



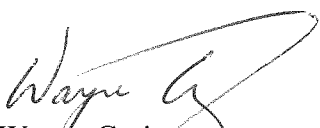
City of Richmond

Report to Committee Planning and Development Department


To: Planning Committee
From: Wayne Craig
Director of Development
Date: April 29, 2015
File: ZT 15-691748
Re: Application by Parc Riviera Project Inc. for a Zoning Text Amendment to the
"Residential Mixed Use Commercial (ZMU17) - River Drive/No. 4 Road
(Bridgeport)" Zone for the Property at 10311 River Drive

Staff Recommendation

1. That Richmond Zoning Bylaw 8500, Amendment Bylaw 9237, for a Zoning Text Amendment to the "Residential Mixed Use Commercial (ZMU17) – River Drive/No. 4 Road (Bridgeport)" zone to amend the maximum permitted density on the property at 10311 River Drive, be introduced and given first reading;


Wayne Craig
Director of Development

SB:blg
Att.

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

Staff Report

Origin

Parc Riviera Project Inc. has applied to the City of Richmond for a Zoning Text Amendment to amend the “Residential Mixed Use Commercial (ZMU17) – River Drive/No. 4 Road (Bridgeport)” zone to change the way the maximum permitted density is applied to the lot at 10311 River Drive in order to facilitate subdivision and future redevelopment of the property (Attachments 1 and 2).

Findings of Fact

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

Surrounding Development

Surrounding development is as follows:

- To the north: City dike along the north arm of the Fraser River and Mitchell Island, zoned “Industrial (I)”.
- To the east: Mechanic repair/maintenance shop and ambulance fleet parking on two (2) properties zoned “Industrial Storage (IS)”.
- To the south: Across River Drive, single-family homes on lots zoned “Single Detached (RS1/B, RS1/D and RS2/C)”.
- To the west: City-owned proposed park, which is being developed as part of the overall Parc Riviera development.

Background

In October, 2011, the City approved the original rezoning (RZ 07-380169) for the multi-phase Parc Riviera development (Attachment 4) on the properties at 10011, 10111, 10197, 10199 and 10311 River Drive including built on-site affordable housing units. The rezoning also included park land dedication and park development on the current city-owned properties at 9991 and 10211 River Drive. Subsequent to the rezoning, the City approved a Zoning Text Amendment (ZT 12-611282) to provide funding towards the City’s capital Affordable Housing Reserve in lieu of building affordable housing units on-site. This Affordable Housing contribution was provided to advance the Storeys Affordable Housing project at 8111 Granville Avenue and 8080 Anderson Road, or another project at Council’s discretion.

Community amenities secured through the original rezoning are being implemented in phases. Improvements to dikes, trails, roads, public transit and servicing infrastructure secured through the original rezoning are also being implemented through Servicing Agreements in phases (Attachment 5). Further details are provided in the “Analysis” section below.

The Development Permits required for the overall project are being considered in phases. A Development Permit for the first phase of the project has been approved for 10011, 10111, 10197 River Drive and a portion of 10199 River Drive (DP 11-564405). This first phase includes an amenity building for the use of residents of all phases, a mixed-use building, apartment buildings and townhouse buildings. A Development Permit application has been submitted and is in the process of being reviewed for the next phase of the overall project, located at 10199 River Drive (DP 15-694616).

Related Policies & Studies

Official Community Plan (OCP)

The proposed Zoning Text Amendment is consistent with the City's Official Community Plan and the Bridgeport Area Plan.

Public Consultation

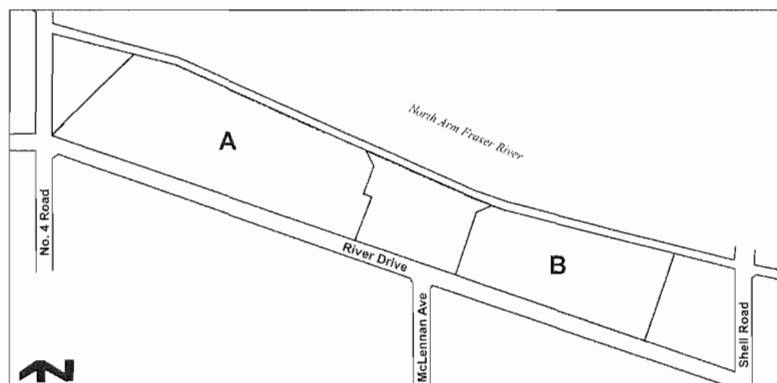
The applicant has confirmed that information signage describing the proposed Zoning Text Amendment has been installed on the subject site and the statutory Public Hearing will provide local property owners and other interested parties with an opportunity to comment.

Analysis

a) Text Amendment to the "Residential Mixed Use Commercial (ZMU17) – River Drive/No. 4 Road (Bridgeport)" Zone

The "Residential Mixed Use Commercial (ZMU17) – River Drive/No. 4 Road (Bridgeport)" zone includes the Diagram 1 below and applies to the Areas labelled A & B in the diagram. The ZMU17 zone allows a base maximum density floor area ratio (FAR) of 1.25 FAR and an Affordable Housing bonus density that increases the allowable density to 1.38 FAR. A contribution was received towards Affordable Housing (ZT 12-611282) for the overall project and accordingly, the ZMU17 zone permits 1.38 FAR for the total combined area of Area B, regardless of the subdivision. This allows the density to be applied throughout Area B and was intended to allow flexibility for building massing in the owner's original concept for a multi-phase development. The same applies to the area of Area A.

Diagram 1



The ZMU17 zone is proposed to be amended to no longer refer to a total combined area of Area B or to permit density regardless of subdivision in Area B. This would permit each future subdivided lot to achieve a base density of 1.25 FAR and increased density of 1.38 FAR as a result of the Affordable Housing contribution received by the City (ZT 12-611282).

