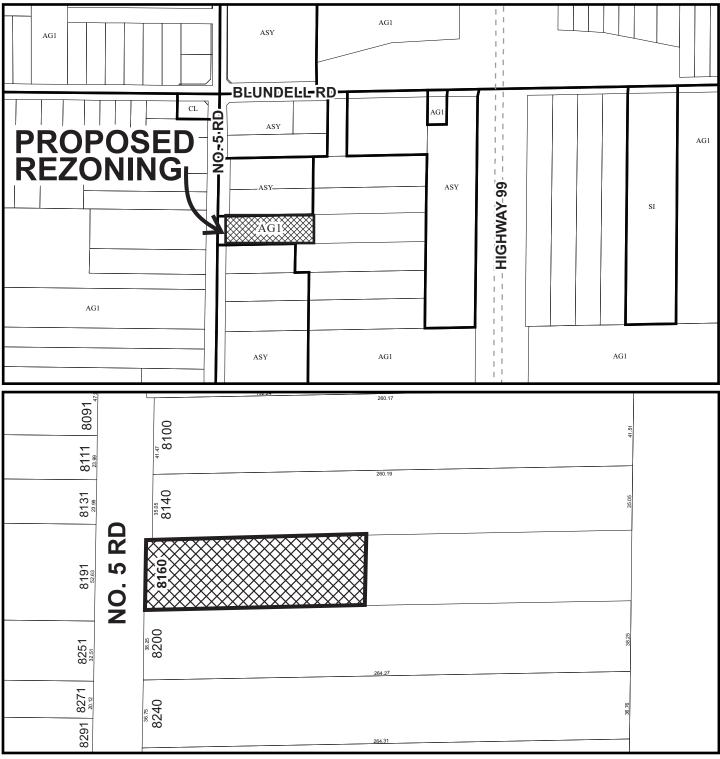
James Hnatowich Planner 1 (604-247-4911)

#### JSH:cas

Att. 1: Location Map and Aerial Photo

- 2: Architectural Plans
- 3: Development Application Data Sheet
- 4: McLennan Sub Area Land Use Map
- 5: FSAAC Meeting Minutes
- 6: Tree Management Plan
- 7: Landscape Plan
- 8: Rezoning Considerations







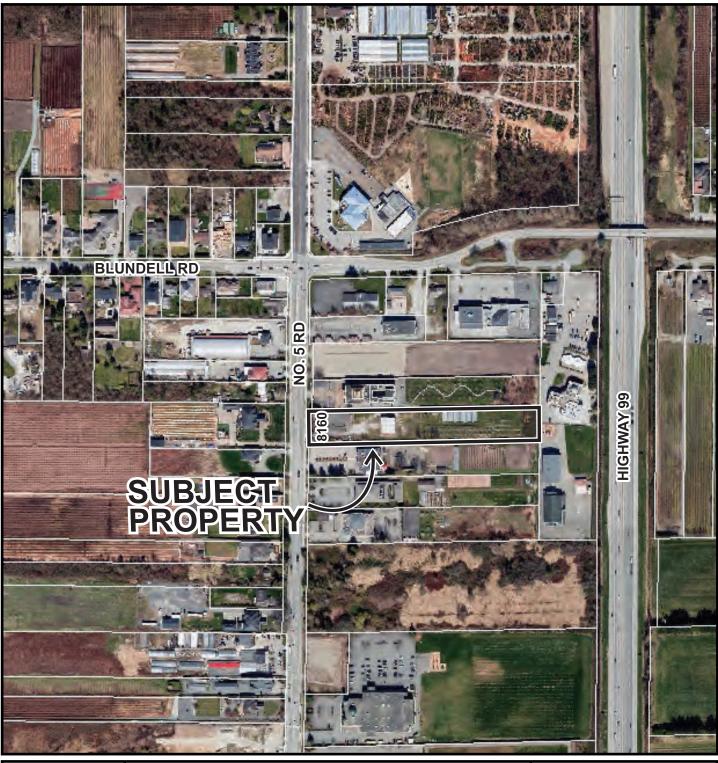
RZ 23-026410

Original Date: 08/24/23

Revision Date: 04/24/25

Note: Dimensions are in METRES







RZ 23-026410

Original Date: 08/24/23

**Revision Date:** 

Note: Dimensions are in METRES

#### Attachment 2

As indicated

MGSD

# 8160 NO. 5 ROAD BUILDING PERMIT APPLICATION

# PROJECT INFORMATION

LEGAL DESCRIPTION
ZONING DISTRICT
USE
LOT AREA

8160 NO. 5 ROAD

LIOT 3 BLOCK A, PLAN 4400 SECTION 19, BLOCK 4 NORTH, FANGE 5 WEST, NEW WESTMINSTER DISTRICT FIEZONE 66-71 O ASSEMBLY (ASY)
ASSEMBLY USE FIRST 110 METERS)
11.0, TOTA ATT (11 Hg)

## 8140 NO. 5 ROAD

PART OF SCION 19 BLOCK4 WORTH FANGE, WEST, NEW WESTMANSTER DISTRICT
THE STATE OF SCIENCY AND THE PRIST TO METERS AND THE PRIST LEGAL DESCRIPTION ZONING DISTRICT USE LOT AREA

TOTAL LOT AREA (8140 AND 8160 NO. 5 ROAD): 19,070 m² (1,907 Ha)

# AREA BREAKDOWN (8160 NO. 5 RD):

PARKING INFORMATION USE : SURPLUS PARKING TO THRANGU MONASTERY 8160 AS OVERFLOW SPACE TO THRANGU MONASTERY (NO INCREASE IN FLOOR AREA).

