



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

**Date:** April 17, 2023  
**File:** RZ 22-027435

**Re:** Application by Bradley Dore for Rezoning at 9671 No. 1 Road from “Single Detached (RS1/E)” Zone to “Compact Single Detached (RC2)” Zone

**Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10447, for the rezoning of 9671 No. 1 Road from “Single Detached (RS1/E)” zone to “Compact Single Detached (RC2)” zone, be introduced and given first reading.

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

WC:ac  
Att. 5

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

## Staff Report

### Origin

Bradley Dore has applied on behalf of the owner, Lavocata Holdings Ltd., Inc. No. BC 1388010 (Directors: Caterina Rizzo and Benny Taddei), to the City of Richmond for permission to rezone 9671 No. 1 Road from the “Single Detached (RS1/E)” zone to the “Compact Single Detached (RC2)” zone, to permit the property to be subdivided to create two single-family lots, each with vehicle access from the rear lane. A map and aerial photograph showing the location of the subject site is included in Attachment 1. The proposed subdivision is shown 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

There is an existing unoccupied single-family dwelling on the property with vehicle access from the rear lane, which is proposed to be demolished. The applicant has confirmed that there is no existing secondary suite in the dwelling.

### Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: A single-family dwelling on a property zoned “Compact Single Detached (RC1)” fronting No. 1 Road.

To the South: A single-family dwelling on a property zoned “Compact Single Detached (RC1)” fronting No. 1 Road.

To the East: Across No 1. Road, a single-family dwelling on a lot zoned “Single Detached (RS1/C) fronting No. 1 Road and a single-family dwelling on a lot zoned “Single Detached (RS1/B) fronting Peterson Drive.

To the West: Across the lane, a single-family dwelling on a property zoned “Single Detached RS1/E)” fronting Desmond Road.

### Related Policies & Studies

#### Official Community Plan/Seafair Planning Area

The subject property is located in the Seafair planning area, and is designated “Neighbourhood Residential” in the Official Community Plan (OCP). The proposed rezoning and subdivision are consistent with this designation.

### Arterial Road Policy

The subject property is designated “Arterial Road Compact Lot Single Detached” on the Arterial Road Housing Development Map. The Arterial Road Land Use Policy requires all compact lot developments to be accessed from the rear lane only. The proposed rezoning is consistent with this Policy.

Prior to final adoption of the rezoning bylaw, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director, Development, and deposit a Landscaping Security based on 100 per cent 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 include any required replacement trees identified as a condition of rezoning.

### 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 early public notification or placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act* and the *City’s Zoning Bylaw 8500*.

### **Analysis**

This redevelopment proposes to rezone and subdivide one existing single-family property into two new compact single-family lots with vehicular access from the rear lane. This rezoning and subdivision is consistent with the lot fabric and vehicular access of the adjacent lots on No. 1 Road. Similar applications to rezone and subdivide properties have been approved both to the north and south on the subject property along No. 1 Road.

### Existing Legal Encumbrances

None.

### Transportation and Site Access

Vehicular access to No. 1 Road is not permitted in accordance with Residential Lot (Vehicular) Access Bylaw No. 7222 and therefore will be restricted to the rear lane only.

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 11 bylaw-sized trees on the subject property, no trees on neighbouring properties, and no trees on City property.

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

- Three bylaw-sized trees tag #52 (Western red cedar), tag #59 (Western red cedar) and tag #60 (Western red cedar) located along the No. 1 Rd frontage are identified as being in good condition and are to be retained and protected.
- Five bylaw-sized trees tag #53 (Western red cedar), tag #54 (Western red cedar), tag #55 (Western red cedar), tag #56 (Western red cedar,) and tag #57 (Hiba arborvitae) located along the No. 1 Road frontage are identified as being in poor condition; either dying (sparse canopy foliage), have been previously topped or exhibit structural defects such as cavities at the main branch union and co-dominant stems with inclusions. These trees also conflict with the service and utility corridor. As a result, these trees are not good candidates for retention and should be removed.
- One bylaw-sized tree tag #58 (Blue spruce) located along the No. 1 Road frontage is outside the service and utility corridor, however, is identified as being low value due to its crown being so spindly that it is structurally codependent with the adjacent trees of the row. As a result, this tree is not a good candidate for retention and should be removed.
- Two bylaw-sized trees tag #50 (Western red cedar) and tag #51 (Western red cedar) are identified as being in fair condition but have low landscape value due to their shrub-like form and conflict with the proposed development. As a result, these trees are not good candidates for retention and should be removed.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

*Tree Replacement*

The applicant wishes to remove eight on-site trees (Trees #50, 51, 53, 54, 55, 56, 57 and 58). The 2:1 replacement ratio would require a total of 16 replacement trees.