Staff support the proposed text amendment to the ZMU17 zone on the following basis:

- The ZMU17 zone was created for a multi-phase development over Area A & B; which was intended to be developed in four (4) phases from west to east. The applicant has advised that they would like to subdivide Area B in the near future into two (2) separate properties (Attachment 2), which could then be sold and developed individually.
- The proposed Zoning Text Amendment would provide owners of the two (2) proposed subdivided lots to each achieve a density of 1.38 FAR, giving them certainty regarding the permitted density on the individual properties and avoid potential issues related to unequal density distribution (i.e., first Development Permit may have more than proportionate share).
- The proposed Zoning Text Amendment would not impact intended phasing of community amenities secured under the original rezoning (RZ 07-380169) and as discussed in detail below.

b) Future Development

The proposed Zoning Text Amendment allows for future subdivision of 10311 River Drive and has no associated development proposal at this time. However, we can advise Council that a Development Permit application is required to allow any future development on either of the proposed subdivided lots. The City has received information that the proposed west lot, adjacent to the central park, is intended to be developed with townhouses and a child care facility that is required to be constructed and ownership transferred to the City. Through any future Development Permit application, the following will be addressed:

- Built Form and Architectural Character.
- Tree retention and replacement.
- Open space and landscaping.
- Amenity space.
- Each property is to meet transportation requirements on-site, including but not limited to circulation, parking, bicycle storage, loading and servicing. Registration of a cross-access agreement may be required to ensure there are no more than two (2) driveways between McLennan Road and Shell Road.

c) Community Amenities

Community amenities secured through the original rezoning application (RZ 07-380169) and previous zoning text amendment application (ZT 12-611282) are being implemented in phases. The developer has provided, has entered into a legal agreement to provide, or has

agreed as a condition of the Zoning Text Amendment (Attachment 6) to provide the following amenities:

- Park land was provided to the City to a western park at 9991 River Drive, and a central park at 10211 River Drive.
- A contribution was provided to the City's Affordable Housing Reserve Fund in the amount of \$7,350,459.
- Water #10 sculpture by Chinese artist Jun Ren and previously exhibited as part of the Vancouver International Biennale was purchased by the developer to provide Public Art in the central park. As part of the required park construction, the artwork will be relocated from its temporary location at the west end of Cambie Road in the middle arm dike greenway to a permanent location in the central park.
- Community Use Space (\$1,000,000 cash contribution or 464.5 m²) was secured with a 'no development' covenant registered on Title of both 10199 River Drive and the subject property at 10311 River Drive (BB4018179). The agreement generally requires the contribution or construction agreement entered into prior to submitting a Building Permit application for either 10199 or the subject property. This would also apply to any future subdivided lots.
- A child care facility (for up to 65 children; approximately 511 m² to 600 m²) was secured with a 'no development' covenant registered on Title of the subject property at 10311 River Drive (BB4018181). The agreement generally requires a construction and ownership agreement entered into prior to submitting a Building Permit for the subject property and completion of construction, ownership transfer and any agreements prior to occupancy. Modification of the agreement is a requirement of the Zoning Text Amendment (Attachment 4) to ensure the requirement applies only to the subject property, or future subdivided west lot that is adjacent to the central park. Regardless of timing, the child care facility must be located adjacent to the central park.
- An amenity reserve contribution (\$500,000 cash contribution) was secured with a 'no development' covenant registered on Title of the subject property at 10311 River Drive (BB4018173). The agreement generally requires the contribution prior to submitting a Building Permit application for the subject property. Modification of the agreement is a requirement of the Zoning Text Amendment to ensure the requirement applies only to the subject property, or future subdivided east lot that is adjacent to the eastern neighbour. This allows the community amenities to be phased with development.

d) Infrastructure Improvements

Transportation and servicing improvements secured through the original rezoning application (RZ 07-380169) are being implemented in phases (Attachment 5). The developer has provided, has entered into a legal agreement to provide, or has agreed as a condition of the Zoning Text Amendment (Attachment 6) to provide the following improvements:

- A Servicing Agreement (SA 11-587071) for dike and waterfront trail works has been entered into for the western works, generally from No. 4 Road to the central park.

- A Servicing Agreement (SA 11-587136) for the western park has been entered into for park works at No. 4 Road and River Drive.
- A Servicing Agreement (SA 10-542184) for road and infrastructure works has been entered into for works generally in No. 4 Road, McLennan Avenue and between the two (2) roads in River Drive.
- A Servicing Agreement for dike and waterfront trail works to extend improvements to Shell Road was secured with a 'no development' covenant registered on Title of the subject property at 10311 River Drive (BB4018177). The agreement generally requires the Servicing Agreement be entered into prior to submitting a Development Permit application for the subject property. Modification of the agreement is a requirement of the Zoning Text Amendment (Attachment 4) to require the Servicing Agreement be entered into prior to Development Permit issuance for the subject property, or any future subdivided lots. This will allow the park, waterfront trail and private development works to be designed through the Servicing Agreement and Development Permit applications at the same time in a comprehensive and coordinated manner.
- A Servicing Agreement for the central park, dike and waterfront trail works was secured with a 'no development' covenant registered on Title of the subject property at 10311 River Drive (BB4018175). The agreement also includes the dike and waterfront works noted above. The agreement generally requires the Servicing Agreement be entered into and works completed prior to occupancy of the subject property. This would also apply to any future subdivided lots.
- Registration of a 'no development' covenant on Title of the subject property at 10311 River Drive is a requirement of the Zoning Text Amendment to secure road and infrastructure works Servicing Agreement for remaining works identified in the original rezoning application (RZ 07-380169). These works will tie into the first phase of road and infrastructure works and Shell Road, as well as providing intersection improvements and funding for bus shelters along Bridgeport Road. The developer would be required to enter into this Servicing Agreement prior to Development Permit issuance for the subject property, or any future subdivided lots.

Existing Legal Encumbrances Discharge Request

Density Large Unit Restriction

There a legal agreement registered on Title of the overall project development properties located at 10011, 10111, 10197, 10199 and 10311 River Drive (BB4018183). The legal agreement was registered on Title as part of the original rezoning application (RZ 07-380169) in recognition that the large multi-phase development may have an impact on student enrolment. The legal agreement generally restricts a maximum 32% of dwelling units to be two-bedroom or larger, unless the owner first consults with the School District as part of a Development Permit application. The applicant has requested permission to discharge this legal agreement from title.

The School District was consulted on April 1, 2015. Staff were advised that they are experiencing declining student enrolment and the School District has no concerns with removing the unit size restrictions.

Staff recommend that the owner(s) be permitted to discharge the legal agreement from Title of 10011, 10111, 10197, 10199 and 10311 River Drive (BB4018183). Owner(s) may submit a written request to have the obsolete covenant discharged from Title. Given the complexity of the titles, the owner(s) would be required to provide a legal opinion to the City outlining the process requirements for the discharge and proof that those process requirements have been satisfied.

