



City of Richmond

Report to Committee Planning and Development Division

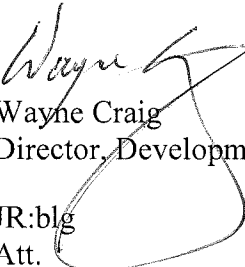
To: Planning Committee
From: Wayne Craig
Director, Development

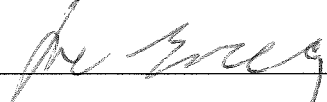
Date: May 30, 2016
File: RZ 16-724552

Re: Application by Monarchy Holding Group Inc. for Rezoning at
4971/4991 Wintergreen Avenue from Single Detached (RS1/E) to Single
Detached (RS2/B)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9569, for the rezoning of 4971/4991 Wintergreen Avenue from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, be introduced and given first reading.


Wayne Craig
Director, Development
JR:blg
Att.

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

Staff Report

Origin

Monarchy Holding Group Inc. has applied to the City of Richmond for permission to rezone 4971/4991 Wintergreen Avenue from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone, to permit the property to be subdivided to create two (2) lots (Attachment 1). The property is occupied by an existing stratified duplex, which will be demolished. The proposed subdivision plan is shown in Attachment 2.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the site is as follows:

- To the North: Single-family homes on two (2) lots zoned "Single Detached (RS1/E)" fronting Westminster Highway.
- To the South: A City-owned pathway connecting Wintergreen Avenue to the McCallum Road right-of-way.
- To the East: A City-owned greenway that incorporates a pedestrian path and open field in the McCallum Road right-of-way.
- To the West: A single-family home on a lot zoned "Single Detached (RS1/E)" fronting Wintergreen Avenue.

Related Policies & Studies

Official Community Plan/Thompson Area Plan

The subject property is located in the Riverdale neighbourhood of the Thompson planning area. The Official Community Plan (OCP) land use designation for the subject property is "Neighbourhood Residential" (Attachment 4). The proposed rezoning and subdivision are compliant with this designation.

The Thompson Area Plan indicates that subdivision of residential properties in the Riverdale neighbourhood will only be considered in the case of an existing duplex. The proposed rezoning and subdivision are compliant with this policy.

Single-Family Lot Size Policy 5473

The subject property is located within the area governed by Single-Family Lot Size Policy 5473, adopted by Council on July 18, 2005 (Attachment 5). This Single-Family Lot Size Policy permits subdivision consistent with the requirements of the "Single Detached (RS2/E)" Zoning

Bylaw. While the proposed zone does not comply with the Lot Size Policy, the amendment procedures contained in Section 2.3 of Richmond Zoning Bylaw 8500 indicate that rezoning applications may be considered to permit the subdivision of a lot containing a duplex into no more than two (2) single detached lots. The proposed rezoning and subdivision are compliant with this Policy.

Aircraft Noise Sensitive Development Policy

The subject property is located within Aircraft Noise Area 4 (Attachment 6). In accordance with the Aircraft Noise Sensitive Development Policy (ANSND) in the OCP, applications involving rezoning from one single-family sub-zone to another may be considered in this Policy area.

Registration of an aircraft noise sensitive use covenant on title is required prior to rezoning approval.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Public Consultation

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

Analysis

Existing Legal Encumbrances

There is an existing 3.0 m by 17.0 m statutory right-of-way (ROW) in the northwest corner of the property; which will be extended across the entire length of the north property line to provide sanitary service connection to proposed Lot B. The applicant is aware that encroachment into the ROW is not permitted.

There is a covenant registered on the Title of each strata lot restricting the property use to duplex only (registration number AA10515). This covenant must be discharged from each Strata Title prior to subdivision approval.

As the property is occupied by a stratified duplex, cancellation of the existing strata plan (NW2648) is required prior to subdivision approval.

Transportation and Site Access

Vehicle access is proposed to be from Wintergreen Avenue via a shared driveway crossing with separate driveways to each new lot.

Tree Retention and Replacement

The applicant has submitted a certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations for tree retention and removal relative to the proposed development. The Report assesses eight (8) bylaw-sized trees on the subject site (Trees # 1-8).

The City's Tree Preservation Coordinator has reviewed the Arborist's Report, conducted a visual tree assessment, and has provided the following comments:

- Three (3) trees (Trees # 1, 2 & 3) located on the development site have all been historically topped and, as a result, have developed decay pockets and weakly attached secondary branch growth that is prone to failure. In addition, the trees fall within the proposed building envelope. These three (3) trees are not good candidates for retention and should be removed and replaced.
- One (1) tree (Tree #4) located on the development site is in moderate condition, which is to be retained. Provide a minimum 4 m tree protection zone out from the base of the tree.
- One (1) tree (Tree #5) located on the development site is in poor condition due to severe excessive pruning. Remove and replace.
- One (1) tree (Tree #6) located on the development site is in moderate condition. However, its canopy has been cut back on the east side to provide clearance to a Hydro pole and will most likely be impacted by sewer upgrades required for the subdivision. Remove and replace.
- Two (2) trees (Trees #7 & 8) located on the development site are in moderate condition. Tree #7 to be retained with a minimum 3.5 m tree protection zone and tree #8 to be retained with a minimum 3 m tree protection zone from base of each tree.
- Replacement trees are to be provided at a 2:1 ratio as per the OCP.

