



City of Richmond

Report to Committee Planning and Development Division

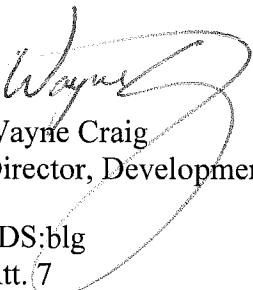
To: Planning Committee
From: Wayne Craig
Director, Development

Date: March 6, 2017
File: RZ 16-743867


Re: Application by Mickey Chow for Rezoning at 9680 Aquila Road from Single Detached (RS1/E) to Residential Child Care (RCC)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9685, for the rezoning of 9680 Aquila Road from "Single Detached (RS1/E)" to "Residential Child Care (RCC)", be introduced and given first reading.


Wayne Craig
Director, Development

SDS:blg
Att. 7

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Community Social Development	<input checked="" type="checkbox"/>	 FOR DOF [unclear]

Staff Report

Origin

Mickey Chow has applied to the City of Richmond for permission to rezone the property at 9680 Aquila Road from the “Single Detached (RS1/E)” zone to the “Residential Child Care (RCC)” zone, to accommodate a licensed child care facility for a maximum of 16 children (Attachment 1). The site is currently occupied by a single-family dwelling, which will be demolished. A site survey is included in Attachment 2.

The existing single-family dwelling on the subject property currently accommodates a licensed child care facility for a maximum of 10 children, which is permitted under the existing “Single Detached (RS1/E)” zone. Rezoning is required in order to accommodate the proposed child care facility for a maximum of 16 children.

The applicant is proposing to demolish the existing single-family dwelling and construct a new single-family dwelling; with the ground floor dedicated to child care space and the second floor used for residential purposes only (Attachment 3). Registration of a legal agreement on Title to ensure that all habitable floor area on the ground floor is used for child care purposes only is required prior to final adoption of the rezoning bylaw.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the site is as follows:

To the North & South: Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Aquila Road.

To the East: Single-family dwellings on lots zoned “Single Detached (RS1/E)” fronting Anahim Drive.

To the West: Across Aquila Road, McNair Secondary School on a lot zoned “School & Institutional Use (SI)”.

Related Policies & Studies

Official Community Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential” (NRES), which supports child care facilities. The proposed rezoning would comply with this designation.

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.

Richmond Child Care Needs Assessment and Strategy

The Richmond Child Care Needs Assessment and Strategy provides a comprehensive review and analysis of Richmond's city-wide child care needs from 2009 to 2016. The applicant's proposal addresses the need for child care spaces as identified in the Strategy. Community Social Development staff are currently conducting an update to the Strategy, which is anticipated to be presented to Council in the spring of 2017 for consideration.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant 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*.

Vancouver Coastal Health

The proposal was referred to Vancouver Coastal Health (VCH), which administers child care facility licensing programs, and reviews applications to ensure health, safety and care requirements. VCH Child Care Facility Licensing staff commented that the proposal meets licensing requirements and there are no concerns with the proposal.

Analysis**Legal Encumbrances**

There is an existing 3.0 m wide statutory right-of-way (SRW) registered on Title for utilities (sanitary sewer) along the rear of the property. However, the existing inspection chamber is outside the existing SRW. Prior to final adoption of the rezoning bylaw, the applicant must provide a new 3.0 m wide utility SRW in the northeast corner of the lot; extending from the east property line to 1.0 m past the inspection chamber. The existing and new SRWs will not be impacted by the proposed development and encroachment into the SRWs is not permitted.

Zoning

The proposed "Residential Child Care (RCC)" zone allows child care as a permitted use within single-family dwellings. The zone is modelled after the standard single-family zones; with the primary difference being that it allows an increase in the number of children permitted in the

child care facility, from 10 to 16. The zone would allow for a maximum house size of 323.5 m² (3,482 ft²) to be constructed on the subject property. The proposed redevelopment would comply with the requirements of the “Residential Child Care (RCC)” zone.

BC Building Code

As per the BC Building Code, the child care space on the ground floor and the residential space on the second floor have different classifications and as a result, different code requirements, with the child care use requiring a higher level of fire and life safety protection. The applicant has provided a Code Report prepared by a Professional Engineer that demonstrates compliance to the BC Building Code for both portions of the proposed structure. The proposal includes fire-resistant building materials, a fire alarm and sprinkler system throughout the entire building, and separate dedicated access to the residential area.

The City’s Building Approvals Department have reviewed the Code Report and find the report satisfies their requirements. Compliance to the BC Building Code will be ensured at the Building Permit stage.

Parking

Based on the proposal, the Zoning Bylaw requires a total of seven vehicle parking spaces to be provided on-site; three spaces for staff, two spaces for visitors and two spaces for residents. The applicant proposes to provide two spaces in an enclosed garage and the remaining five spaces in front of the proposed single-family dwelling (Attachment 3).

Bicycle parking will be provided in accordance with the Zoning Bylaw; one Class 1 stall will be provided in a secured area in the garage and four Class 2 stalls will be provided in an accessible area in the front yard, near the entry of the proposed child care facility.

Landscaping

In order to screen the required vehicle parking from the street, the applicant is proposing to provide a 3 m wide landscaped buffer between the front lot line and the parking area (Attachment 5). The landscaped buffer will consist of trees, shrubs, flowers and a 1.2 m high cedar fence.

To ensure the proposed landscaping works are undertaken, the applicant will be required to provide a Landscaping Security in the amount of \$5,000 prior to final adoption of the rezoning bylaw. Securities will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the security for a one year maintenance period from the date of the landscape inspection.

Tree Retention and Replacement

A Certified Arborist’s Report was submitted by the applicant; which identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses five trees located on the subject site, two trees located on neighbouring properties, and one City-owned tree.

The Arborist’s recommendations include retaining two trees on-site (tag# 5 & 6), two trees on the neighbouring property (tag# 7 & 8) and one City-owned tree (tag# 1), and removing three trees on-site (tag# 2, 3 & 4) in poor condition. Staff have reviewed the Arborist’s Report, conducted an on-site visual tree assessment, and concur with the Arborist’s recommendations.

Tree Protection

The proposed Tree Management Diagram is shown in Attachment 6, which outlines the protection of the two trees on-site; two trees on the neighbouring property; and one City-owned tree. Prior to the demolition of the existing dwelling on the subject site, the applicant is required to install tree protection fencing around all trees to be retained, in accordance with the City’s Tree Protection Information Bulletin TREE-03.