The applicant has agreed to plant (3) replacement trees on-site. One new tree in the rear yard of each lot and one shared tree in the front yard straddling the shared property line. The proposed number of trees to be planted takes into consideration overcrowding and future site servicing works. 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
3	8 cm	4 m

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$9,750.00 to the City's Tree Compensation Fund in lieu of the remaining 13 trees that cannot be accommodated on the subject property after redevelopment.

### *Tree Protection*

Three trees (tag #52, #59 and #60) on the property are to be retained and protected. The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during the development stage (Attachment 4). As the existing site grade is lower than the sidewalk along No. 1 Rd, the plan provides cross-section details showing that the lot grade within the protection zone of all trees will be maintained at its current elevation and that only small portions of the lot are proposed to be filled to accommodate pedestrian walkways from the sidewalk along the No. 1 Road frontage to the front entries of each dwelling. To ensure that the trees identified for retention are protected at 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 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 Planting and Landscaping

Consistent with Zoning Bylaw regulations and the landscape guidelines for compact lots in the Arterial Road Land Use Policy, the applicant must plant and maintain three new trees on the new lots. The City's Tree Preservation Coordinator has identified that the new trees must be a minimum 8 cm caliper for deciduous trees or 4 m high for coniferous trees.

To ensure that the required trees are planted and maintained on each lot proposed and that the front yards of the proposed lots are enhanced, the applicant is required to complete the following prior to final adoption of the rezoning bylaw:

- Submit a Landscape Plan for the front yards prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development. The Landscape Plan must comply with the guidelines of the Arterial Road Land Use Policy in the OCP.
- Submit a Landscaping Security based on 100 per cent of a cost estimate for the proposed Landscape Plan works provided by the Landscape Architect (including materials, installation and a 10 per cent contingency). This security should include \$2,250.00 (\$750.00/tree) to ensure three new trees are planted and maintained on the new lots.

### Affordable Housing Strategy

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

Consistent with the Affordable Housing Strategy, the applicant has proposed to provide a one-bedroom secondary suite of a minimum of 48.8 m<sup>2</sup> (525 ft<sup>2</sup>) in each of the dwellings to be constructed on the new lots, for a total of two suites. Prior to the adoption of the rezoning bylaw, the applicant must register a legal agreement on Title to ensure that no Building Permit inspection is granted until a minimum one-bedroom secondary suite of approximately 48.8 m<sup>2</sup> (525 ft<sup>2</sup>) is constructed on each of the two future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

### Site Servicing and Frontage Improvements

At Subdivision stage, the applicant must enter into a Servicing Agreement for the design and construction of the required site servicing, as described in Attachment 5. A significant portion of the frontage is identified for tree retention and may not be impacted. The existing frontage is to be retained as it is in good condition and consistent with the rest of the block.

At subdivision stage, the applicant is also required to pay:

- \$16,858.05 plus applicable interest for cost recovery of rear lane drainage upgrades previously constructed by the City as part of a City Capital Works Program in accordance with Works and Services Cost Recovery Bylaw 8752.
- The current year's taxes, Development Cost Charges (City, Metro Vancouver and TransLink), School Site Acquisition Charges, Address Assignment Fees, and the costs associated with the completion of the site servicing and other improvements as described in Attachment 5.

### **Financial Impact or Economic Impact**

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

### **Conclusion**

The purpose of this application is to rezone 9671 No. 1 Road from "Single Detached (RS1/E)" zone to the "Compact Single Detached (RC2) zone, to permit the property to be subdivided to create two single-family lots with vehicle access from the rear lane.

