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**City Council**

**Council Chambers, City Hall  
6911 No. 3 Road**

**Monday, September 14, 2020  
7:00 p.m.**

Pg. #      ITEM

MINUTES

1. *Motion to:*

- CNCL-11      (1) *adopt the **minutes** of the Regular Council meeting held on Monday, July 27, 2020;*
- CNCL-28      (2) *adopt the **minutes** of the Special Council meeting held on August 26, 2020;*
- CNCL-30      (3) *adopt the **minutes** of the Regular Council meeting for Public Hearings held on Tuesday, September 8, 2020; and*
- CNCL-37      (4) *receive for information the Metro Vancouver '**Board in Brief**' dated July 31, 2020.*



AGENDA ADDITIONS & DELETIONS

COMMITTEE OF THE WHOLE

2. *Motion to resolve into Committee of the Whole to hear delegations on agenda items.*



## Council Agenda – Monday, September 14, 2020

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3. Delegations from the floor on Agenda items.

**PLEASE NOTE THAT FOR LEGAL REASONS, DELEGATIONS ARE NOT PERMITTED ON ZONING OR OCP AMENDMENT BYLAWS WHICH ARE TO BE ADOPTED OR ON DEVELOPMENT PERMITS/DEVELOPMENT VARIANCE PERMITS – ITEM NO. 16.**

4. *Motion to rise and report.*



### RATIFICATION OF COMMITTEE ACTION

### CONSENT AGENDA

**PLEASE NOTE THAT ITEMS APPEARING ON THE CONSENT AGENDA WHICH PRESENT A CONFLICT OF INTEREST FOR COUNCIL MEMBERS MUST BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

### CONSENT AGENDA HIGHLIGHTS

- Receipt of Committee minutes
- Housing Agreement Bylaw No. 10036 to Permit the City of Richmond to Secure Affordable Housing Units at 3208 Carscallen Road
- Funding Agreement with Transport Canada Rail Safety Improvement Program for Williams Road-Shell Road Intersection Upgrade
- City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187
- Support for BC Salmon Restoration Projects in Sturgeon Bank
- 13740 Westminster Highway – Unauthorized Watercourse Crossing and Decorative Wall
- Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre
- Extension of Non-Acceptance of Cash Transactions at City Hall

5. *Motion to adopt Items No. 6 through No. 13 by general consent.*



Council Agenda – Monday, September 14, 2020

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Consent  
Agenda  
Item

6. COMMITTEE MINUTES

*That the minutes of:*

- CNCL-50  
CNCL-53
- (1) *the Special General Purposes Committee meeting held on July 27, 2020 and the General Purposes Committee meeting held on September 8, 2020; and*
- CNCL-61  
CNCL-63
- (2) *the Special Finance Committee meeting held on August 26, 2020 and the Finance Committee meeting held on September 8, 2020; and*
- be received for information.*



Consent  
Agenda  
Item

7. HOUSING AGREEMENT BYLAW NO. 10036 TO PERMIT THE CITY OF RICHMOND TO SECURE AFFORDABLE HOUSING UNITS AT 3208 CARSCALLEN ROAD

(File Ref. No. 08-4057-05) (REDMS No. 6497341)

CNCL-66

See Page CNCL-66 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

*That Housing Agreement (3208 Carscallen Road) Bylaw No. 10036 to permit the City to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the Local Government Act, to secure the Affordable Housing Units required by Rezoning Application RZ 12-610011 be introduced and given first, second and third reading.*



Consent  
Agenda  
Item

8. FUNDING AGREEMENT WITH TRANSPORT CANADA RAIL SAFETY IMPROVEMENT PROGRAM FOR WILLIAMS ROAD-SHELL ROAD INTERSECTION UPGRADE

(File Ref. No. 01-0140-20-TCAN1-06) (REDMS No. 6492913 v. 3)

CNCL-95

See Page CNCL-95 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

- (1) *That the Chief Administrative Officer and the General Manager, Planning and Development, be authorized to execute the Rail Safety Improvement Program funding agreement with Transport Canada for the Williams Road-Shell Road intersection; and*
- (2) *That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly.*



Pg. # ITEM

Consent  
Agenda  
Item

9. **CITY CENTRE DISTRICT ENERGY UTILITY BYLAW NO. 9895, AMENDMENT BYLAW NO. 10187**

(File Ref. No. 12-8060-20-009921) (REDMS No. 6465455 v. 2)

CNCL-99

See Page CNCL-99 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

*That the City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187 presented in the “City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187” report dated June 10, 2020, from the Director, Sustainability and District Energy be introduced and given first, second, and third readings.*



Consent  
Agenda  
Item

10. **SUPPORT FOR BC SALMON RESTORATION PROJECTS IN STURGEON BANK**

(File Ref. No. 10-6160-04) (REDMS No. 6517459 v. 14)

CNCL-107

See Page CNCL-107 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

*That, as described in the staff report titled “Support for BC Salmon Restoration Projects in Sturgeon Bank,” dated August 25, 2020 from the Director, Sustainability and District Energy and the Director, Engineering:*

- (1) The scope of the three projects to be included in the Expression of Interest prepared by the South Coast Conservation Land Management Program for submission to the BC Salmon Restoration and Innovation Fund, be supported; and*
- (2) That in-kind contributions for the projects outlined in the Expression of Interest be endorsed.*



Consent  
Agenda  
Item

11. **13740 WESTMINSTER HIGHWAY – UNAUTHORIZED WATERCOURSE CROSSING AND DECORATIVE WALL**

(File Ref. No. 10-6060-01) (REDMS No. 6511999 v. 5)

CNCL-116

See Page CNCL-116 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

- (1) Pursuant to the authority provided in Sections 72, 73 and 75 of the Community Charter, that:*

- (a) *the infill and culvert in the watercourse fronting the property located at 13740 Westminster Highway, and having a legal description of Lot 2 Section 8 Block 4 North Range 5 West New Westminster District Plan 12960 (Parcel Identifier: 001-703-269) (the “Property”) be declared as having obstructed, filled up or damaged the watercourse fronting the Property without the City’s approval or consent (the “Unauthorized Watercourse Crossing”); and*
      - (b) *the decorative wall located at the Property, be declared as creating an unsafe condition;*
- (2) *Pursuant to Sections 72 and 73 of the Community Charter, the following remedial action requirements be imposed on Swarn Singh Panesar and Gurbax Kaur Panesar, as the registered owner of the Property (the “Owners”):*
  - (a) *to demolish the decorative wall at the Property; and*
  - (b) *to remove all debris from the decorative wall in accordance with any applicable federal, provincial and municipal laws;*
- (3) *Pursuant to Sections 72 and 75 of the Community Charter, and Part 7 of the Watercourse Protection and Crossing Bylaw No. 8441, the following remedial action requirements be imposed on the Owners:*
  - (a) *to remove the Unauthorized Watercourse Crossing in and about the watercourse fronting the Property; and*
  - (b) *to undertake and complete the restoration work identified in the Scope of Work, attached as Attachment 6 of the report to committee titled 13740 Westminster Highway – Unauthorized Crossing and Decorative Wall, dated August 14, 2020, from the Director, Engineering (the “Report”);*
  - (c) *to undertake and complete the restoration work identified in the Construction Environmental Management Plan for 13740 Westminster Highway dated October 2, 2018 by Madrone Environmental Services Ltd., attached as Attachment 7 of the Report;*
  - (d) *to undertake any additional measures as directed by the General Manager, Engineering and Public Works, to restore the watercourse to its previous condition; and*
  - (e) *to dispose of all material associated with the removal of the Unauthorized Watercourse Crossing at a permitted site under the guidance of a Qualified Professional, in compliance with all applicable federal, provincial and municipal laws;*

- (4) *That the time limit for completion of all the remedial action requirements described above be set as 5:00 pm on October 30, 2020; and*
- (5) *That staff be authorized to take all appropriate action in accordance with Section 17 [Municipal Action at Defaulter’s Expense] of the Community Charter to ensure compliance with all remedial action requirements imposed on the Owners, provided that:*
  - (a) *the Owners have not fully completed the remedial action requirements on or before the time limit specified by Council; and*
  - (b) *all costs incurred by the City to fulfill the remedial action requirements shall be at the expense of the Owner, and subject to Section 17 of the Community Charter, such costs shall be recovered from the Owner as a debt owed to the City of Richmond.*



Consent  
Agenda  
Item

12. **INVESTING IN CANADA INFRASTRUCTURE PROGRAM - MINORU PLACE ACTIVITY CENTRE CONVERSION TO ARTS CENTRE**

(File Ref. No. 10-6000-01) (REDMS No. 6507675 v. 5)

CNCL-166

See Page CNCL-166 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

- (1) *That the submission to the Investing in Canada Infrastructure Program – Community, Culture and Recreation Stream, requesting funding of up to \$2.4 million as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development be endorsed;*
- (2) *That the Chief Administrative Officer and General Manager, Engineering and Public Works be authorized to enter into funding agreements with the government for the aforementioned project should it be approved for funding, as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development;*
- (3) *That the Minoru Place Activity Centre Project capital budget be increased by \$749,000, which will be funded by Project Developments 2020 Operating Budget account “Infrastructure Replacement” and that the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly; and*

**Council Agenda – Monday, September 14, 2020**

Pg. #      ITEM

- (4) *That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly should the aforementioned project be approved for funding as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development.*

Consent  
Agenda  
Item

13. **EXTENSION OF NON-ACCEPTANCE OF CASH TRANSACTIONS AT CITY HALL**

(File Ref. No. 03-1240-01) (REDMS No. 6513797)

CNCL-171

**See Page CNCL-171 for full report**

**FINANCE COMMITTEE RECOMMENDATION**

*That Council extends non-acceptance of cash transactions at City Hall until March 31, 2021.*

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**CONSIDERATION OF MATTERS REMOVED FROM THE  
CONSENT AGENDA**

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**NON-CONSENT AGENDA ITEMS**

Pg. # ITEM

GENERAL PURPOSES COMMITTEE

Mayor Malcolm D. Brodie, Chair

14. **APPLICATION BY DAGNEAULT PLANNING CONSULTANTS LTD. FOR AN AGRICULTURAL LAND RESERVE SUBDIVISION AT 3031 NO. 7 ROAD**

(File Ref. No. AG 20-891572) (REDMS No. 6494333 v. 3)

CNCL-175

See Page CNCL-175 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

Opposed: Cllrs. Day, Greene, and Wolfe

*That the application by Dagneault Planning Consultants Ltd. for an Agricultural Land Reserve Subdivision at 3031 No. 7 Road be forwarded to the Agricultural Land Commission.*



15. **APPLICATION BY POLYGON TALISMAN PARK LTD. TO CREATE THE “RESIDENTIAL / LIMITED COMMERCIAL (ZMU47) – CAPSTAN VILLAGE (CITY CENTRE)” ZONE, AND REZONE THE SITE AT 8671, 8731, 8771, 8831/8851 CAMBIE ROAD, 8791 CAMBIE ROAD/3600 SEXSMITH ROAD, AND 3480, 3500, 3520, 3540/3560 SEXSMITH ROAD FROM THE “SINGLE DETACHED (RS1/F)” ZONE TO THE “RESIDENTIAL / LIMITED COMMERCIAL (ZMU47) – CAPSTAN VILLAGE (CITY CENTRE)” ZONE**

(File Ref. No. 12-8060-20-010198; RZ 18-836123) (REDMS No. 6491719 v. 6)

CNCL-201

See Page CNCL-201 for full report

GENERAL PURPOSES COMMITTEE RECOMMENDATION

Opposed: Cllr. Wolfe

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10198 to create the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone, and to rezone 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road from the “Single Detached (RS1/F)” zone to the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone and the “School and Institutional Use (SI)” zone, be introduced and given first reading.*



PUBLIC ANNOUNCEMENTS AND EVENTS

NEW BUSINESS

BYLAWS FOR ADOPTION

CNCL-333      Road Closure and Removal of Road Dedication **Bylaw No. 10038**  
(Road Adjacent to 8671, 8691, 8711 and 8731 Spires Road)  
Opposed at 1<sup>st</sup>/2<sup>nd</sup>/3<sup>rd</sup> Readings – None.

CNCL-336      Richmond Zoning Bylaw No. 8500, Amendment **Bylaw No. 9764**  
(23200 Gilley Road, RZ 16-754305)  
Opposed at 1<sup>st</sup> Reading – None.  
Opposed at 2<sup>nd</sup>/3<sup>rd</sup> Readings – None.

DEVELOPMENT PERMIT PANEL

16. RECOMMENDATION

See DPP Plan Package (distributed separately) for full hardcopy plans

CNCL-341      (1) *That the **minutes** of the Development Permit Panel meeting held on July 29, 2020, and the Chair’s report for the Development Permit Panel meetings held on May 27, 2020 and June 10, 2020, be received for information; and*

CNCL-380      (2) *That the **recommendation** of the Panel to authorize the issuance of a Development Permit (DP 19-876647) for the property at 17720 River Road be endorsed, and the Permit so issued.*

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Pg. #      ITEM

ADJOURNMENT





**Regular Council**

**Monday, July 27, 2020**

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)

Corporate Officer – Claudia Jesson

Call to Order: Mayor Brodie called the meeting to order at 7:00 p.m.

RES NO. ITEM

**MINUTES**

R20/14-1 1. It was moved and seconded

*That:*

- (1) *the minutes of the Regular Council meeting held on July 13, 2020, be adopted as circulated; and*
- (2) *the minutes of the Regular Council meeting for Public Hearings held on July 20, 2020, be adopted as circulated.*

**CARRIED**



Regular Council  
Monday, July 27, 2020

AGENDA ADDITIONS & DELETIONS

It was noted that Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9986 has no noted opposition for first, second and third readings.

R20/14-2

It was moved and seconded

*That Item No. 17A– “Open Letter Re: Resilient Food Systems” and Item No. 17B– “2020 Annual Tax Sale Options” be deleted from the Council Agenda.*

**CARRIED**

COMMITTEE OF THE WHOLE

R20/14-3

2. It was moved and seconded

*That Council resolve into Committee of the Whole to hear delegations on agenda items (7:02 p.m.).*

**CARRIED**

3. Delegations from the floor on Agenda items

Item No. 12 – Soil Use for the Placement of Fill Application for the Property Located at 19740 River Road (Sidhu)

Sukminder Sidhu, the applicant and Dr. Stephen Ramsay, the consulting engineer for the applicant, provided a summary of the application and spoke on (i) utilizing similar types of soil that is currently present on-site for the fill, (ii) the carbon neutrality of the cranberry operation, and (iii) utilizing high quality soil and the quality control methods used during the soil extraction process.