To ensure the protection of the five trees (tag# 1, 5, 6, 7 & 8), the applicant is required to complete the following prior to final adoption of the rezoning bylaw:

- Submission to the City of a contract with a Certified Arborist for supervision of all works conducted within or in close proximity to tree protection zones.
- Submission of a Tree Survival Security to the City in the amount of \$20,000 for the two on-site trees to be retained.
- Submission of a Tree Survival Security to the City in the amount of \$3,100 for the one City-owned tree to be retained.

Tree Replacement

For the removal of the three trees on-site, the Official Community Plan (OCP) tree replacement ratio goal of 2:1 requires a minimum of six replacement trees to be planted and maintained on the proposed lots. The applicant has proposed to plant and maintain six replacement trees on the subject lot.

As per Tree Protection Bylaw No. 8057, based on the sizes of the on-site trees being removed (26, 33, 34 cm dbh), replacement trees shall be the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	or	Minimum Height of Coniferous Replacement Tree
2	6 cm		3.5 m
4	8 cm		4 m

To ensure the six replacement trees are planted on-site at development stage, the applicant will be required to provide a Landscape Security. Additional information is provided in the “Landscaping” section of this report.

Site Servicing and Frontage Improvements

At Building Permit stage, the applicant is required to pay the costs associated with the completion of the required servicing works as described in Attachment 7.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this rezoning application is to rezone the property at 9680 Aquila Road from the "Single Detached (RS1/E)" zone to the "Residential Child Care (RCC)" zone, to accommodate a licensed child care facility with a maximum of 16 children.

This rezoning application complies with the land use designations and applicable policies contained within the OCP for the subject site.

The list of rezoning considerations is included in Attachment 7, which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9685 be introduced and given first reading.



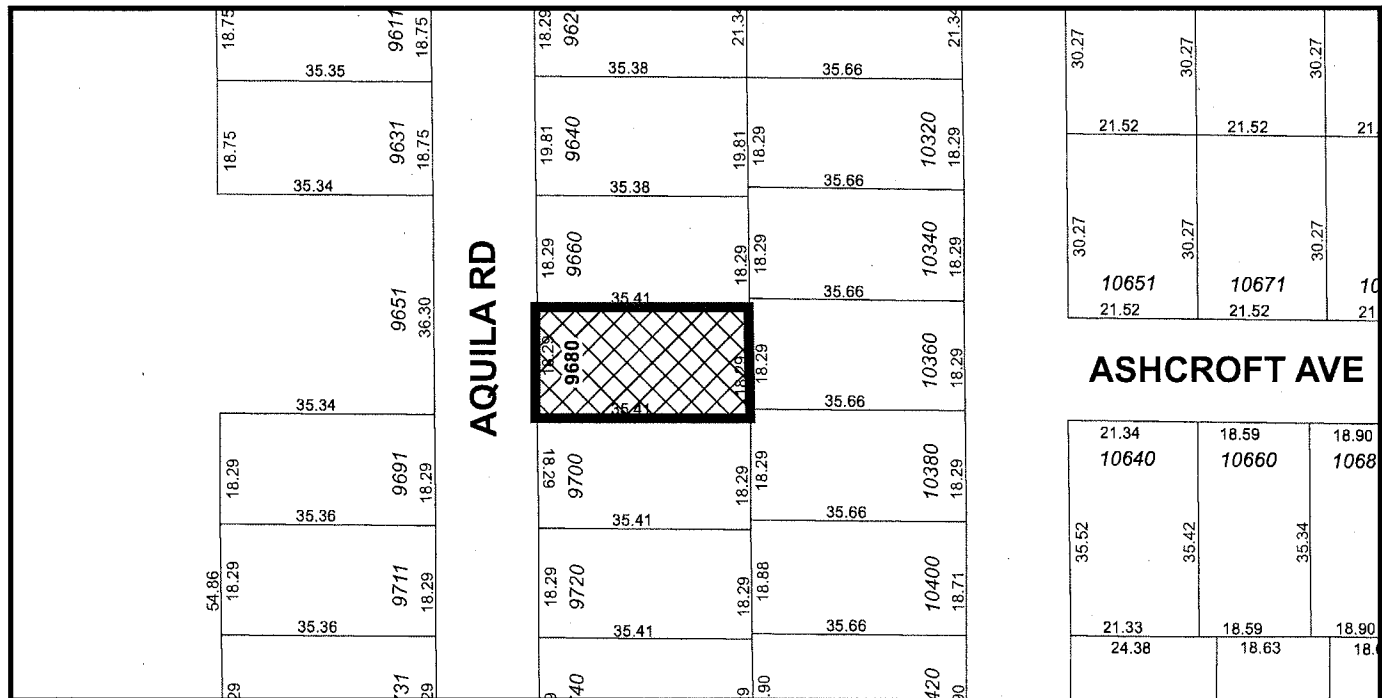
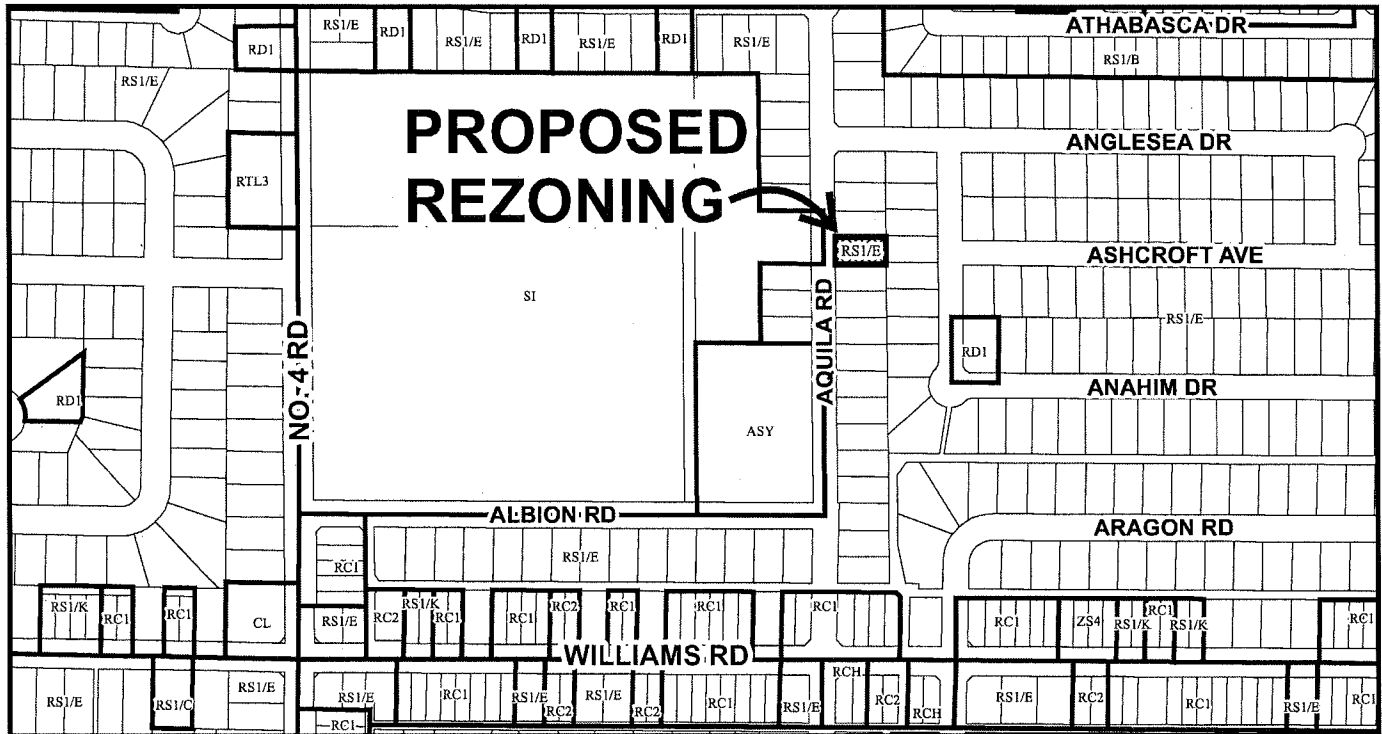
Steven De Sousa
Planning Technician – Design
(604-276-8529)