Tree Replacement and Landscaping

The applicant wishes to remove five (5) on-site trees (Trees # 1, 2, 3, 5, & 6). The 2:1 replacement ratio would require a total of ten (10) replacement trees. The applicant has agreed to plant three (3) trees on each lot proposed; for a total of six (6) trees. To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$2,000 to the City's Tree Compensation Fund in lieu of the remaining four (4) trees that cannot be accommodated on the subject property after redevelopment.

The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	8 cm	4 m
2	9 cm	5 m
2	10 cm	5.5 m

Prior to rezoning approval, the applicant must submit a Landscape Plan, prepared by a Registered Landscape Architect, for the proposed south lot (Lot B). The objective of the Landscape Plan is to ensure the attractiveness and safety of the City-owned walkway to the south, while respecting the privacy of the home owner within reason. The Landscape Plan must show the front and exterior side yards of the proposed lot.

Tree Protection

Three (3) of the bylaw-sized trees are to be retained and protected (Trees # 4, 7, & 8). A Tree Protection Plan showing the location of the retained trees and the necessary tree protection fencing is contained in Attachment 7. To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, the City's acceptance of a survival security in the amount of \$3,000.
- Prior to demolition of the existing dwelling on the subject site, installation of tree protection fencing around all trees to be retained. Tree protection fencing must be installed to City standard in accordance with the City's Tree Protection Information Bulletin TREE-03 prior to any works being conducted on-site, and remain in place until construction and landscaping on-site is completed.

Affordable Housing Strategy

The City's Affordable Housing Strategy requires a secondary suite or coach house on 100% of new lots created through single-family rezoning and subdivision applications, or a secondary suite or coach house on 50% of new lots created and a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of \$2.00/ft² of the total buildable area of the remaining lots.

The applicant proposes to provide a secondary suite on proposed Lot A and a cash-in-lieu contribution of \$7,046.00 to the City's Affordable Housing Reserve Fund. This is equivalent to \$2.00/ft² of the total buildable area of Lot B, and is consistent with the Affordable Housing Strategy.

Site Servicing and Frontage Improvements

At a future development stage, the applicant must complete the required servicing works as described in Attachment 8, through either a Servicing Agreement or a work order.

The subject property is bordered by three City-owned highways or boulevards, which may be impacted by tree removal, demolition, or construction at future development stages. Prior to the

earlier of rezoning approval, building permit issuance, or demolition permit issuance, the applicant must submit a security in the amount of \$4,000.00 to the City to ensure the highways and boulevards are restored on completion of these activities, as per Richmond Boulevard and Roadway Protection and Regulation Bylaw No. 6366.

Financial Impact

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

Conclusion

The purpose of this rezoning application is to rezone 4971/4991 Wintergreen Avenue from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/B)" zone to the property to be subdivided to create two (2) lots.

This rezoning application complies with the land use designations and applicable policies for the subject site contained within the OCP and the Richmond Zoning Bylaw 8500.

The list of rezoning considerations is included in Attachment 8, which has been agreed to by the applicant (signed concurrence on file).

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9569 be introduced and given first reading.



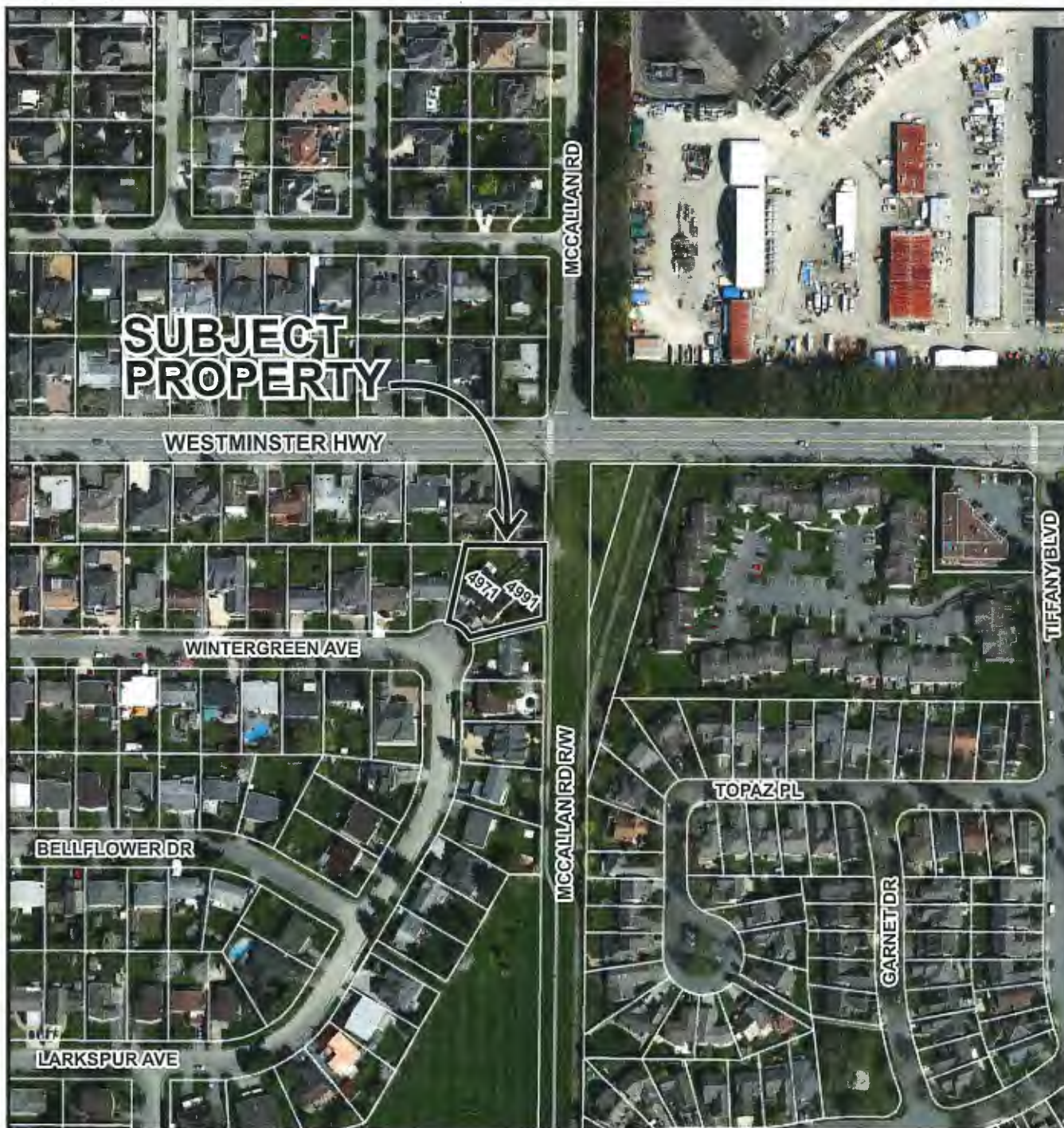
Jordan Rockerbie
Planning Technician
(604-276-4092)