R20/14-4

4. It was moved and seconded

*That Committee rise and report (7:09 p.m.).*

**CARRIED**



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CONSENT AGENDA

- R20/14-5 5. It was moved and seconded  
*That Items No. 6 through No. 11 be adopted by general consent.*

**CARRIED**

6. **COMMITTEE MINUTES**

*That the minutes of the General Purposes Committee meeting held on July 20, 2020 be received for information.*

**ADOPTED ON CONSENT**

7. **2020 UBCM COMMUNITY EXCELLENCE AWARDS**

(File Ref. No. 01-0083-20-001) (REDMS No. 6482378 v.3)

*That the City's entries for the Union of BC Municipalities (UBCM) Community Excellence Awards be endorsed, including:*

- (1) Excellence in Governance: The City of Richmond's Organizational Development Program;*
- (2) Excellence in Service Delivery: Community Wellness Strategy 2018-2023;*
- (3) Excellence in Asset Management: Richmond Flood Protection Program; and*
- (4) Excellence in Sustainability: Mitchell Island Environmental Stewardship Initiatives.*

**ADOPTED ON CONSENT**



Regular Council  
Monday, July 27, 2020

8. **TRANSLINK 2020 CAPITAL COST-SHARE PROGRAM – SUPPLEMENTAL APPLICATIONS**

(File Ref. No. 01-0154-04; 03-1000-03-181) (REDMS No. 6457711 v.10)

*That as described in the report titled “TransLink 2020 Capital Cost-Share Program – Supplemental Applications” dated June 19, 2020 from the Director, Transportation:*

- (a) the transit-related projects recommended for cost-sharing as part of the TransLink 2020 Bus Speed and Reliability Program be endorsed;*
- (b) should the above project receive final approval from TransLink, the Chief Administrative Officer and General Manager, Planning and Development be authorized to execute the funding agreements and the Revised Consolidated 5 Year Financial Plan (2020-2024) be updated accordingly; and*
- (c) staff be directed to implement the projects approved by TransLink and report back in one year as part of the City’s proposed applications to TransLink’s 2021 Capital Cost-Share Programs.*

**ADOPTED ON CONSENT**

9. **APPLICATION BY KANARIS DEMETRE LAZOS FOR A HERITAGE ALTERATION PERMIT (HA 19-881148) AND A STEVESTON VILLAGE HERITAGE CONSERVATION GRANT AT 12111 3RD AVENUE (STEVESTON HOTEL)**

(File Ref. No. HA 19-881148) (REDMS No. 6486957; 6504070; 6142346)

- (1) That a Heritage Alteration Permit (HA 19-881148) be issued which would permit the replacement of the existing roof on the building located at 12111 3<sup>rd</sup> Avenue; and*
- (2) That a grant request in the amount of \$72,800 be approved under the Steveston Village Heritage Conservation Grant Program to assist with the roof replacement work for the building located at 12111 3<sup>rd</sup> Avenue, and disbursed in accordance with Council Policy 5900.*

**ADOPTED ON CONSENT**



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**10. LIVE-STREAMING OF COUNCIL AND COMMITTEE MEETINGS  
AND OF COUNCIL-SCHOOL BOARD LIAISON COMMITTEE  
MEETINGS AND DEVELOPMENT PERMIT PANEL MEETINGS**

(File Ref. No. 01-0105-01; 01-0105-00; 01-0107-01; 01-0100-30-CSBL1-01; 01-0100-20-DPER1-01)  
(REDMS No. 6491857 v. 3)

- (1) That during the Covid-19 pandemic:*
  - (a) all Standing Committee and Council meetings will be held in the Council Chambers;*
  - (b) all Standing Committee meetings, Council meetings, Council/School Board Liaison Committee meetings, subject to Richmond School District approval, and Development Permit Panel meetings be livestreamed;*
- (2) That during the Covid-19 pandemic, staff explore technological upgrades to the Anderson Room for live-streaming functionality post Covid-19;*
- (3) That staff provide budgetary implications information, including changes to Council Chambers and the Anderson Room; and*
- (4) That the above mentioned matters be further revisited post Covid-19.*

**ADOPTED ON CONSENT**

**11. AWARD OF CONTRACT 6676P – SUPPLY OF HYDRO-VAC SERVICES**

(File Ref. No. 03-1000-20-6676P; 02-0775-50-6676P) (REDMS No. 6483396 v.3)

- (1) That contract 6766P – Supply of Hydro-Vac Services for an initial three-year term be awarded on an “as and when requested” basis to McRae’s Environmental Service Ltd as the most responsive and responsible bidder. The initial three-year term is estimated at \$7,277,841 exclusive of taxes and 10% contingency; and*
- (2) That approval from Council will be requested prior to staff executing an option to renew the contract for a further two-year term, for a maximum total term of five years; and*



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- (3) *That the Chief Administrative Officer and the General Manager, Engineering and Public Works be authorized to execute the contract with McRae’s Environmental Service Ltd.*

**ADOPTED ON CONSENT**

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**CONSIDERATION OF MATTERS REMOVED FROM THE  
CONSENT AGENDA**

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**NON-CONSENT AGENDA ITEMS**

**GENERAL PURPOSES COMMITTEE**

Mayor Malcolm D. Brodie, Chair

12. **SOIL USE FOR THE PLACEMENT OF FILL APPLICATION FOR THE PROPERTY LOCATED AT 19740 RIVER ROAD (SIDHU)**

(File Ref. No. 12-8080-12-01) (REDMS No. 6487928 v.8; 6204901)

R20/14-6

It was moved and seconded

*That the ‘Soil Use for the Placement of Fill’ application submitted by Sukminder (Minder) Sidhu (the “Applicant”) for the Property located at 19740 River Road proposing to deposit peat to develop and expand the current cranberry farming operation be authorized for referral to the Agricultural Land Commission (ALC) for the ALC to review and determine the merits of the proposal from an agricultural perspective as the Applicant has satisfied all of the City’s current reporting requirements.*

**CARRIED**



Regular Council  
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13. APPLICATION BY 1058085 BC LTD. FOR REZONING AT 10431 NO. 5 ROAD FROM THE "SINGLE DETACHED (RS1/E)" ZONE TO THE "ARTERIAL ROAD COMPACT TWO-UNIT DWELLINGS (RCD)" ZONE

(File Ref. No. RZ 18-829789; 12-8060-20-010197/10195) (REDMS No. 6480434; 6504294; 6483386; 6480423; 6481840)

R20/14-7

It was moved and seconded

- (1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10197 to create the "Arterial Road Compact Two-Unit Dwellings (RCD)" zone, be introduced and given First Reading; and*
- (2) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 10195, for the rezoning of 10431 No. 5 Road from "Single Detached (RS1/E)" to "Arterial Road Compact Two-Unit Dwellings (RCD)", be introduced and given First Reading.*

The question on the motion was not called as discussion ensued with regard to the proposed (i) tree preservation plan, (ii) landscaping plans, (iii) parking plans and (iv) site geometry.

In reply to queries from Council, staff noted that should the application proceed, staff can work with the applicant on tree preservation and landscaping through the Development Permit and Servicing Agreement process. Staff added that should the application proceed to a Public Hearing, properties within a radius of 50 metres will be notified of the application.

As a result of the discussion, the following **referral motion** was introduced:

R20/14-8

It was moved and seconded

*That the staff report titled "Application by 1058085 BC Ltd. for Rezoning at 10431 No. 5 Road from the "Single Detached (RS1/E)" Zone to the "Arterial Road Compact Two-Unit Dwellings (RCD)" Zone, dated July 6, 2020 from the Director, Development, be referred back to staff.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Au  
Loo  
McNulty  
McPhail  
Steves



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

**14. LIBRARY CULTURAL CENTRE MECHANICAL UPGRADE PROJECT**

(File Ref. No. 10-6125-05-01; 06-2050-20-LCC; 02-0775-50-6742P; 03-1000-20-6742P) (REDMS No. 6368260)

R20/14-9

It was moved and seconded

*That the Equipment Renewal and GHG Reduction Project, described as Option 2 on page 4 in the staff report titled "Library Cultural Centre Mechanical Upgrade Project", dated July 20, 2020, from the Director, Sustainability and District Energy, be approved.*

The question on the motion was not called as discussion ensued with regard to (i) options to repair the current equipment, replace the equipment with a similar model or upgrade to a high efficient model, (ii) utilizing grants to fund the proposed upgrade, (iii) the potential financial impact of the project on other proposed projects in the City, and (iv) the expected lifespan of the equipment and the building.

In reply to queries from Council, staff noted that (i) repairing the current equipment is not advised and replacement should take place as soon as possible, (ii) upgrading the equipment to more efficient models will significantly reduce greenhouse gas emissions on-site, and (iii) it is anticipated that the equipment will have a lifespan of approximately 20 to 25 years.

The question on the motion was then called and it was **CARRIED** with Cllr. Loo opposed.



**Regular Council  
Monday, July 27, 2020**

**15. ESTIMATED COSTS FOR TEMPORARY ROAD CHANGES IN STEVESTON VILLAGE FOR AUGUST 2020**

(File Ref. No. 10-6360-06-01, 09-5125-13-01) (REDMS No. 6500750)

R20/14-10

It was moved and seconded

- (1) That Option 2, One-Way on Moncton Street and One-Way on Bayview Street from August 4, 2020, until and including Labour Day, as outlined in the staff memorandum titled “Estimated Costs for Temporary Road Changes in Steveston Village for August 2020” dated July 16, 2020, from the Director, Transportation, be approved; and*
- (2) That staff provide clarification regarding the cost and source of funding for the street closures; and*
- (3) That staff provide a comprehensive signage plan for the street closures.*

A memorandum titled “Signage Plans for Temporary Road Changes in Steveston Village (August 1 – September 7, 2020”, dated July 23, 2020, from the Director, Transportation, was distributed to Council (attached to and forming part of these minutes as Schedule 1).

The question on the motion was not called as discussion ensued with regard to (i) reconfiguring lanes to add pedestrian space on the north side of Bayview Street, (ii) positioning staff in the area to efficiently manage pedestrian and vehicle traffic, (iii) increasing separation between cyclists and pedestrians, (iv) improving temporary traffic directional and speed signage in the area, (v) reducing the vehicle speed limit in the area, and (vi) estimated costs of the scheduled road closures.

In reply to queries from Council, staff noted that (i) City ambassadors will be in area to encourage social distancing, (ii) temporary reduction of the speed limit in the area can be achieved with signage, and (iii) the City received feedback from the local businesses regarding the proposed street closures.

The question on the motion was then called and it was **CARRIED** with Cllr. Greene opposed.



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Discussion then took place on expanding pedestrian space along the north portion of Bayview Street and available parking space in Steveston. As a result, staff were directed to distribute a map of the parking areas in Steveston.

As a result of the discussion, the following **motion** was introduced:

R20/14-11

It was moved and seconded

***That a portion of the pedestrian space along the south side of Bayview Street be reallocated to expand pedestrian space along the north side of Bayview Street.***

The question on the motion was not called as discussion ensued with regard to the safe configuration of the roadway that would separate pedestrians, cyclists and motorists, and the varying dimensions of roadway in the Steveston area.

The question on the motion was then called and it was **DEFEATED** with Mayor Brodie, Cllrs. Au, Loo, McNulty, McPhail and Steves opposed.

Discussion then ensued with regard to reviewing pedestrian space along Bayview Street, and as a result the following **motion** was introduced:

R20/14-12

It was moved and seconded

***That staff be directed to review and modify, as required, the extra pedestrian space along the south side of Bayview Street.***

**CARRIED**

**FINANCE AND CORPORATE SERVICES DIVISION**

**16. COUNCIL REMUNERATION AND EXPENSES FOR 2019**  
(File Ref. No. 03-1200-03) (REDMS No. 6465066)

R20/14-13

It was moved and seconded

***That the 2019 Council Remuneration and Expenses be approved.***

The question on the motion was not called as discussion ensued with regard to Council expenses.

The question on the motion was then called and it was **CARRIED**.

Discussion then took place on options to place an annual cap on Council expenses, and as a result the following **referral motion** was introduced:



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- R20/14-14      It was moved and seconded  
*That staff be directed to review Council expenses and explore options to place a cap on expenses for members of Council, and report back.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Au  
Greene  
Loo  
McNulty  
McPhail  
Steves

17. **2019 STATEMENT OF FINANCIAL INFORMATION**  
(File Ref. No. 03-1200-02) (REDMS No. 6449470)

- R20/14-15      It was moved and seconded  
*That the 2019 Statement of Financial Information be approved.*

**CARRIED**

**GENERAL PURPOSES COMMITTEE**

Mayor Malcolm D. Brodie, Chair

17A. **OPEN LETTER RE: RESILIENT FOOD SYSTEMS**  
(File Ref. No. 01-0150-20-AFIS1; 08-4040-08-01; 09-5125-13-01) (REDMS No. 6508211)

Please see Page 1 for action on this item.

17B. **2020 ANNUAL TAX SALE OPTIONS**  
(File Ref. No. 12-8060-20-10199, 09-5125-13-01; 03-0925-04-01; 03-0925-01) (REDMS No. 6491657; 6504390)

Please see Page 1 for action on this item.



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17C. PROVINCIAL CONSULTATION ON MONEY SERVICES  
BUSINESSES REGULATION

(File Ref. No. 09-5350-05-06; 01-0150-20-FINA2) (REDMS No. 6503179)

R20/14-16

It was moved and seconded

*That the responses included in Attachment 2 of the staff report titled “Provincial Consultation on Money Services Businesses Regulation”, dated July 17, 2020, from the General Manager, Community Safety be endorsed for submission to the BC Ministry of Finance.*

The question on the motion was not called as discussion ensued with regard to (i) regulation of cryptocurrency teller machines, (ii) coordination with external agencies such as the RCMP and FINTRAC to limit money laundering, (iii) advocating for the expansion of the beneficial owners registry to increase transparency, (vi) advocating the Province to expedite legislation regulating Money Services Businesses and (vii) reviewing options to list actual beneficial owners in the City’s development application process.

The question on the motion was then called and it was **CARRIED**.

BYLAWS FOR ADOPTION

R20/14-17

It was moved and seconded

*That the following bylaws be adopted:*

*Vehicle For Hire Regulation Bylaw No. 6900 Amendment Bylaw No. 10128*

*Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9986*

*Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 10022*

**CARRIED**



**Regular Council  
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R20/17-18 It was moved and seconded  
*That Animal Control Regulation Bylaw No. 7932, Amendment Bylaw No. 10157 be adopted.*

**CARRIED**  
Opposed: Cllrs. Day  
Greene  
Wolfe

R20/14-19 It was moved and seconded  
*That Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9563 be adopted.*

**CARRIED**  
Opposed: Cllrs. Day  
Wolfe

**DEVELOPMENT PERMIT PANEL**

- R20/14-20 18. It was moved and seconded
- (1) *That the minutes of the Development Permit Panel meeting held on July 15, 2020 and the Chair's report for the Development Permit Panel meetings held on January 29, 2020, October 25, 2017 and July 15, 2020, be received for information; and*
  - (2) *That the recommendations of the Panel to authorize the issuance of:*
    - (a) *of a Development Permit (DP 19-864104) for the property at 8600, 8620, 8640 and 8660 Francis Road;*



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- (b) a Development Permit (DP 16-754735) for the property at 8620 Railway Avenue; and*
  - (c) a Development Permit (DP 18-820689) for the property at 1600 Savage Road;*
- be endorsed, and the Permits so issued; and*
- (d) That the recommendation of the Panel to authorize the approval of changes to the design of the Development Permit (DP 15-716274) issued for the property at 23100 Garripie Avenue be endorsed, and the changes be deemed to be in General Compliance with the Permit;*

The question on the motion was not called as it was suggested that the proposed playgrounds for the applications located at the properties at 8600, 8620, 8640 and 8660 Francis Road (DP 19-864104) and 8620 Railway Avenue (DP 16-754735) be enhanced, and as a result the following **amendment motion** was introduced:

R20/14-21

It was moved and seconded

*That the proposed playgrounds for the properties at 8600, 8620, 8640 and 8660 Francis Road (DP 19-864104) and 8620 Railway Avenue (DP 16-754735) be improved.*

**CARRIED**

The question on the main motion, as amended, which reads as follows:

- (1) That the minutes of the Development Permit Panel meeting held on July 15, 2020 and the Chair's report for the Development Permit Panel meetings held on January 29, 2020, October 25, 2017 and July 15, 2020, be received for information; and*
- (2) That the recommendations of the Panel to authorize the issuance of:*
  - (a) of a Development Permit (DP 19-864104) for the property at 8600, 8620, 8640 and 8660 Francis Road, including playground improvements;*



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- (b) *a Development Permit (DP 16-754735) for the property at 8620 Railway Avenue, including playground improvements; and*
- (c) *a Development Permit (DP 18-820689) for the property at 1600 Savage Road;*  
*be endorsed, and the Permits so issued; and*
- (d) *That the recommendation of the Panel to authorize the approval of changes to the design of the Development Permit (DP 15-716274) issued for the property at 23100 Garripie Avenue be endorsed, and the changes be deemed to be in General Compliance with the Permit;*

was then called and it was **CARRIED**.