SDS:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Legal Survey
- Attachment 3: Proposed Site Plan
- Attachment 4: Development Application Data Sheet
- Attachment 5: Landscape Plan
- Attachment 6: Tree Management Plan
- Attachment 7: Rezoning Considerations



City of
Richmond



	<h1>RZ 16-743867</h1>	<p>Original Date: 09/27/16</p> <p>Revision Date:</p> <p>Note: Dimensions are in METRES</p>
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City of
Richmond



RZ 16-743867

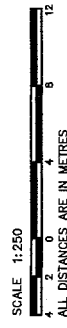
Original Date: 09/27/16

Revision Date:

Note: Dimensions are in METRES

**ELEVATION PLAN OF LOT 45
SECTION 26 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT PLAN 32239**

CIVIC ADDRESS:
9680 Aquila Street
RICHMOND B.C.
PID: 003-961-770



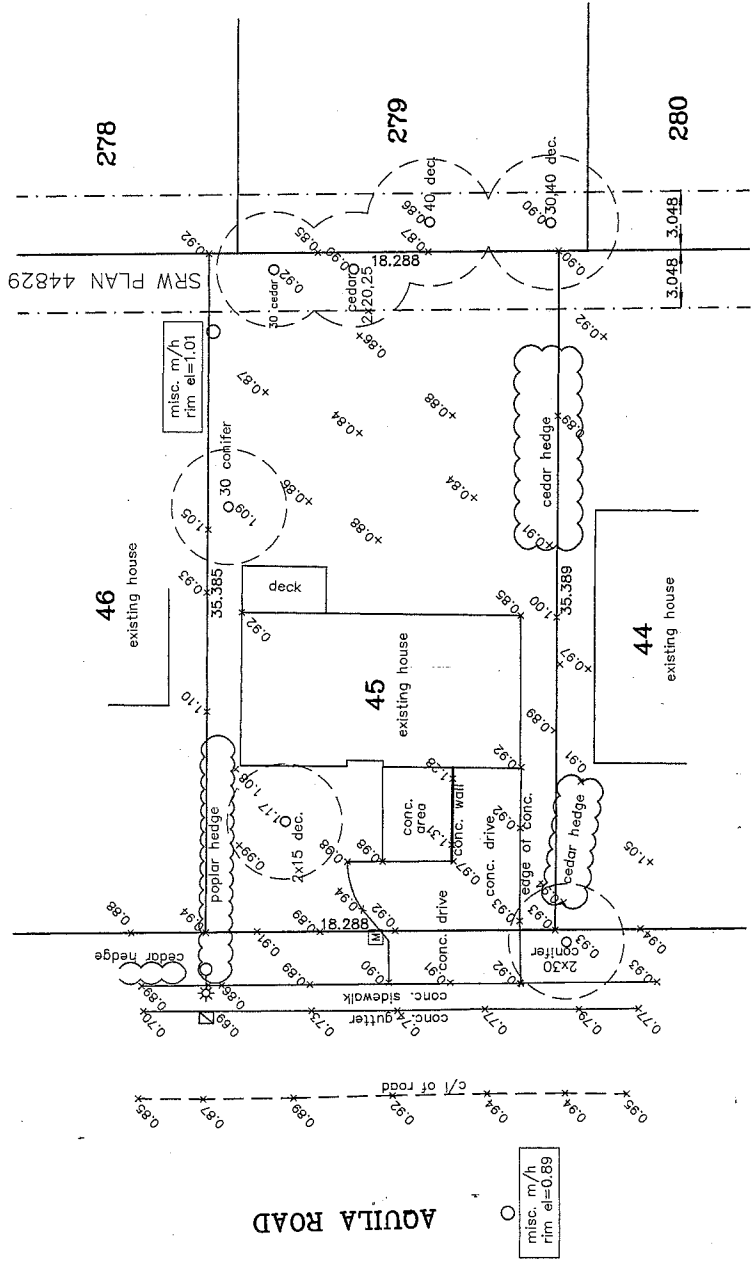
SURVEY LEGEND

dec.	DECIDUOUS
■	LEAD PLUG
□	CATCH BASIN
*-O	LAMP POST
▣	WATER METRE

ZONING CODE: RS1/E
LOT AREA= 6965 s.f.