JR:blg

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Survey showing proposed subdivision
- Attachment 3: Development Application Data Sheet
- Attachment 4: Land Use Map
- Attachment 5: Single-Family Lot Size Policy 5473
- Attachment 6: Aircraft Noise Sensitive Development Location Map
- Attachment 7: Tree Retention Plan
- Attachment 8: Rezoning Considerations



City of
Richmond



RZ 16-724552

Original Date: 03/04/16

Revision Date:

Note: Dimensions are in METRES

PLN - 104

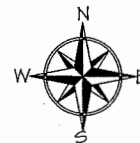
TOPOGRAPHIC SURVEY OF STRATA PLAN NWS2648

SECTION 11 BLOCK 4 NORTH RANGE 7 WEST

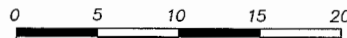
NEW WESTMINSTER DISTRICT

#4971/4991 WINTERGREEN AVENUE,
RICHMOND, B.C.
P.I.D. 008-684-766 (Strata Lot 1)
P.I.D. 008-684-821 (Strata Lot 2)

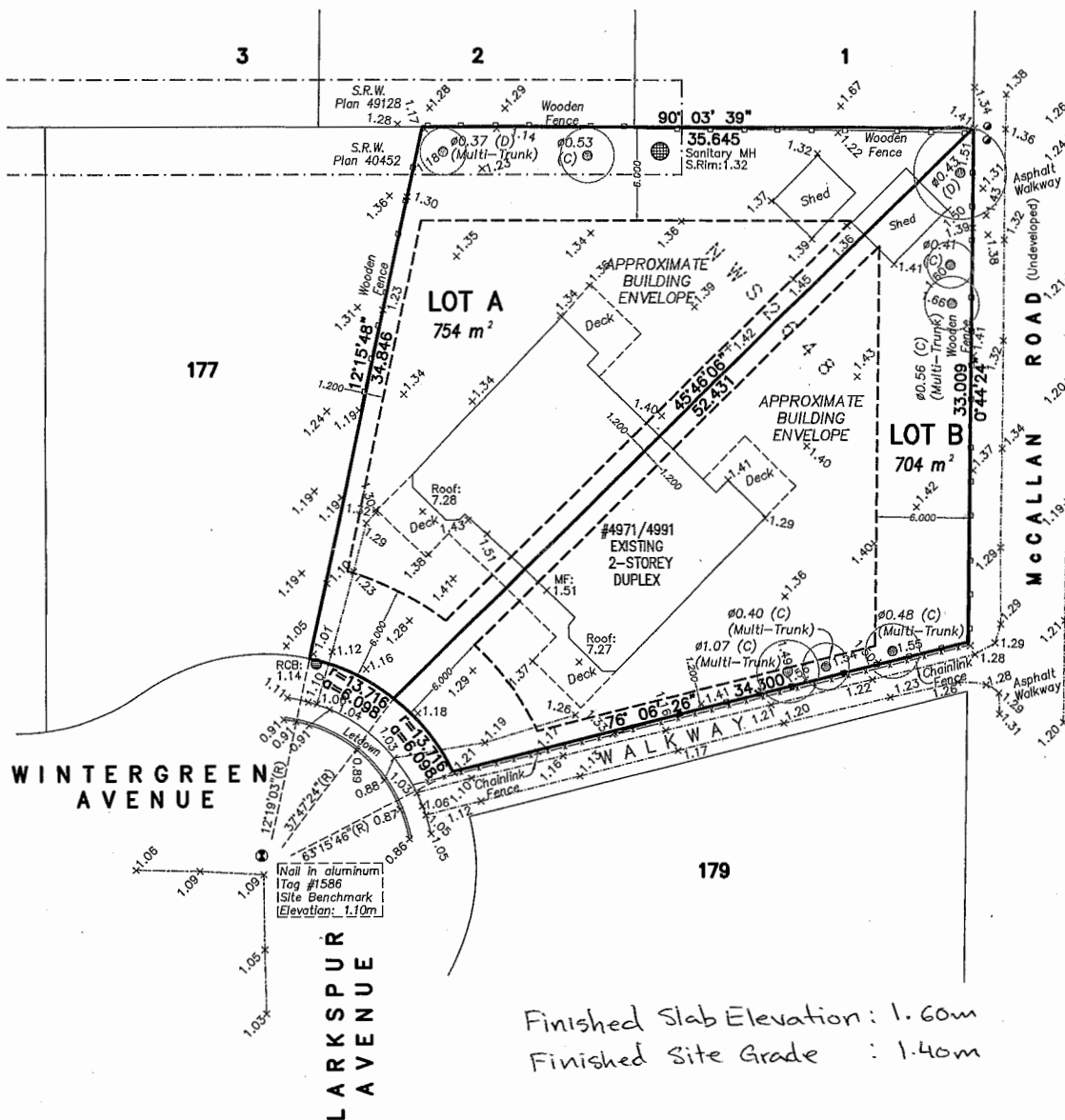
ATTACHMENT 2



SCALE = 1:300



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



© copyright
J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: office@jctam.com
Website: www.jctam.com
Job No. 6367
FB-299 P16-18; FB-302 P1-4
Drawn By: IO

NOTE:

Elevations shown are based on
City of Richmond HPN
Benchmark network.
Benchmark: HPN #234
Control Monument 77H4891
Elevation: 1.125m

NOTE:

Use site Benchmark Tag #1586 for
construction elevation control.

LEGEND:

(C) denotes conifer
(D) denotes deciduous
● denotes round catch basin
○ denotes power post
MF denotes mail
(R) denotes radial bearing

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