**ADJOURNMENT**

R20/14-22

It was moved and seconded  
*That the meeting adjourn (8:51 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Regular meeting of the Council of the City of Richmond held on Monday, July 27, 2020.

\_\_\_\_\_  
Mayor (Malcolm D. Brodie)

\_\_\_\_\_  
Corporate Officer (Claudia Jesson)

Schedule 1 to the Minutes of the Regular meeting of Richmond City Council held on Monday, July 27, 2020.

TO: MAYOR & EACH COUNCILLOR  
FROM: CITY CLERK'S OFFICE



City of Richmond

Memorandum  
Planning and Development Division  
Transportation

**To:** Mayor and Councillors  
**From:** Lloyd Bie, P.Eng.  
Director, Transportation  
Jerry Chong  
Director, Finance  
**Date:** July 23, 2020  
**File:** 10-6360-06-01/2020-Vol 01  
**Re:** **Signage Plans for Temporary Road Changes in Steveston Village (August 1-September 7, 2020)**

As directed at the July 20, 2020 General Purposes Committee meeting with respect to the temporary road changes in Steveston Village, this memorandum provides:

- the signage and wayfinding plans for the BC Day weekend (August 1-3, 2020) and the subsequent period through to Labour Day (August 4-September 7, 2020); and
- the estimated cost and funding source for the August 4-September 7, 2020 period.

The same signage plan for the temporary road changes implemented on Canada Day will be applied for the BC Day weekend (Attachment 1). Additional wayfinding signage for pedestrians and cyclists will be installed identifying the points of interest (Attachment 2).

For the remainder of August through to Labour Day, the signage plan for the temporary road changes reflects the one-way system on Moncton Street eastbound (Attachment 3). The wayfinding signage for pedestrians and cyclists installed for the BC Day weekend will remain in place. The estimated cost to implement the temporary road changes for August 4<sup>th</sup> through September 7<sup>th</sup> is \$32,500, which can be funded within existing approved budgets.

Pending Council approval of the temporary road changes to be implemented August 4<sup>th</sup> to September 7<sup>th</sup>, notification will be delivered to all businesses in Steveston Village. The material will include a City email and telephone number that will be monitored by staff to respond to any inquiries.

If you have any questions, please contact either of the undersigned

Lloyd Bie, P.Eng.  
Director, Transportation  
(604-516-9934)  
LB:jc  
Att. 3  
cc: SMT

Jerry Chong  
Director, Finance  
(604-787-3155)



Wayfinding Signage (August 1-September 7, 2020)

**Steveston Village Points of Interest**

- Garry Point Park
- Gulf of Georgia Cannery
- Steveston Museum & Town Square Park
- Fisherman's Wharf Imperial Landing
- Steveston Park
  - Swamp Park • Outdoor Pool
  - Playground • Fire Lane

**Remember:** **Yield to pedestrians**

Help prevent the spread of COVID-19. Stay home if sick.

Stay up to date and visit [www.tchmond.ca/covid19](http://www.tchmond.ca/covid19)

**NORTH face, looking west**

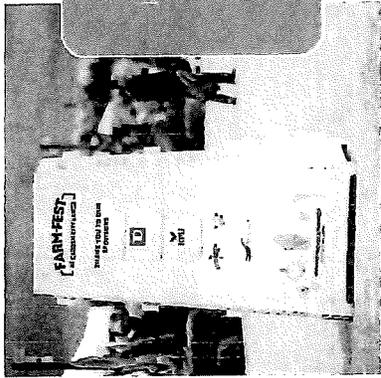
**WEST face, looking east**

**SOUTH face, looking north**

**EAST face, looking west**

Wayfinding map, directional information, standard COVID and transportation icons on 4-sided information kiosk.

Kiosk measures 36x48x96"





Special Council
Wednesday, August 26, 2020

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Carol Day (attending via teleconference)
Councillor Kelly Greene (attending via teleconference)
Councillor Alexa Loo (attending via teleconference)
Councillor Bill McNulty (attending via teleconference)
Councillor Linda McPhail (attending via teleconference)
Councillor Harold Steves (attending via teleconference)
Councillor Michael Wolfe (attending via teleconference)

Corporate Officer – Claudia Jesson

Call to Order: Mayor Brodie called the meeting to order at 4:00 p.m.

RES NO. ITEM

Mayor Brodie recessed the meeting at 4:01 p.m. for the Special Closed Council and Special Finance Committee meetings.

\*\*\*\*\*

The meeting reconvened at 4:36 p.m. with all members of Council present.

GENERAL PURPOSES COMMITTEE

- 1. UPDATE ON REFERRAL RE: 2020 ANNUAL TAX SALE OPTIONS
(File Ref. No. 03-1240-01; 03-0925-04-01; 12-8060-20-010199) (REDMS No. 6516637; 6504390; 6491657)

SP20/9-1

It was moved and seconded

(1) That the City proceed with the tax sale in accordance with the provisions of the Local Government Act; and



Special Council  
Wednesday, August 26, 2020

RES NO.    ITEM

- (2) *That the measures, process and procedure changes and adjustments, and the designation and change of venue described under the Status Quo Option set out on page 3 of Attachment 1 of the staff report titled "2020 Annual Tax Sale Options", dated July 20, 2020, from the Director, Finance, be approved.*

**CARRIED**

Opposed: Cllr. Au

Greene

Loo

Wolfe

ADJOURNMENT

SP20/9-2

It was moved and seconded

*That the meeting adjourn (4:37 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Special meeting of the Council of the City of Richmond held on Wednesday, August 26, 2020.

\_\_\_\_\_  
Mayor (Malcolm D. Brodie)

\_\_\_\_\_  
Corporate Officer (Claudia Jesson)



**Regular Council meeting for Public Hearings  
Tuesday, September 8, 2020**

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)

Claudia Jesson, Corporate Officer

Call to Order: Mayor Brodie opened the proceedings at 7:00 p.m.

1. **OFFICIAL COMMUNITY PLAN BYLAW 7100, AMENDMENT  
BYLAWS 10136 AND 10137 AND RICHMOND ZONING BYLAW  
8500, AMENDMENT BYLAW 10138 (RZ 18-807640)**

(Location: 5740, 5760 and 5800 Minoru Boulevard; Applicant: IBI Group Architects)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

De Whalen, 13631 Blundell Road, Richmond Poverty Reduction Coalition, spoke in favour of the proposed development noting that (i) the Richmond Poverty Reduction Coalition is a newly registered non-profit organization, (ii) the affordable housing component is greatly supported, and (iii) the non-profit organizations' spaces included in the proposed development are appreciated.



**Regular Council meeting for Public Hearings  
Tuesday, September 8, 2020**

Ms. Whalen then referenced a submission from the Richmond Poverty Response Committee (attached to and forming part of these Minutes as Schedule 1) and commended the City for addressing some of the suggestions provided in the submission.

In response to a query from Council, Ms. Whalen advised that the limitation of 50% of market rental rates is that market rental rates can change; thereby, increasing rent for non-profit organizations. She then stated that she hopes there may be some other mechanisms the City can use to ensure that non-profit organizations can continue to occupy their current space.

Kathryn McCreary, 7560 Glacier Crescent, spoke in favour of the proposed development and expressed support for the non-profit organization and social service agency spaces being provided.

In reply to queries from Council, staff noted that commercial and office spaces will be a shell level of finish that is consistent with office and commercial industry standards and will include a bathroom and that a sliding scale for rental rates for non-profit organizations would be difficult to accommodate; however, in discussion with the non-profit organizations, it was deemed that the proposed rental rates were within their realm of affordability.

PH20/6-1            It was moved and seconded  
*That Official Community Plan Bylaw 7100, Amendment Bylaw 10136 be given second and third readings.*

**CARRIED**

PH20/6-2            It was moved and seconded  
*That Official Community Plan Bylaw 7100, Amendment Bylaw 10137 be given second and third readings.*

**CARRIED**

PH20/6-3            It was moved and seconded  
*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10138 be given second and third readings.*

**CARRIED**



Regular Council meeting for Public Hearings  
Tuesday, September 8, 2020

2. RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10197  
(RELATED TO BYLAW 10195)

(Location: City-wide; Applicant: City of Richmond)

*Applicant's Comments:*

Staff was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH20/6-4

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10197 be given second and third readings.*

**CARRIED**

Opposed: Cllrs. Day  
Wolfe

RICHMOND ZONING BYLAW 8500, AMENDMENT BYLAW 10195  
(RZ 18 829789)

(Location: 10431 No. 5 Road; Applicant: 1058085 BC Ltd.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH20/6-5

It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10195 be given second and third readings.*

**CARRIED**

Opposed: Cllrs. Day  
Wolfe



**Regular Council meeting for Public Hearings  
Tuesday, September 8, 2020**

3. **TEMPORARY COMMERCIAL USE PERMIT (TU 20-890760)**  
(Location: Units 2110, 2115, 2120, 2125, 2150, 2155, 2160, 2165 & 2170 – 8766 McKim Way; Applicant: City Vancouver Academy Inc.)

*Applicant's Comments:*

The applicant was available to respond to queries.

*Written Submissions:*

None.

*Submissions from the floor:*

None.

PH20/6-6

It was moved and seconded

*That a Temporary Commercial Use Permit be issued to City Vancouver Academy Inc. to allow "education" (limited to an independent school offering grades 10 to 12) as a permitted use for 9 units at 8766 McKim Way for a period of 1 year from the date of issuance.*

**CARRIED**

**ADJOURNMENT**

PH20/6-7

It was moved and seconded

*That the meeting adjourn (7:19 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the Regular meeting for Public Hearings of the City of Richmond held on Tuesday, September 8 2020.

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Mayor (Malcolm D. Brodie)

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Corporate Officer (Claudia Jesson)



April 9, 2019

City of Richmond  
6911 No. 3 Road  
Richmond V6Y 2C1

Dear Mayor and Councillors,

**Re: Non-Profit Organizations (NPO) Space Needs Survey and Report**

This is a letter on behalf of the Richmond Poverty Response Committee (PRC) regarding the above noted report commissioned by the Richmond Community Services Advisory Committee (RCSAC).

For your interest, members of the Richmond PRC include the Richmond Food Bank Society, Richmond Women's Resource Centre, Richmond Food Security Society, Richmond Family Place, Chimo Community Services, Richmond Centre for Disability, Richmond Health Services, Family Services of Greater Vancouver, Turning Point Recovery Society, ISS of BC and representatives of various Faith Groups, among others.

Please see below, a number of recommendations from the Richmond PRC to Richmond City Council on Actions the City should pursue on this vitally important issue:

- Provide some tax relief or less onerous lease rates for NPOs;
- Apply best practices of other Metro cities that provide city-owned spaces at below-market rent;
- Action the **Council Referral** dated September 22, 2015 re: city owned inventory;
- Implement the findings of the City's Social Infrastructure "**Building our Social Future 2013-2022**" **Report Action 29.2** re: policy, administration and rezoning of community amenities;
- Action the **Council Referral** dated June 19, 2018 re: non-profit spaces replacement/ accommodation policy for properties undergoing development;
- Establish policy to compel developers seeking rezoning to provide NPO space or a community amenity contribution to be used to construct NPO space; and
- Explore opportunities to secure more NPO space in such developments as:
  - the redevelopment of Lansdowne Mall,
  - the expansion of the Caring Place at its current location,
  - the repurposing of the Minoru Aquatic Center, and
  - the redevelopment of Steveston Community Centre.

Please refer to the Richmond PRC's research and reasoning as follows.

Non-Profit Organizations (NPOs) are essential to the health of any community and the programs they offer contribute to the quality of life for all residents. Unfortunately, many NPOs are facing challenges

in finding and maintaining secure, appropriate and affordable space for their programs, services and offices in Richmond and Metro Vancouver, often due to developmental pressures in the community.

For instance, some areas in Richmond where NPOs are located, have been pre-zoned or will be rezoned, likely for condos or other redevelopment. As a result, many NPOs face increasing difficulty in paying the taxes or leases on their existing space or the higher lease rates of a brand-new space.

Other cities in Metro Vancouver are addressing NPOs space needs issues by providing city owned space at reduced or nominal rates. Some examples are listed below:

- Burnaby – lease to NPOs, eg. ‘full lease support,’ which equates to 50% of full lease rate for those non-profit community service agencies whose programs or services are directed to recipients (where at least 75% of which are Burnaby residents);
- Vancouver – city owned NPO space, eg. space secured through larger developments such as North East False Creek under the Public Benefits Strategy;
- North Vancouver District – rents out city owned facilities to cover operating costs to NPOs, also has extensive policy around long-term community facility leases;
- Surrey – grant program, free use of space at City Hall by NPOs;
- Richmond – The Caring place, community hub, owned by the City of Richmond and leased to twelve different NPOs;
- New Westminster – Aunt Leah’s Place Youth Resource Hub, owned by Central City Foundation and leased to Aunt Leah’s Foundation subsidized > 50% below market. Space is used of Community/Social Services, Healthcare and Employment/Training.

The City of Richmond has reviewed NPO space needs issues in a variety of reports such as:

- Council Referral dated September 22, 2015 – “That staff examine the availability of space for use by non-profit community organization within the City’s inventory of buildings, and report back. City owned spaces that NPOs could potentially occupy community facilities.”
- City of Richmond Social Infrastructure “Building our Social Future 2013-2022” Report Action 29 states – “Prepare an enhanced policy framework for securing community amenities (e.g. space for city services, space for lease to community) through the rezoning process for new developments.” Action 29.1 states – “Developing an administrative structure (e.g. Senior Staff review team) and criteria for assessing community amenity options for recommendations to Council on specific rezoning applications. Short term (0-3 years).”
- Action 29 also states: “Establishment of a Community Amenity Reserve Policy and Fund, similar to those for affordable housing and child care, to secure cash contributions from developers for future amenity development in lieu of the provision of build amenity space. Long term (7-10 year).”
- Council Referral dated June 19, 2018 – “That staff explore the introduction of a Replacement/ Accommodation Policy for commercial, recreational, non-profit and industrial businesses for properties undergoing the development and report back. “
- Phase II Richmond Non-profit Social Purpose Space Needs Review Report (completed 2018).

We would encourage Richmond City Council to commit to providing and securing City owned spaces for NPOs. We understand these actions would likely require new policies to be enacted. But City Council has already received staff reports that show what needs to be done.

As an example, developers seeking rezoning could provide NPO space as part of their redevelopment. Or they could contribute to a community amenity fund that would be used to construct NPO space. Similar policies already exist with regard to developers providing child care facilities or affordable housing units. They can be easily adapted to apply to developers so they would be compelled to build NPO spaces that would be owned by the City and leased to NPOs at below market rates.