No 5 Rd

PARKING SPACE REQUIRED: 8 PARKING SPACES REQUIRED AND PROVIDED FOR ROADSIDE STAND, ROADSIDE STAND GROSS FLOOR AREA = 107.08m² (53.54m² ENCLOSED FRUIT SHOP; 53.54m² COVERED PORCH)

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No 5 Rd

DRAWING LIST



CONTEXT PLAN
AREA PLAN
THEE MANAGEMENT PLAN
TRAFFIC PLAN
STREETSCAPES AND
MATERIALS
STREETSCAPES AND FENCE
DESIGN

OVERALL SITE PLAN SITE PLAN CONSTRUCTION PARKING





B: No. 5 ROAD STREETSCAPE





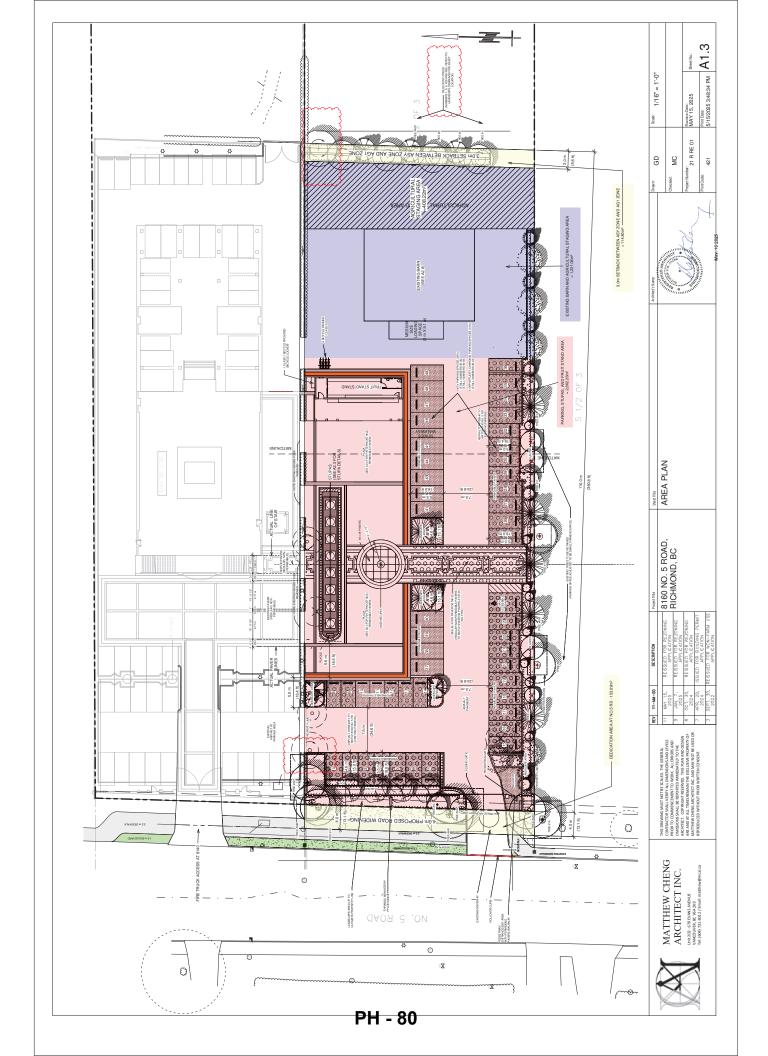
MATTHEW CHENG ARCHITECT INC. Unit 202 - 670 EVANS AVENUE VANCOUVER, BC V6A 2K9 Tel: (604) 731-3012 / Email: matthe