JOHNSON C. TAM, B.C.L.S.

JANUARY 26th, 2016.

DWG No. 6367-Topo-01



RZ 16-724552

Attachment 3

Address: 4971/4991 Wintergreen Avenue

Applicant: Monarchy Holding Group Inc.

Planning Area(s): Thompson

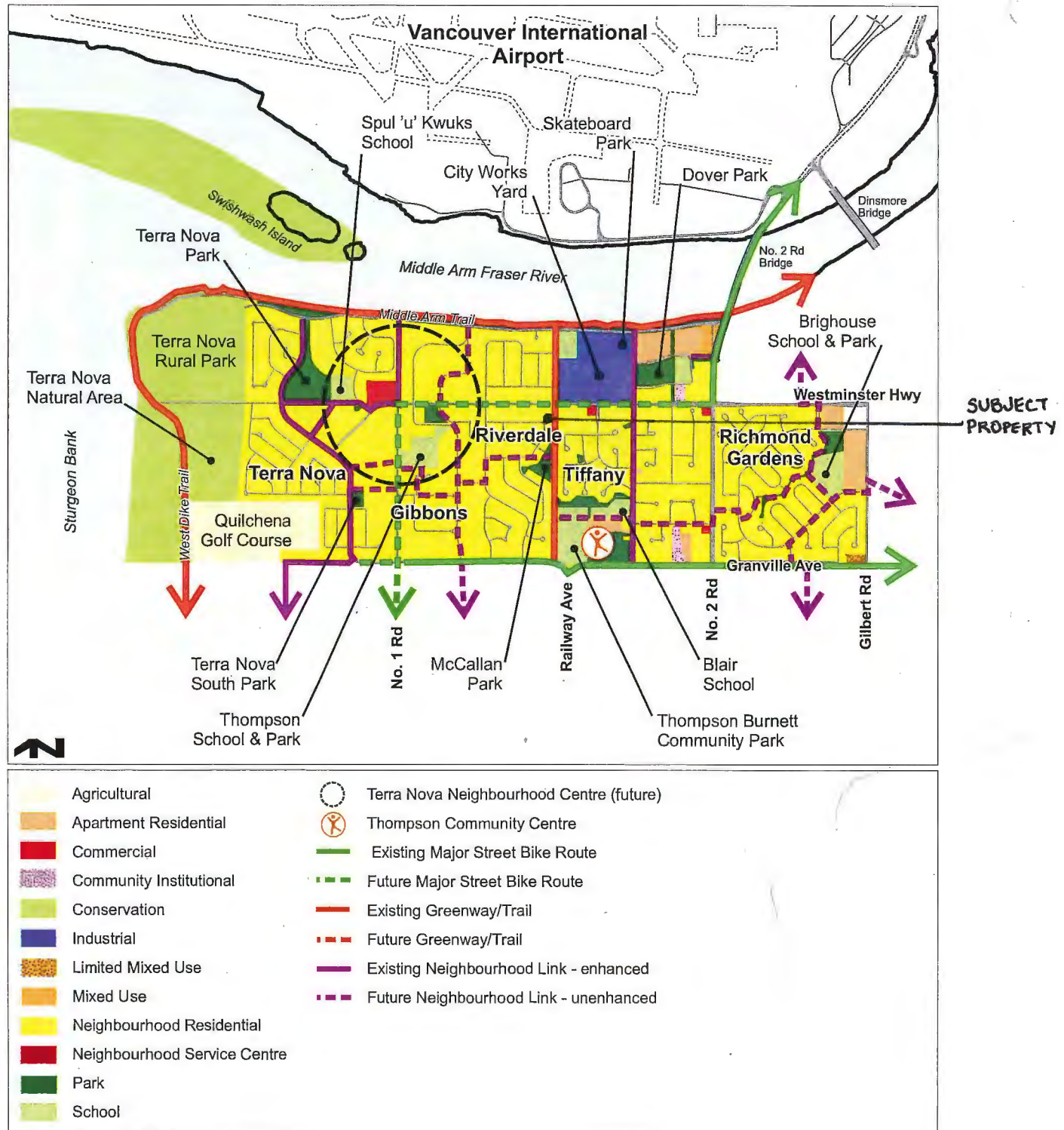
	Existing	Proposed	
Owner:	Monarchy Holding Group Inc. Yogesh (Yogi) Arora Personal Holding Corporation	To be determined	
Site Size (m ²):	1,458 m ²	Lot A: 754 m ² Lot B: 704 m ²	
Land Uses:	One (1) two-unit duplex	Two (2) single-family lots	
OCP Designation:	Neighbourhood Residential	No change	
Area Plan Designation:	Neighbourhood Residential	No change	
Lot Size Policy Designation	Single Detached (RS2/E)	Single Detached (RS2/B)	
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/B)	
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 applied to 464.5 m ² of the lot area together with 0.30 applied to the balance	Max. 0.55 applied to 464.5 m ² of the lot area together with 0.30 applied to the balance	none permitted
Buildable Floor Area*:	Lot A: Max. 3685 ft ² Lot B: Max. 3523 ft ²	Lot A: Max. 3685 ft ² Lot B: Max. 3523 ft ²	none permitted
Lot Coverage – Building:	Max. 45%	Max. 45%	none
Lot Coverage – Buildings, Structures, and Non-Porous Surfaces:	Max. 70%	Max. 70%	none
Lot Coverage – Live Plant Material:	Min. 25%	Min. 25%	none
Lot Size (min. dimensions):	360.0 m ²	Lot A: 754 m ² Lot B: 704 m ²	none
Setback – Front and Rear Yards:	Min. 6 m	Min. 6 m	none
Setback – Side Yards:	Min. 2 m	Min. 2 m	none
Height:	2 ½ Storeys	Max. 2 ½ Storeys	none

