



# City of Richmond

## Report to Committee

**To:** Planning Committee

**Date:** June 21, 2021

**From:** Wayne Craig  
Director of Development

**File:** AG 21-933868

John Hopkins  
Director of Policy Planning

**Re:** Application by Brian Dagneault for an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application at 6808 Finn Road

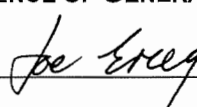
### Staff Recommendation

That authorization for Brian Dagneault to forward an Agricultural Land Reserve Transportation, Utility, and Recreational Trail Use Application to the Agricultural Land Commission, to improve a portion of Finn Road to municipal road standards, be denied.

Wayne Craig  
Director of Development

John Hopkins  
Director of Policy Planning

WC:sds  
Att. 9

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Building Approvals	<input checked="" type="checkbox"/>	
Engineering	<input checked="" type="checkbox"/>	

## Staff Report

### Origin

Brian Dagneault, on behalf of the property owner of 6808 Finn Road (Bill Zylmans), has requested permission from the City of Richmond to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), to improve a portion of Finn Road to municipal road standards. A location map and aerial photograph showing the subject property and the portion of Finn Road proposed to be improved are provided in Attachment 1. The subject site is zoned "Agriculture (AG1)" and is currently being farmed.

### Background

The subject property at 6808 Finn Road is classified as a "no access property" as it does not front a constructed municipal road. Road access to the general public along Finn Road is restricted west of the driveway access to the adjacent property at 6880 Finn Road (chain and lock). Only the City and the farming operation have access control to the restricted portion of Finn Road. As per the City's Official Community Plan (OCP), the portion of Finn Road along the northern portion of the subject property is identified as an "unimproved road" (Attachment 2). The road standard along Finn Road west of Gilbert Road is improved up to the driveway access of the adjacent property at 6880 Finn Road and the remaining portion of Finn Road along the subject property is unimproved with restricted access. The City only maintains the improved portion of Finn Road and does not maintain the portion of Finn Road along the subject property. Engineering has confirmed there is no active watermain west of Gilbert Road. The drainage infrastructure is maintained by the City (ditch), which is the case in unopened road corridors without improved roads in a number of locations throughout the City. Staff have also received correspondence from Agricultural Land Commission (ALC) staff confirming that this segment of Finn Road is not an improved road and that the proposal requires an ALR TUR application (Attachment 3).

As per the City's Building Regulation Bylaw No. 7230 and BC Building Code, the City cannot issue a Building Permit where a parcel does not have access to a constructed municipal road to municipal standards that meet the necessary specifications for emergency vehicle and life safety access. The purpose of the application is to improve the road to allow the property owner the flexibility to apply for Building Permits at 6808 Finn Road, including residential and agricultural buildings/structures. Constructing an improved road in the ALR on an existing right-of-way requires an ALR TUR Application to the ALC for approval. Since the existing right-of-way is City property, authorization from Council is required for the applicant to submit the application.

The City's OCP and Farming First Strategy discourage construction of new roads in the ALR due to the residential development impacts (e.g. creating residential development potential), and there are no plans to build an improved road in this area. The proposal to improve the road to municipal road standards in order to allow development is inconsistent with existing Council policies contained in the OCP and Farming First Strategy. Staff are recommending that the subject application be denied, due to the proposal being contrary to existing Council policies. Alternatively, Council also has the option to forward the application to the ALC for approval. For more information, please refer to the "Related Policies & Studies" section of this report.

**Findings of Fact**

A Development Application Data Sheet providing details about the development potential is attached (Attachment 4).

**Surrounding Development**

- To the North: Across the unimproved portion of Finn Road, a farm operation on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the East: A farm operation and single-family dwelling on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the South: A farm operation on a parcel zoned “Agriculture (AG1)” and located in the ALR, fronting Gilbert Road.
- To the West: A farm operation on a no access parcel zoned “Agriculture (AG1)” and located in the ALR.

**Related Policies & Studies**Official Community Plan / Farming First Strategy

The Official Community Plan (OCP) land use designation for the subject site is “Agriculture (AGR)”, which comprises of those areas of the City where the principal use is agriculture and food production, but may include other uses as permitted under the *Agricultural Land Commission Act* (ALCA). The OCP also identifies the portion of Finn Road along the northern portion of the subject property as an “unimproved road” (Attachment 2).