Finally, we would like to point out that there are current opportunities in Richmond which could be explored in order to secure more NPO space. These redevelopments would include:

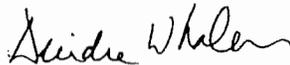
- the redevelopment of Lansdowne Mall,
- the expansion of the Caring Place at its current location,
- the repurposing of the Minoru Aquatic Center, and
- the redevelopment of Steveston Community Centre.

We hope that the Richmond City Council and Staff move forward with new policy and resources to assist NPOs in securing City owned space in Richmond. Also, please give us assurance that new policy will be in place very soon so we can start to see positive change in the City!

As the Richmond PRC would like to present a delegation on this issue, would you kindly inform the undersigned when the NPOS space Needs Survey and Report is coming back to Council?

Thank you for your consideration of this matter. We look forward to your response to our recommendations.

Sincerely,



De Whalen  
Chair, Richmond PRC

cc. PRC Executive Committee  
Kathryn McCreary



**For Metro Vancouver meetings on Friday, July 31, 2020**

*Please note these are not the official minutes. Board in Brief is an informal summary. Material relating to any of the following items is available on request from Metro Vancouver. For more information, please contact:*

[Greg.Valou@metrovancover.org](mailto:Greg.Valou@metrovancover.org).

**Metro Vancouver Regional District**

**E 1.1 Derby Reach Brae Island Parks Association Contribution Agreement**

**APPROVED**

The 2020-2024 Metro Vancouver Regional Parks 5-year financial plan includes annual allocations in 2021 for seven park associations active in regional parks. Funding will be used to support opportunities for citizens to help preserve, protect and enhance regional parks, while advocating for greater public connection to nature.

The Board approved the Contribution Agreement between MVRD and the Derby Reach Brae Island Parks Association for a three-year term in the amount of \$45,000 (\$15,000 in 2021, \$15,000 in 2022 and \$15,000 in 2023), commencing January 1, 2021 and ending December 31, 2023. This will support the Association’s capacity to provide community benefit to Metro Vancouver Regional Parks through their many volunteer programs and services.

**E 1.2 Boundary Bay Park Association Contribution Agreement**

**APPROVED**

The 2020-2024 Metro Vancouver Regional Parks 5-year financial plan includes annual allocations in 2021 for seven park associations active in regional parks. Funding will be used to support opportunities for citizens to help preserve, protect and enhance regional parks, while advocating for greater public connection to nature.

The Board approved the Contribution Agreement between MVRD and the Boundary Bay Park Association for a one-year term in the amount of \$7,000, commencing January 1, 2021 and ending December 31, 2021. This contribution agreement supports the Association’s capacity to provide community benefit to Metro Vancouver Regional Parks through their many volunteer programs and services.

**E 1.3 Burnaby Lake Park Association Contribution Agreement**

**APPROVED**

The 2020-2024 Metro Vancouver Regional Parks 5-year financial plan includes annual allocations in 2021 for seven park associations active in regional parks. Funding will be used to support opportunities for citizens to help preserve, protect and enhance regional parks, while advocating for greater public connection to nature.

The Board approved the Contribution Agreement between MVRD and the Burnaby Lake Park Association for a three-year term in the aggregate amount of \$43,000 (\$13,000 in 2021, \$15,000 in 2022 and \$15,000 in 2023) commencing January 1, 2021 and ending December 31, 2023. This contribution agreement supports the Association’s capacity to provide community benefit to Metro Vancouver Regional Parks through their many volunteer programs and services.

**E 1.4 Colony Farm Park Association Contribution Agreement****APPROVED**

The 2020-2024 Metro Vancouver Regional Parks 5-year financial plan includes annual allocations in 2021 for seven park associations active in regional parks. Funding will be used to support opportunities for citizens to help preserve, protect and enhance regional parks, while advocating for greater public connection to nature.

The Board approved the Contribution Agreement between MVRD and the Colony Farm Park Association for a one-year term in the amount of \$10,000, commencing January 1, 2021 and ending December 31, 2021. This contribution agreement supports the Association's capacity to provide community benefit to Metro Vancouver Regional Parks through their many volunteer programs and services.

**E 1.5 Minnehada Park Association Contribution Agreement****APPROVED**

The 2020-2024 Metro Vancouver Regional Parks 5-year financial plan includes annual allocations in 2021 for seven park associations active in regional parks. Funding will be used to support opportunities for citizens to help preserve, protect and enhance regional parks, while advocating for greater public connection to nature.

The Board approved the Contribution Agreement between MVRD and the Minnehada Park Association for a three-year term in the aggregate amount of \$42,000 (\$12,000 in 2021, \$15,000 in 2022 and \$15,000 in 2023), commencing January 1, 2021 and ending December 31, 2023. This contribution agreement supports the Association's capacity to provide community benefit to Metro Vancouver Regional Parks through their many volunteer programs and services.

**E 1.6 Regional Greenways 2050 - Draft Plan and Phase 2 Engagement Process****APPROVED**

Regional Greenways 2050 is the region's shared vision for a network of recreational multi-use paths for cycling and walking that connects residents to parks, protected natural areas, and communities to support regional liveability.

This report provided the MVRD Board with a draft Regional Greenways 2050 plan, a summary of the results of the phase 1 engagement events that informed the development of the draft plan, and outlined the proposed process for the second phase of engagement.

The draft Regional Greenways 2050 plan identifies current challenges and benefits, provides an updated vision for contiguous system of regional greenways, and an implementation framework that focuses on actions that can be undertaken in the next five years that will enable measurable progress toward this long term vision.

The Board endorsed the draft Regional Greenways 2050 plan and authorized staff to proceed with the public engagement process as presented.

**E 1.7 Regional Parks – State of the Assets Report for Buildings****RECEIVED**

The development of an asset management plan for Regional Parks' built assets is underway. The first step of that plan is to create an inventory and assess the condition of assets. A summary report of all built assets will be complete in late 2020.

In the interim, this report provided information on buildings, which are the largest value asset group, representing about 40% of all Regional Parks assets by value. Estimated funding of \$2.0 to \$2.8 million annually is needed for buildings. A more detailed study is now underway to identify a framework for prioritizing building expenditures, including buildings not needed to meet Regional Parks' mandate. The results of this study will be shared with Regional Parks Committee in early 2021.

The Board received the report for information.

**E 2.1 Development of a Resilient Region Strategic Framework****APPROVED**

Resilience is a core component of Metro Vancouver's work, represented by activities such as back-up power programs for assets, air quality monitoring and advisories, and water conservation programs. Staff proposed the development of a strategic framework to unify long-range planning activities currently underway across the range of Metro Vancouver's services, with consideration to financial and social factors such as affordability, equity and reconciliation, as well as physical and environmental conditions.

The final framework will support a consistent approach to integrating resilience across the organization in the longer term and will reflect the Board's goals and objectives. The articulation of cross-cutting actions will help to capture synergies across departments and support continuous improvement. An increased focus on resilience in all planning activities will help ensure that more equitable outcomes and community benefits are received from future investments.

The Board endorsed the development of a Resilient Region Strategic Framework as outlined in the report.

**E 3.1 Metro Vancouver's Achievement of Carbon Neutrality in 2019****RECEIVED**

In 2019, Metro Vancouver achieved corporate carbon neutrality, as reported to the Province under the Climate Action Revenue Incentive Program. Metro Vancouver balanced its corporate carbon footprint with projects that reduce or avoid greenhouse gas emissions, such as the restoration of Burns Bog. Metro Vancouver's corporate carbon neutrality demonstrates leadership on climate action and serves as a call for additional action that is needed to reduce region-wide emissions, towards a carbon neutral region by 2050. As part of the development of the Climate 2050 Roadmaps, Metro Vancouver is identifying actions to achieve regional carbon neutrality.

The Board received the report for information.

### **E 3.2 Climate and Energy UBCM Resolutions Endorsed by Metro Vancouver Member Jurisdictions**

**APPROVED**

A key function of the Union of British Columbia Municipalities (UBCM) is to pass resolutions on behalf of its membership. At its convention, UBCM members will vote on 2020 resolutions. Typically, resolutions are submitted via local government associations, but due to COVID-19 the May 2020 Lower Mainland Local Government Association conference was cancelled, requiring all resolutions to pass directly through UBCM. This report summarizes climate and energy resolutions endorsed by Metro Vancouver member municipalities' councils that will be brought to the 2020 UBCM convention for voting on September 22 – 24, 2020.

The Board directed staff to forward the report to member jurisdictions in preparation for the UBCM convention and directed staff to review the UBCM resolutions put forward by member jurisdictions of the Lower Mainland Local Government Association and to highlight those resolutions that align with Metro Vancouver policies and initiatives.

### **E 3.3 Engagement on Amendments to Air Quality Permit and Regulatory Fees**

**APPROVED**

Metro Vancouver conditionally authorizes businesses to emit air contaminants through site-specific authorizations, and sector emission regulations. Various fees are charged to recover Metro Vancouver's costs. The last significant change to air quality fees was in 2008. Since then, Metro Vancouver's efforts to promote continuous improvement have led to emission reductions and, as a result, fee revenue has decreased. At the same time, air quality regulatory costs have increased substantially as complaints, community air quality awareness, permit complexity, and the number and cost of appeals have all increased. Taxpayers have been funding the difference between air quality regulatory costs and fee revenue.

To better recover costs from emitters, promote continuous improvement, provide incentives to reduce harmful emissions, and maintain polluter-pay, user-pay, equity, and fairness principles, Metro Vancouver will undertake engagement on potential changes to air quality permit and regulatory fees.

The Board authorized staff to proceed with the engagement process as presented in the report.

### **E 3.4 Consultation on Expanding the Non-Road Diesel Engine Emission Regulation**

**APPROVED**

Bylaw 1161 regulates older, higher emitting Tier 0 and Tier 1 non-road diesel engines in an effort to reduce diesel particulate matter that is harmful to health and the environment, including climate change.

Amendments to Bylaw 1161 would expand the scope of the bylaw to further reduce diesel particulate matter and to address harmful nitrogen oxides (NOx) produced by all tiers of non-road diesel engines. Potential amendments to Bylaw 1161 may include: an expanded scope to regulate Tier 2, 3, and 4 non-road diesel engines; requirements for engines used in backup and emergency situations; the introduction of a moderate use engine category; adjustments to economic instruments; enhanced emission verification measures; and restrictions on the use of non-road diesel engines near hospitals, seniors care facilities, and other sensitive receptors.

The Board approved the scope of the proposed amendments to GVRD Non-Road Diesel Engine Emission Regulation Bylaw No. 1161, 2012. Furthermore, the Board endorsed the engagement plan as presented and authorized staff to proceed.

**I 1 Insurance Renewal Premium****RECEIVED**

Metro Vancouver renews its property insurance on July 1st each year. With changes in asset values and rate increases, the proposed annual premium for Metro Vancouver property increased to \$5.04 million, up from \$3.3 million for the year. The Procurement and Real Property Contracting Authority Board Policy currently sets \$5 million as the level for a contract requiring Board approval.

On June 30, 2020 the insurers provided an extension to accept the premium and the coverage to July 8th. Staff considered increasing deductibles in order to reduce the premium to below the threshold, however the significant increases to deductibles resulted in minimal immediate changes to the premium. Further, staff felt it was not prudent to immediately adjust the deductible without a rigorous assessment of the risk to the organization and the Metro Vancouver approach to self-insurance.

Due to timing restrictions, the contract with the premium was executed by staff on July 8th and the Performance and Audit Committee was advised of the variance to the policy on July 9th. Actions arising out of the discussion at Performance and Audit will be an in depth review of risk and self-insurance, including engagement on practices by member municipalities, to minimize the impact on the 2021 budget, and reviewing the approval limits set out in the Procurement and Real Property Contracting Authority Board Policy.

The Board received the report for information.

**I 2 Committee Information Items and Delegation Summaries****RECEIVED**

The Board received information items from Standing Committees.

**Performance and Audit Committee: July 9, 2020**

Information Items:

**5.1 Corporate Policy Review – Environmental, Social and Governance (ESG) and Socially Responsible Investment (SRI) Principles**

Environmental, Social and Governance and Socially Responsible Investment principles have become more prominent in recent years, particularly with publicly funded organizations. Metro Vancouver is undertaking a review of its Corporate Investment Policy and Procedures in the context of the evolving investment landscape. This review will determine if and how the organization should respond in order to stay current with our investment approach and philosophy, and to ensure we meet the social and investment expectations of our member municipalities and the region we serve. Embedded in the proposed process is a mid-review update, which will include a presentation on the subject by the Municipal Finance Authority.

## **5.2 Investment Position and Returns – April 1 to May 31, 2020**

The estimated annualized return for Metro Vancouver’s investment portfolio as at May 31, 2020 was 1.96% for Short-Term, 2.45% for Long-Term and 2.57% for the Cultural Reserve Fund. Investment performance has met Policy expectations for the current period and exceeded all its benchmarks.

As the previous report included results and balance information up to March 31, 2020, the current report covers a shorter period of April and May. Going forward, the interest rates are expected to remain low for the foreseeable future. Metro Vancouver’s overall rate of return will continue to be pressed lower as a significant portion of the portfolio will be placed in short-term products and held in cash for liquidity.

## **5.3 Interim Financial Performance Report – April 2020**

The projected overall operational results for 2020 for Metro Vancouver’s functions is close to \$9.9 million on an approved budget of \$890.1 million (or slightly more than 1.1% of the approved budget). Historically, Metro Vancouver has observed a surplus of 3% to 5% per annum. For the 2020 year, alongside the ratepayers and the residents and businesses of the Region, Metro Vancouver is facing extraordinary circumstances and financial pressures as a result of the COVID-19 pandemic event. As the year progresses and financial impacts to Metro Vancouver are monitored, work plans will be adjusted as required to adapt to the changing circumstances along with any substantial financial pressures that may arise to minimize financial impacts to final results while also examining all opportunities for mitigation while maintaining service levels.

## **5.4 Capital Program Expenditure Update as at April 30, 2020**

This is the first report for the 2020 fiscal year and covers the first four months ending April 30, 2020. For the first four months of 2020, Metro Vancouver’s Capital expenditures were approximately 48.1% of prorated budget. This translates into a favorable variance of \$246.2 million as compared to the prorated budget. Any surplus resulting from capital program variance at the end of the year, per policy, will be used in future years to fund capital and avoid debt.

## **5.5 Tender/Contract Award Information – March 2020 to May 2020**

During the period March 1, 2020 and May 31, 2020, the Purchasing and Risk Management Division issued eight new contracts, each with a value in excess of \$500,000 (exclusive of taxes). In addition, there were three existing contracts requiring contract amendments which necessitate further reporting to the Performance and Audit Committee. All awards and amendments were issued in accordance with the relevant bylaws and policies. For this same period year over year, awards made in excess of \$500,000 are trending down approximately 41%. Meanwhile staff continue to seek greater value for money in the selection of firms to contract with on our large projects. At the end of the Q2 – 2020, language in the competition documents was included that gave greater emphasis to Metro Vancouver’s past experience with contractors when making procurement decisions.

## **Regional Parks Committee: July 15, 2020**

## **5.6 Board Budget Workshop – Overview and Next Steps for Regional Parks**

On June 5, 2020 a Board Budget Workshop was held with to seek direction for the preparation of the 2021-2025 Financial Plan.