Other: Tree replacement compensation required for loss of bylaw-sized trees.

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



2. Thompson



PLN - 107



City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: July 18th, 2005

POLICY 5473

File Ref: 4045-00

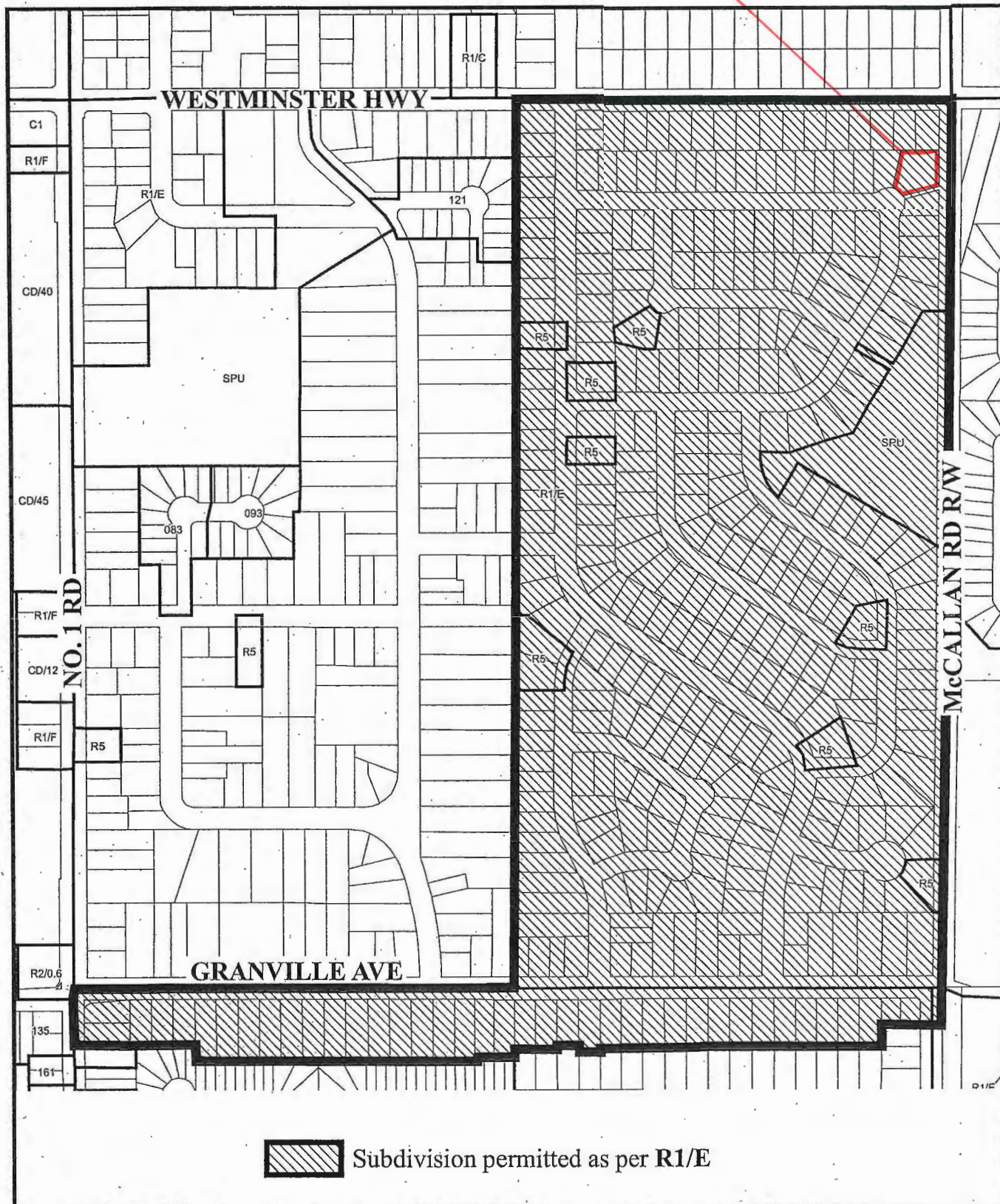
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 11-4-7 AND 14-4-7