PLN - 53



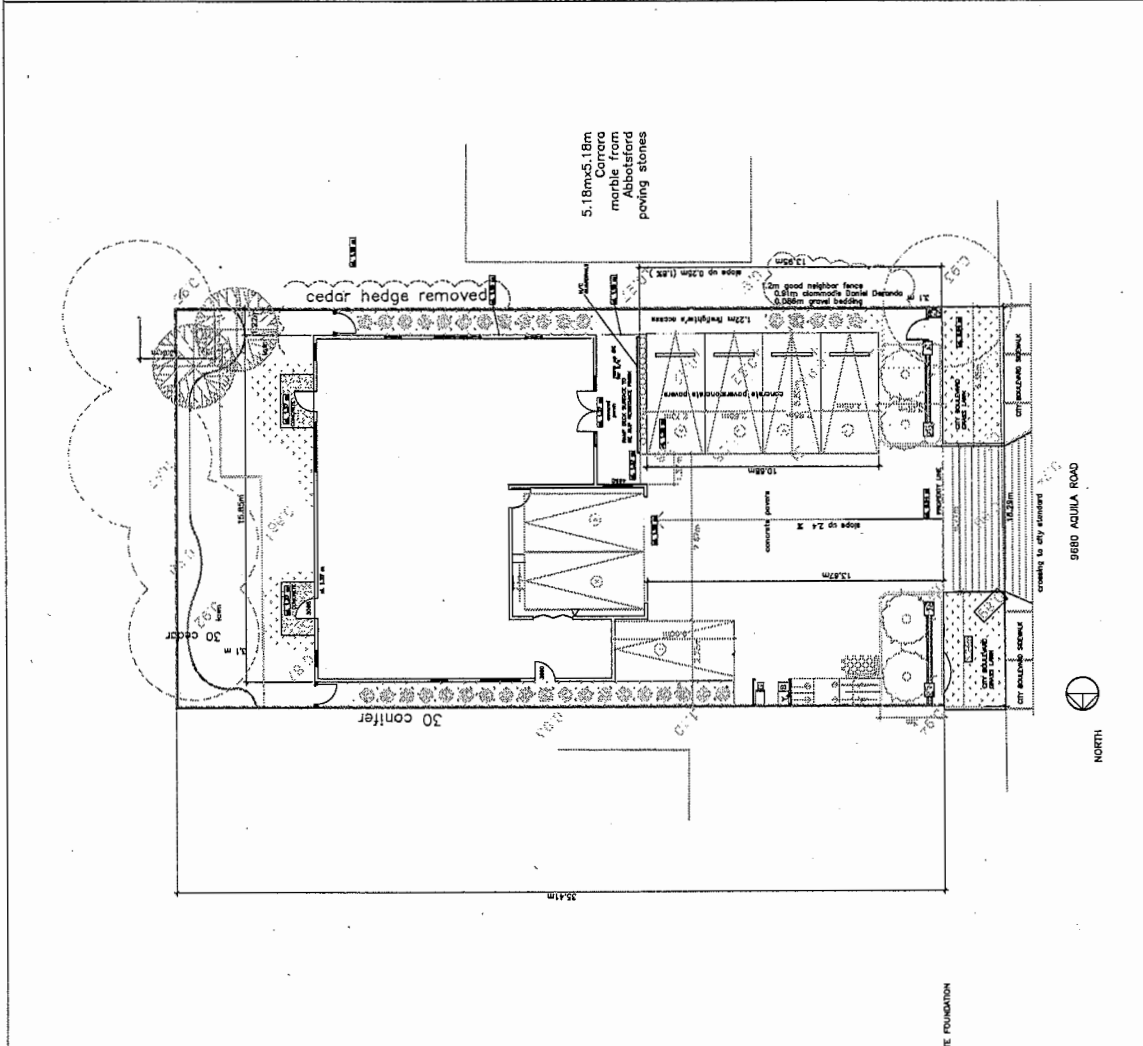
JAMES CHENG LAND SURVEYING LTD
B.C. Land Surveyor
#35-6736 Southpoint Drive
Burnaby B.C. V3N0A4
(604) 786-8870
jlandsurveying@gmail.com
FILE: 16-70-TP

NOTES:
1) Elevations are in metres and are geodetic.
2) Elevations are derived from City of Richmond HPN Monument #205(77H4827) el=1.044.
3) This Plan was prepared for architectural design and site servicing purposes, and is for the exclusive use of our client.

Dated This 16th Day of
June, 2016.

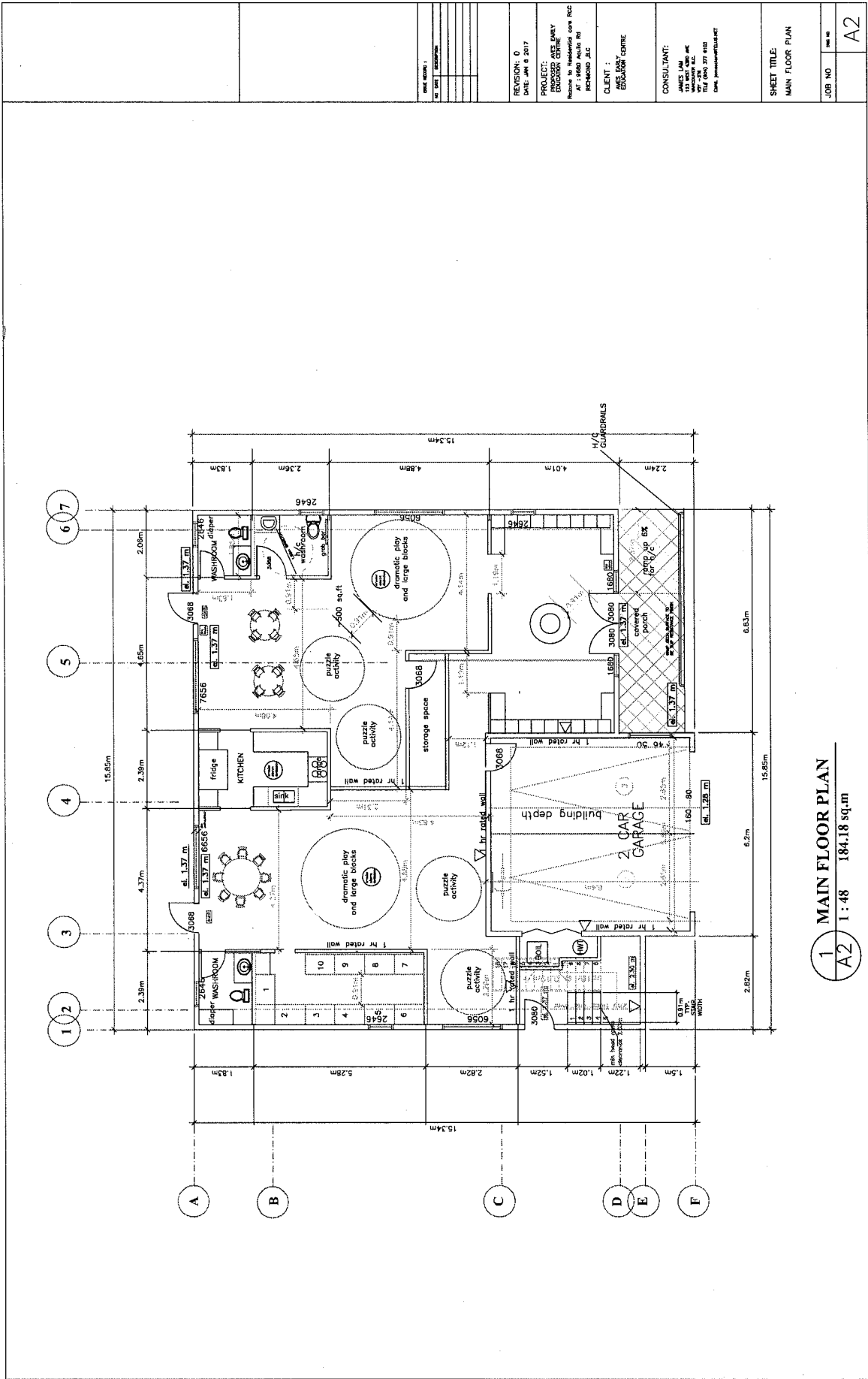
JAMES CHENG B.C.L.S.