The OCP and Farming First Strategy discourage the construction of new roads in the ALR, due to the associated residential development impacts created by providing road access. Currently, the subject property is classified as a “no access property” and is not permitted to receive Building Permits (no residential development potential). As per the OCP and Farming First Strategy, farm access is still permitted to agricultural operations on sites with no direct road access (e.g. no access parcels) through the City’s existing right-of-way, which is currently the case for the subject property. However, the purpose of the subject application is to allow a portion of Finn Road to be improved in order to receive Building Permits, including both residential and agricultural buildings and structures consistent with the “Agriculture (AG1)” zone. Although the applicant has indicated that the property owner would like to build a new barn, the property owner also wishes to have the option of building a house in the future. Should Council and the ALC decide to approve the application, this would result in residential development potential on the subject site that does not currently exist.

Council Policy 5013 (Attachment 5) also provides guidance on requirements for properties fronting undeveloped roads and requires City services across the total frontage of the property for any purpose requiring a Building Permit. While the Policy indicates services should extend across the entire frontage, staff are proposing to only extend the services to the existing driveway access to avoid creating residential development potential on adjacent properties.

### Food Security and Agricultural Advisory Committee

The application was reviewed by the Food Security and Agricultural Advisory Committee (FSAAC) at its meeting held on June 10, 2021 and the FSAAC supported the applicant's proposal. An excerpt from the June 10, 2021 FSAAC meeting minutes is provided in Attachment 6.

### **Analysis**

#### Historical Land Uses

The applicant has submitted a statement of intent (Attachment 7), which indicates the property has been farmed since 1948 and used as the family's homestead until 1954. The existing barn on the property succumbed to a wind storm in December 2018. Photos of both the original homestead and the barn were provided by the applicant (Attachment 7).

While the City has no records of Building Permits being issued for the house or the barn, staff have found that historical building permit records during that time are incomplete. There is evidence that a barn was on the property based on a review of recent airphotos.

#### Proposed Land Uses

The property owner has indicated that there is no intention of selling the land and intends to continue farming the property (mixed vegetable crop), despite putting the property for sale earlier this year (the property is no longer on the market). Although the property owner has indicated that they intend to maintain ownership, the property owner still has the ability to sell the property if they wish. Staff requested that the applicant register a legal agreement to limit or prohibit construction of a residential building or sale of the property, but the property owner declined. While the applicant has indicated there is no intention to build a house at this time, the property owner wishes to have the option to do so at a later date.

The property has farm status as per BC Assessment. In addition to this property, the property owner farms approximately 400 acres in Richmond producing a variety of crops (strawberries, mixed vegetables, hay, potatoes, and forage crops) (Attachment 8). The property owner is considering replacing the barn and building a new agricultural building for the purposes of farm product and vehicle storage, in association with the property owner's farm operation.

#### Subject Application

The applicant is requesting permission from the City to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), on behalf of the property owner, to allow the construction of an improved road in the identified portion of the Finn Road right-of-way. Since the existing right-of-way is City property, authorization from Council is required for the applicant to submit the application. Should Council wish to authorize the applicant to submit the application, the applicant would be required to provide notice (ALC's Advisory for Landowners in the ALR Brochure) to all registered owners of land in the ALR that are affected, prior to the application submission.

The construction of an improved road would allow the property owner to receive Building Permits consistent with the “Agriculture (AG1)” zone, including residential and agricultural buildings and structures. Construction of a single-family dwelling would be limited to a maximum floor area of 400 m<sup>2</sup> (4,305 ft<sup>2</sup>) and a maximum farm home plate area of 1,000 m<sup>2</sup> (10,763 ft<sup>2</sup>), as per the AG1 zone. The proposed improved road would not increase development potential on any other properties.

#### Site Servicing and Frontage Improvements

Should Council and the ALC approve the application, the Property Owner would be required to enter into a Servicing Agreement with the City to construct the required segment of road and services to City standards at the Property Owner’s sole expense, prior to receiving any Building Permits. These works include, but are not limited to, construction of Finn Road from Gilbert Road to City standard (6.0 m wide road surface) and a watermain from Gilbert Road to the subject property for water service. The required servicing works and frontage improvements are described in Attachment 9.

#### **Financial Impact**

The 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**

Brian Dagneault, on behalf of the property owner of 6808 Finn Road (Bill Zylmans), has requested permission from the City of Richmond to submit an Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application to the Agricultural Land Commission (ALC), to improve a portion of Finn Road to municipal road standards.

Due to the proposal’s inconsistencies with Council policies contained in the OCP and Farming First Strategy, staff recommend that authorization to forward the subject application to the ALC be denied.