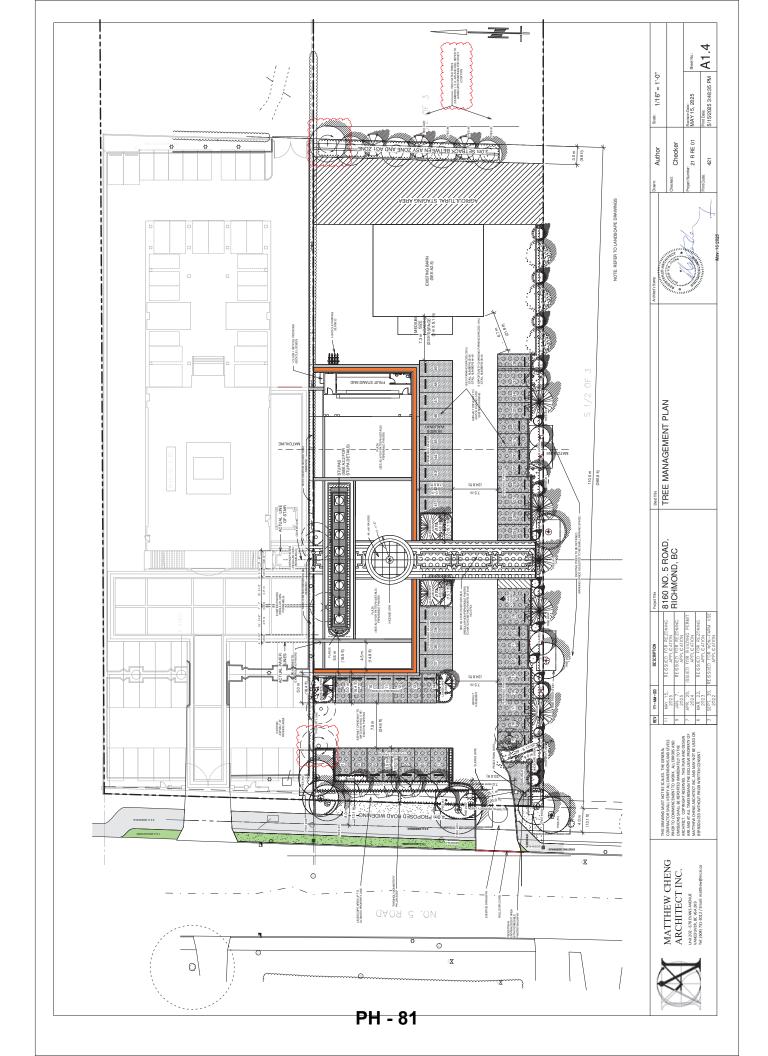
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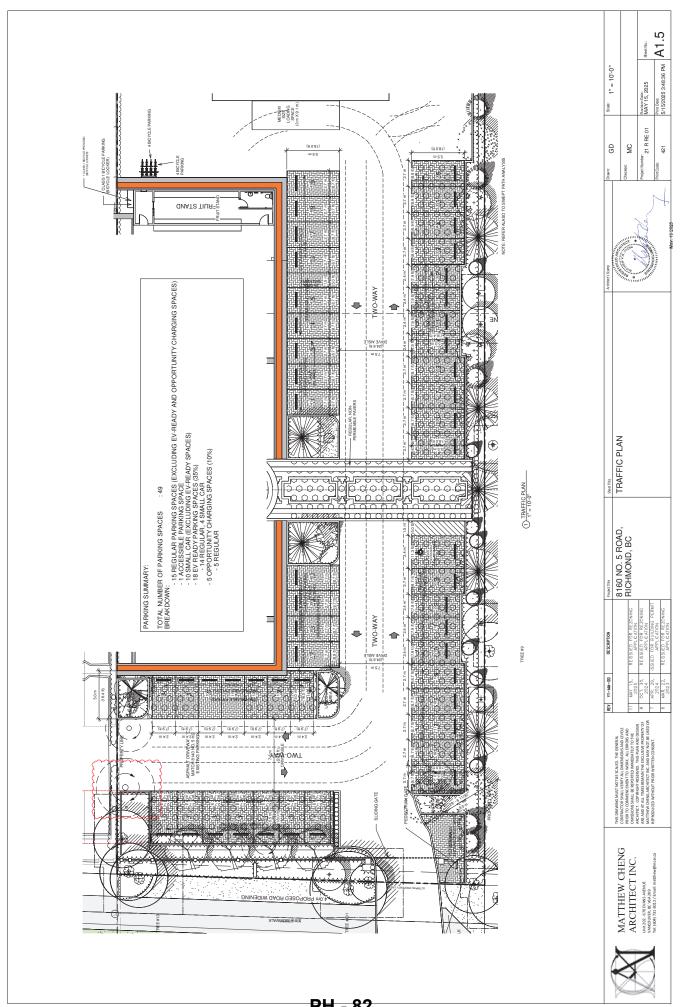
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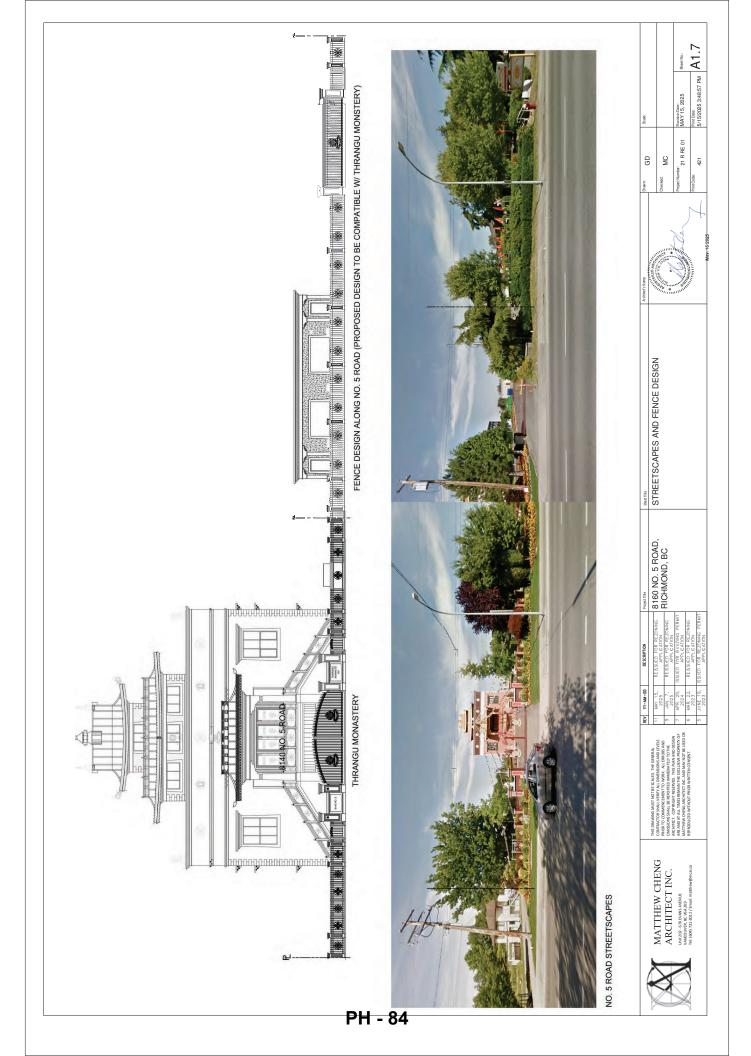
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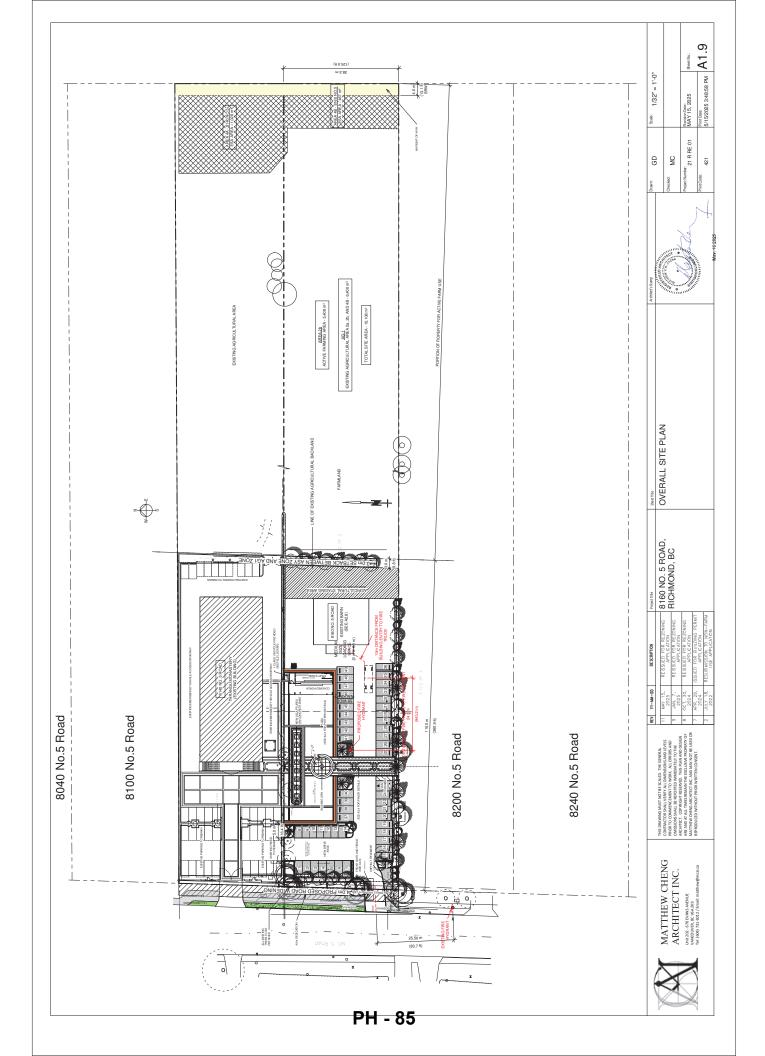