DATE: 17/11/2017	REVISION: 1
PROJECT: RESZONE TO RESIDENTIAL CARE ROCC	CLIENT: ABBOTSFORD CENTRE
CONTRACT NO: 17-11-001	CONSULTANT: JAMES LAM ARCHITECTS INC.
PROJECT ADDRESS: 9680 AQUILA ROAD, RICHMOND, B.C.	DATE: 17/11/2017
DRAWN BY: J.LAM	CHECKED BY: J.LAM
SCALE: 1:200	SHEET TITLE: SITE PLAN
JOB NO: 17-11-001	JOB NO: A1



SUMMARY Rezzone to Residential care ROCC 9680 Aquila Road, Richmond, BC ELEVATION PLAN LOT 45 SECTION 26 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 32239	
LOT SIZE:	647 sq.m (6965 sq.ft)
ALLOWABLE F.A.R.:	323.5 sq.m (3482 sq.ft)
FIRST FLOOR AREA:	184.18 sq.m
SECOND FLOOR AREA:	132.31 sq.m
TOTAL FLOOR AREA:	316.49 sq.m
FLOOR AREA RATIO:	316.49/647 (49%)
LOT COVERAGE:	223.24 sq.m (35%)
BUILDING STRUCTURES & NON-POROUS SURFACES:	448.21 sq.m (69%)
LANDSCAPING LIVE MATERIAL:	198.79 sq.m (31%)
SETBACKS:	
FRONT:	13.67m
SIDE:	1.27m
REAR:	5.38m
PARKING (7 STALLS):	29.26 sq.m
2 GARAGE PARKING STALLS:	73.87 sq.m
5 EXTERIOR PARKING STALLS:	103.13 sq.m
TOTAL PARKING COVERAGE:	

ALL WORK TO BE OF FIRST CLASS WORKMANSHIP IN ACCORDANCE WITH THE BC BUILDING BY-LAWS
 ALL PLUMBING WORK SHALL COMPLY WITH THE BC PLUMBING CODE
 ALL ELECTRICAL WORK SHALL COMPLY WITH THE BC ELECTRICAL CODE
 ALL EXISTING WORK TO BE PRESERVED FROM THE INSIDE WITHOUT USE OF KEY
 DAY CARE CENTRE TO BE INSTALLED TO BE INSTALLED IN ACCORDANCE WITH THE BC DAY CARE ACT
 DAY CARE CENTRE TO BE INSTALLED TO BE INSTALLED IN ACCORDANCE WITH THE BC DAY CARE ACT
 ALL WALLS TO BE FINISHED WITH 13.5 X 13.5 X 12.5 CM CERAMIC TILE ON 1/2" GYP BOARD
 ALL FLOORS TO BE FINISHED WITH 13.5 X 13.5 X 12.5 CM CERAMIC TILE ON 1/2" GYP BOARD
 ALL CEILING TO BE FINISHED WITH 13.5 X 13.5 X 12.5 CM CERAMIC TILE ON 1/2" GYP BOARD
 ALL CEILING SHALL BE CLEAN AND ATTRACTIVE
 SUPPLY AND INSTALL A WATER SMOKE AND HEAT DETECTOR TO BE INSTALLED IN ACCORDANCE WITH THE BC FIRE CODE
 SUPPLY AND INSTALL A SMOKE DETECTOR TO BE INSTALLED IN ACCORDANCE WITH THE BC FIRE CODE
 SUPPLY AND INSTALL A SMOKE DETECTOR TO BE INSTALLED IN ACCORDANCE WITH THE BC FIRE CODE