Steven De Sousa  
Planner 1

SDS:cas

- Attachment 1: Location Map & Aerial Photo
- Attachment 2: OCP Existing Status of Road Improvements in the ALR Map
- Attachment 3: Correspondence from ALC Staff
- Attachment 4: Development Application Data Sheet
- Attachment 5: Council Policy 5013
- Attachment 6: Excerpt from the June 10, 2021 FSAAC Meeting Minutes
- Attachment 7: Letter & Photos from the Applicant

June 21, 2021

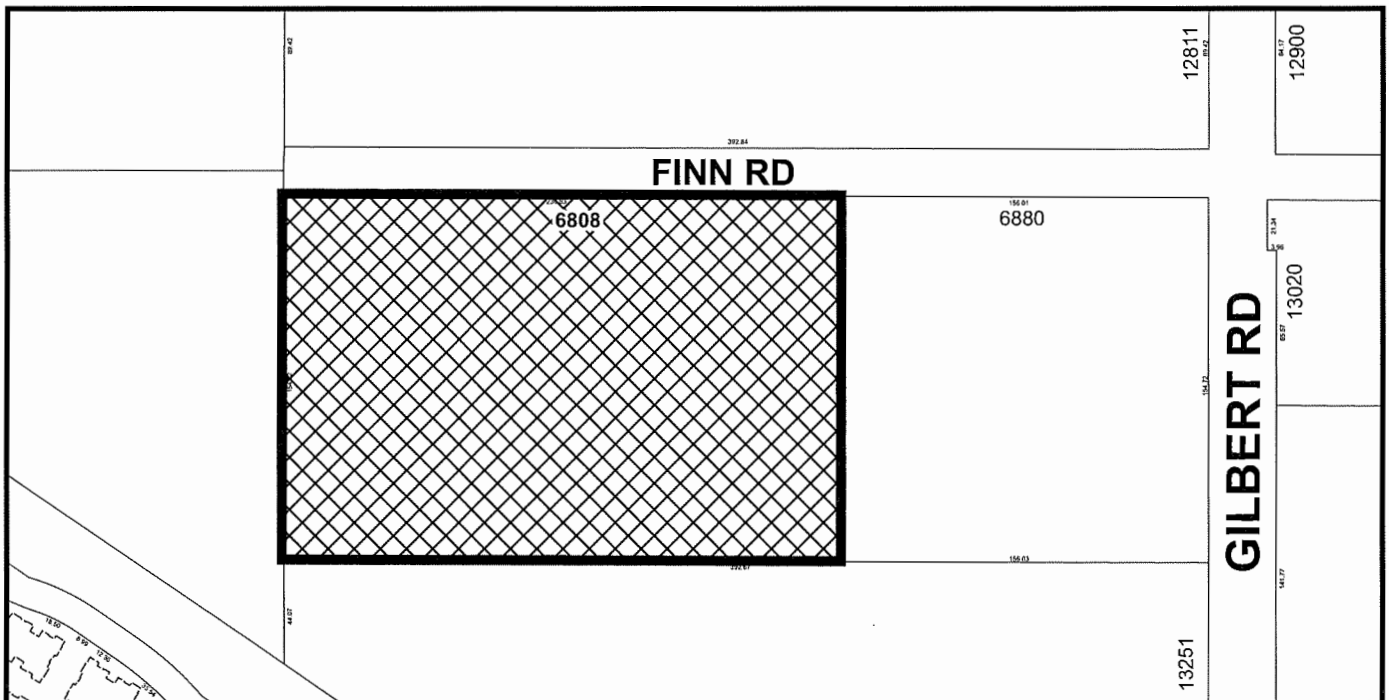
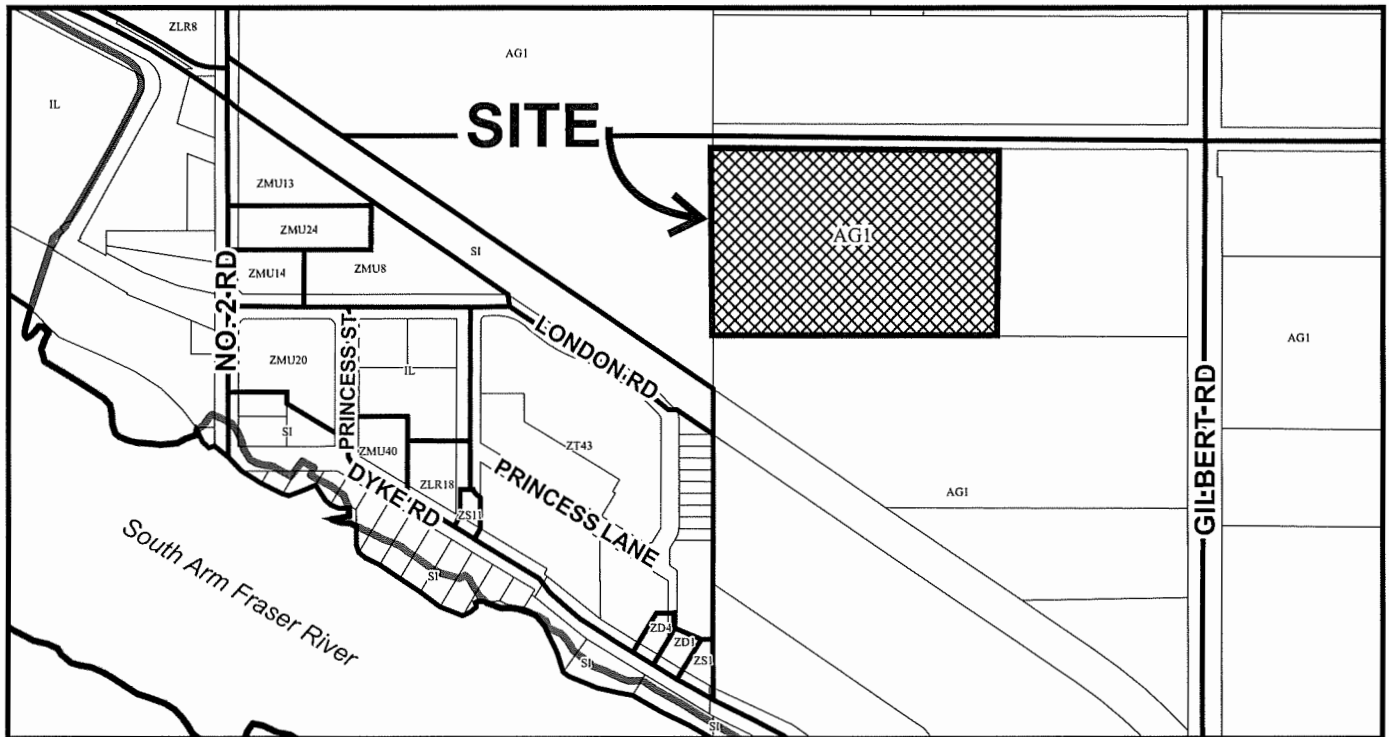
- 6 -