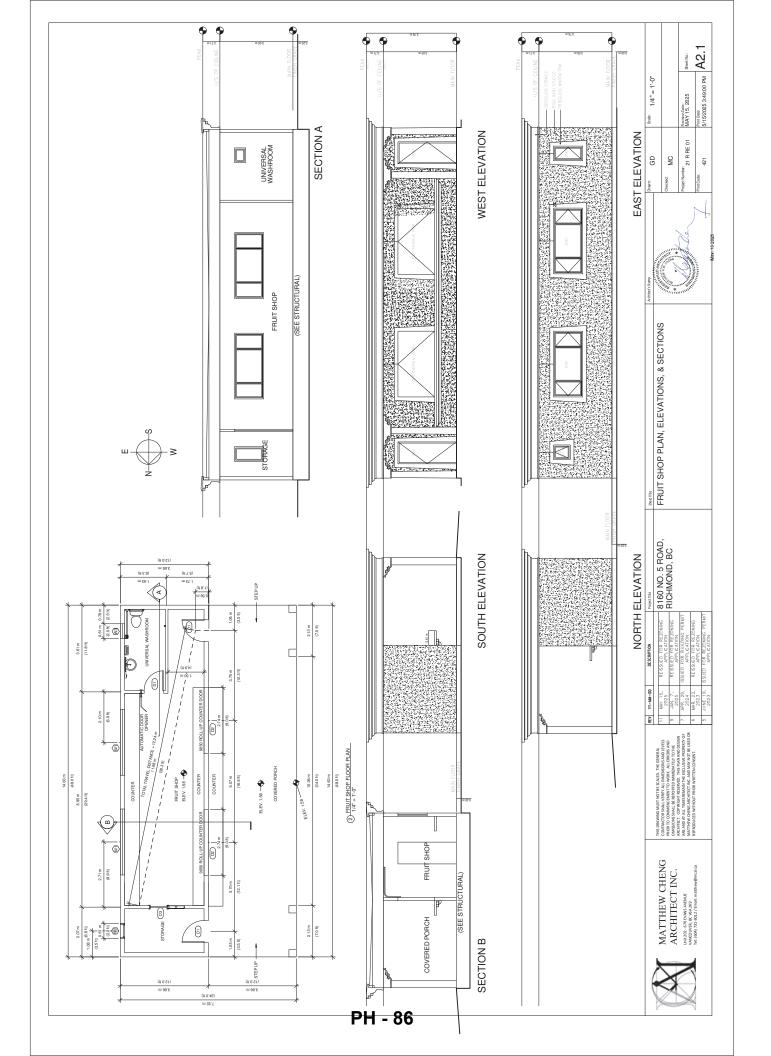


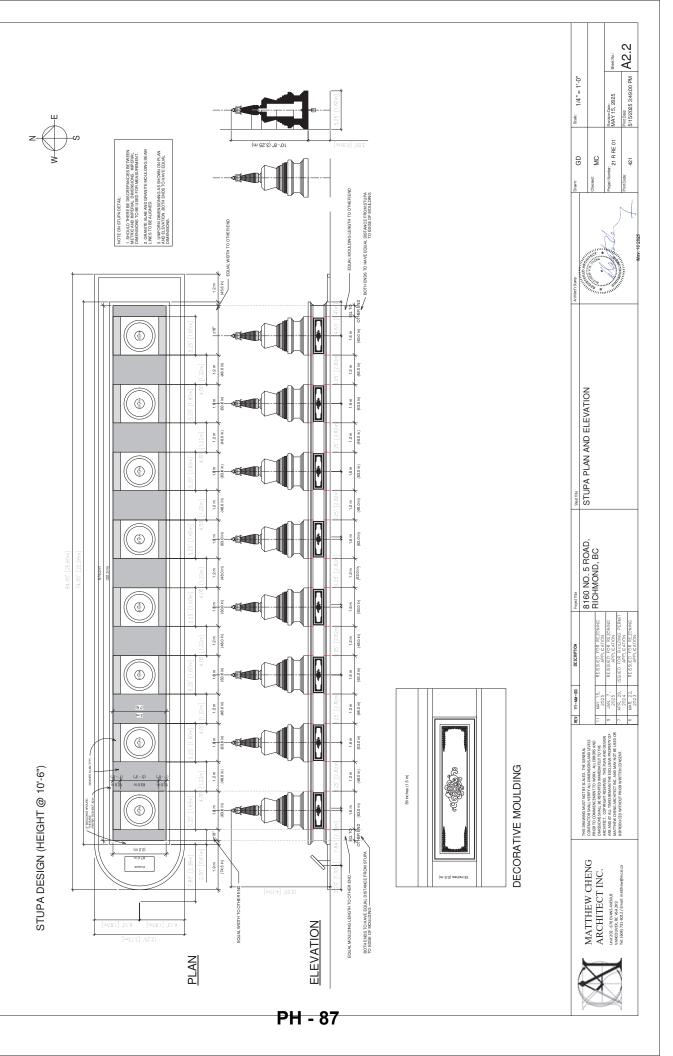


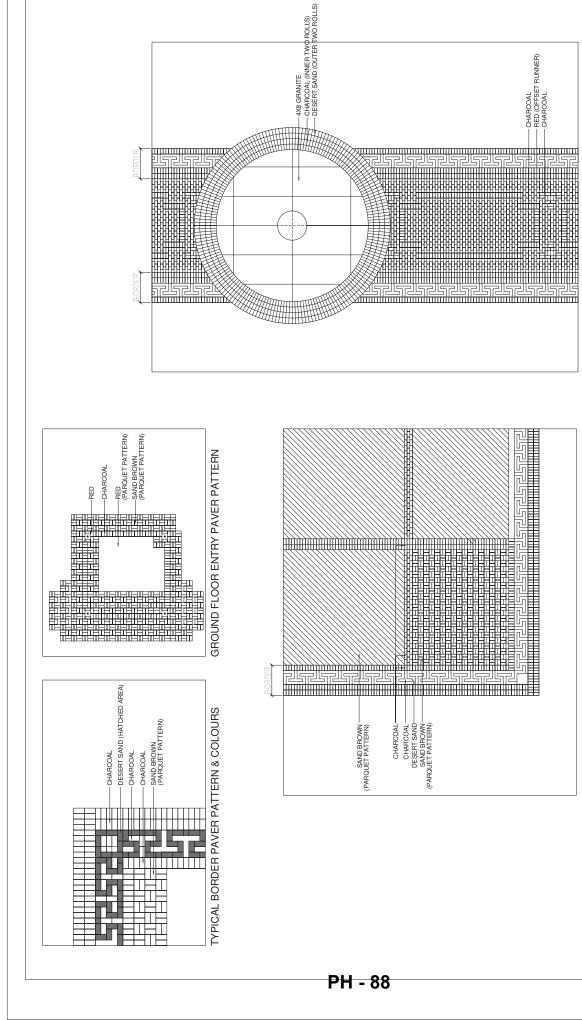








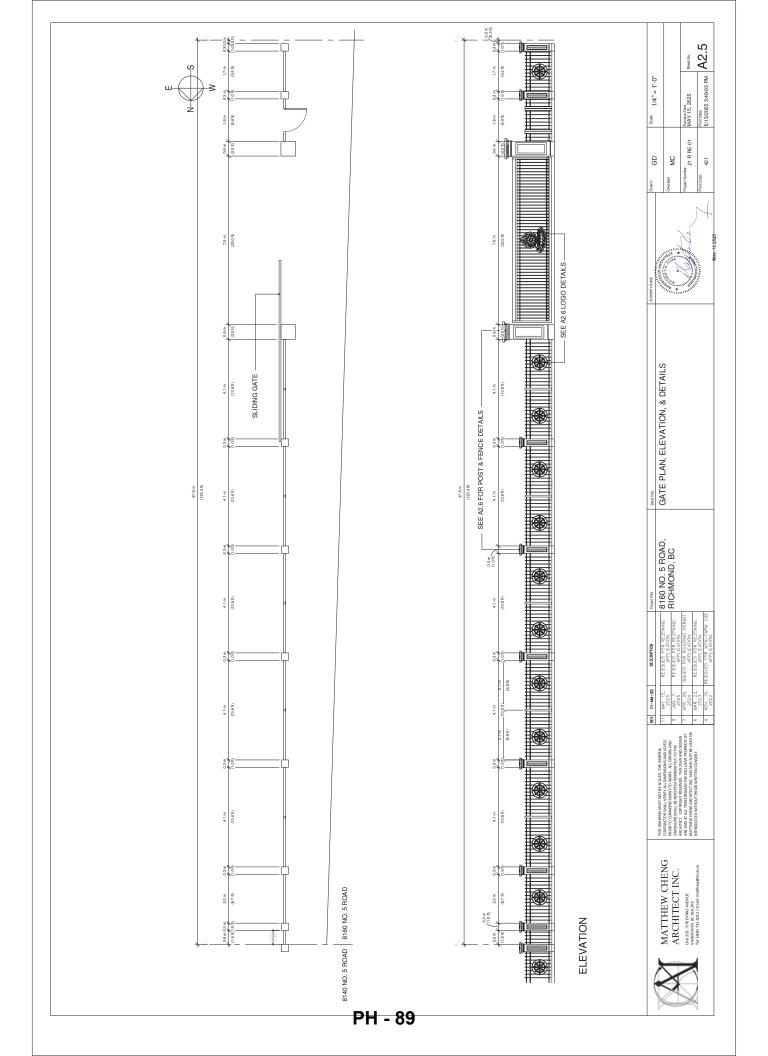


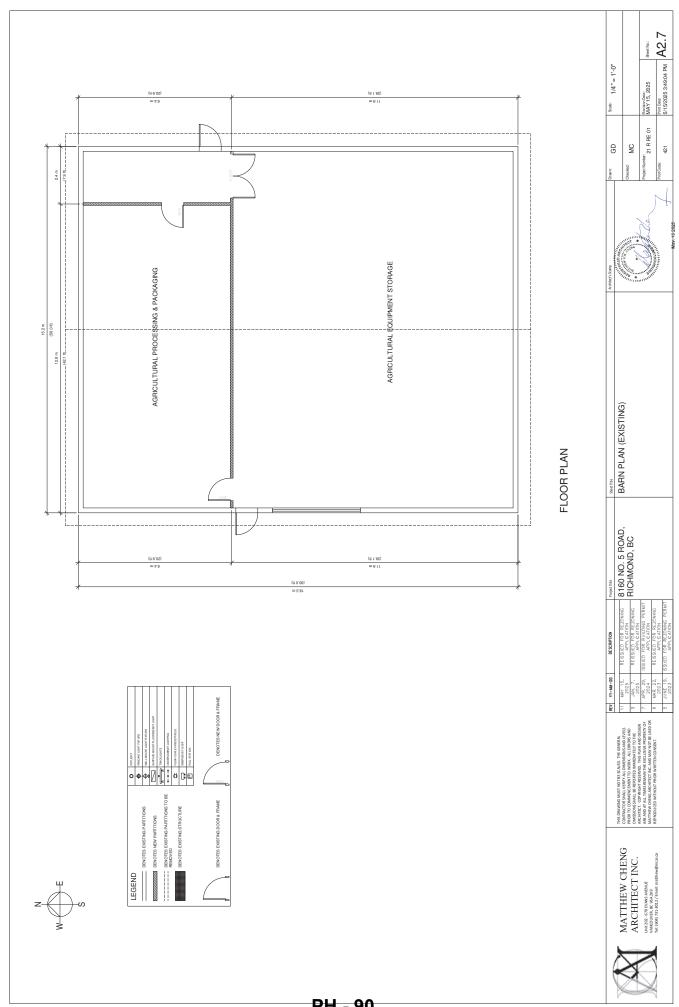




**CENTRAL PATH PAVER PATTERN & COLOURS** 

TYPICAL PAVER PATTERN & COLOURS







#### **Development Application Data Sheet**

Development Applications Department

RZ 23-026410 Attachment 3

Address: 8160 No. 5 Road

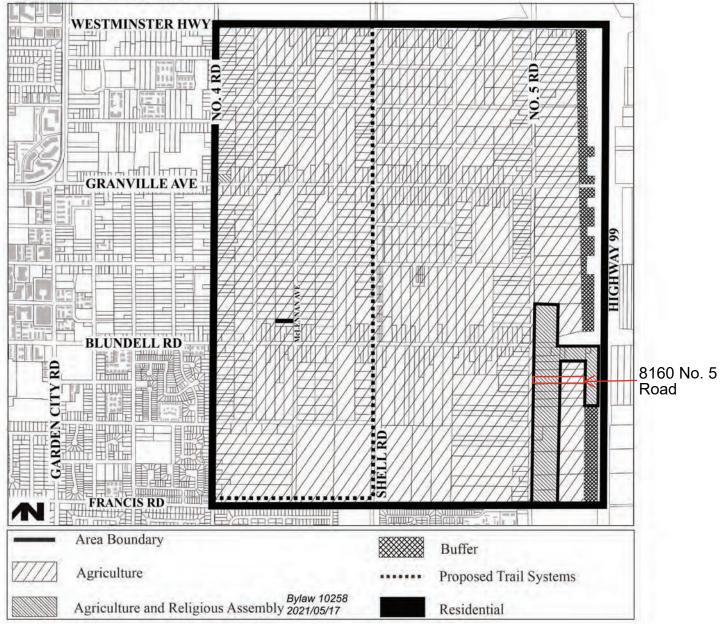
Applicant: Matthew Cheng Architect Inc.

Planning Area(s): <u>East Richmond</u>

	Existing	Proposed
Owner:	Thrangu Monastery	No Change
Site Size (m²):	8160 No 5 Road: 2.49 ac (1.01 ha)	8160 No. 5 Road: 2.46 ac (1.0 ha) Consolidation:1.91 ha (4.71 ac)
OCP Designation:	Agriculture, Community Institutional	No Change
Area Plan Designation:	Agriculture and Religious Assembly	No Change
Zoning:	Agriculture (AG1)	Assembly (ASY), Agriculture (AG1)

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max: 0.5	Complies	None permitted
Lot Coverage (% of lot area):	Building: Max. 35%	Complies	None
Lot Size:	N/A	Consolidation: 1.91 ha (4.71 ac)	None
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 7.5 m Side: Min. 7.5 m	Complies	none
Off-street Parking Spaces – Total:	1 space per 20.0 m <sup>2</sup>	6 spaces	none

### Land Use Map Bylaw 8791 2012/09/10



### Excerpt from the Meeting Minutes of the Food Security and Agricultural Advisory Committee (FSAAC)

Thursday, October 27, 2022 – 7:00 p.m. Webex