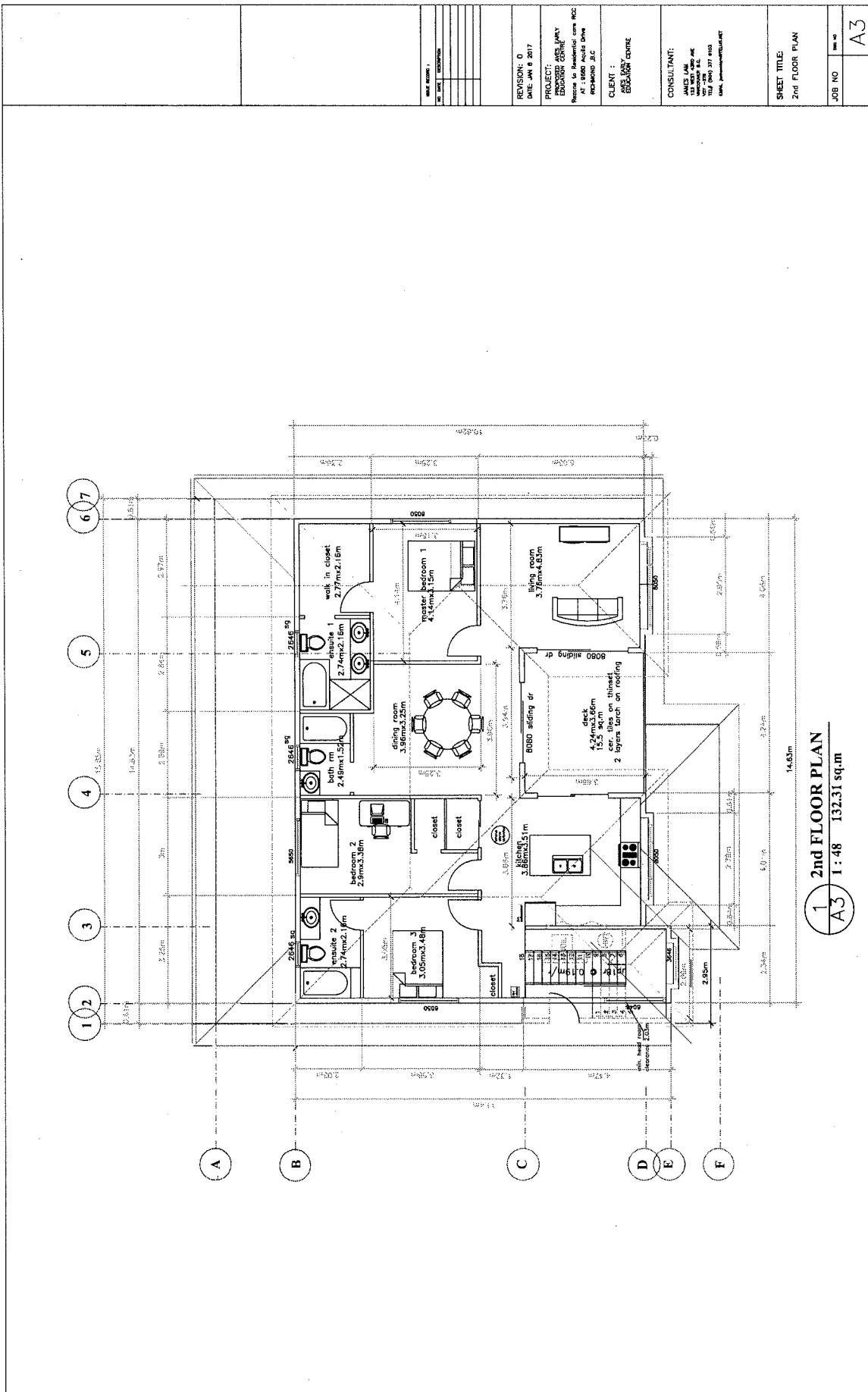


PLN - 55

1 MAIN FLOOR PLAN
A2 1:48 184.18 sq.m

A2

REVISION: 0	DATE: JAN 6 2017
PROJECT: PROPOSED ACTIVITY	PROPOSED ACTIVITY
CLIENT: MRS. EASY EDUCATION CENTRE	CLIENT: MRS. EASY EDUCATION CENTRE
CONSULTANT: MRS. EASY EDUCATION CENTRE	CONSULTANT: MRS. EASY EDUCATION CENTRE
ADDRESS: 111 WEST 43RD AVE	ADDRESS: 111 WEST 43RD AVE
TEL: (416) 291-8100	TEL: (416) 291-8100
WWW: www.mrs.easy.com	WWW: www.mrs.easy.com



NO.	DATE	DESCRIPTION

REVISION: 0
DATE: JAN 6 2017

PROJECT:
EDUCATOR COMMUNITY
Residence to Residential Care RCC
AT : 18600 Avoca Drive
Peachland, B.C.

CLIENT :
EDUCATOR CENTRE

CONSULTANT:
JAMES LAM
113 WEST 4TH AVE
VANCOUVER, BC V6C 1A5
TEL: 604 681 3711 FAX:
EMAIL: jlam@jlam.ca

SHEET TITLE:
2nd FLOOR PLAN

JOB NO. SCALE: AS SHOWN

A3



RZ 16-743867

Attachment 4

Address: 9680 Aquila Road

Applicant: Mickey Chow

Planning Area(s): Shellmont

	Existing	Proposed
Owner:	C. Chow & S. Guo	No change
Site Size:	647 m ² (6,965 ft ²)	No change
Land Uses:	Single-family residential and child care	No change
OCP Designation:	Neighbourhood Residential	Complies
Zoning:	Single Detached (RS1/E)	Residential Child Care (RCC)
Number of Units:	1	1
Child Care:	10 children	16 children