POLICY 5473:

The following policy establishes lot sizes for that portion of Section 11-4-7, bounded by **Granville Avenue, Westminster Highway, the McCallan Road Right-of-Way, and the property line to the rear of the properties on the west side of Mayflower and Riverdale Drive, and for the lots abutting Granville Avenue between Railway Avenue and No. 1 Road** in a portion of Section 14-4-7:

1. All lots resulting from subdivision shall meet the requirements of Single-Family Housing District, Subdivision Area E (R1/E) as per the Zoning and Development Bylaw 5300.
2. This policy is to be used in determining the disposition of future applications in this area for a period of not less than five years, except as per the amending procedures in the Zoning and Development Bylaw 5300.
3. Property boundaries are outlined on the accompanying plan.
4. Multiple-family residential development shall not be permitted.

SUBJECT PROPERTY



Policy 5473
Section 11-4-7 and 14-4-7

Adopted Date: 07/18/05

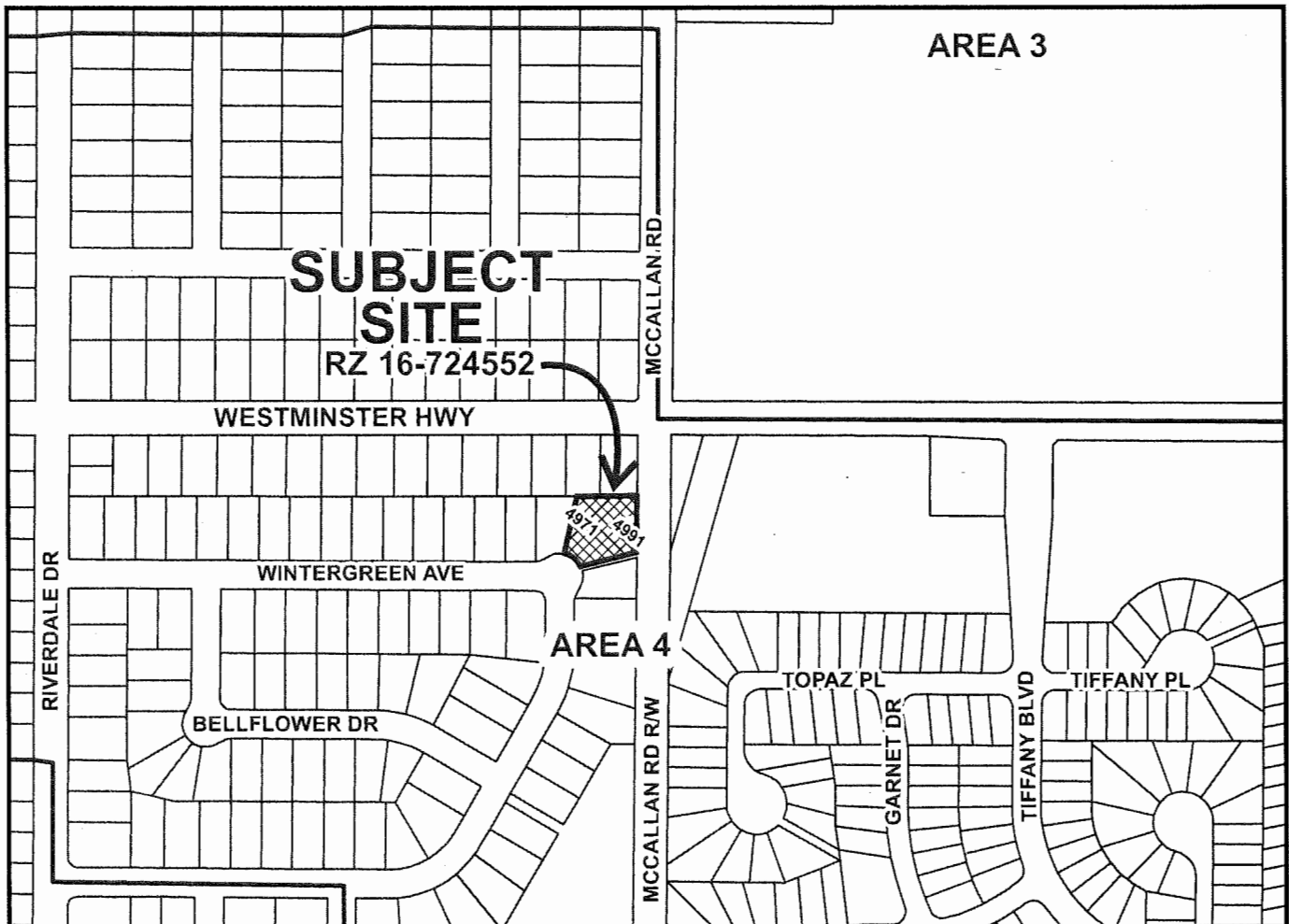
Amended Date:

Note: Dimensions are in METRES



City of Richmond

Schedule B



LEGEND

Aircraft Noise Sensitive Development Policy (ANSND) Areas (see Aircraft Noise Sensitive Development Policy Table)

AREA 1A - New Aircraft Noise Sensitive Land Use Prohibited.