The proposed rezoning and subdivision are consistent with the applicable plans and policies affecting the subject site.

The list of rezoning considerations is included in Attachment 5, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10447 be introduced and given first reading.



Alexander Costin  
Planning Technician – Design  
(604-276-4200)

AC:js

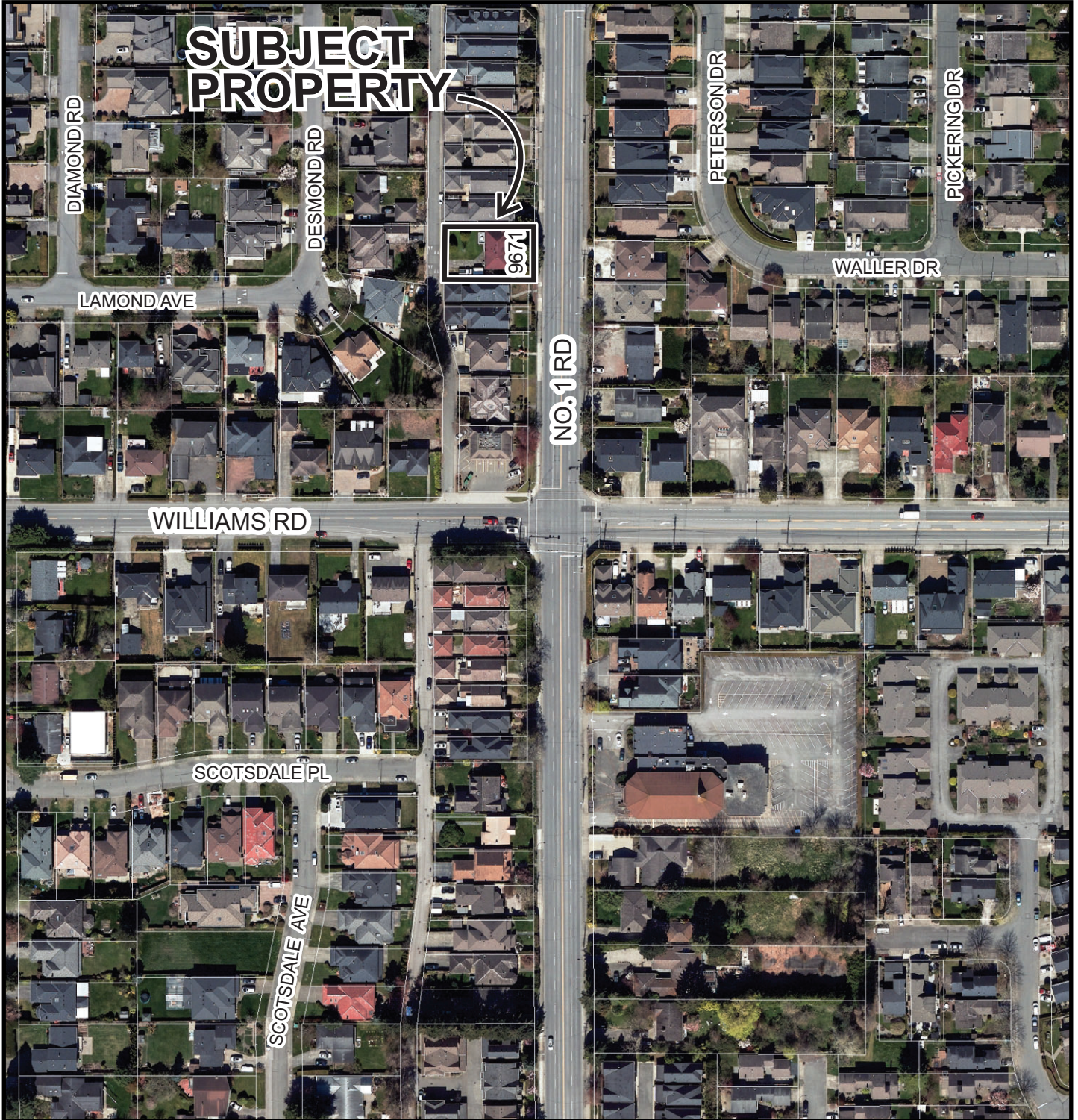
- Att. 1: Location Map/Aerial Photo  
2: Site Survey and Proposed Subdivision Plan  
3: Development Application Data Sheet  
4: Tree Retention Plan  
5: Rezoning Considerations