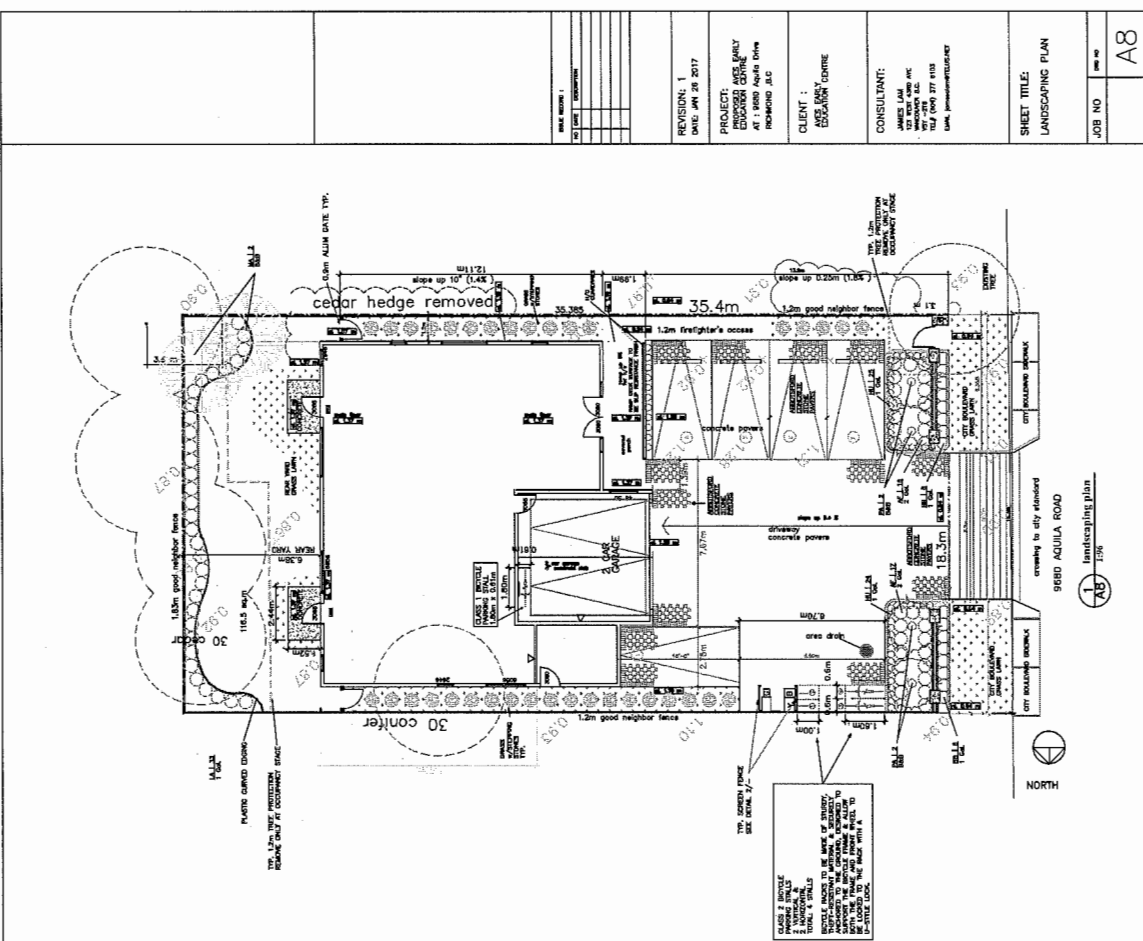
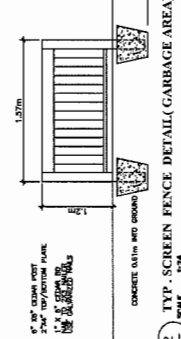
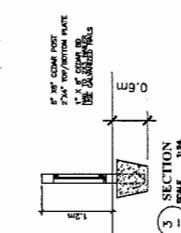
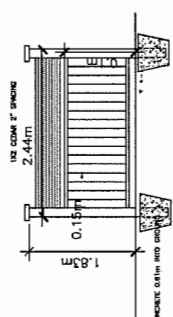
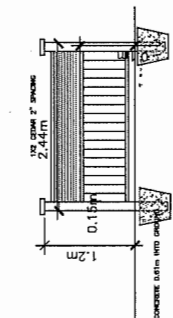
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	0.49	None Permitted
Buildable Floor Area:*	Max. 323.5 m ² (3,482 ft ²)	316.5 m ² (3,407 ft ²)	None Permitted
Child Care	Max. 16 children	Max. 16 children	None
Lot Coverage:	Building: Max. 40% Non-porous: Max. 70% Landscaping: Min. 20%	Building: 35% Non-porous: 69% Landscaping: 31%	None
Lot Size:	540.0 m ²	647 m ²	None
Lot Dimensions:	Width: 15.0 m Depth: N/A	Width: 18 m Depth: 35 m	None
Setbacks:	Front: Min. 6.0 m Rear: Min. 6.0 m Interior Side: Min. 1.2 m	Front: 13.67 m Rear: 6.38 m Interior Side: 1.22 m	None
Height:	Max. 2 ½ storeys	Max. 2 ½ storeys	None
Off-street Parking Spaces:	Residents: 2 Employees: 3 Visitors: 2 Total: 7	Residents: 2 Employees: 3 Visitors: 2 Total: 7	None
Bicycle Parking:	Class 1: 1 Class 2: 4	Class 1: 1 Class 2: 4	None

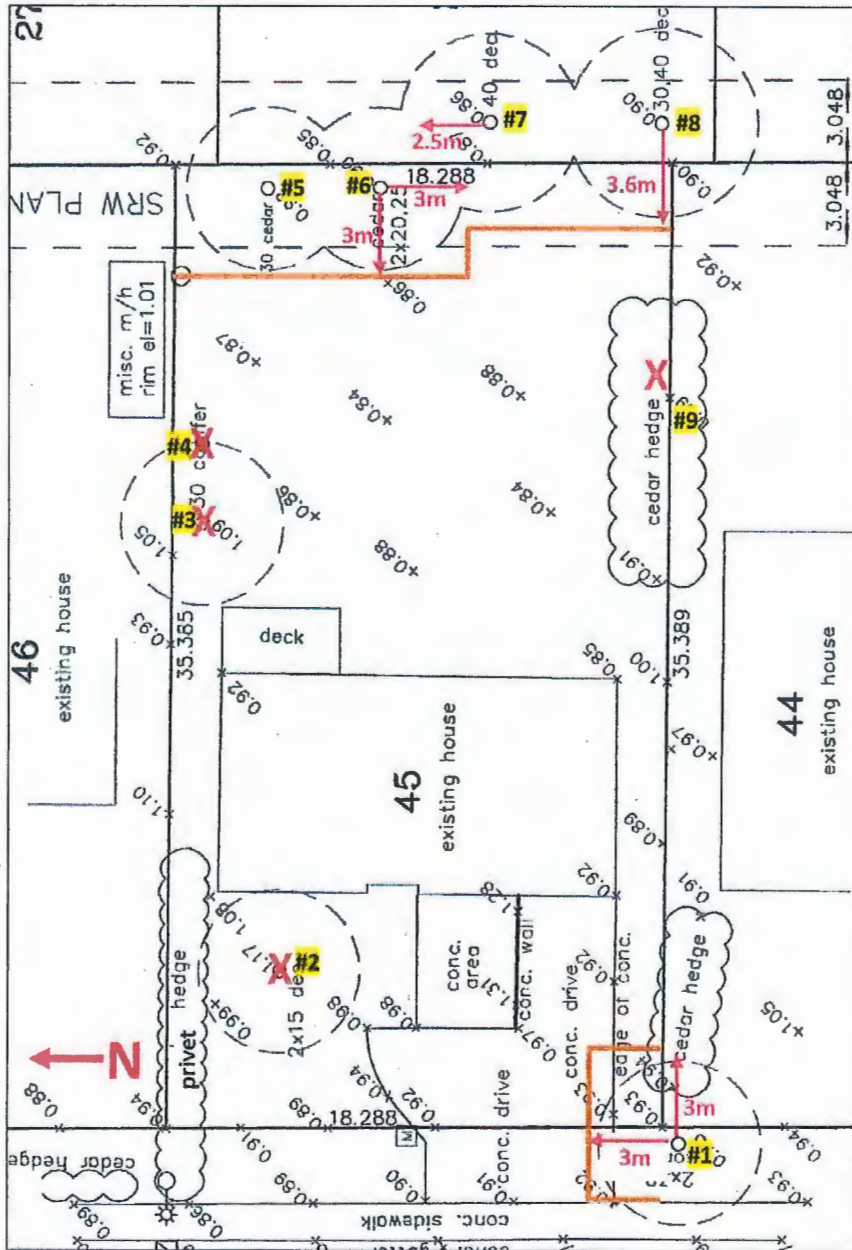
Other: Tree replacement compensation required for loss of significant trees.