ALR Non-Farm Use Application - 8160 No. 5 Road

Diana Nikolic, Program Manager, Policy Planning, introduced the ALR Non-Farm Use Application and provided the following comments:

- The proposal includes adding 8 religious statues, landscaping, a formal parking area and a roadside stand to sell farm produce as accessory uses to the Thrangu Monastery. These non-farm uses would be limited to the westerly 110 m of the site and the remaining backlands would continue to be farmed.
- Currently, the site is used as an informal overflow parking lot and the remaining portion
  of the site is farmed and contains greenhouses and an accessory building for farm
  equipment.
- The site is located within the Official Community Plan (OCP) No 5 Road Backlands Policy area. The policy supports religious assembly uses on the westerly 110 m of the site, subject to the remainder being actively farmed.
- Evidence of farm status is provided for both the subject site (8160 No. 5 Road) and the adjacent Thrangu Monastery (8140 No. 5 Road).
- A similar proposal was considered in 2017. The application was approved by the Agricultural Land Commission (ALC); however, deadlines associated with the ALC's approval were not met and ALC staff have confirmed that a new non-farm use application is required for the proposal to proceed.
- The proposal would include:
  - Consolidation with 8140 No. 5 Road. Consolidation is consistent with policy to increase farming viability by providing options for larger scale agriculture operations.
  - Establishing a 3 m wide landscaped buffer between farming and non-farming uses.
  - Securing a 4 m wide right of way at the rear of the property to facilitate the option of a north/south farm access road that is consistent with the No. 5 Road Backlands Policy.

The applicant's consultants from Matthew Cheng Architect provided the following additional comments:

• Provision of an overview of the proposed site plan, including the location of the stupas (statues), proposed roadside stand and landscape buffer, as well as the relationship between the proposal and existing monastery.

• Supplementary information related to current farm operations, including photo documentation over the years.

In response to questions from the Committee, the applicant's consultants provided the following additional comments:

- Permeable concrete pavers are proposed for the parking area.
- Produce grown on-site will be sold at the roadside stand.
- The site is currently used as informal overflow parking and is generally level requiring little to no site preparation.

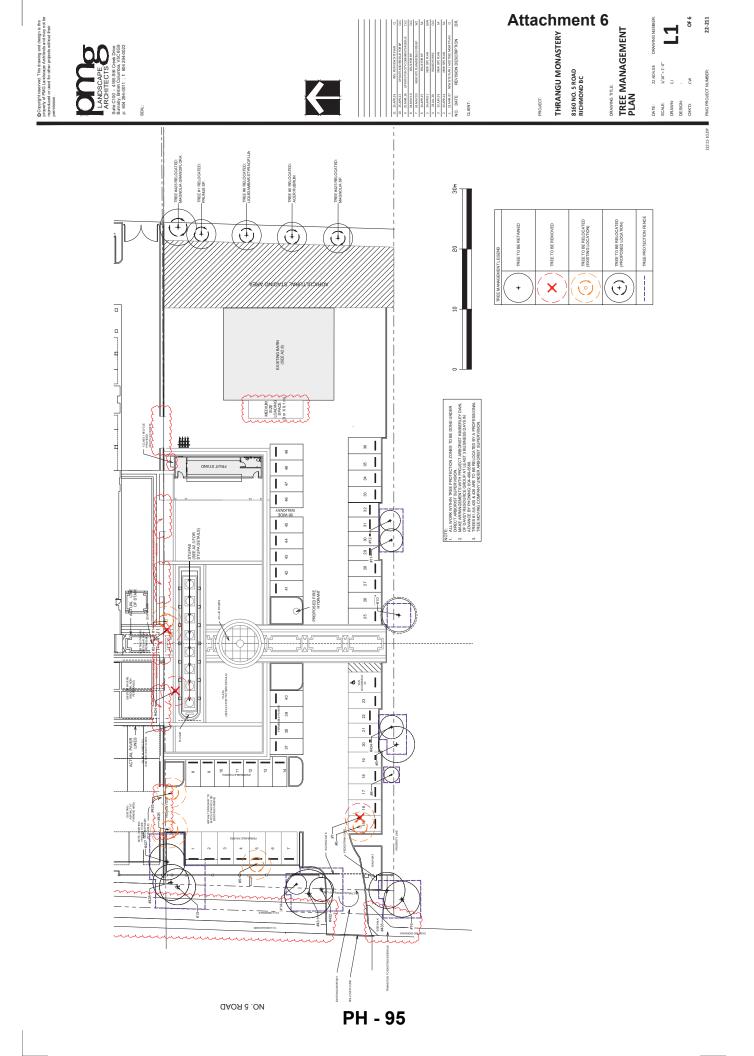
Mike Bandy (ALC), suggested the applicant include a timeline estimate for consideration by the ALC to ensure deadlines associated with conditional approvals can be achieved.