The requested discharge is supported by staff, but is not a requirement of the Zoning Text Amendment. The discharge may be processed its own and would not impact the timing of the Zoning Text Amendment approval.

Cross-Access for Indoor Amenity

There is a cross-access legal agreement charge that is registered on Title of the properties located at 10011, 10111, 10197, 10199 and 10311 River Drive (CA2675712 to CA2675717). The legal agreement was registered on Title as part of the Development Permit for the first phase of the overall project (DP 11-564405) with the intent that indoor amenity was provided in the first phase at 10011 River Drive for the benefit of the overall project. The legal agreement generally provides 10111, 10197, 10199 and 10311 River Drive with access to communal residential amenity facilities provided on the property at 10011 River Drive (in the building addressed as 10013 River Drive). The applicant has requested permission to discharge this legal agreement from the title of 10311 River Drive and to modify the legal agreement registered on title to 10011 River Drive.

The legal agreement is still needed for the properties located at 10011, 10111 and 10199 River Drive, but is no longer needed on the property at 10311 River Drive. Through the Development Permit application process, multi-family development proposals are required to provide on-site indoor and outdoor amenity spaces. The indoor amenity building at 10011 River Drive is located at the far west edge of the overall project. The location of the amenity is appropriate for the adjacent properties at 10011, 10111 and 10199 River Drive, but is a long distance from the subject property at 10311 River Drive. Staff recommend that site-specific indoor and outdoor amenity space be provided on the subject property at 10311 River Drive to provide these amenities in close proximity to future residents on this property.

Staff recommend that the owner(s) be permitted to proceed with the discharge of the legal agreement registered on Title of 10311 River Drive (CA2675714) and modification of the legal agreement registered on Title of 10011 River Drive (CA2675712 and CA2675713) to not provide 10311 River Drive with access to the communal residential amenity facilities located on 10011 River Drive. Owner(s) may submit a written request. Given the complexity of the titles, the owner(s) would be required to provide a legal opinion to the City outlining the process requirements and proof that those process requirements have been satisfied.

The requested discharge is supported by staff, but is not a requirement of the Zoning Text Amendment. The discharge may be processed its own and would not impact the timing of the Zoning Text Amendment approval.

Financial Impact or Economic Impact

None.

Conclusion

The proposed Zoning Text Amendment to clarify that permitted density applies to each individual property in the “Residential Mixed Use Commercial (ZMU17) – River Drive/ No. 4 Road (Bridgeport)” zone is consistent with the purpose of the zone, and complies with the land use designations outlined within the Official Community Plan (OCP) and the Bridgeport Area Plan.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9237, be introduced and given first reading.



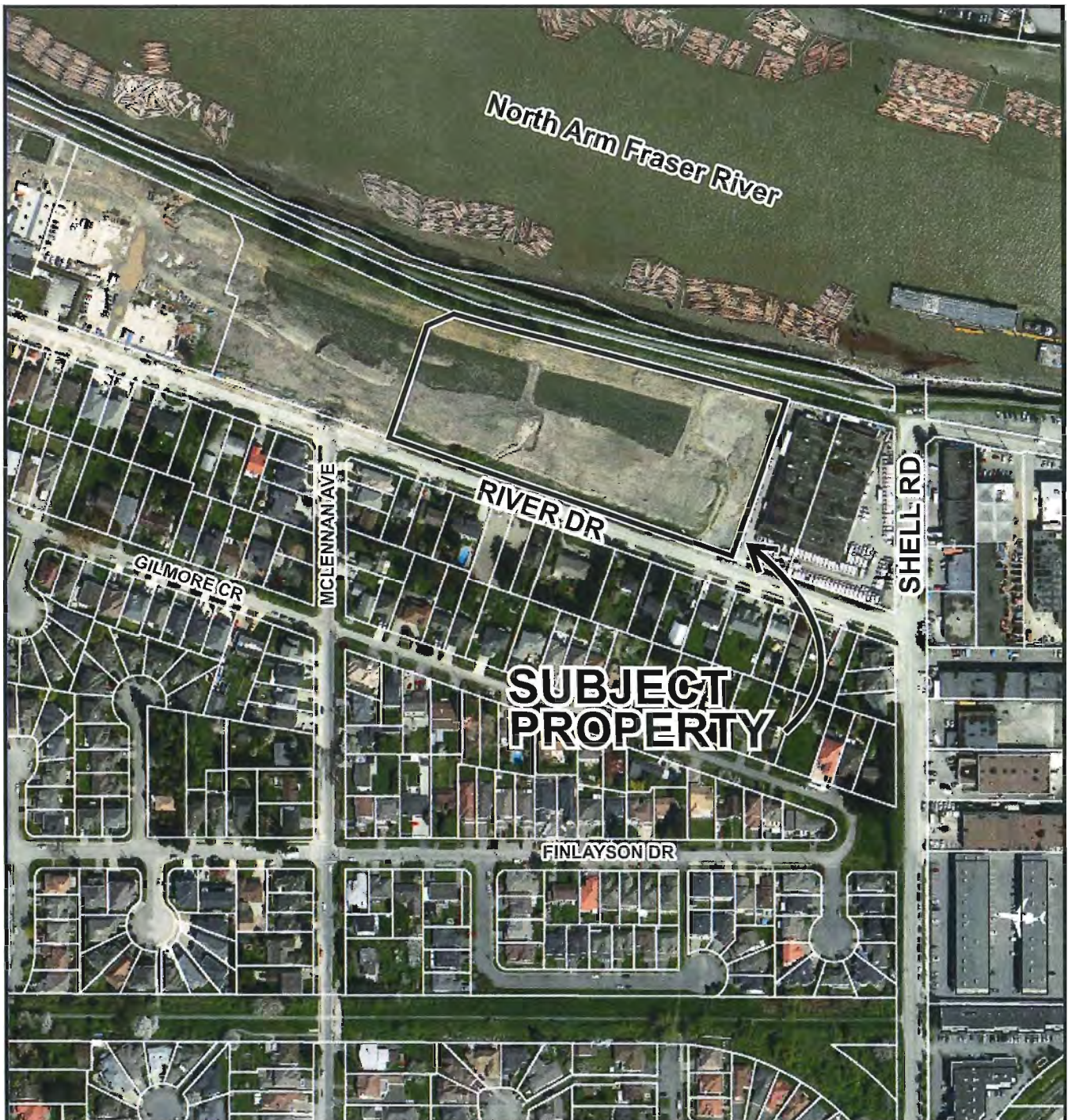
Sara Badyal, MCIP, RPP
Planner 2
(604-276-4282)