The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work on current goals and objectives, and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to the Regional Parks budget and financial practices to ensure upward pressure on the household impact is minimized while continuing to focus on addressing increased visitation and park carrying capacity, ecological resiliency and climate change, advancing indigenous cultural planning and cooperation, facility replacement, asset management to ensure public safety, ongoing litigation, land acquisition and new park/greenway development.

**Climate Action Committee: July 17, 2020**

**5.1 Board Budget Workshop – Overview and Next Steps for Air Quality and Climate Change**

On June 5, 2020 a Board Budget Workshop was held with the objective to seek direction for the preparation of the 2021-2025 Financial Plan. The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work on current goals and objectives, and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to the Air Quality and Climate Change budget and financial practices to ensure upward pressure on the household impact is minimized while continuing to focus on key Air Quality and Climate Change initiatives.

**5.6 2020 Update on Regional District Sustainability Innovation Fund Projects**

The Climate Action Committee receives annual updates on all projects funded under the Sustainability Innovation Funds. This report provided an update on eight projects that were approved for funding from 2015 to 2019 and are in various stages of completion. Two projects are now reported as complete, each contributing measurably to the sustainability of the region through greenhouse gas emissions reductions and waste diverted from the landfill.

**Greater Vancouver Water District**

**E 1.1 Reintroduction of Coho Salmon Upstream of Coquitlam Dam**

**APPROVED**

Coho salmon were extirpated from the Coquitlam Water Supply Area (WSA) approximately 105 years ago upon the Vancouver Power Company’s completion of the first large dam on the Coquitlam River. Kwikwetlem First Nation (KFN) has expressed that the reintroduction of salmon species above the dam is of significant cultural importance to their nation. In the interests of supporting the KFN cultural goals and salmon restoration, Fisheries and Oceans Canada have proposed the reintroduction of a nominal number of coho salmon to habitat upstream of the Coquitlam Dam. There are no anticipated impacts to water quality or water utility operations and no financial implications from this request.

The Board approved the Fisheries and Oceans Canada request, supported by the Kwikwetlem First Nation, to annually transport up to 100 returning coho salmon adults and 40,000 juveniles upstream of Coquitlam Dam.

**E 1.2 Award of Contract Resulting from Tender No. 20-032: Construction Services for Central Park Main No. 2 – Phase 1** **APPROVED**

The existing Central Park Main, which has been in service since 1931, is nearing the end of its service life. The proposed 7.0 km-long Central Park Main No. will enhance system reliability and provide increased capacity to meet future water demands. The project is being constructed in three phases. Tender No. 20-032 was issued to six prequalified bidders and closed on June 26, 2020.

The Board authorized award of a contract in the amount of \$19,550,000.00 (exclusive of taxes) to Pedre Contractors Ltd., subject to final review by the Commissioner.

**E 1.3 Award of Phase B, Detailed Design Services Resulting from Request for Proposal (RFP) No. 17-139: Consulting Engineering Services for Seymour Main No. 5 (North)** **APPROVED**

Seymour Main No. 5 (North) is an infrastructure resilience project in Metro Vancouver's Utility Long Range Plan. The new water main will mitigate geotechnical and seismic vulnerabilities identified on the existing Seymour Main No. 2 to ensure a reliable supply of water from the Seymour Reservoir to the Seymour Capilano Filtration Plant, improve hydraulic efficiency and provide additional transmission capacity for long term growth.

At its meeting held November 24, 2017, the GVWD Board approved the award of a contract to AECOM for Phase A, Preliminary Design Services. AECOM have successfully completed Phase A, Preliminary Design.

The Board approved the award of Phase B, Detailed Design Services for an amount of up to \$2,781,638 (exclusive of taxes) to the Phase A consultant, AECOM Canada Ltd. (AECOM), for the Seymour Main No. 5 (North), subject to final review by the Commissioner.

**I 1 Committee Information Items and Delegation Summaries** **RECEIVED**

The Board received information items from a Standing Committee.

**Water Committee: July 16, 2020**

Information Items:

**5.1 Board Budget Workshop – Overview and Next Steps for Water Services**

On June 5, 2020 a Board Budget Workshop was held with to seek direction for the preparation of the 2021-2025 Financial Plan.

The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work

on current goals and objectives, and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to the Water Services budget and financial practices to ensure upward pressure on the household impact is minimized while continuing to focus on providing clean, safe drinking water, ensuring the sustainable use of water resources, and ensuring the efficient supply of water.

## **5.2 Water Services Capital Program Expenditure Update to April 30, 2020**

This is the first report for 2020 which includes both the overall capital program for Water Services with a multi-year view of capital projects and the actual capital spending for the 2020 fiscal year to April 30, 2020 in comparison to the prorated annual budget. In 2020 the annual capital expenditures for Water Services are \$63.1 million to date compared to a prorated annual capital budget of \$132.5 million. Forecasted expenditures for the current Water Services capital program remain within the approved budgets through to completion.

## **5.4 GVWD Electrical Energy Use, Generation and Management**

This report outlines the water utility's energy use, specifically its electricity use, and energy savings resulting from energy generation and optimization projects. Energy used by GVWD is low compared to other North American utilities. GVWD saves approximately \$520,000 to \$650,000 in electrical energy from four generation facilities and an additional estimated annual savings of \$104,000 from recent energy management projects.

## **Greater Vancouver Sewage and Drainage District**

### **E 1.1 Iona Island Wastewater Treatment Plant Project Design Concept**

**RECEIVED**

Metro Vancouver is advancing one of Canada's most dynamic and transformative urban sustainability projects – the Iona Island Wastewater Treatment Plant Project. The recommended design concept includes tertiary treatment level for the new plant, resource recovery opportunities, integration with Iona Beach Regional Park and surrounding communities, and a range of ecological projects designed to improve water quality, restore fish habitat, protect bird habitat and enhance terrestrial ecosystems. The treatment plant concept includes reuse of the existing solids treatment infrastructure.

The recommended design concept was identified after a comprehensive evaluation of three potential concepts, which included consideration of input from community engagement. Narrowing to a single design concept will allow the project team to focus on developing a detailed schedule, budgets and recommended procurement methods to be included in the final Indicative Design, which will be presented as part of the Project Definition Report to the Board in January 2021.

The Board received the report for information.

**E 1.2 Award of Contract Resulting from Standing Request for Expression of Interest  
SRFEOI No. 19-283: Biosolids Management****APPROVED**

The Liquid Waste Management Plan requires Metro Vancouver to beneficially use biosolids. Metro Vancouver biosolids have been beneficially used at Fraser Valley Aggregates (FVA) properties since 2018 to reclaim exhausted gravel pits for agricultural use.

Arrow Transportation Systems Inc. submitted a proposal to beneficially use biosolids for reclaiming an additional FVA gravel pit in response to the Standing Request for Expressions of Interest No. 19-283: Biosolids Management. Arrow has demonstrated successful management of biosolids for Metro Vancouver and proposed a reasonable price.

The Board authorized award of a contract in the amount of up to \$6,860,000 (exclusive of taxes) to Arrow Transportation Systems Inc. for biosolids management at Fraser Valley Aggregates' Castle Pit, subject to final review by the Commissioner.

**I 1 Committee Information Items and Delegation Summaries****RECEIVED**

The Board received information items and delegation summaries from Standing Committees.

**Liquid Waste Committee: July 16, 2020**

Delegation Summaries:

**3.1 Myles Lamont, WildResearch Society****3.2 Tessa Danelesko, Georgia Strait Alliance****3.3 Zackary Shoom, Obabika**

Information Items:

**5.3 Board Budget Workshop – Overview and Next Steps for Liquid Waste Services**

On June 5, 2020 a Board Budget Workshop was held to seek direction for the preparation of the 2021-2025 Financial Plan. The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work on current goals and objectives, and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to the Liquid Waste Services budget and financial practices to ensure upward pressure on the household impact is minimized while continuing to focus on key Liquid Waste Services initiatives.

#### **5.4 Liquid Waste Services Capital Program Expenditure Update as of April 30, 2020**

This is the first report for 2020 which includes the overall capital program for Liquid Waste Services with a multi-year view of capital projects, and the actual capital spending for the 2020 fiscal year to April 30, 2020 in comparison to the prorated annual budget. As of April 30, the 2020 capital expenditures for Liquid Waste Services are \$150.2 million, compared to a prorated annual capital budget of \$294.5 million. Forecasted expenditures for the current Liquid Waste Services capital program remain within the approved budgets.

#### **5.5 2019 GVS&DD Environmental Management & Quality Control Annual Report**

Annual reporting of GVS&DD Environmental Management & Quality Control is a regulatory requirement under the Integrated Liquid Waste and Resource Management Plan. This report summarizes the compliance, process control and regional environmental quality information gathered through various monitoring and risk assessment programs. In 2019, Metro Vancouver wastewater treatment plants operated efficiently, in compliance with the applicable regulatory requirements, and with no adverse effects on human health or the environment. Regional liquid waste discharges were effectively managed in a manner that is protective of human health and aquatic life.

#### **5.6 Metro Vancouver's Sewer Overflow Map**

Following direction from the Minister of Environment and Climate Change Strategy, Metro Vancouver is developing a real-time sewer overflow map to inform the public of sewer overflows and wastewater treatment plant (WWTP) process interruptions. The map is being developed in phases. Phase 1: sanitary sewer overflows and WWTP process interruptions; Phase 2: combined sewer overflows (CSOs). A Phase 1 pilot map showing real-time sanitary sewer overflows and WWTP process interruptions has been developed for engagement with potentially impacted water users. Supporting communication materials will be prepared including a video and fact sheets. The public launch of the Phase 1 map on Metro Vancouver's website is planned for October 2020. Interested parties will be able to sign-up for email notification of events. An approach to the public notification of CSOs (Phase 2) will be developed with staff from member municipalities, regional health authorities and MOECCS at a later date.

#### **Zero Waste Committee: July 17, 2020**

Information Items:

##### **5.1 Board Budget Workshop – Overview and Next Steps for Solid Waste Services**

On June 5, 2020 a Board Budget Workshop was held with to seek direction for the preparation of the 2021-2025 Financial Plan. The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work on current goals and objectives and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to all Solid Waste budgets and financial practices to minimize tipping fee increases while ensuring efforts to reduce waste are not impacted.

## 5.2 Solid Waste Services Capital Program Expenditure Update as of April 30, 2020

This is the first report for 2020 which includes the overall capital program for Solid Waste Services with a multi-year view of capital projects and the actual capital spending for the 2020 fiscal year to April 30, 2020 compared to the prorated annual budget. As of April 30, 2020, the annual capital expenditures for Solid Waste Services are \$7.1 million compared to a prorated Capital Budget of \$29.5 million. Forecasted expenditures for the current Solid Waste Services capital program remain within the approved budgets through to completion.

## 5.3 Waste-to-Energy Facility Environmental Monitoring and Reporting, 2019 Update

The Metro Vancouver Waste-to-Energy Facility operates well within environmental standards and limits. All air emission related parameters monitored during 2019 were in compliance with Operational Certificate 107051. Continuous emissions monitoring data and all compliance reports are available on the Metro Vancouver website. Metro Vancouver has applied to the Ministry of Environment and Climate Change Strategy to defer a reduction in acid gas emission parameters to allow additional monitoring of ambient air quality in the vicinity of the Waste-to-Energy Facility. Metro Vancouver's existing ambient air monitoring system will be supplemented with new equipment at an existing monitoring station near to the Waste-to-Energy Facility and a new station will be installed immediately adjacent to the Waste-to-Energy Facility.

## 5.4 Waste-to-Energy Facility 2019 Financial Update

The Metro Vancouver Waste-to-Energy Facility continues to be an environmentally sound, low-cost regional disposal option. In 2019, the Waste-to-Energy Facility processed 253,148 tonnes of municipal solid waste, at a net unit cost of \$57.45 per tonne for operation and maintenance, a 9% cost reduction from 2017 to 2019. Waste-to-Energy Facility costs were reduced in 2018 and 2019 from the beneficial use of bottom ash in the construction of the replacement Coquitlam Transfer Station. Waste-to-Energy Facility debt costs reduced to zero in 2019 with the retirement of debt associated with the 2003 electricity turbo generator.

## Metro Vancouver Housing Corporation

### E 1.1 Mortgage Renewal 101 Noons Creek Drive, Port Moody (Inlet Centre)

**APPROVED**

The mortgage for the MVHC-owned Inlet Centre located at 101 Noons Creek Drive, Port Moody, in the amount of \$5,489,225 is coming up for renewal on October 1, 2020. The current and prior mortgages were arranged through British Columbia Housing Management Commission (BCHMC) whereby they tender the loan and chooses a lender of their choice.

The Board:

- Irrevocably authorized and directed BCHMC to act on its behalf to renew the existing mortgage presently held by RBC Royal Bank for the Inlet Centre project, including but not limited to selecting, at BCHMC's sole discretion, the mortgage renewal terms and arranging mortgage renewal with the take-out lender on terms and conditions that are acceptable to BCHMC; and
- directed any two officers or directors, or any one director together with any one officer of the Metro Vancouver Housing Corporation (MVHC); for and on behalf of the MVHC be authorized to

execute and deliver under the seal of the MVHC or otherwise, all such deeds, documents and other writings and to do such acts and things in connection with the Mortgage assignment, renewal and amendment as they, in their discretion, may consider to be necessary or desirable for giving effect to this resolution and for the purpose of fulfilling the requirements of the lender of the monies.

## **E 1.2 Welcher Avenue Redevelopment Update**

**RECEIVED**

Metro Vancouver Housing is preparing to develop a new affordable, family-oriented, rental housing project in the 2400 block of Welcher Avenue in Port Coquitlam. In June 2020, Metro Vancouver Housing submitted a Development Permit and Development Variance Permit application to the City of Port Coquitlam. The proposed five-storey building includes 63 homes and is thoughtfully designed to consider the existing neighbourhood context, including a mix of home sizes and age-friendly, accessible design, and be highly sustainable, with an energy-efficient design to support tenant comfort and climate action. The Board received the report for information.

## **I 1 Committee Information Items and Delegation Summaries**

**RECEIVED**

The Board received and information item from a Standing Committee.

### **Housing Committee: July 8, 2020**

Information Items:

### **5.2 Board Budget Workshop – Overview and Next Steps for Housing Services**

On June 5, 2020 a Board Budget Workshop was held to seek direction for the preparation of the 2021-2025 Financial Plan. The Board provided direction to staff to bring back adjustments to the Five Year Financial Plan that places increased emphasis on financial sustainability, provides short-term relief for households, maintains work on current goals and objectives, and allows the organization to realize new opportunities in terms of partnering on projects to meet Board objectives.

In response to this direction, staff will prepare budgets with options and alternatives. A short-term action plan is being developed with detailed scrutiny being applied to all MVHC and Affordable Housing budgets and financial practices to ensure upward pressure on tenant rents is minimized, while continuing to focus on the expansion of affordable housing in the region which is a key Board priority.



## Special General Purposes Committee

- Date: Monday, July 27, 2020
- Place: Council Chambers  
Richmond City Hall
- Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)
- Call to Order: The Chair called the meeting to order at 4:00 p.m.

### COUNCILLOR HAROLD STEVES

1. **OPEN LETTER RE: RESILIENT FOOD SYSTEMS**  
(File Ref. No.)

Cllr. Steves provided background information on proposals for resilient food systems and discussion ensued with regard to advocating the Province on adopting food system strategies.