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

HEIGHT AND CALIPER SIZE SHOWN ARE AT TIME OF PLANTING. ALL TREES TO BE B&B (ball & burlap) AND PLANT TO AT LEAST MINIMUM SIZE AS SHOWN ON TABLE. ALL PLANTS AND TREES TO BE SUPPLIED BY ART'S NURSERY (www.artsnursery.com)

TREES	QTY.	BOTANICAL/COMMON NAME	SIZE	HEIGHT	SPREAD	CALIPER
PM	4	ARECACEAE/PALM TREE	B&B	4m	2.4m	8cm
MA	2	MAGNOLIA	B&B	4m	3m - 5m	8cm
SHRUBS/FLOWERS						
BB	16	BUXUS BOXWOOD	1 Gal.	0.9m	0.9m	
HU	49	HOSTA UNDULATA	1 Gal.	0.5m	0.5m	
AF	33	ASTELIA FRAGRANS/BUSH LILY	2 Gal.	1m	1m	
LA	33	HIDCOTE/LAVENDER	1 Gal.	0.9m	0.6m	





Tree Retention & Removal Plan, Scale 1:250

SUITABLE REPLACEMENT TREES (Botanical name)
Stewartia (<i>Stewartia pseudocamellia</i>)
Dik's Weeping Cypress (<i>Chamaecyparis lawsoniana</i> 'Dik's Weeping')
Purple Fountain European Beech (<i>Fagus sylvatica</i> 'Purple Fountain')
Japanese Tree Lilac 'Ivory Silk' (<i>Syringa reticulata</i> 'Ivory Silk')
Paperbark maple (<i>Acer griseum</i>)



City of Richmond

Rezoning Considerations

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

Address: 9680 Aquila Road

File No.: RZ 16-743867

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9685, the developer is required to complete the following:

1. Submission of a Landscape Security in the amount of \$5,000 to ensure that the proposed landscaping works in Attachment 5 are undertaken and that a total of six replacement trees are planted and maintained on the lot with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	or	Minimum Height of Coniferous Replacement Tree
2	6 cm		3.5 m
4	8 cm		4 m

Securities will not be released until a landscaping inspection is passed by City staff. The City may retain a portion of the security for a one-year maintenance period.

2. 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.
3. Submission of a Tree Survival Security to the City in the amount of \$20,000 for the two (2) on-site trees to be retained.
4. Submission of a Tree Survival Security to the City in the amount of \$3,100 for the one (1) City-owned tree to be retained.
5. The registration of a 3 m wide statutory right-of way in the northeast corner of the development site for sanitary sewer, extending from the east property line to 1.0 m past the existing inspection chamber.
6. Registration of a flood indemnity covenant on Title.
7. Registration of a legal agreement on Title, ensuring that all habitable floor area on the ground floor is used for child care purposes only.

At Demolition Permit* stage, the developer must complete the following requirements:

1. 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 must remain in place until construction and landscaping on-site is completed.

At Building Permit* stage, 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. The following servicing works and off-site improvements may be completed through either: a) a Servicing Agreement* entered into by the applicant to design and construct the works to the satisfaction of the Director of Engineering; or b) a cash contribution based on a City cost estimate for the City to manage the design and construction of the works:

Water Works:

- a. Using the OCP Model, there is 142.0 L/s of water available at a 20 psi residual at the Aquila Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- b. The Developer is required to: **PLN - 60**

Initial: _____

- Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
- c. At Developer's cost, the City is to:
 - Install a new 25 mm water service connection, complete with meter and meter box, off of the existing 150 mm AC water main on the Aquila Road frontage.
 - Cut and cap, at main, the existing water service connection on the Aquila Road frontage.

Storm Sewer Works:

- d. At Developer's cost, the City is to:
 - Cut and cap, at inspection chamber, the existing storm service connection at the northwest corner of the development site.
 - Install a new storm service connection, complete with inspection chamber, off of the existing 250 mm storm sewer along the Aquila Road frontage.

Sanitary Sewer Works:

- e. The Developer is required to:
 - Check the existing sanitary service connection at the northeast corner of the development site and confirm the material, capacity, and condition of the inspection chamber and pipe by video inspection. If deemed acceptable by the City, the existing service connection may be retained. In the case that the service connection or inspection chamber is not adequate, a new sanitary service connection, complete with inspection chamber, shall be installed off of the existing rear-yard sanitary main by the City at the Developer's cost.
 - Provide, at no cost to the City, an additional 3.0 m-wide statutory right-of-way in the northeast corner of the development site, extending from the east property line to 1.0 m past the existing sanitary inspection chamber.

Frontage Improvements:

- f. The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.). These shall be located on-site.
 - Other frontage improvements as per Transportation's requirements

General Items:

- a. The Developer is required to:
 - Not start onsite excavation or foundation construction until completion of rear-yard sanitary works by City crews.
 - 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.

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



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9685 (RZ 16-743867)
9680 Aquila 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 **“RESIDENTIAL CHILD CARE (RCC)”**.

P.I.D. 003-961-770

Lot 45 Section 26 Block 4 North Range 6 West New Westminster District Plan 32239

2. This Bylaw may be cited as **“Richmond Zoning Bylaw 8500, Amendment Bylaw 9685”**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by <i>BK</i>
APPROVED by Director or Solicitor <i>hl</i>

MAYOR

CORPORATE OFFICER