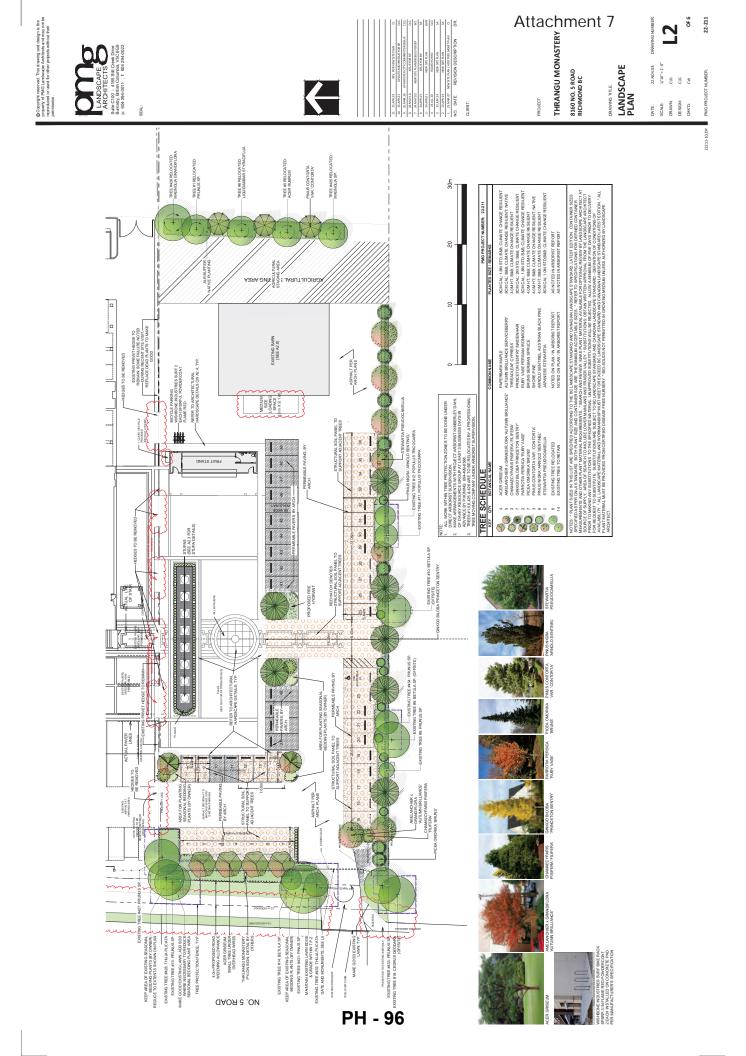
The Committee expressed concerns regarding a precedent being set for agricultural properties being used for parking. Staff noted that the OCP Backlands Policy supports religious assembly uses on the westerly 110 m of designated sites, conditional to the backlands being actively farmed and the subject applicant is an accessory use to the existing Thrangu Monastery.

The Committee passed the following motion:

That the Food Security and Agricultural Advisory Committee support the ALR Non-Farm Use application at 8160 No. 5 Road (AG 22-007407).

Carried with Cory May and Miles Smart abstained







#### Re oning Considerations

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

Address: 8160 No. 5 Road File No.: RZ 23-026410

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10662, the developer is required to complete the following:

- 1. (ALC Approval) The applicant is required to demonstrate to the City that approval from the Agricultural Land Commission (ALC) has been granted in writing for the terms articulated by the ALC Resolution.
- 2. (Road Dedication) a 4.0 m wide road dedication along No. 5 Road along the site frontage of 8160 No. 5 Road.
- 3. (Lot Consolidation) Consolidation of all the lots into one development parcel.
- 4. (Tree Replacement Security) Submission of a Landscape Security in the amount of \$6,750.00 (\$750/tree) to ensure that a total of nine replacement trees are planted and maintained on the lot; minimum 6 cm deciduous caliper or 4.0 m high conifers). NOTE: minimum replacement size to be as per Tree Protection Bylaw No. 8057 Schedule A − 3.0 Replacement Trees.
- 5. (Landscape Security) Receipt of security for landscaping in the amount of \$274,222.62 (including all materials, installation, and a 10% contingency). To accompany the landscaping security, a legal agreement that sets the terms for use and release of the security must be entered into between the applicant and the City.
- 6. (Arborists Contract) Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
- 7. (Tree Survival Security- City Trees) Submission of a Tree Survival Security to the City in the amount of \$30,000.00 for the three trees to be retained on City Property (tree tag#13, 431, 432).
- 8. (Tree Survival Security- Private Trees) Submission of a Tree Survival Security to the City in the amount of \$100,000 for the thirteen trees to be retained on Private Property (tree tag# 1, 5, 6, 8, 11, 12, 14, 425, 426, 427, 428, 433, 434)
- 9. (Tree Protection Fencing) 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.
- 10. (SRW) Registration of a legal agreement on title that prohibits issuance of a Building Permit until a statutory right-ofway to secure a 4 m wide north/south farm access road is registered on the east portion of the sites (8140 and 8160 No. 5 Road).
- 11. (Flood Covenant) Registration of a new flood plain covenant on title on the new consolidated lot identifying a minimum habitable elevation of 2.9 m GSC and discharge of the existing Flood Plain Covenant BB583950 from 8140 (PID: 027-242-838) concurrently with registration of the new flood plain covenant.
- 12. (Access Covenant) Registration of a legal agreement on title to restrict the southern access point, currently at 8160 No. 5 Road, to emergency vehicles only' the developer must construct a new gate and fencing at the existing southern access point. The new gate and fence design and plans are to be approved by the Director of Development prior to Building Permit issuance. No building permit may be issued unless the gate and fence design are in accordance with the approved plans. The gate must remain closed at all times, except where access is required for emergency purposes, in order to ensure the associated driveway is not used as a second driveway for general traffic.
- 13. (No Removal of Landscaping) Registration of a legal agreement on title to ensure that landscaping planted along No. 5 Road is maintained and will not be abandoned or removed.
- 14. (Backlands Covenant) Registration of a restrictive covenant on the agricultural Backlands specifying its use as agricultural and restricting any non-farm related services or uses.
- 15. (Fees Notices) Payment of all fees in full for the cost associated with the Public Hearing Notices, consistent with the City's Consolidated Fees Bylaw No 8636, as amended.