SB:blg

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Conceptual Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Parc Riviera Context Map Development Application History
- Attachment 5: Parc Riviera Context Map Servicing Agreement Phasing
- Attachment 6: Zoning Text Amendment Considerations



City of
Richmond



ZT 15-691748

Original Date: 02/11/15

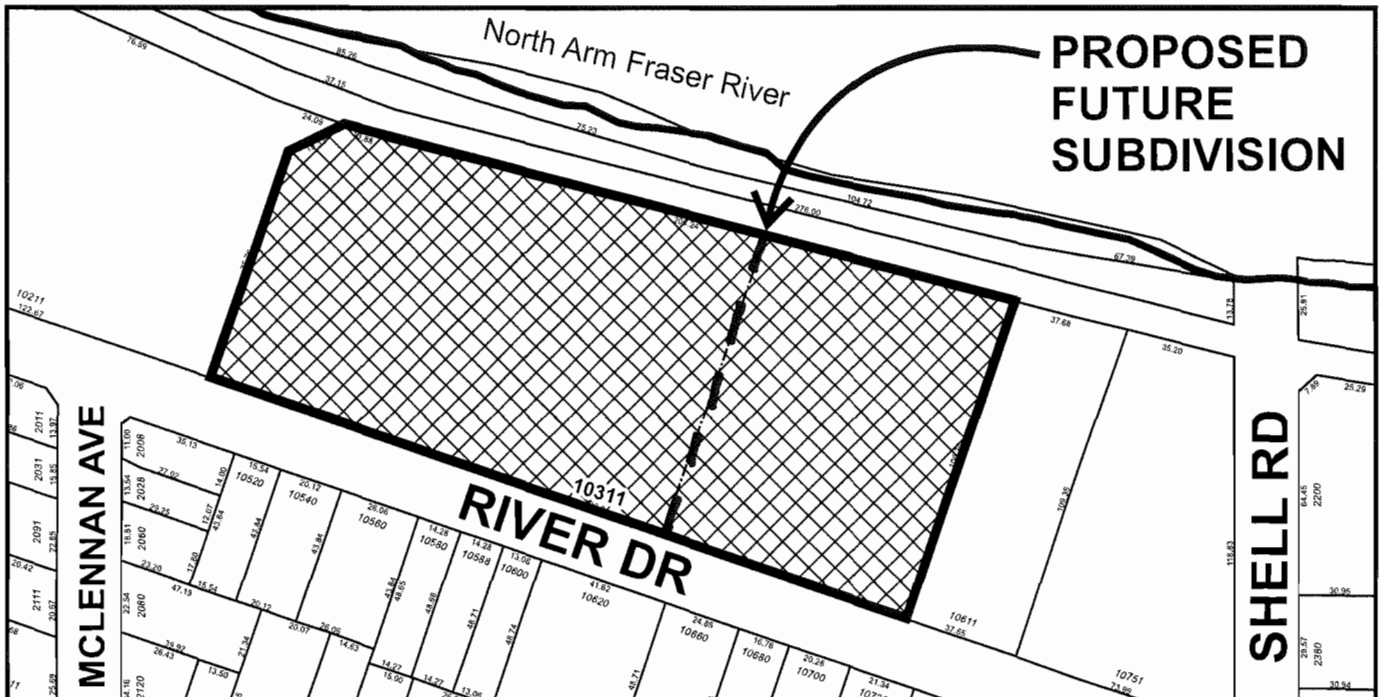
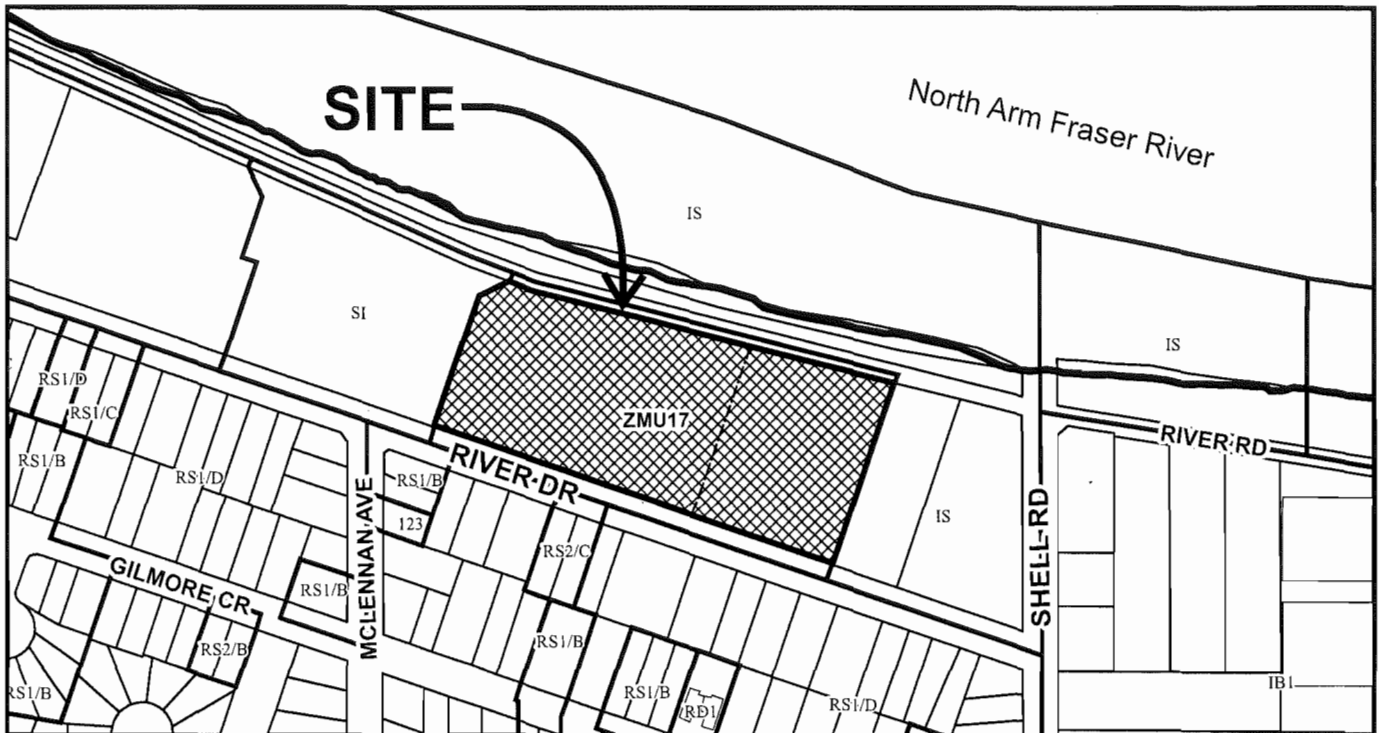
Revision Date