AG 21-933868

Attachment 8: Properties Farmed by W&A Farms Ltd.  
Attachment 9: Considerations



City of  
Richmond



AG 21-933868

PLN - 46

Original Date: 06/03/21

Revision Date:

Note: Dimensions are in METRES



City of  
Richmond



AG 21-933868

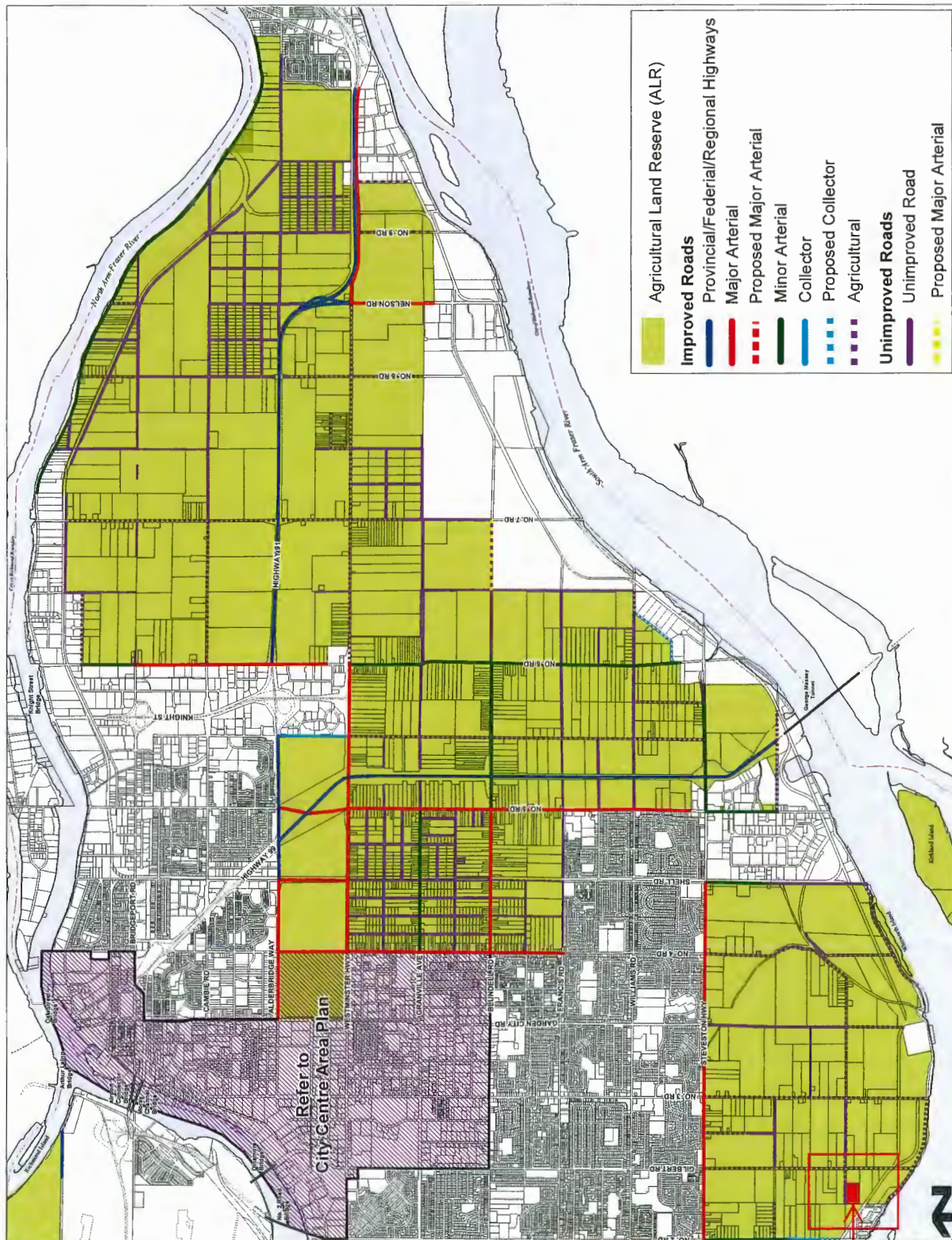
PLN - 47

Original Date: 06/03/21

Revision Date:

Note: Dimensions are in METRES

## Existing Status of Road Improvements in the ALR Map



PLN – 48

City of Richmond Official Community Plan  
Plan Adoption: November 19, 2012

**From:** [Lambie, Shannon ALC:EX](#)  
**To:** [De Sousa, Steven](#)  
**Subject:** RE: Opening roads in the ALR  
**Date:** November 18, 2020 12:17:28 PM  
**Attachments:** [image001.png](#)

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Hi Steven,

I have searched the property identified as PID: 010-890-661 and I cannot see any record of the City applying for the road. When I look on our mapping system, Finn Road does not extend the entire length.

Let me know if I can help or provide any further information.

Best regards,  
Shannon



**From:** [Lambie, Shannon ALC:EX](#)  
**To:** [De Sousa, Steven](#)  
**Subject:** Roads  
**Date:** November 18, 2020 1:57:50 PM

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Hi Steven,

As per our conversation, the regulations permit some road construction, detailed below, but I don't think the proponent meets the criteria. If not they would have to make a TUR application (also detailed below). Let me know if I can provide any further information, and I will let you know if I learn anything else.

### **ALC Use Regulations**

Roads

18 The use of agricultural land for any of the following purposes is permitted and may not be prohibited as described in section 14:

- (a) constructing and upgrading roads within a dedicated right of way that has a constructed road bed for vehicular access and use;
- (b) upgrading an existing road that has vehicular access and use and that is declared to be a highway under section 42 of the Transportation Act;