City of  
Richmond



RZ 22-027435

PH - 51

Original Date: 01/18/22

Revision Date:

Note: Dimensions are in METRES



**TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 22  
BLOCK 9 SECTION 27 BLOCK 4 NORTH RANGE 7 WEST  
NEW WESTMINSTER DISTRICT PLAN 19428**

#9671 NO 1 ROAD,  
RICHMOND, B.C.  
P.I.D. 010-487-859

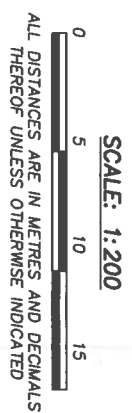
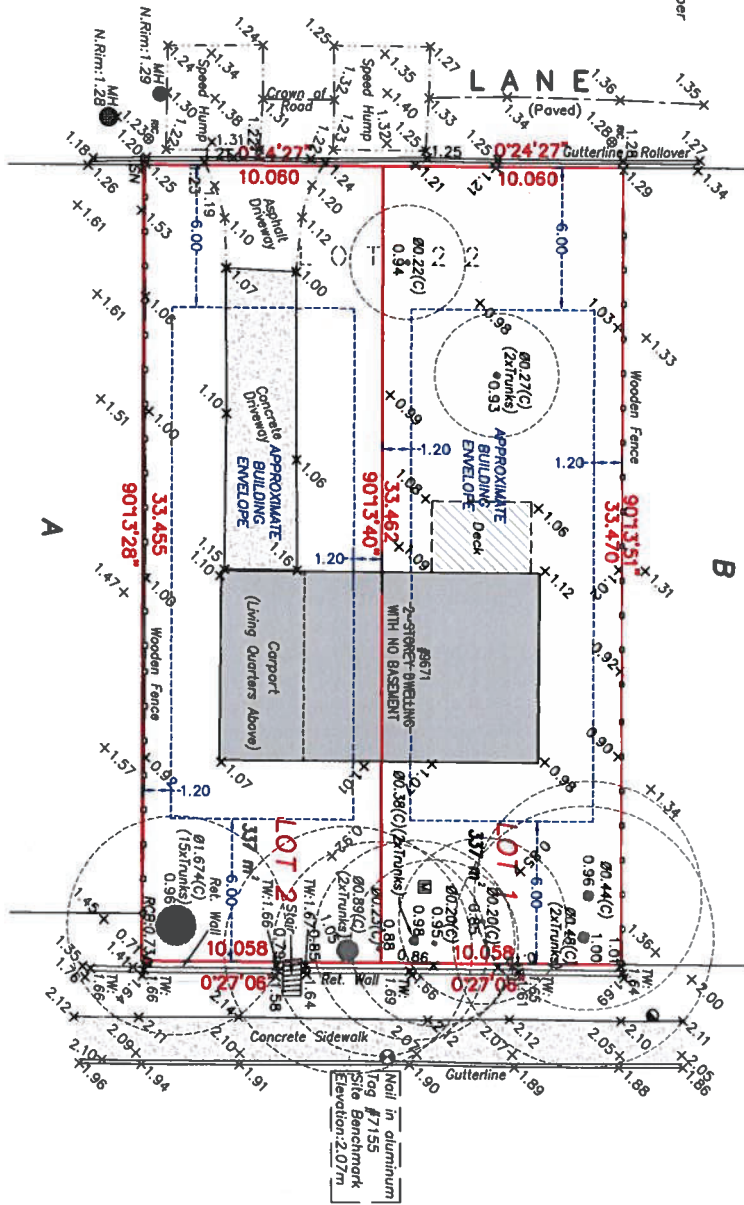
- LEGEND:**
- (C) denotes contour
  - denotes round catch basin
  - denotes manhole
  - denotes water meter
  - ⊗ denotes round inspection chamber
  - ⊕ denotes traffic sign
  - ⊙ denotes power post
  - TW denotes top of retaining wall