Note: Dimensions are in METRES



City of Richmond

ATTACHMENT 2



ZT 15-691748
Conceptual Subdivision Plan

Original Date: 02/11/15

Revision Date: 04/28/15

Note: Dimensions are in METRES



ZT 15-691748

Attachment 3

Address: 10311 River Drive

Applicant: Parc Riviera Project Inc.

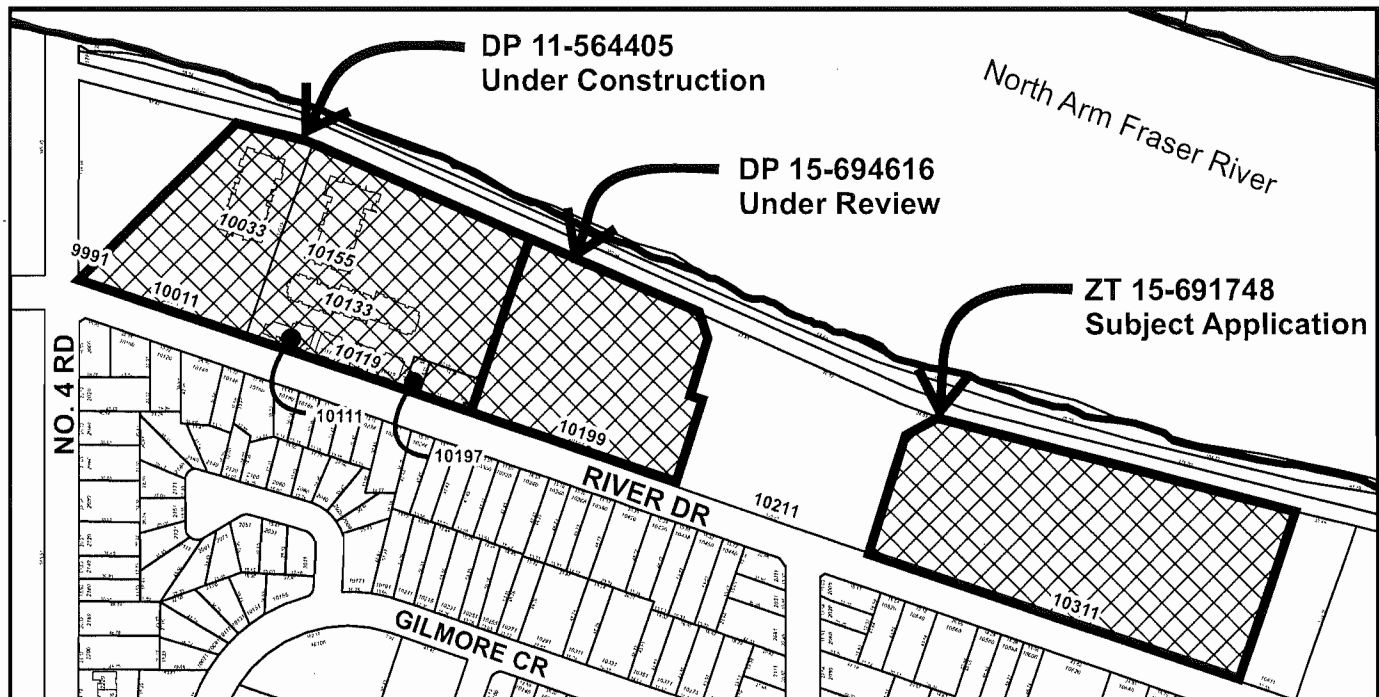
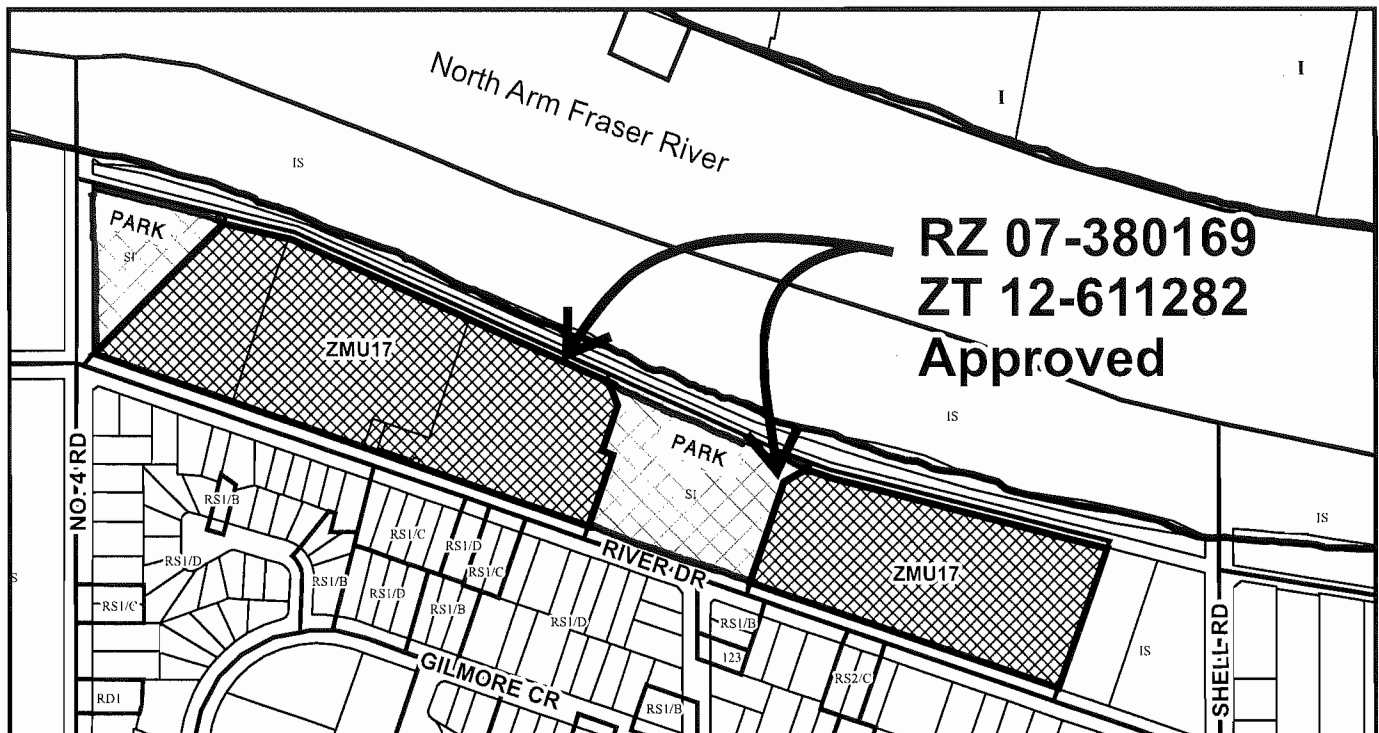
Planning Area(s): Bridgeport