As a result of the discussion, the following **referral motion** was introduced:

It was moved and seconded

*That the letter to the Premier advocating for resilient food systems and the attachment outlining the strategies and policies be referred to staff to examine aspects that apply to Richmond, and report back.*

**Special General Purposes Committee**  
**Monday, July 27, 2020**

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The question on the motion was not called as staff were directed to (i) examine opportunities to discuss the matter with the BC Minister of Agriculture through the upcoming Union of BC Municipalities Annual Convention, (ii) examine opportunities to consider the matter together with a review of Fraser River management, and (iii) provide Council with information related to the City's current policy on the matter.

The question on the referral motion was then called and it was **CARRIED**.

## FINANCE AND CORPORATE SERVICES DIVISION

2. **2020 ANNUAL TAX SALE OPTIONS**

(File Ref. No. 03-1240-01) (REDMS No. 6491657)

Discussion ensued with regard to (i) options to defer the tax sale and the timing of the tax sale during the COVID-19 Pandemic, (ii) utilizing larger City venues such as the Richmond Olympic Oval to host the tax sale, and (iii) the potential financial impact to delay the tax sale.

In reply to queries from Committee, staff noted that (i) Council would have until August 31, 2020 to defer this year's tax sale to 2021, (ii) should the tax sale proceed, the event would be relocated to the Minoru Centre, and (iii) the City works with property owners to arrange payment of tax delinquencies to reduce the potential number of properties designated for the tax sale.

As a result of the discussion, the following **motion** was introduced:

It was moved and seconded

- (1) That the 2020 Annual Tax Sale be deferred;*
- (2) That the Bylaw to Defer Annual Tax Sale for 2020, Bylaw No. 10199 be introduced and given first, second, and third readings; and*
- (3) That the Bylaw to Defer Annual Tax Sale for 2020, Bylaw No. 10199 be adopted.*

The question on the motion was not called as discussion ensued with regard to the potential interest earned through the deferral of the tax sale.

The question on the motion was then called and it was **DEFEATED** with Mayor Brodie, Cllrs. Loo, McNulty, McPhail and Steves opposed.

Discussion then ensued with regard to reducing the number of outstanding tax accounts and monitoring potential financial distress as a result of the COVID-19 Pandemic.

As a result of the discussion, the following **referral motion** was introduced:

**Special General Purposes Committee**  
**Monday, July 27, 2020**

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It was moved and seconded

*That the report titled "2020 Annual Tax Sale Options" be referred back to staff and staff continue efforts to work with property owners to arrange payment of tax delinquencies and report back to Council with a status update on the number of tax delinquencies before the end of August 2020.*

**CARRIED**

## COMMUNITY SAFETY DIVISION

### 3. **PROVINCIAL CONSULTATION ON MONEY SERVICES BUSINESSES REGULATION**

(File Ref. No. 09-5350-01) (REDMS No. 6503179)

It was moved and seconded

*That the responses included in Attachment 2 of the staff report titled "Provincial Consultation on Money Services Businesses Regulation", dated July 17, 2020, from the General Manager, Community Safety be endorsed for submission to the BC Ministry of Finance.*

The question on the motion was not called as discussion ensued with regard to (i) cooperation with external agencies such as FINTRAC and the RCMP, (ii) opportunities to regulate Money Services Businesses (MSB), and (iii) advocating the Province to expedite legislation regulating MSBs.

It was suggested that should Council adopt the proposed motion, staff prepare a public announcement on the matter.

The question on the motion was then called and it was **CARRIED**.

## ADJOURNMENT

It was moved and seconded

*That the meeting adjourn (4:32 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, July 27, 2020.

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Mayor Malcolm D. Brodie  
Chair

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Evangel Biason  
Legislative Services Coordinator



## General Purposes Committee

Date: Tuesday, September 8, 2020

Place: Anderson Room  
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)

Call to Order: The Chair called the meeting to order at 4:01 p.m.

### AGENDA ADDITION

It was moved and seconded

*That a Mask Policy for City Buildings be added to the agenda as Item No. 9.*

**CARRIED**

### MINUTES

It was moved and seconded

*That the minutes of the meetings of the General Purposes Committee held on July 20, 2020, and the Special General Purposes Committee held on July 27, 2020 be adopted as circulated.*

**CARRIED**

**General Purposes Committee**  
**Tuesday, September 8, 2020**

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**PLANNING AND DEVELOPMENT DIVISION**

1. **HOUSING AGREEMENT BYLAW NO. 10036 TO PERMIT THE CITY OF RICHMOND TO SECURE AFFORDABLE HOUSING UNITS AT 3208 CARSCALLEN ROAD**

(File Ref. No. 08-4057-05) (REDMS No. 6497341)

It was moved and seconded

*That Housing Agreement (3208 Carscallen Road) Bylaw No. 10036 to permit the City to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the Local Government Act, to secure the Affordable Housing Units required by Rezoning Application RZ 12-610011 be introduced and given first, second and third reading.*

**CARRIED**

2. **APPLICATION BY DAGNEAULT PLANNING CONSULTANTS LTD. FOR AN AGRICULTURAL LAND RESERVE SUBDIVISION AT 3031 NO. 7 ROAD**

(File Ref. No. AG 20-891572) (REDMS No. 6494333 v. 3)

Staff reviewed the application, noting that the proposed subdivision would facilitate estate planning for the applicant and that should the application proceed, it will be forwarded to the Agricultural Land Commission (ALC) for review.

Discussion ensued with regard to (i) concerns related to the potential future sale or residential development on the subject property, (ii) proposed future farming activity on-site, (iii) historical aspects of the ALC land severance policy, and (iv) dimensions of the current residential building on-site.

In reply to queries from Committee, staff noted that the applicant has committed to retain the proposed severed homesite parcel for a minimum of five years. Also, it was noted that the proposed subdivided agricultural property will be subject to a legal agreement on-title to ensure no residential development is permitted on the remainder parcel, and such an agreement can be discharged at the discretion of Council.

Bob Holtby, Regency Consultants Ltd., spoke on behalf of the applicant, noting that the proposed subdivision would facilitate estate planning for the applicant's children and allow for financing.

David May, applicant, spoke on his application and the history of the property, noting that he is planning his retirement from farming and would like stay on the homesite parcel. Also, he noted that he would like to transfer parcels of the property to his children to continue farming the land.

**General Purposes Committee**  
**Tuesday, September 8, 2020**

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It was moved and seconded

*That the application by Dagneault Planning Consultants Ltd. for an Agricultural Land Reserve Subdivision at 3031 No. 7 Road be forwarded to the Agricultural Land Commission.*

The question on the motion was not called as discussion ensued with regard to exploring financing options without subdivision of land.

*Cllr. Steves left the meeting (4:48 p.m.).*

As a result of the discussion, the following **referral motion** was introduced:

It was moved and seconded

*That the staff report “Application by Dagneault Planning Consultants Ltd. for an Agricultural Land Reserve Subdivision at 3031 No. 7 Road,” from the Director, Planning, dated August 25, 2020, be referred back to staff to explore financing options without subdivision of the subject site.*

**DEFEATED**

Opposed: Mayor Brodie  
Cllrs. Au  
Loo  
McNulty  
McPhail

*Cllr. Steves returned to the meeting (4:51 p.m.).*

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

3. **APPLICATION BY POLYGON TALISMAN PARK LTD. TO CREATE THE “RESIDENTIAL / LIMITED COMMERCIAL (ZMU47) – CAPSTAN VILLAGE (CITY CENTRE)” ZONE, AND REZONE THE SITE AT 8671, 8731, 8771, 8831/8851 CAMBIE ROAD, 8791 CAMBIE ROAD/3600 SEXSMITH ROAD, AND 3480, 3500, 3520, 3540/3560 SEXSMITH ROAD FROM THE “SINGLE DETACHED (RS1/F)” ZONE TO THE “RESIDENTIAL / LIMITED COMMERCIAL (ZMU47) – CAPSTAN VILLAGE (CITY CENTRE)” ZONE**

(File Ref. No. 12-8060-20-010198; RZ 18-836123) (REDMS No. 6491719 v. 6)

Discussion ensued with regard to (i) installing electric charging stations in the visitor parking stalls, (ii) the application’s proposed tree retention plan, (iii) the application’s proposed sustainability features, (iv) the proposed soil recovery and relocation to the Garden City Lands, (v) the cost of soil relocation, (vi) the public art contributions and options to develop an arts centre, (vii) alternative locations for the proposed City park, and (viii) development of affordable housing units within the project.

**General Purposes Committee**  
**Tuesday, September 8, 2020**

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It was moved and seconded

*That Richmond Zoning Bylaw 8500, Amendment Bylaw 10198 to create the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone, and to rezone 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road from the “Single Detached (RS1/F)” zone to the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone and the “School and Institutional Use (SI)” zone, be introduced and given first reading.*

**CARRIED**

Opposed: Cllr. Wolfe

4. **FUNDING AGREEMENT WITH TRANSPORT CANADA RAIL SAFETY IMPROVEMENT PROGRAM FOR WILLIAMS ROAD-SHELL ROAD INTERSECTION UPGRADE**

(File Ref. No. 01-0140-20-TCAN1-06) (REDMS No. 6492913 v. 3)

It was moved and seconded

(1) *That the Chief Administrative Officer and the General Manager, Planning and Development, be authorized to execute the Rail Safety Improvement Program funding agreement with Transport Canada for the Williams Road-Shell Road intersection; and*

(2) *That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly.*

The question on the motion was not called as discussion ensued with regard to intersection safety and potential impact to the Environmental Sensitive Area.

The question on the motion was then called and it was **CARRIED**.

## ENGINEERING AND PUBLIC WORKS DIVISION

5. **CITY CENTRE DISTRICT ENERGY UTILITY BYLAW NO. 9895, AMENDMENT BYLAW NO. 10187**

(File Ref. No. 12-8060-20-009921) (REDMS No. 6465455 v. 2)

It was moved and seconded

*That the City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187 presented in the “City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187” report dated June 10, 2020, from the Director, Sustainability and District Energy be introduced and given first, second, and third readings.*

**CARRIED**

**General Purposes Committee**  
**Tuesday, September 8, 2020**

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**6. SUPPORT FOR BC SALMON RESTORATION PROJECTS IN STURGEON BANK**

(File Ref. No. 10-6160-04) (REDMS No. 6517459 v. 14)

It was moved and seconded

*That, as described in the staff report titled “Support for BC Salmon Restoration Projects in Sturgeon Bank,” dated August 25, 2020 from the Director, Sustainability and District Energy and the Director, Engineering:*

- (1) The scope of the three projects to be included in the Expression of Interest prepared by the South Coast Conservation Land Management Program for submission to the BC Salmon Restoration and Innovation Fund, be supported; and*
- (2) That in-kind contributions for the projects outlined in the Expression of Interest be endorsed.*

The question on the motion was not called as discussion ensued with regard to the proposed projects’ impact to salmon habitat.

The question on the motion was then called and it was **CARRIED**.

**7. 13740 WESTMINSTER HIGHWAY – UNAUTHORIZED WATERCOURSE CROSSING AND DECORATIVE WALL**

(File Ref. No. 10-6060-01) (REDMS No. 6511999 v. 5)

It was moved and seconded

*(1) Pursuant to the authority provided in Sections 72, 73 and 75 of the Community Charter, that:*

- (a) the infill and culvert in the watercourse fronting the property located at 13740 Westminster Highway, and having a legal description of Lot 2 Section 8 Block 4 North Range 5 West New Westminster District Plan 12960 (Parcel Identifier: 001-703-269) (the “Property”) be declared as having obstructed, filled up or damaged the watercourse fronting the Property without the City’s approval or consent (the “Unauthorized Watercourse Crossing”); and*
  - (b) the decorative wall located at the Property, be declared as creating an unsafe condition;*
- (2) Pursuant to Sections 72 and 73 of the Community Charter, the following remedial action requirements be imposed on Swarn Singh Panesar and Gurbax Kaur Panesar, as the registered owner of the Property (the “Owners”):*
- (a) to demolish the decorative wall at the Property; and*



**General Purposes Committee**  
**Tuesday, September 8, 2020**

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8. **INVESTING IN CANADA INFRASTRUCTURE PROGRAM - MINORU PLACE ACTIVITY CENTRE CONVERSION TO ARTS CENTRE**

(File Ref. No. 10-6000-01) (REDMS No. 6507675 v. 5)

It was moved and seconded

- (1) *That the submission to the Investing in Canada Infrastructure Program – Community, Culture and Recreation Stream, requesting funding of up to \$2.4 million as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development be endorsed;*
- (2) *That the Chief Administrative Officer and General Manager, Engineering and Public Works be authorized to enter into funding agreements with the government for the aforementioned project should it be approved for funding, as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development;*
- (3) *That the Minoru Place Activity Centre Project capital budget be increased by \$749,000, which will be funded by Project Developments 2020 Operating Budget account “Infrastructure Replacement” and that the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly; and*
- (4) *That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly should the aforementioned project be approved for funding as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development.*

The question on the motion was not called as discussion ensued with regard to (i) the grant application process, (ii) the proposed location of the proposed solar panel equipment, and (iii) estimated costs of the proposed solar equipment installation.

In reply to queries from Committee, staff noted that the estimated life of the solar equipment would be approximately 10 years or greater and that there are options to salvage the solar equipment and relocate to another location if required.

The question on the motion was then called and it was **CARRIED**.

**General Purposes Committee**  
**Tuesday, September 8, 2020**

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9. **MASK POLICY FOR CITY BUILDINGS**

(File Ref. No.)

It was moved and seconded

*That staff review the development of a mask policy for all City buildings, and report back.*

The question on the motion was not called as it was suggested that staff review the development of a mask policy with a consideration of the different age groups, activity levels, and indoor and outdoor spaces. Also, it was suggested that staff consult with relevant organizations such as WorkSafe BC and Vancouver Coastal Health during the review.

The question on the referral motion was then called and it was **CARRIED**.

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (5:31 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Tuesday, September 8, 2020.

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Mayor Malcolm D. Brodie  
Chair

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Evangel Biason  
Legislative Services Coordinator



## Special Finance Committee

- Date: Wednesday, August 26, 2020
- Place: Council Chambers  
Richmond City Hall
- Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)
- Call to Order: The Chair called the meeting to order at 4:04 p.m.

### FINANCE AND CORPORATE SERVICES DIVISION

1. **UPDATE ON REFERRAL RE: 2020 ANNUAL TAX SALE OPTIONS**  
(File Ref. No. 03-1240-01) (REDMS No. 6516637)

Staff reviewed the proposed tax sale options and current tax delinquencies, noting that a relatively small number of those delinquencies have been reported to have been as a result of pandemic-related financial hardship. Staff added that staff will continue efforts to locate property owners and resolve outstanding balances and that the current tax delinquencies do not pose a significant impact to the City's budget.

Discussion ensued with regard to (i) options to defer the tax sale to 2021, (ii) options to resolve tax delinquencies by repeat offenders, (iii) the tax collection rate for 2020, and (iv) other municipalities that have deferred their tax sale to next year.

In reply to queries from Committee, staff noted that property information from BC Assessment can be utilized to locate property owners and qualifying property owners may apply for a property tax deferral from the Province.

**Special Finance Committee**  
**Wednesday, August 26, 2020**

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It was moved and seconded

- (1) *That the City proceed with the tax sale in accordance with the provisions of the Local Government Act; and*
- (2) *That the measures, process and procedure changes and adjustments, and the designation and change of venue described under the Status Quo Option set out on page 3 of Attachment 1 of the staff report titled "2020 Annual Tax Sale Options", dated July 20, 2020, from the Director, Finance, be approved.*

**CARRIED**

Opposed: Cllr. Au  
Greene  
Loo  
Wolfe

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (4:36 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the Finance Committee of the Council of the City of Richmond held on Wednesday, August 26, 2020.