- (c) widening an existing constructed road within a right of way
  - (i) to ease one curve, or
  - (ii) if the right of way width is 24 m or less, for safety or maintenance purposes or for drainage or flood control works;
- (d) declaring as a forest service road an existing road under the Forest Act or a new road in a managed forest;
- (e) increasing the width of a forest service road within a right of way by up to 4 m if the right of way width is
  - (i) 30 m or less, if the forest service road is located on Crown land, or
  - (ii) 20 m or less, in any other case;
- (f) constructing and upgrading a road, and conducting related works, for the purpose of realigning Highway 29 between Hudson's Hope and Charlie Lake, to the extent necessary to
  - (i) construct the dam and hydroelectric generating station on the Peace River known as the Site C Clean Energy Project, and
  - (ii) address potential adverse effects on the highway arising from the operation of the dam and generating station referred to in subparagraph (i).

### **ALC Act**

Transportation and utility use applications

**22** (1) For the purposes of section 34 (1) (d) [*local government or first nation government review not required*] of the Act, an application for any of the following uses must, unless the use is permitted under the Agricultural Land Reserve Use Regulation, be filed directly with the commission:

- (a) construction for the purpose of widening an existing road right of way;
  - (b) construction of a road within an existing right of way;
  - (c) construction of any of the following:
    - (i) a new road, railway or recreational trail;
    - (ii) a new forest service road under the *Forest Act*;
    - (iii) a utility corridor use;
    - (iv) a sewer or water line other than for ancillary utility connections;
  - (d) a new use of an existing right of way for a recreational trail.
- (2) If the applicant is not the owner of the agricultural land that is the subject of the application, the applicant must give notice of the application to the owner within the period stated by the commission.