**NOTE:**  
Elevations shown are based on City of Richmond HPN Benchmark network.  
Old Control Monument GCM#36099  
Elevation: 3.741m  
Benchmark: HPN #234  
Control Monument 77H4891  
Elevation: 1.128m

**NOTE:**  
Use site Benchmark Tag #7155 for construction elevation control.

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Website: www.jctam.com  
Job No. 7995  
PB-415 P59-60  
Drawn By: LK

**DWG No. 7995-TOPO**



**CERTIFIED CORRECT:**  
LOT DIMENSION ACCORDING TO  
FIELD SURVEY.  
Johnson Tam  
JQ05M3  
Digitally signed by  
Johnson Tam JQ05M3  
Date: 2022.11.30  
09:06:51 -08'00'

JOHNSON C. TAM, B.C.L.S., C.L.S.  
November 24th, 2022.



**RZ 22-027435**

**Attachment 3**

Address: 9671 No. 1 Road

Applicant: Bradley Dore

Planning Area(s): Seafair

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	Lavocata Holdings Ltd., Inc. No. BC 1388010	To be determined.
<b>Site Size (m<sup>2</sup>):</b>	674 m <sup>2</sup>	Lot 1: 337 m <sup>2</sup> Lot 2: 337 m <sup>2</sup>
<b>Land Uses:</b>	One single-detached lot	Two single detached lots
<b>OCP Designation:</b>	Neighbourhood Residential	No change
<b>Zoning:</b>	Single Detached (RS1/E)	Compact Single Detached (RC2)
<b>Number of Units:</b>	1	2
<b>Other Designations:</b>	Arterial Road Compact Lot Single Detached	No change

<b>On Future Subdivided Lots</b>	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Buildable Floor Area (m <sup>2</sup> ):*	Lot 1: Max. 202 m <sup>2</sup> (2174ft <sup>2</sup> ) Lot 2: Max. 202 m <sup>2</sup> (2174 ft <sup>2</sup> )	Lot 1: Max. 202 m <sup>2</sup> (2174ft <sup>2</sup> ) Lot 2: Max. 202 m <sup>2</sup> (2174 ft <sup>2</sup> )	none permitted
Lot Coverage (% of lot area):	Building: Max. 50% Non-porous Surfaces: Max. 70% Live Landscaping: Min. 20%	Building: Max. 50% Non-porous Surfaces: Max. 70% Live Landscaping: Min. 20%	none
Lot Size:	270 m <sup>2</sup>	Lot 1: 337 m <sup>2</sup> Lot 2: 337 m <sup>2</sup>	none
Lot Dimensions (m):	Width: 9.0 m Depth: 24.0 m	Width: 10.1 m Depth: 33.5 m	none
Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m (Min. 1.2 to garage) Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m (Min. 1.2 to garage) Side: Min. 1.2 m	none
Height (m):	Max. 2 ½ Storeys (9.0 m)	Max. 2 ½ Storeys (9.0 m)	none
On-site Vehicle Parking with Secondary Suite:	Min. 3 per lot	Lot 1: Min. 3 Lot 2: Min. 3	none

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







**Address:** 9671 No. 1 Road

**File No.:** RZ 22-027435

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10447, 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 3 required replacement trees with the following minimum sizes:

<b>No. of Replacement Trees</b>	<b>Minimum Caliper of Deciduous Tree</b>	or	<b>Minimum Height of Coniferous Tree</b>
3	8 cm		4 m

2. City acceptance of the developer’s offer to voluntarily contribute \$9750.00 to the City’s Tree Compensation Fund for the planting of replacement trees within the City.
3. 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.
4. Submission of a Tree Survival Security to the City in the amount of \$30,000.00 for the three trees to be retained.
5. Registration of a flood indemnity covenant on title (2.9 m GSC – Area A).
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a 1-bedroom secondary suite of minimum 48.8 m<sup>2</sup> (525 ft<sup>2</sup>) is constructed on both future lots, to the satisfaction of the City in accordance with the BC Building Code and the City’s Zoning Bylaw.
7. 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.