	Existing	Proposed
Owner:	Parc Riviera Project Inc., Inc. No. BC0921462	Remains the same
Site Size:	2.243 ha	Remains the same
Land Uses:	Vacant	Remains the same
OCP Designation:	Mixed-Use	Remains the same
Area Plan Designation:	Residential Mixed-Use (Max. 6 Storey; 1.45)	Remains the same
Zoning:	Residential Mixed Use Commercial (ZMU17) – River Drive/No. 4 Road (Bridgeport)	Remains the same

	ZMU17 requirement	Proposed ZMU17 Requirement
Floor Area Ratio:	Max. 1.38 after Affordable Housing contribution, regardless of subdivision	Max. 1.38 after Affordable Housing contribution
Lot Coverage – Building	Max. 40%	Remains the same
Setbacks: River Drive Dike right-of-way Side Yard - Building	Min. 3 m Min. 7.5 m Min. 6 m	Remains the same
Height – Building: Within 20 m of River Drive Within 20-36 m of River Drive Beyond 36 m of River Drive	Max. 10 m Max. 15 m Max. 26 m	Remains the same



City of
Richmond

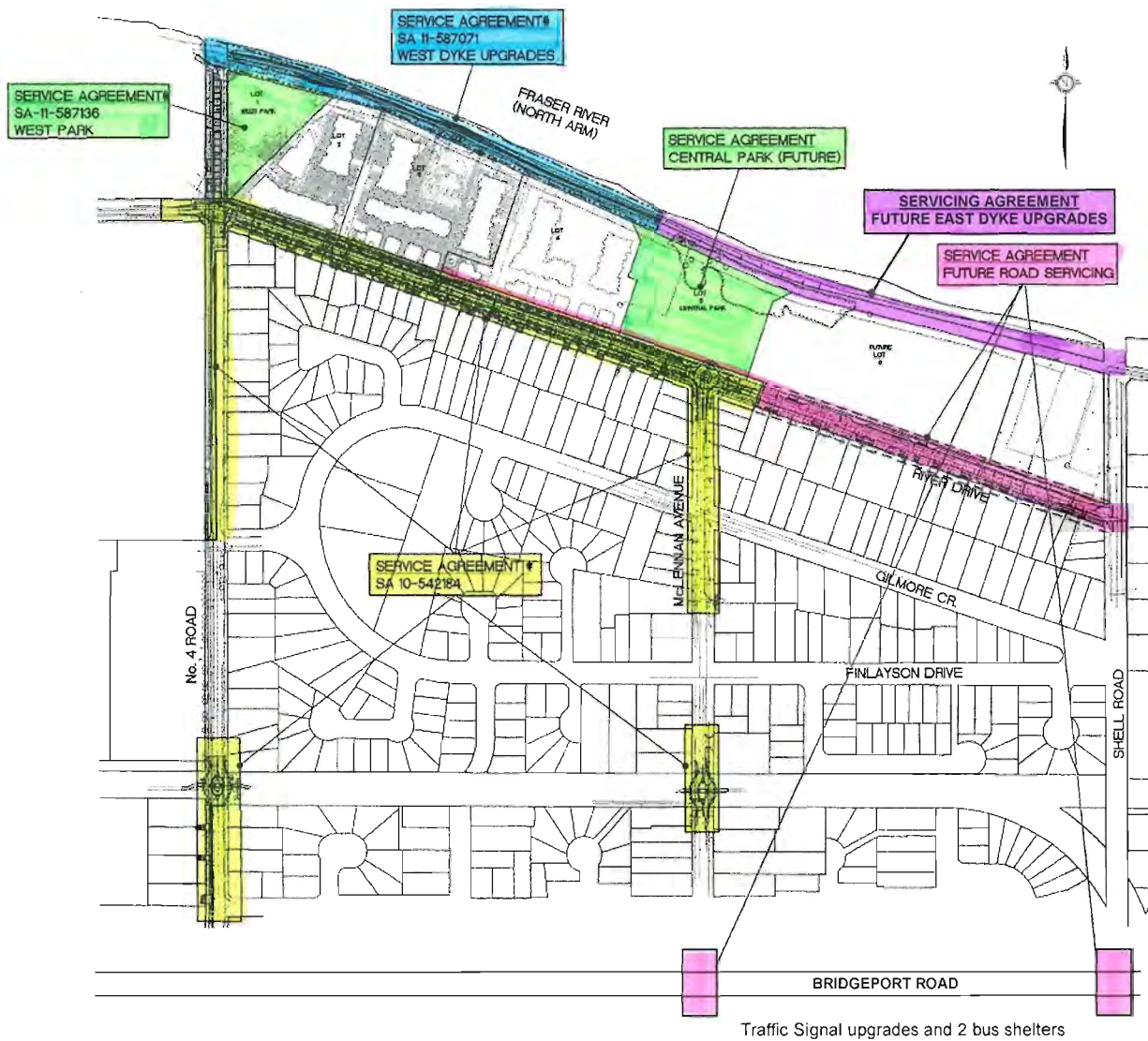


Parc Riviera Context Map
Development Application History
ZT 15-691748

Original Date: 05/08/15

Revision Date: 05/12/15

Note: Dimensions are in METRES



Parc Riviera Context Map
Servicing Agreement Phasing
ZT 15-691748



Zoning Text Amendment Considerations

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

Address: 10311 River Drive

File No.: ZT 15-691748

The owner(s) may complete the following:

1. Dwelling unit size legal agreement: The owner(s) of 10011, 10111, 10197, 10199 and/or 10311 River Drive may submit a written request to discharge the legal agreement registered on Title (BB4018183), together with a legal opinion to the City outlining the process requirements for the discharge and proof that those process requirements have been satisfied. This legal agreement generally restricts the proportion of two-bedroom or larger dwelling units to 32% unless the owner has first consulted with the Board of Education School District No. 38 (Richmond) as part of the Development Permit review process.
2. Communal residential amenity facilities access agreement: This legal agreement generally provides 10111, 10197, 10199 and 10311 River Drive with access to the communal residential amenity facilities at 10011 River Drive. The owner(s) 10311 River Drive may submit a written request to discharge the legal agreement registered on Title of 10311 River Drive (CA2675714) and the owner(s) of 10011 River Drive may submit a written request to modify the legal agreement registered on Title of 10011 River Drive (CA2675712 and CA2675713) to not provide 10311 River Drive with access to the communal residential amenity facilities provided on the property at 10011 River Drive. The owner(s) may submit a written request, together with a legal opinion to the City outlining the process requirements and proof that those process requirements have been satisfied.

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9237, the developer is required to complete the following:

1. The granting of 1.3 m wide public-rights-of-passage statutory right-of-way along the River Drive property line of 10311 River Drive. City sidewalk to be constructed by owner at their sole cost via required Servicing Agreement. City responsible for future maintenance of sidewalk.
2. The granting of 3.0 m wide utilities statutory right-of-way along the River Drive property line of 10197, 10199 and 10311 River Drive. City utilities to be constructed by owner at their sole cost via required Servicing Agreement. City responsible for future maintenance of City utilities.
3. Voluntary Contribution of \$500,000 towards a City Amenity Reserve:
 - a) Registration of a "No Development" legal agreement on 10311 River Drive, or any subdivided lands thereof adjacent to the west property line of neighbouring 10611 River Drive, with the same terms as the existing legal agreements (BB4018173), with the exception that this requirement is only to apply to the subject property or future subdivided east lot located adjacent to the west property line of neighbouring 10611 River Drive. This agreement generally ensures no Building Permit application submission until the owner has provided a \$500,000 voluntary contribution towards a City Amenity Reserve.
 - b) Discharge existing legal agreement (BB4018173)
4. Dike and Waterfront Trail works:
 - a) Registration of a "No Development" legal agreement on 10311 River Drive, or any subdivided lands thereof, with the same terms as the existing legal agreements (BB4018177), with the exception that Development Permit application submission is to be permitted prior to entering into the required Servicing Agreement. This agreement will generally ensure no Development Permit issuance until the owner has entered into a Servicing Agreement for the design and construction of remaining required offsite Dike and Waterfront Trail works (e.g., approximately from the west edge of the central park to the east edge of Shell Road).
 - b) Discharge existing legal agreement (BB4018177)

5. Child Care facility:

- a) Registration of a "No Development" legal agreement on 10311 River Drive, or any subdivided lands thereof adjacent to the central park at 10211 River Drive, with the same terms as the existing legal agreements (BB4018181), with the exception that this requirement is to only apply to the subject property or future subdivided west lot located adjacent to the central park at 10211 River Drive. This agreement generally ensures:
 - i) The owner has entered into a legal agreement to construct and provide ownership of a child care facility prior to any Building Permit application submission; and
 - ii) The child care facility is constructed, ownership transferred and legal agreements completed prior to occupancy of any building.
- b) Discharge existing legal agreement (BB4018181).

6. Transportation and Engineering works: Registration of a "No Development" legal agreement on 10311 River Drive, or any subdivided lands thereof, ensuring no Development Permit issuance until the owner has entered into a Servicing Agreement for the design and construction of remaining required offsite Transportation and Engineering works identified in the original rezoning application (RZ 07-380169). Works include, but may not be limited to:

- a) Transportation Works:
 - i) Contribution of \$60,000 for provision of two (2) bus shelters along Bridgeport Road.
 - ii) Provide functional roadway plan depicting traffic calming measures at River Drive and Shell Road intersection and the traffic calming measures shall be implemented to the satisfaction of the City. Options to be developed include, but are not limited to, a raised intersection, roundabout, curb extensions, etc.
 - iii) Upgrade River Drive to full ultimate cross-section as set by SA 10-542184 and DP 11-564405, complete with coordination with neighbours to the south, parking pockets for on street parking and curb extensions along River Drive as traffic calming devices.
 - iv) Any road dedications and/or SRW PROP required to implement the cross sections will be secured along the south property line of 10311 River Drive. A 1.3m wide SRW PROP was secured west of the central park.
 - v) Traffic Signals at the Bridgeport Road and McLennan Road intersection - upgrade of the existing pedestrian signal to a full traffic signal. Works shall include, but not limited to:
 - Type "P" controller cabinet
 - UPS (Uninterrupted Power Supply)
 - Video detection
 - Illuminated street name signs
 - Service base
 - Type "S" and/or type "L" poles/bases to suit site conditions
 - APS (Accessible Pedestrian Signals)
 - Fibre optic communications cable and associated equipment
 - In-ground vehicle detection
 - Removal of existing signal poles, bases, etc. to be returned to City Works Yard
 - All associated costs to upgrade this system to be borne by the developer
 - vi) Traffic Signals at the Bridgeport Road and Shell Road intersection - upgrade of controller equipment for a new left turn phase and intersection improvement measures. Works shall include, but are not limited to:
 - Traffic pole/base relocations along the frontage of the development
 - Junction box/conduit relocations
 - Associated traffic signal cables/conductors and vehicle detector loops
 - Traffic signal modification design drawings (if required, modifications are to be identified during Servicing Agreement and are the sole responsibility of the developer).