AG 21-933868

Attachment 4

Address: 6808 Finn Road

Applicant: Brian Dagneault, on behalf of Bill Zylmans

Planning Area(s): Gilmore

	Existing	Proposed
Owner:	Bill Zylmans	No change
Site Size:	36,550 m <sup>2</sup> (9.03 acres / 3.66 ha)	No change
Land Uses:	Agriculture	No change
OCP Designation:	Agriculture (AGR)	No change
Zoning:	Agriculture (AG1)	No change

	Bylaw Requirement	Proposed	Variance
Floor Area:	Max. 400 m <sup>2</sup> (4,305 ft <sup>2</sup> )	To be determined	None permitted
Farm Home Plate – Area:	Max. 1,000 m <sup>2</sup> (10,763 ft <sup>2</sup> )	To be determined	None
Farm Home Plate – Setback:	Max. 75 m	To be determined	None
Farm House Footprint:	Max. 60%	To be determined	None
Single Detached Housing Building – Setback:	Max. 50 m	To be determined	None
Setbacks:	Front: Min. 6.0 m Rear: 10.0 m Side: 1.2 m Other Side: 6.0 m	To be determined	None
Height:	Max. 2 storeys (9.0 m)	To be determined	None



Page 1 of 1	<b>Property Fronting Undeveloped Roads – Construction Requirements</b>	<b>Policy 5013</b>
	Adopted by Council: September 8, 1980 Re-affirmed: July 27, 1998	

## **POLICY 5013:**

It is Council policy that:

Prior to property being utilized for any purpose requiring a building permit, the following requirements must be met:

1. The property must be legally registered as a single parcel of land in the Land Title Office.
2. The property must have frontage on a public road right-of-way containing City services across the total frontage of the property to the required standards for the zone and sized for future extensions. The services must be extended or improved to meet this criterion.
3. Where extensions of existing roads will open or will effectively service other properties, such extensions must receive Council approval.
4. A lot which is the site of an existing dwelling unit may be used as a site for a replacement dwelling, although the lot does not meet the requirements of this policy.
5. If the required services do not exist, they must be provided at the cost of the applicant.
6. This policy applies to all City zones.

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

**Thursday, June 10, 2020 – 7:00 p.m.  
Webex**

**ALR Transportation, Utility & Recreational Trail Use Application – 6808 Finn Road**

Steven De Sousa, Planner 1, Policy Planning, introduced the Agricultural Land Reserve (ALR) Transportation Utility & Recreational Trail Use (TUR) Application at 6808 Finn Road and provided the following comments:

- The subject property is classified as a “no access parcel” as it does not front a constructed municipal road;
- There are many no access parcels in the ALR in Richmond, which are permitted to have farm access and be farmed, but as per the City’s Building Regulation Bylaw, are not permitted to receive Building Permits as they do not meet the requirements for emergency vehicle and life safety access;
- The City’s Official Community Plan and Farming First Strategy discourage the construction of new roads in the ALR due to the residential development impacts as a result of the road construction;
- The proposal to upgrade a portion of Finn Road to be able to receive Building Permits on the subject property is inconsistent with the policies contained in the OCP and Farming First Strategy;
- The proposal does have the potential of setting a precedent for other no access properties in the ALR to submit similar requests; and
- Should Council and the ALC decide to approve the application, the property owner would be required to enter into an agreement with City to construct the required servicing and road works at the property owner’s cost, prior to issuing any Building Permits.

Brian Dagneault, Applicant, and Bill Zylmans, Property Owner, provided the following comments:

- The property has been farmed since 1948 and used as the family’s homestead until 1954. The existing barn on the property succumbed to a wind storm in 2018 and was removed in 2019. Photos have been provided of both the homestead and the barn;
- There is no intention of selling the land and the intention is to continue farming the property;
- Finn Road has always been used as the primary access to the property and continues to be the sole access to the farm operation;
- The property owner is considering building a new barn on the property for the purposes of farm product and vehicle storage; and

- The proposal has a unique context compared to other no access properties in the ALR, as it has been the primary access for both residential and agricultural purposes for many years.

In response to questions from the Committee, the property owner provided details on the decommissioning of the home, the decision to continue farming and not sell the property, and the role of this property in the overall farming operation.

Discussion ensued regarding the greater issue of no access parcels in the ALR and the potential residential development impacts of new road construction in these areas. The Committee noted the uniqueness and historical context of the subject proposal, but also acknowledged that the greater issue will need to be addressed in the future.

The Committee passed the following motion:

*That the Food Security and Agricultural Advisory Committee support the Agricultural Land Reserve Transportation Utility & Recreational Trail Use Application at 6808 Finn Road (AG 21-933868).*

*Carried Unanimously*

**DAGNEAULT PLANNING CONSULTANTS LTD.**

By Email

April 29, 2021

File No. 318

City of Richmond  
6911 No. 3 Road  
Richmond British Columbia V6Y 2C1  
Canada

**RE: 6808 FINN ROAD, RICHMOND, B.C.**

ATT: Steven De Sousa

Dear Steven,

You are in receipt of correspondence from Ms. Kim Grout, CEO of the Agricultural Land Commission advising that they have no requirement for Finn Road to be upgraded to allow for the approval of a Building Permit on the subject property. Finn Road has provided the only access to this farm property since 1948 and continues this function to this day.