AREA 1B - New Residential Land Uses Prohibited.

AREA 2 - All Aircraft Noise Sensitive Land Uses (Except New Single Family) May be Considered (see Table for exceptions).

AREA 3 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

AREA 4 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

No Aircraft Noise Mitigation Requirements:

AREA 5 - All Aircraft Noise Sensitive Land Use Types May Be Considered.

- **Objective:** To support the 2010 Olympic Speed Skating Oval
- Residential use: Up to 2/3 of the buildable square feet (BSF);
 - Non-residential use: The remaining BSF (e.g., 1/3)

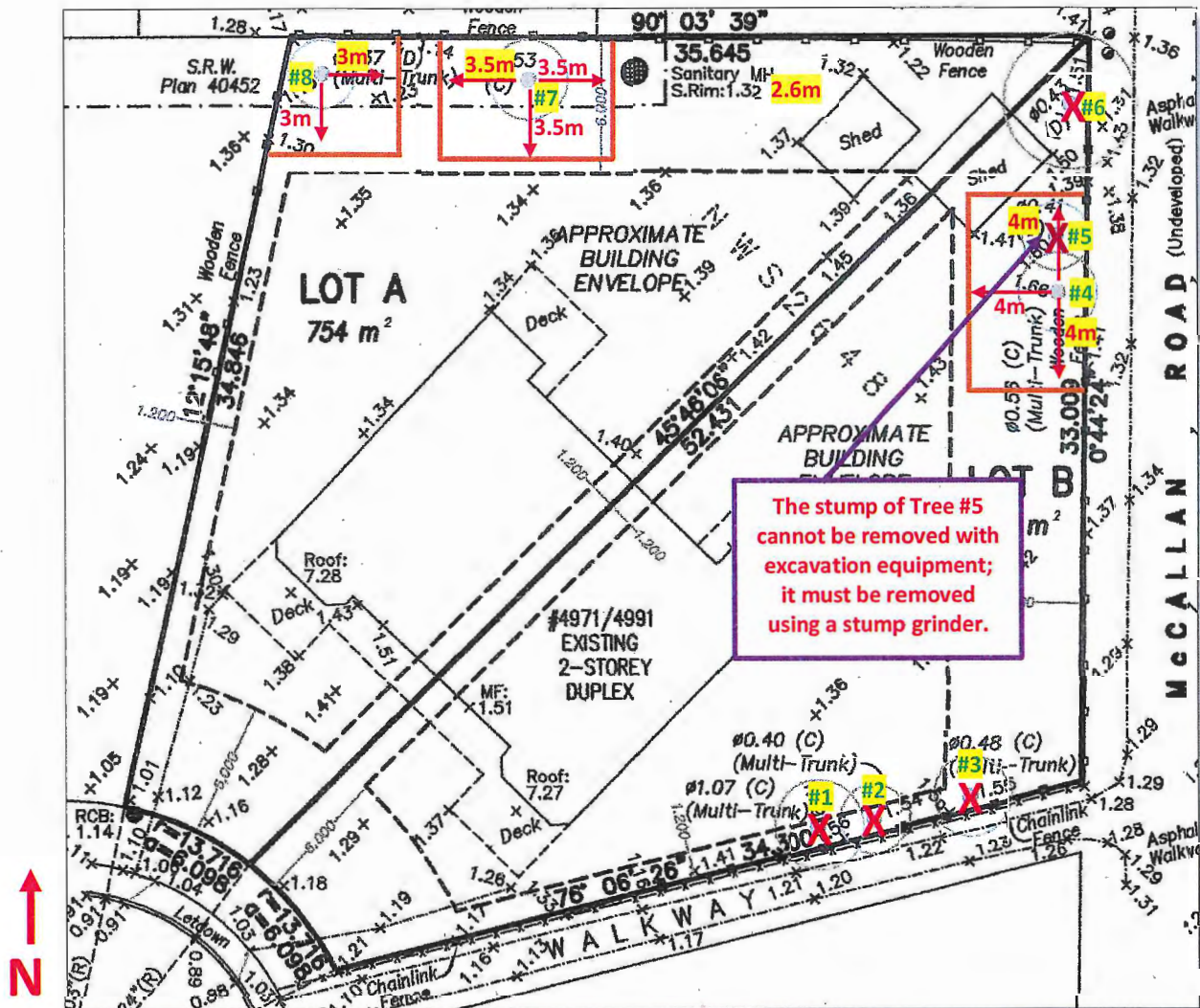


Aircraft Noise Sensitive Development Location Map

Original Date: 03/04/16

Revision Date:

Note: Dimensions are in METRES



Tree Retention & Removal Plan, Scale 1:300

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')
Globe Norway maple (<i>Acer platanoides</i> 'Globosum')

TREE #	TREE SPECIES (Botanical name)	DBH (cm)	SPREAD (m) Radius
1	Cedar (<i>Thuja plicata</i>)	63 comb.	3.5
2	Cypress (<i>Chamaecyparis</i> sp.)	55 comb.	3.5
3	Cypress (<i>Chamaecyparis</i> sp.)	65 comb.	3.5
4	Cypress (<i>Chamaecyparis</i> sp.)	67 comb.	3.5
5	Spruce (<i>Picea</i> sp.)	40	2
6	Cherry (<i>Prunus</i> sp.)	41	3
7	Cedar (<i>Thuja plicata</i>)	54	4.5
8	Apple (<i>Malus</i> sp.)	49 comb.	4