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16. (Servicing Agreement) Enter into a Servicing Agreement\* for the design and construction of frontage improvements at 8140 and 8160 No. 5 Road. 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, frontage works as stipulated by Transportation and Engineering, including:

#### Frontage Improvements (including at 8140 No. 5 Road)

- a) Removal of the unused existing driveway letdown located north of the existing driveway at 8160 No. 5 Road;
- b) Construct along the Sites No. 5 Road frontage, from the existing curb and gutter:
  - Minimum 1.5 m boulevard;
  - Minimum 3.5 m sidewalk.
- c) The new frontage improvements are to be transitioned to meet the existing treatments to the north and south of the site.

#### **Water Works**

- a) Using the OCP Model, there is 623.0 L/s of water available at a 20 psi residual at the No 5 Road frontage. Based on your proposed development, your site requires a minimum fire flow of 250.0L/s.
- b) At Developer's cost, the Developer is required to:
  - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage building designs.
  - ii) Review hydrant spacing on all road frontages and install new fire hydrants as required to meet City spacing requirements for the proposed land use.
  - iii) Contact the City's Operations (Water Department) to confirm if the existing Ø200mm water service connection WSL233110 at the north-west corner of the No 5 Road frontage is suitable for reuse. Reuse the Ø200mm water service connection if it is suitable for reuse. Otherwise, replace the existing water service connection.
  - iv) Cut, cap, and abandon all other existing water connections at the main.
  - v) Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W2n-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized during the building permit process (or via the servicing agreement process, if one is required).
- c) At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.

#### **Storm Sewer Works**

- d) At Developer's cost, the Developer is required to:
  - i) Provide an erosion and sediment control plan for all on-site and off-site works, to be reviewed as part of the servicing agreement design.
  - ii) Retain all existing storm service connections. Provide a video inspection report of the existing storm service connections and inspection chambers along the No. 5 Road frontage. The report will be reviewed as part of the Servicing Agreement process. Replacement inadequate infrastructure, if required, shall be determined during the Servicing Agreement process.
  - iii) Prioritize new storm sewer drainage tie-ins to the existing storm sewer connection STCN10285.
- e) At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.

#### **Sanitary Sewer Works**

- f) At Developer's cost, the Developer is required to:
  - i) Install a new sanitary sewer main centering No. 5 Road from the existing manhole SMH10362 at the south property line of 8140 No. 5 Road to the north property line, approximately 35 meters in length, complete with

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- a new manhole at the north property line. The exact size and dimensions of the pipe and manholes shall be determined during the Servicing Agreement process.
- ii) Provide a video inspection report of the existing sanitary service connection SCON39184 and inspection chamber at the north-west corner of 8160 No. 5 Road. If adequate, retain the existing sanitary service connection at the north-west corner of 8160 No. 5 Road. Otherwise, remove and replace.
- g) At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.

#### **Street Lighting**

- h) At Developer's cost, the Developer is required to:
  - i) Review street lighting levels along all road and lane frontages, and upgrade as required.

#### **General Items**

- i) At Developer's cost, the Developer is required to:
  - i) Complete other frontage improvements as per Transportation requirements.
  - ii) Coordinate with BC Hydro, Telus and other private communication service providers:
    - (1) Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages, if required.
  - iii) Enter into, if required, additional legal agreements, as determined through the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

#### 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. 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.
- 4. 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.

#### 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.

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- 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.
- If the development will be constructed in phases and stratified, a <a href="Phased Strata Subdivision Application">Phased Strata Subdivision Application</a> is required. Each phase of a phased strata plan should be treated as a separate parcel, each phase to comply with the Richmond Zoning Bylaw 8500 in terms of minimum lot area, building setback and parking requirements. Please arrange to have the City's Approving Officer review the proposed phased boundaries in the early DP stages. To allow sufficient time for staff review and preparation of legal agreements, the application should be submitted at least 12 months prior to the expected occupancy of development.
- If the development intends to create one or more air space parcels, an <u>Air Space Parcel Subdivision Application</u> is required. To allow sufficient time for staff review and preparation of legal agreements, the application should be submitted at least 12 months prior to the expected occupancy of development.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed	Date	



#### Richmond Zoning Bylaw 8500 Amendment Bylaw 10662 (RZ23-026410) 8160 No. 5 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 and designating it as "Assembly (ASY)" for the westerly 110 m from No. 5 Road portion of lands legally described as:

P.I.D. 003-574-113, North Half Lot 3 Block A Section 19 Block 4 North Range 5 West New Westminster District Plan 4090

- 2. Richmond Zoning Bylaw 8500 is amended by:
  - a) Adding the following as a new Additional Uses Section (Section 13.3.3.B) and renumbering previous sections accordingly and inserting the following text into the Additional Uses (Section 13.3.3.B)

#### "farm business"

b) Inserting the following text into the Other Regulations (Section 13.3.11)

"13.3.11.8

Farm Business is permitted only for the following site and the following site is permitted to have one 279 m<sup>2</sup> **Agricultural Buildings and structures** and one 107 m<sup>2</sup> **roadside stand** in support of the **farm business** on the following **site:** 

PID 003-574-113

North Half Lot 3 Block A Section 19 Block 4 North Range 5 West New Westminster District Plan 4090; and

3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10662".

Document Number: 8007697 Version: 2

FIRST READING	JUN 0 9 2025	CITY OF RICHMOND
PUBLIC HEARING		APPROVED by
SECOND READING		APPROVED by Director
THIRD READING		or folicitor
OTHER CONDITIONS SATISFIED		
ADOPTED		<u>.</u>
MAYOR	CORPORATE OFFICER	