The subject property has been continuously owned and farmed by the Zylmans family since 1948. The original house on the farm was the family homestead and was home to the Zylmans until 1954. After that time it was used to house farm workers until it was decommissioned in the early 1970s. The property was also occupied by a barn and other typical farm buildings. The barn was used to stable horses and cows, and eventually converted to storage for both hay and potatoes. The barn succumbed to a wind storm in December 2018 and the debris was removed in March of 2019. Photos of both the barn and home are attached.

Mr. Zylmans has no intention of selling this land and intends to continue farming this property and producing an mixed vegetable crop that is rotated annually as part of the overall farm plan that has been the practice for the last 73 years. In addition to this property Mr. Zylmans farms an additional 15 parcels including approximately 400 acres in Richmond producing a variety of crops including strawberries, mixed vegetables, hay, potatoes and forage crops. With the loss of the barn on this property Mr. Zylmans is considering constructing a new barn that can be used for crop storage or parking farm vehicles which are often subject to vandalism when left parked in the field unprotected. As a Building Permit will be required for this new barn, Mr. Zylmans will need City approval and we understand that the City will require that a Transportation, Utility, and Recreational Trail Use application to the ALC is required which, if approved, would allow Finn Road to be upgraded to the appropriate municipal standard.

By way of this letter we wish to formally request that the City of Richmond submit on behalf of Mr. Zylmans to the ALC a Transportation, Utility and Recreational Trail Use application. We understand that Mr. Zylmans will be responsible for the \$1,500 application fee.

We are aware that the City of Richmond has a policy that discourages the extension of non-improved roads in the ALR and understand the rational for this policy. The policy, as we understand it, is intended to prevent the opening of roads that have never been used for any kind of traffic, farm or otherwise and could result in the access to properties that have never had historical access to them and could result in undesirable development on otherwise previously inaccessible lands.

This rational, however, does not apply to this scenario. Finn Road has provided the sole access continuously and without interruption to the Zylmans farm for the last 73 years and served as access to not only the farmlands but to their home and farm buildings. During that time period this section of road has been improved by the city with asphalt paving, drainage, water and hydro to and beyond the access point to the site. This road has continually withstood the heavy farm equipment and truck traffic and remains in good serviceable condition. It is anything but "non-improved". Considering this portion of Finn Road as a non-access road would technically eliminate the ability of Mr. Zylmans to continue to farm this land.

We trust this provides you with the information that has been previously requested but should you require additional information please do not hesitate to contact the writer at any time. We also presume you will provide us with any direction required to formalize the application.

Yours truly,

**DAGNEAULT PLANNING CONSULTANTS LTD.**



Brian L. Dagneault MCIP, RPP

Cc: Mr. W. Zylmans

Att: Historical Building Photos  
2021 B.C. Assessment Notice with Farm Designation  
Correspondence from the ALC

D A G N E A U L T   P L A N N I N G   C O N S U L T A N T S   L T D.