Address: 4971/4991 Wintergreen Avenue

File No.: RZ 16-724552

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9569, the applicant is required to complete the following:

1. City acceptance of the developer's offer to voluntarily contribute \$2,000.00 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
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 Landscape Plan for the proposed southern lot (proposed Lot B), prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscaping Security must also include \$3,000.00 to ensure that a total of six (6) replacement trees are planted on the subject property. The Landscape Plan should:
 - Aim to allow natural surveillance between the pedestrian walkway and the subject site along the south property line;
 - Not include hedges along the front property line;
 - Not include landscaping or fencing exceeding 1.2 m along the portion of the south property line located in the front yard or any part of a yard between the principal dwelling and the front lot line;
 - Include a mix of coniferous and deciduous trees;
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report;
 - Include all three (3) of the required replacement trees located on the proposed south lot.
 - Replacement trees should be a mix of deciduous and coniferous trees.
 - The six (6) required replacement trees are to be of the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	8 cm	4 m
2	9 cm	5 m
2	10 cm	5.5 m

4. Submission of a Tree Survival Security to the City in the amount of \$3,000.00 for the three (3) trees to be retained.
5. Submission of a security to the City in the amount of \$4,000.00 to ensure that all City highways and boulevards are fully restored following tree removal, demolition, and construction, as per Richmond Boulevard and Roadway Protection and Regulation Bylaw No. 6366, if not collected at Building Permit or Demolition stage.
6. Registration of an aircraft noise sensitive use covenant on Title.
7. Registration of a flood indemnity covenant on Title.
8. Registration of a legal agreement on title ensuring that the principal dwelling and any secondary suite cannot be stratified.
9. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
10. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments on one (1) of the two (2) future lots (i.e. \$7,046.00) to the City's Affordable Housing Reserve Fund.

Note: Should the applicant change their mind about the Affordable Housing option selected prior to final adoption of the Rezoning Bylaw, the City will accept a proposal to build a secondary suite on both of the future lots at the subject site. To ensure that a secondary suite is built to the satisfaction of the City in accordance with the Affordable Housing Strategy, the applicant is required to enter into a legal agreement registered on Title as a condition of rezoning, stating that no final Building Permit inspection will be granted until a secondary suite is constructed to the satisfaction of the City, in accordance with the BC Building Code and the City's Zoning Bylaw.

Prior to Subdivision*, the applicant must complete the following requirements:

1. Discharge of covenant AA10515 from the title of the strata lots, which restricts the property to a duplex.
2. Cancellation of the existing strata plan (NW2648).

Prior to Demolition* stage, the applicant must complete the following requirements:

1. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
2. Submission of a security to the City in the amount of \$4,000.00 to ensure that all City highways and boulevards are fully restored following tree removal, demolition, and construction, as per Richmond Boulevard and Roadway Protection and Regulation Bylaw No. 6366, if not collected at Rezoning or Building Permit stage.

At Subdivision* and Building Permit* stage, the applicant must complete the following requirements:

1. Submission of a security to the City in the amount of \$4,000.00 to ensure that all City highways and boulevards are fully restored following tree removal, demolition, and construction, as per Richmond Boulevard and Roadway Protection and Regulation Bylaw No. 6366, if not collected at Rezoning or Demolition stage.
2. Complete the following servicing works and off-site improvements. These must be completed through a cash contribution (based on the City's cost estimate for the works) for the City to undertake the works at development stage:

Water Works:

- Using the OCP Model, there is 113 L/s of water available at a 20 psi residual at the Wintergreen Avenue frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- At the Developers cost, the City is to:
 - Cut and cap at main, the existing water service connection at the Wintergreen Avenue frontage.
 - Install two (2) new water service connections, each complete with meter and meter box.

Storm Sewer Works:

- The Developer is required to:
 - Retain existing storm service connection at the southwest corner of the lot.
- At the Developers cost, the City is to:
 - Install a new storm service connection to service 4991 Wintergreen Avenue, complete with inspection chamber and tie-in to the existing box culvert running along the south property line.

Sanitary Sewer Works:

- The Developer is required to:
 - Retain the existing sanitary service connection off of the existing manhole SMH3426 to service 4971 Wintergreen Avenue.
 - Provide a 3.0 m-wide extension to the SRN 1-113 4952 to extend to the east property line.

Initial: _____

- At the Developers cost, the City is to:
 - Install a new sanitary service connection to service Lot 4991 within the proposed extension of SRW Plan 40452, complete with inspection chamber, and tie-in to existing manhole SMH3426.

Frontage Improvements:

- The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines.
 - 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.).
 - Complete other frontage improvements as per Transportation's requirements

General Items:

- The Developer is required to:
 - 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.
 - Submit 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.
 - 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 9569 (RZ 16-724552)
4971/4991 Wintergreen Avenue**

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 **"SINGLE DETACHED (RS2/B)"**.

P.I.D. 008-684-766

Strata Lot 1 Section 11 Block 4 North Range 7 West New Westminster District Strata Plan NW2648 together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

P.I.D. 008-684-821

Strata Lot 2 Section 11 Block 4 North Range 7 West New Westminster District Strata Plan NW2648 together with an interest in the Common Property in proportion to the Unit Entitlement of the Strata Lot as shown on Form 1

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9569"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by <i>RJK</i>
APPROVED by Director or Solicitor <i>il</i>

MAYOR

CORPORATE OFFICER