**Prior to a Demolition Permit being issued, the developer must complete the following requirements:**

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

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

1. Lane upgrades completed previously by the City are to be paid in the amount of \$16,858.05 plus applicable interest as per the Works and Services Cost Recovery Bylaw 8752.
2. At Subdivision stage, the applicant is required to pay the current year’s taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing and other improvements.
3. Enter into a Servicing Agreement\* for the design and construction of engineering infrastructure improvements. A Letter of Credit or cash security for the value of the Service Agreement works, as determined by the City, will be required as part of entering into the Servicing Agreement. Works include, but may not be limited to:

- a) Using the OCP Model, there is 538 L/s of water available at a 20 psi residual at the No 1 Rd frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b) At the Developer's cost, the Developer is required to:
  - i) 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) Install a new hydrant on No 1 frontage. Per Engineering Design Specifications, family residential areas fire hydrants spacing shall not be more than 120m.
  - iv) Provide a right-of-way for the water meter. Minimum right-of-way dimensions to be the size of the meter box (from the City of Richmond supplementary specifications) + any appurtenances (for example, the bypass on W2n-SD) + 0.5 m on all sides. Exact right-of-way dimensions to be finalized via the servicing agreement process.
  - v) Provide a 3m wide right-of-way across the entire property line fronting No 1 Rd. This right-of-way shall be used to contain all the inspection chambers and water meters servicing both proposed sites. The tree protection area shall not be a part of the newly proposed right-of-way.
- c) At Developers cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.
  - ii) Cut and cap and remove the existing water service connection fronting No 1 Rd.
  - iii) Install two new water service connections each servicing one of the proposed lot c/w water meters. Each water service connection shall service one lot. The water meters shall be placed within the newly proposed right-of-way.

### **Storm Sewer Works:**

- 1. At Developer's cost, the City will:
  - 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) As per cost recovery bylaw No. 8752, the developer is required to pay \$16,858.05 for Lot: 22 Sec: 27-4-7 PL: 19428 as part of the No 1 Rd lane (between Francis Rd & Williams Rd) improvement project.
- 2. At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.
  - ii) Cut and cap and remove existing storm service connection and IC fronting No 1 Rd.
  - iii) Install a new dual storm service connection fronting No 1 Rd closed with inspection chamber. Each storm service connection shall service one lot. The IC shall be placed within the newly proposed right-of-way.

### **Sanitary Sewer Works:**

- a) At Developer's cost, the City will:
  - i) Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
- b) At Developer's cost, the City will:
  - i) Complete all tie-ins for the proposed works to existing City infrastructure.
  - ii) Inspect and confirm the condition of two existing sanitary service connections at the southwest and northwest corner of the proposed site through CCTV inspection and sizing calculations.

- iii) If the CCTV inspection and sizing calculations confirm that the existing sanitary service connection is in good condition and has capacity, each of the existing service connections may be re-used to service the two proposed lots.

### **Street Lighting:**

- a) 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**

- a) 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) To pre-duct for future hydro, telephone and cable utilities along all road frontages.
  - iii) Locate/relocate all above ground utility cabinets and kiosks required to service the proposed development and proposed undergrounding works, and all above ground utility cabinets and kiosks located along the development's frontages, within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the development design review process. Please coordinate with the respective private utility companies and the project's lighting and traffic signal consultants to confirm the requirements (e.g., statutory right-of-way dimensions) and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of statutory right-of-ways that shall be shown on the architectural plans/functional plan, the servicing agreement drawings, and registered prior to SA design approval:
    - BC Hydro PMT – 4.0 x 5.0 m
    - BC Hydro LPT – 3.5 x 3.5 m
    - Street light kiosk – 1.5 x 1.5 m
    - Traffic signal kiosk – 2.0 x 1.5 m
    - Traffic signal UPS – 1.0 x 1.0 m
    - Shaw cable kiosk – 1.0 x 1.0 m
    - Telus FDH cabinet – 1.1 x 1.0 m
  - iv) Provide, prior to start of site preparation works or within the first servicing agreement submission, whichever comes first, a preload plan and geotechnical assessment of preload, and soil preparation impacts on the existing utilities fronting the development site and provide mitigation recommendations.
  - v) Provide a video inspection report of the existing utilities along the road frontages prior to start of site preparation works or within the first servicing agreement submission, whichever comes first. A follow-up video inspection, complete with a civil engineer's signed and sealed recommendation letter, is required after site preparation works are complete (i.e. pre-load removal, completion of dewatering, etc.) to assess the condition of the existing utilities and provide recommendations to retain, replace, or repair. Any utilities damaged by the pre-load, de-watering, or other ground preparation shall be replaced or repaired at the Developer's cost.
  - vi) Conduct pre- and post-preload elevation surveys of all surrounding roads, utilities, and structures. Any damage, nuisance, or other impact to be repaired at the developer's cost. The post-preload elevation survey shall be incorporated within the servicing agreement design.
  - vii) Monitor the settlement at the adjacent utilities and structures during pre-loading, and soil preparation works per a geotechnical engineer's recommendations, and report the settlement amounts to the City for approval.