**PLN – 57**

**Photos provided by the Applicant**

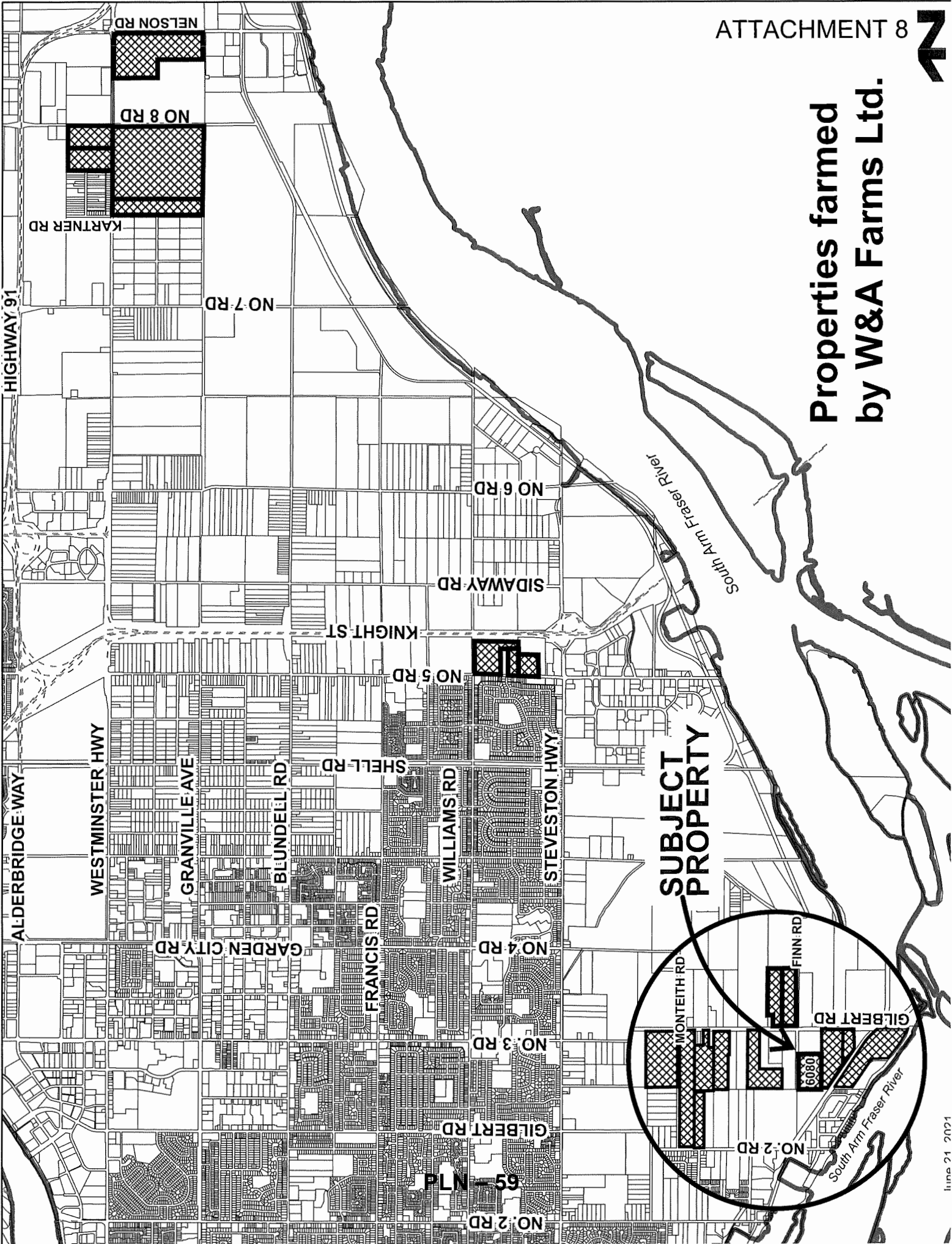


Photo of the homestead



Photo of the barn

Properties farmed  
by W&A Farms Ltd.





**City of  
Richmond**

**ALR TUR Considerations**  
Development Applications Department  
6911 No. 3 Road, Richmond, BC V6Y 2C1

**Address:** 6808 Finn Road

**File No.:** AG 21-933868

**Prior to Building Permit Issuance, the property owner is required to complete the following requirements:**

1. Council and Agricultural Land Commission (ALC) approval of the Agricultural Land Reserve (ALR) Transportation, Utility, and Recreational Trail Use (TUR) Application.
2. Enter into a Servicing Agreement\* for the design and construction of required site servicing and frontage improvements associated with the proposed extension of Finn Road west of Gilbert Road to the driveway access of 6808 Finn Road to the satisfaction of the Director of Engineering. 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 are required at the property owner's cost and include, but may not be limited to, the following:

*Frontage Improvements:*

- 6.0 m wide road surface: road to be widened from the Gilbert Road intersection to the existing driveway access at 6880 Finn Road. Applicant to verify existing road construction and, if it is not in accordance with City Engineering Specifications, existing road to be reconstructed. Remaining portion from the existing driveway access at 6880 Finn Road to the existing driveway access of 6808 Road to be constructed. Survey and geotechnical assessment required to confirm whether impacts to the existing ditch can be avoided, and if not, the applicant must produce a design to address the existing ditch.
- The pavement structure shall satisfy the City's local road standard, per the OCP Road Classification Map.
- The applicant will be required to submit a road design for the City's review.
- Driveway to access 6808 Finn Road would require a Water Course Crossing Permit\* and design to build a culvert over the ditch.

*Water Works:*

- Construction of a watermain from Gilbert Road to the property, to provide water service to the property.
- Potential requirement for a new fire hydrant as determined by the City's Fire Department.

*Storm Sewer Works:*

- Storm sewer upgrade or alternate drainage infrastructure may be required if impacts to the existing watercourses cannot be avoided as result of road construction.
- The existing watercourses shall be maintained wherever possible.

*Sanitary Sewer Works:*

- Sanitary sewer upgrade shall not be provided to the subject property as it is located outside the regional sewerage boundary.
- Septic system to be provided 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.

- 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 copy on file]

Signed \_\_\_\_\_

Date \_\_\_\_\_