b) Engineering Works to the satisfaction of the Director of Engineering:

- i) Dike and Waterfront Trail extension required from recent works secured via SA 11-587071 to the east edge of Shell Road with adequate interfaces and tie-ins.
- ii) Watermain upgrade required (approximately 360 m) from the west edge of 10311 River Drive to Shell Road, complete with 300 mm diameter PVC and fire hydrants (spaced as per City standard). The required watermain shall tie-in to the watermain built via SA10-542184 at its west, tie-in to the existing watermain along Shell Road at its east end, and tie-in to all existing service connections south of River Drive.
- iii) Storm sewer upgrade required (approximately 640 m) from west edge of 10197 River Drive to Shell Road:
 - Provide 600 mm diameter storm sewer, complete with manholes (spaced as per City standard) from west property line of 10197 River Drive to the east property line of 10311 River Drive (approximately 510 m). The required storm sewer shall tie-in to the storm sewer built via SA10-542184 along River Drive and it shall be built within a 3 m wide utility SRW along the entire River Drive frontage of 10197 River Drive, 10199 River Drive, the central park and 10311 River Drive. The required storm sewer and utility SRW shall meander behind the roundabout (built via SA10-542184) fronting the central park.
 - Storm sewer alignment change required (via manholes as per City standard) from the 3 m wide utility SRW at the east end of 10311 River Drive to the future boulevard area in the roadway. Change in alignment pipe size shall be 600 mm diameter and its approximate length is 6 m.
 - Provide a 1050 mm diameter storm sewer from the east property line of 10311 River Drive to Shell Road (approximately 130 m). The 1050 mm diameter storm sewer shall tie-in to the required manhole in the future boulevard and to the existing box culvert in Shell Road.
 - Remove all existing storm sewer service connections to 10311 River Drive.
- iv) Sanitary sewer upgrade required (approximately 270 m) from approximately McLennan Avenue to east edge of 10311 River Drive:
 - Provide 300 mm diameter sanitary sewer from the sanitary main built via SA10-542184 at the intersection of River Drive and McLennan Road to the east property line of 10311 River Drive.
 - Sanitary forcemain upgrade required (by City forces at developer's cost) unless forcemain assessment completed by applicant indicates otherwise, or unless this work is already secured via SA 10-542184.
 - Tie-in all existing sanitary service connections to the single family properties at the south side of River Drive to the upgraded sanitary main.
- v) Private utility works:
 - Pole relocations may be required at the south-west corner of River Drive and Shell Road junction due to the required road improvements and traffic calming works. The developer is responsible for coordination with private utility companies. Any required pole relocation shall be at the developer's cost.
 - The developer shall provide private utility companies with the required rights-of-ways for their equipment (e.g. Vista, PMT, LPT, telephone and cable kiosks, etc.) and/or to accommodate the future under-grounding of the overhead lines. Any equipment must be located on private property and not within City SRWs or Public Rights-of-Passage and not impact public amenities such as sidewalks, boulevards and bike paths. The developer is responsible for coordination with private utility companies.
- vi) General:
 - Effective immediately, all retaining walls exceeding one (1) in height will require a Building Permit. For walls retaining preload material, this permit must be obtained prior to construction of the retaining wall or installation of the preload material. Please see the new bulletin at the following link: http://www.richmond.ca/_shared/assets/permits5239047.pdf.
 - It is the developer's responsibility to address the impact of the required road raising to the existing single-family properties along the south side of River Drive from McLennan Avenue to Shell Road. The developer shall coordinate with the owner(s) of the affected properties the extent of works required in

private properties. The developer shall get written consent or permission to work in private property from the owner(s) of the affected lots. Coordination works shall be at the developer's cost and may include but not be limited to the following:

- a. Arborist assessment of the existing trees (e.g., City and privately owned) along the south side of River Drive from McLennan Road to Shell Road that may be impacted by the required road raising.
 - b. Community meetings and written notices to the individual owners of the affected lots.
 - c. Design/drawings showing the required works inside each property affected by the road raising. The required works inside private property may include but not limited to the following: (i) removal and reinstatement of existing driveways that may require construction of a retaining wall on each side of the reinstated driveways on private property; and (ii) landscaping repairs and / or replacement as may be required.
 - d. Individual sign-off sheet that shall indicate the extent of the required works in private properties. The owner(s) of the affected lots shall sign the sign off sheet to permit the required works to be completed in their properties.
 - e. Community notices and individual sign off sheets shall be reviewed and approved by staff prior to sending to the affected properties.
- 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.

Prior to a Development Permit* being forwarded to the Development Permit Panel for consideration, the developer is required to:

1. Complete an acoustical and thermal report and recommendations prepared by an appropriate registered professional, which demonstrates that the interior noise levels and noise mitigation standards comply with the City's Official Community Plan, Noise Bylaw requirements and registered legal agreement (BB4018169 and BB4018171). The standard required for air conditioning systems and their alternatives (e.g. ground source heat pumps, heat exchangers and acoustic ducting) is the ASHRAE 55-2004 "Thermal Environmental Conditions for Human Occupancy" standard and subsequent updates as they may occur. Maximum interior noise levels (decibels) within the dwelling units must achieve CMHC standards:

Portions of Dwelling Units	Noise Levels (decibels)
Bedrooms	35 decibels
Living, dining, recreation rooms	40 decibels
Kitchen, bathrooms, hallways, and utility rooms	45 decibels

2. Registration of a cross-access agreement between future subdivided lands of 10311 River Drive for shared access, loading and vehicle circulation, if needed, to ensure there are no more than two (2) driveways between McLennan Road and Shell Road. In accordance with RZ 07-380169, access driveways to parking structures are also to provide access to small surface parking areas for visitors and drop off areas between buildings.

Prior to Building Permit* Issuance, the developer must complete the following requirements:

1. Submission required of fire flow calculations signed and sealed by a professional engineer based on the Fire Underwriter Survey or ISO to confirm that there is adequate available flow for fire fighting.
2. 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.
3. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.

4. 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



Richmond Zoning Bylaw 8500
Amendment Bylaw 9237 (ZT 15-691748)
10311 River Drive

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500 is amended by:
 - a. Deleting subsection 20.17.4.1.b and substituting the following:

"b) for the area of "B": 1.25."
2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9237"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAY 25 2015



MAYOR

CORPORATE OFFICER