- viii) Not encroach into City rights-of-ways with any proposed trees, retaining walls, or other non-removable structures. Retaining walls proposed to encroach into rights-of-ways must be reviewed by the City's Engineering Department.
  - ix) Coordinate the servicing agreement design for this development with the servicing agreement(s) for the adjacent development(s), both existing and in-stream. The developer's civil engineer shall submit a signed and sealed letter with each servicing agreement submission confirming that they have coordinated with civil engineer(s) of the adjacent project(s) and that the servicing agreement designs are consistent. The City will not accept the 1<sup>st</sup> submission if it is not coordinated with the adjacent developments. The coordination letter should cover, but not be limited to, the following:
    - (a) Corridors for City utilities (existing and proposed water, storm sewer, sanitary and DEU) and private utilities.
    - (b) Pipe sizes, material and slopes.
    - (c) Location of manholes and fire hydrants.
    - (d) Road grades, high points and low points.
    - (e) Alignment of ultimate and interim curbs.
    - (f) Proposed street lights design.
  - x) Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, 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.
- b) The Developer is required to:
- i) Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, 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. 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

(Signed copy on file)



Richmond Zoning Bylaw 8500
Amendment Bylaw (10447)
9671 No. 1 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 "COMPACT SINGLE DETACHED (RC2)".

P.I.D 010-487-859

Lot 22 Block 9 Section 27, Block 4 North Range 7 West New Westminster Plan 19428

- 2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10447".

FIRST READING

MAY 08 2023

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

Approval stamp box containing: CITY OF RICHMOND, APPROVED by [Signature], APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER



Regular Council  
Monday, May 8, 2023

12. APPLICATION BY BRADLEY DORE FOR REZONING AT 9671 NO.1 ROAD FROM “SINGLE DETACHED (RS1/E)” ZONE TO “COMPACT SINGLE DETACHED (RC2)” ZONE

(File Ref. No. 12-8060-20-010447, RZ 22-027435) (REDMS No. 7140712, 7188282)

R23/9-5

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10447, for the rezoning of 9671 No. 1 Road from “Single Detached (RS1/E)” zone to “Compact Single Detached (RC2)” zone, be introduced and given first reading.*

The question on the motion was not called as in response to a query from Council, staff noted that tree #52 is considered one tree. Discussion took place on possible retention of tree #53 and #54 and as a result of the discussion, the following **amendment motion** was introduced:

R23/9-6

It was moved and seconded

*That staff obtain a further opinion regarding the possible retention of Tree #53 and #54.*

The question on the amendment motion was not called as further discussion took place on (i) the necessity for additional arborist reports, (ii) the City’s robust Tree Protection bylaw, and (iii) benefits of retaining trees for privacy.

In reply to further queries from Council, staff noted that tree #53 and #54 were assess by an arborist and deemed to be of poor health and did not warrant protection.

The question on the amendment motion was then called and it was **DEFEATED ON A TIE VOTE** with Mayor Brodie, Cllrs. Heed, Hobbs, and McNulty opposed.

Further discussion took place and in response to queries from Council, staff advised that (i) the water connection must be on No. 1 Road, (ii) the first criteria for retaining trees is the health and structure, and (iii) there is a detached garage between the subject property and neighbours across to provide some privacy.

The question on the main motion was then called and it was **CARRIED** with Cllrs. Gillanders and Wolfe opposed.