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Mayor Malcolm D. Brodie  
Chair

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Evangel Biason  
Legislative Services Coordinator



## Finance Committee

Date: Tuesday, September 8, 2020

Place: Anderson Room  
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair  
Councillor Chak Au  
Councillor Carol Day (attending via teleconference)  
Councillor Kelly Greene (attending via teleconference)  
Councillor Alexa Loo (attending via teleconference)  
Councillor Bill McNulty (attending via teleconference)  
Councillor Linda McPhail (attending via teleconference)  
Councillor Harold Steves (attending via teleconference)  
Councillor Michael Wolfe (attending via teleconference)

Call to Order: The Chair called the meeting to order at 5:32 p.m.

### MINUTES

It was moved and seconded

*That the minutes of the meeting of the Finance Committee held on June 1, 2020, be adopted as circulated.*

**CARRIED**

### FINANCE AND CORPORATE SERVICES DIVISION

1. **EXTENSION OF NON-ACCEPTANCE OF CASH TRANSACTIONS AT CITY HALL**

(File Ref. No. 03-1240-01) (REDMS No. 6513797)

It was moved and seconded

*That Council extends non-acceptance of cash transactions at City Hall until March 31, 2021.*

**CARRIED**

**Finance Committee**  
**Tuesday, September 8, 2020**

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2. **FINANCIAL INFORMATION – 2ND QUARTER JUNE 30, 2020**

(File Ref. No. 03-0970-09-01) (REDMS No. 6502299 v. 7)

It was moved and seconded

*That the staff report titled, “Financial Information – 2nd Quarter June 30, 2020”, dated August 21, 2020 from the Director, Finance be received for information.*

The question on the motion was not called as discussion ensued with regard to the number of building permits received and the property values in the city.

In reply to queries from Committee, staff noted (i) that staff will be providing Council with an update on gaming revenue in the City, (ii) the MyRichmond portal will be enhanced to streamline business license applications and renewals, and (iii) the City’s Economic Development staff are working with the city’s business community during the COVID-19 Pandemic.

The question on the motion was then called and it was **CARRIED**.

3. **ACTIVE CAPITAL PROJECTS INFORMATION - 2ND QUARTER JUNE 30, 2020**

(File Ref. No. 03-0975-01) (REDMS No. 6493962 v. 15)

It was moved and seconded

*That the staff report titled, “Active Capital Projects Information – 2nd Quarter June 30, 2020”, dated August 21, 2020 from the Director, Finance be received for information.*

The question on the motion was not called as staff responded to queries, noting that the new City Centre Community Police Office is operational, however will remain closed to the public due to the COVID-19 Pandemic and the completion of the No. 6 Road Multi-Use Pathway from Cambie Road to Bridgeport Road is expected on the third quarter of this year.

Discussion ensued with the design of the Alderbridge Way multi-use pathway along No. 4 Road to Shell Road, and it was suggested that staff provide a memorandum on the matter.

The question on the motion was then called and it was **CARRIED**.

**LULU ISLAND ENERGY COMPANY**

4. **LULU ISLAND ENERGY COMPANY – 2ND QUARTER JUNE 30, 2020 FINANCIAL INFORMATION**

(File Ref. No. 01-0060-20-LIEC1) (REDMS No. 6515586 v. 2)

**Finance Committee**  
**Tuesday, September 8, 2020**

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It was moved and seconded

*That the Lulu Island Energy Company report titled “2020 2nd Quarter Financial Information for the Lulu Island Energy Company” dated July 31, 2020 from the Chief Executive Officer and Chief Financial Officer, be received for information.*

**CARRIED**

**RICHMOND OLYMPIC OVAL CORPORATION**

**5. RICHMOND OLYMPIC OVAL CORPORATION – 2ND QUARTER  
JUNE 30, 2020 FINANCIAL INFORMATION**

(File Ref. No.) (REDMS No. 6519716)

It was moved and seconded

*That the report on Financial Information for the Richmond Olympic Oval Corporation for the second quarter ended June 30, 2020 from the Interim Senior Manager, Finance & Administration, Richmond Olympic Oval Corporation be received for information.*

The question on the motion was not called as discussion ensued with regard to the projected 2020 revenues.

The question on the motion was then called it was **CARRIED**.

**ADJOURNMENT**

It was moved and seconded

*That the meeting adjourn (5:41 p.m.).*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the Finance Committee of the Council of the City of Richmond held on Tuesday, September 8, 2020.

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Mayor Malcolm D. Brodie  
Chair

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Evangel Biason  
Legislative Services Coordinator



# City of Richmond

## Report to Committee

**To:** General Purposes Committee **Date:** July 20, 2020  
**From:** Kim Somerville **File:** 08-4057-05/2020-Vol  
 Director, Community Social Development 01  
**Re:** **Housing Agreement Bylaw No. 10036 to Permit the City of Richmond to Secure Affordable Housing Units at 3208 Carscallen Road**

### Staff Recommendation

That Housing Agreement (3208 Carscallen Road) Bylaw No. 10036 to permit the City to enter into a Housing Agreement substantially in the form attached hereto, in accordance with the requirements of section 483 of the *Local Government Act*, to secure the Affordable Housing Units required by Rezoning Application RZ 12-610011 be introduced and given first, second and third reading.

Kim Somerville  
 Director, Community Social Development  
 (604-247-4671)

Att. 1

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Law	<input checked="" type="checkbox"/>	
Development Applications	<input checked="" type="checkbox"/>	
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b>	<b>APPROVED BY CAO</b>
		(Acting)

## Staff Report

### Origin

The purpose of this report is to recommend that City Council adopt Housing Agreement Bylaw No. 10036 to secure at least 3,007 m<sup>2</sup> (32,367ft<sup>2</sup>) or 41 affordable housing units in the proposed development located at 3208 Carscallen Road (Attachment 1).

This report supports Council's Strategic Plan 2018-2022 Strategic Focus Area #4 An Active and Thriving Richmond:

*An active and thriving community characterized by diverse social and wellness programs, services and spaces that foster health and well-being for all.*

This report supports Council's Strategic Plan 2018-2022 Strategic Focus Area #6 Strategic and Well-Planned Growth:

*Leadership in effective and sustainable growth that supports Richmond's physical and social needs.*

This report supports Social Development Strategy Goal #1: Enhance Social Equity and Inclusion:

*Strategic Direction #1: Expand Housing Choices*

This report is also consistent with the Richmond Affordable Housing Strategy 2017–2027, adopted on March 12, 2018, which specifies the creation of affordable rental housing units as a key housing priority for the City.

The applicant, Pinnacle Living (Capstan Village) Lands Inc., has applied to the City for a Development Permit (DP 18-821292) for the third and fourth phase of a four-phase, mixed use project in the City Centre's Capstan Village area. Phase 3 and Phase 4, which comprise a total of 322 dwelling units including 41 affordable housing units, is consistent with the City's Affordable Housing Strategy 2017-2027. The Phase 3 and Phase 4 Development Permit was endorsed by the Development Permit Panel on May 13, 2020.

The Phase 3 and Phase 4 Development Permit is associated with the applicant's rezoning application (RZ 12-610011) for rezoning of lands in the area generally bounded by No. 3 Road, Sea Island Way, Sexsmith Road, and Capstan Way from "Single Detached (RS1/F)" to "Residential/Limited Commercial and Artist Residential Tenancy Studio Units (ZMU25) - Capstan Village (City Centre)" and "School & Institutional Use (SI)." The rezoning bylaw was adopted by Council on December 17, 2014.

For Phases 1 and 2, the developer entered into three Housing Agreements to secure a total of 23 affordable housing units and 17 Artist Residential Tenancy Studio (ARTS) units, including 11 affordable housing units (Bylaw No. 9162) in Phase 1 and 12 affordable housing units (Bylaw No. 9772) in Phase 2. At build-out of all four phases, the developer must provide a final total of five per cent of the total residential floor area for affordable housing units. As the rezoning

application was received prior to July 24, 2017, it is subject to grandfathering of the five per cent affordable housing contribution rate.

A Zoning Text Amendment for 3208 Carscallen Road (Area C) and 3211 Carscallen Road (Area D) (ZT 18-827860), seeking to transfer the developer’s required affordable housing contribution from 3211 Carscallen Road (Area D) to 3208 Carscallen Road (Area C) went to Public Hearing on December 16, 2019 and has received third reading. This resulted in a total of 3,007 m<sup>2</sup> (32,367ft<sup>2</sup>) to be delivered in Area C, comprising of approximately five per cent of the combined total floor area of Area C and Area D. The registration of a Housing Agreement and Housing Covenant are conditions of Development Permit (DP 18-821292) issuance, which secures 41 affordable housing units with maximum rental rates and tenant income as established by the City’s Affordable Housing Strategy.

It is recommended that the proposed Housing Agreement Bylaw for the subject development (Bylaw No. 10036) be introduced and given first, second and third reading. Following adoption of the Bylaw, the City will be able to execute the Housing Agreement and arrange for notice of the agreement to be filed in the Land Title Office.

**Analysis**

The subject development application involves the development of approximately 322 residential units in Areas C and D including 41 affordable rental housing units in Area C. The 41 affordable housing units proposed represent approximately five per cent of the total combined residential floor area of Area C and Area D. Twenty-three of these units will be family-friendly, two and three-bedroom units and the remaining 18 units will be studio and one-bedroom units. The 41 affordable housing units will be dispersed throughout the first five floors of the building in Area C.

The affordable housing units anticipated to be delivered are as follows:

Unit Type	Number of Units	Minimum Unit Area	Maximum Monthly Unit Rent*	Total Maximum Household Income*
Studio	2	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811	\$34,650 or less
1-Bedroom	16	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975	\$38,250 or less
2-Bedroom	9	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218	\$46,800 or less
3-Bedroom	14	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480	\$58,050 or less
<b>TOTAL</b>	<b>41</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

\*To be adjusted annually based on the terms of the Housing Agreement.

The Housing Agreement restricts the annual household incomes and maximum rents for eligible occupants and specifies that the units must be made available at affordable rental housing rates in perpetuity. The Agreement includes provisions for annual adjustment of the maximum annual housing incomes and rental rates in accordance with City requirements. In addition, the Agreement restricts the owner from imposing any age-based restrictions on the tenants of the affordable housing units.

The Agreement specifies that occupants of the affordable rental housing units shall have the same access to all residential indoor and outdoor amenity spaces available to other (market) residents of the building in which affordable rental housing units are contained. The Agreement further specifies that no fees or charges be imposed for the use of affordable housing parking spaces and indoor and outdoor common areas (e.g. visitor parking and bike storage). Affordable housing tenants will not be charged any additional costs over and above their rent (i.e. move in/move out or parking fees). To ensure that the Owner is managing the affordable housing units according to the terms outlined in the Housing Agreement, the Agreement permits the City to conduct a statutory declaration process no more than once a year. Through this process, the City tracks the occupied affordable housing units and ensures that they are rented to eligible tenants at the permitted rental rates. Should the owner choose to sell the affordable housing units, the Housing Agreement requires that units be sold in groupings of nine, which would allow for a potential non-profit to purchase and manage the units.

The applicant has agreed to the terms and conditions of the Housing Agreement and to register notice of the Housing Agreement on title to 3208 Carscallen Road to secure the 41 affordable rental units.

Given that all the affordable rental units required for Areas C and D will be contained in Area C, no housing agreement or housing covenant are required in connection with Area D.

**Financial Impact**

None.

**Conclusion**

In accordance with the *Local Government Act* (Section 483), adoption of Bylaw No. 10036 is required to permit the City to enter into a Housing Agreement. Together with the Housing Covenant, this will act to secure 41 affordable rental units that are proposed in association with Rezoning Application RZ 12-610011.



Cody Spencer  
Program Manager, Affordable Housing  
(604-247-4916)

Att. 1: Map of 3208 Carscallen Road



Housing Agreement (3208 Carscallen Road)
Bylaw No. 10036

The Council of the City of Richmond enacts as follows:

- 1. The Mayor and City Clerk for the City of Richmond are authorized to execute and deliver a housing agreement, substantially in the form set out as Schedule A to this Bylaw, with the owner of the lands legally described as:

PID: 029-462-941 Lot 3, Section 28, Block 5 North, Range 6 West, New Westminster District, Plan EPP43707

- 2. This Bylaw is cited as Housing Agreement (3208 Carscallen Road) Bylaw No. 10036.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

Four horizontal lines for signature or stamp.

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER

Schedule A

To Housing Agreement (3208 Carscallen Road) Bylaw No. 10036.

HOUSING AGREEMENT AMONG PINNACLE LIVING (CAPSTAN VILLAGE FOUR)  
LIMITED PARTNERSHIP (beneficial owner), PINNACLE LIVING (CAPSTAN VILLAGE)  
LANDS INC. (registered owner) AND THE CITY OF RICHMOND

**HOUSING AGREEMENT – AFFORDABLE HOUSING**  
**(Section 483 Local Government Act)**

**THIS AGREEMENT** is dated for reference July \_\_\_\_\_, 2020,

**AMONG:**

**PINNACLE LIVING (CAPSTAN VILLAGE FOUR) LIMITED PARTNERSHIP**, a limited partnership duly formed under the laws of the Province of British Columbia and having its registered office at Suite 300-911 Homer Street, Vancouver, BC V6B 2W6, by its general partner **PINNACLE LIVING (CAPSTAN VILLAGE FOUR) GP PLAZA INC.**, a corporation duly incorporated under the laws of the Province of British Columbia and having its registered office at Suite 300-911 Homer Street, Vancouver, BC V6B 2W6

(the “**Beneficiary**”)

**AND:**

**PINNACLE LIVING (CAPSTAN VILLAGE) LANDS INC.**, a company duly incorporated under the laws of the Province of British Columbia and having its registered office at Suite 300-911 Homer Street, Vancouver, BC V6B 2W6

(the “**Nominee**”)

(the Beneficiary and the Nominee are, together, the “**Owner**” as more fully defined in section 1.1 of this Agreement)

**AND:**

**CITY OF RICHMOND**, a municipal corporation pursuant to the *Local Government Act* and having its offices at 6911 No. 3 Road, Richmond, British Columbia, V6Y 2C1

(the “**City**” as more fully defined in section 1.1 of this Agreement)

**WHEREAS:**

- A. Section 483 of the *Local Government Act* permits the City to enter into and, by legal notation on title, note on title to lands, housing agreements which may include, without limitation, conditions in respect to the form of tenure of housing units, availability of housing units to classes of persons, administration of housing units and rent which may be charged for housing units;

{00636353; 7 }

*Housing Agreement (Section 483 Local Government Act)*  
3208 Carscallen Road  
Application No. RZ 12-610011/DP 18-821292/ZT 18-827860

- B. The Beneficiary is the only beneficial owner of the Lands and the Nominee is the registered owner of the Lands; and
- C. The Owner and the City wish to enter into this Agreement to provide for affordable housing on the terms and conditions set out in this Agreement,

In consideration of \$10.00 and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by both parties), and in consideration of the promises exchanged below, the Owner and the City covenant and agree as follows:

## ARTICLE 1 DEFINITIONS AND INTERPRETATION

1.1 In this Agreement the following words have the following meanings:

- (a) **“Affordable Housing Strategy”** means the Richmond Affordable Housing Strategy approved by the City on March 12, 2018, and containing a number of recommendations, policies, directions, priorities, definitions and annual targets for affordable housing, as may be updated, amended or replaced from time to time;
- (b) **“Affordable Housing Unit”** means a Dwelling Unit or Dwelling Units designated as such in accordance with a building permit and/or development permit issued by the City and/or, if applicable, in accordance with any rezoning consideration applicable to the development on the Lands and includes, without limiting the generality of the foregoing, the Dwelling Units charged by this Agreement;
- (c) **“Agreement”** means this agreement together with all schedules, attachments and priority agreements attached hereto;
- (d) **“Building Permit”** means the building permit authorizing construction on the Lands, or any portion(s) thereof;
- (e) **“City”** means the City of Richmond;
- (f) **“City Solicitor”** means the individual appointed from time to time to be the City Solicitor of the Law Division of the City, or his or her designate;
- (g) **“CPI”** means the All-Items Consumer Price Index for Vancouver, B.C. published from time to time by Statistics Canada, or its successor in function;
- (h) **“Daily Amount”** means \$100.00 per day as of January 1, 2020 adjusted annually thereafter by adding thereto an amount calculated by multiplying \$100.00 by the percentage change in the CPI since January 1, 2020, to January 1 of the year that a written notice is delivered to the Owner by the City pursuant to section 6.1 of this Agreement. In the absence of obvious error or mistake, any calculation by the City of the Daily Amount in any particular year will be final and conclusive;

- (i) **“Development”** means the residential development to be constructed on the Lands;
- (j) **“Development Permit”** means the development permit authorizing development on the Lands, or any portion(s) thereof;
- (k) **“Dwelling Unit”** means a residential dwelling unit or units located or to be located on the Lands whether those dwelling units are lots, strata lots or parcels, or parts or portions thereof, and includes single family detached dwellings, duplexes, townhouses, auxiliary residential dwelling units, rental apartments and strata lots in a building strata plan;
- (l) **“Eligible Tenant”** means a Family having a cumulative gross annual income of:
  - (i) in respect to a studio unit, \$34,650.00 or less;
  - (ii) in respect to a one-bedroom unit, \$38,250.00 or less;
  - (iii) in respect to a two-bedroom unit, \$46,800.00 or less; and
  - (iv) in respect to a three or more bedroom unit, \$58,050.00 or less,

provided that, commencing January 1, 2020, the annual incomes set-out above will be adjusted annually on January 1<sup>st</sup> of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. If there is a decrease in the CPI for the period January 1 to December 31 of the immediately preceding calendar year, the annual incomes set-out above for the subsequent year will remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of an Eligible Tenant’s permitted income in any particular year will be final and conclusive;

- (m) **“Family”** means:
  - (i) a person;
  - (ii) two or more persons related by blood, marriage or adoption; or
  - (iii) a group of not more than 6 persons who are not related by blood, marriage or adoption;
- (n) **“GST”** means the Goods and Services Tax levied pursuant to the *Excise Tax Act*, R.S.C., 1985, c. E-15, as may be replaced or amended from time to time;
- (o) **“Housing Covenant”** means the agreements, covenants and charges granted by the Owner to the City (which includes covenants pursuant to section 219 of the *Land Title Act*) charging the Lands from time to time, in respect to the use and transfer of the Affordable Housing Units;

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*Housing Agreement (Section 483 Local Government Act)*  
3208 Carscallen Road  
Application No. RZ 12-610011/DP 18-821292/ZT 18-827860

- (p) **“Interpretation Act”** means the *Interpretation Act*, R.S.B.C. 1996, Chapter 238, together with all amendments thereto and replacements thereof;
- (q) **“Land Title Act”** means the *Land Title Act*, R.S.B.C. 1996, Chapter 250, together with all amendments thereto and replacements thereof;
- (r) **“Lands”** means the lands and premises legally described as follows Parcel Identifier: 029-462-941, Lot 3, Section 28, Block 5 North, Range 6 West, New Westminster District, Plan EPP43707, including a building or a portion of a building, into which said lands are Subdivided;
- (s) **“Local Government Act”** means the *Local Government Act*, R.S.B.C. 2015, Chapter 1, together with all amendments thereto and replacements thereof;
- (t) **“LTO”** means the New Westminster Land Title Office or its successor;
- (u) **“Owner”** means the party described on page 1 of this Agreement as the Owner and any subsequent owner of the Lands or of any part into which the Lands are Subdivided, and includes any person who is a registered owner in fee simple of an Affordable Housing Unit from time to time;
- (v) **“Permitted Rent”** means no greater than:
- (i) \$811.00 (exclusive of GST) a month for a studio unit;
  - (ii) \$975.00 (exclusive of GST) a month for a one-bedroom unit;
  - (iii) \$1,218.00 (exclusive of GST) a month for a two-bedroom unit; and
  - (iv) \$1,480.00 (exclusive of GST) a month for a three (or more) bedroom unit,
- provided that, commencing January 1, 2020, the rents set-out above will be adjusted annually on January 1<sup>st</sup> of each year this Agreement is in force and effect, by a percentage equal to the percentage of the increase in the CPI for the period January 1 to December 31 of the immediately preceding calendar year. In the event that, in applying the values set-out above, the rental increase is at any time greater than the rental increase permitted by the *Residential Tenancy Act*, then the increase will be reduced to the maximum amount permitted by the *Residential Tenancy Act*. If there is a decrease in the CPI for the period January 1 to December 31 of the immediately preceding calendar year, the permitted rents set-out above for the subsequent year will remain unchanged from the previous year. In the absence of obvious error or mistake, any calculation by the City of the Permitted Rent in any particular year will be final and conclusive;
- (w) **“Real Estate Development Marketing Act”** means the *Real Estate Development Marketing Act*, S.B.C. 2004, Chapter 41, together with all amendments thereto and replacements thereof;

- (x) **“Residential Tenancy Act”** means the *Residential Tenancy Act*, S.B.C. 2002, Chapter 78, together with all amendments thereto and replacements thereof;
- (y) **“Strata Property Act”** means the *Strata Property Act* S.B.C. 1998, Chapter 43, together with all amendments thereto and replacements thereof;
- (z) **“Subdivide”** means to divide, apportion, consolidate or subdivide the Lands, or the ownership or right to possession or occupation of the Lands into two or more lots, strata lots, parcels, parts, portions or shares, whether by plan, descriptive words or otherwise, under the *Land Title Act*, the *Strata Property Act*, or otherwise, and includes the creation, conversion, organization or development of “cooperative interests” or “shared interest in land” as defined in the *Real Estate Development Marketing Act*;
- (aa) **“Tenancy Agreement”** means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit; and
- (bb) **“Tenant”** means an occupant of an Affordable Housing Unit by way of a Tenancy Agreement.

1.2 In this Agreement:

- (a) reference to the singular includes a reference to the plural, and *vice versa*, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (e) any reference to any enactment is to the enactment in force on the date the Owner signs this Agreement, and to subsequent amendments to or replacements of the enactment;
- (f) the provisions of section 25 of the *Interpretation Act* with respect to the calculation of time apply;
- (g) time is of the essence;
- (h) all provisions are to be interpreted as always speaking;
- (i) reference to a “party” is a reference to a party to this Agreement and to that party’s respective successors, assigns, trustees, administrators and receivers.

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*Housing Agreement (Section 483 Local Government Act)*  
3208 Carscallen Road  
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Wherever the context so requires, reference to a “party” also includes an Eligible Tenant, agent, officer and invitee of the party;

- (j) reference to a “day”, “month”, “quarter” or “year” is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided; and
- (k) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”.

**ARTICLE 2**  
**USE AND OCCUPANCY OF AFFORDABLE HOUSING UNITS**

- 2.1 The Owner agrees that each Affordable Housing Unit may only be used as a permanent residence occupied by one Eligible Tenant at Permitted Rent. An Affordable Housing Unit must not be occupied by the Owner, the Owner’s family members (unless the Owner’s family members qualify as Eligible Tenants), or any tenant or guest of the Owner, other than an Eligible Tenant. For the purposes of this Article, “permanent residence” means that the Affordable Housing Unit is used as the usual, main, regular, habitual, principal residence, abode or home of the Eligible Tenant.
- 2.2 Within 30 days after receiving notice from the City, the Owner will, in respect of each Affordable Housing Unit, provide to the City a statutory declaration, substantially in the form (with, in the City Solicitor’s discretion, such further amendments or additions as deemed necessary) attached as Schedule A, sworn by the Owner (or in the case of a corporate owner the director, officer or authorized signatory of the Owner), containing all of the information required to complete the statutory declaration. The City may request such statutory declaration in respect to each Affordable Housing Unit no more than once in any calendar year; provided, however, notwithstanding that the Owner may have already provided such statutory declaration in the particular calendar year, the City may request and the Owner will provide to the City such further statutory declarations as requested by the City in respect to an Affordable Housing Unit if the City reasonably believes that the Owner is in breach of any of its obligations under this Agreement.
- 2.3 The Owner hereby irrevocably authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 2.4 The Owner agrees that notwithstanding that the Owner may otherwise be entitled, the Owner will not:
  - (a) be issued with a Development Permit unless the Development Permit includes the Affordable Housing Units;
  - (b) be issued with a Building Permit unless the Building Permit includes the Affordable Housing Units; and

- (c) request final inspection permitting occupancy, nor occupy, nor permit any person to occupy any Dwelling Unit or any portion of any building, in part or in whole, constructed on the Lands and the City will not be obligated to carry out the final inspection permitting occupancy, or to permit occupancy of any Dwelling Unit or building constructed on the Lands, until all of the following conditions are satisfied:
  - (i) the Affordable Housing Units and related uses and areas have been constructed to the satisfaction of the City;
  - (ii) the Affordable Housing Units have received final building permit inspection granting occupancy; and
  - (iii) the Owner is not otherwise in breach of any of its obligations under this Agreement or any other agreement between the City and the Owner in connection with the development of the Lands.

If and to the extent that the Housing Covenant contemplates staged construction and occupancy of the Affordable Housing Units, the Housing Covenant will govern.

**ARTICLE 3  
DISPOSITION AND ACQUISITION OF AFFORDABLE HOUSING UNITS**

- 3.1 The Owner will not permit an Affordable Housing Unit to be subleased, or the Affordable Housing Unit Tenancy Agreement to be assigned, except as required under the *Residential Tenancy Act*.
- 3.2 The Owner will not permit an Affordable Housing Unit to be used for short term rental purposes (being rentals for periods shorter than 30 days), or any other purposes that do not constitute a “permanent residence” of a Tenant or an Eligible Tenant.
- 3.3 If this Housing Agreement encumbers more than one Affordable Housing Unit, the following will apply:
  - (a) the Owner will not, without the prior written consent of the City, sell or transfer less than nine (9) Affordable Housing Units located in one building in a single or related series of transactions, with the result that when the purchaser or transferee of the Affordable Housing Units becomes the owner, the purchaser or transferee will be the legal and beneficial owner of not less than nine (9) Affordable Housing Units in one building;
  - (b) if the Development contains one or more air space parcels, each air space parcel and the remainder will be a “building” for the purposes of this Agreement; and

- (c) the Lands will not be Subdivided such that one or more Affordable Housing Units form their own air space parcel, separate from other Dwelling Units, without the prior written consent of the City.

3.4 Subject to the requirements of the *Residential Tenancy Act*, the Owner will ensure that each Tenancy Agreement:

- (a) includes the following provision:

“By entering into this Tenancy Agreement, the Tenant hereby consents and agrees to the collection of the below-listed personal information by the Landlord and/or any operator or manager engaged by the Landlord and the disclosure by the Landlord and/or any operator or manager engaged by the Landlord to the City and/or the Landlord, as the case may be, of the following personal information which information will be used by the City to verify and ensure compliance by the Owner with the City’s strategy, policies and requirements with respect to the provision and administration of affordable housing within the municipality and for no other purpose, each month during the Tenant’s occupation of the Affordable Housing Unit:

- (i) a statement of gross annual income from all sources (including employment, disability, retirement, investment, and other) of all members of the Tenant’s household who are 18 years of age and over and who reside in the Affordable Housing Unit;
- (ii) number of occupants of the Affordable Housing Unit;
- (iii) number of occupants of the Affordable Housing Unit 18 years of age and under; and
- (iv) number of occupants of the Affordable Housing Unit 55 years of age and over.”

- (b) defines the term “Landlord” as the Owner of the Affordable Housing Unit; and

- (c) includes a provision requiring the Tenant and each permitted occupant of the Affordable Housing Unit to comply with this Agreement.

3.5 If the Owner sells or transfers the Affordable Housing Units (pursuant to section 3.3), the Owner will notify the City Solicitor of the sale or transfer within 3 days of the effective date of sale or transfer.

3.6 The Owner will not rent, lease, license or otherwise permit occupancy of any Affordable Housing Unit except to an Eligible Tenant and except in accordance with the following additional conditions:

- (a) the Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement;

- (b) the monthly rent payable for the Affordable Housing Unit will not exceed the Permitted Rent applicable to that class of Affordable Housing Unit;
- (c) the Owner will allow the Tenant and any permitted occupant and visitor to have full access to and use and enjoy all on-site common indoor and outdoor amenity spaces that are available to the owners of the residential strata lots contained within the same building as the Affordable Housing Unit, including guest suites;
- (d) the Owner will not require the Tenant or any permitted occupant to pay any of the following:
  - (i) move-in/move-out fees;
  - (ii) strata fees;
  - (iii) strata property contingency reserve fees;
  - (iv) any fees and charges for the use of parking spaces assigned for the exclusive use of the Affordable Housing Unit;
  - (v) any fees and charges for the use of any indoor or outdoor common property, limited common property, or other common areas, facilities or amenities, including without limitation guest suites (except as set out in paragraph (x), below), parking, bicycle storage, electric vehicle charging stations or related facilities;
  - (vi) any fees and charges for the use of sanitary sewer, storm sewer, water; or
  - (vii) property or similar tax;

provided, however, that if the Affordable Housing Unit is a strata unit and the following costs are not part of strata or similar fees, the Owner may charge the Tenant the Owner's cost, if any, of:

- (viii) providing cable television, telephone, other telecommunications, or electricity fees (including electricity fees and charges associated with the Tenant's use of electrical vehicle and/or bicycle charging infrastructure);
- (ix) installing electric vehicle and/or bicycle charging infrastructure (in excess of that pre-installed by the Owner at the time of construction of the building), by or on behalf of the Tenant; and
- (x) security and fees for the use of guest suites (if any), provided that such charges are the same as payable by other residential occupants of the building in which the Affordable Housing Units are located;

- (e) subject to any contrary provisions in the *Residential Tenancy Act*, the Owner will include in the Tenancy Agreement a clause entitling the Owner to terminate the Tenancy Agreement if:
  - (i) an Affordable Housing Unit is occupied by a person or persons other than an Eligible Tenant;
  - (ii) the annual income of an Eligible Tenant rises above the applicable maximum amount specified in section 1.1(l) of this Agreement;
  - (iii) the Affordable Housing Unit is occupied by more than the number of people the City's building inspector determines can reside in the Affordable Housing Unit given the number and size of bedrooms in the Affordable Housing Unit and in light of any relevant standards set by the City in any bylaws of the City;
  - (iv) the Affordable Housing Unit remains vacant for three consecutive months or longer, notwithstanding the timely payment of rent; or
  - (v) the Tenant subleases the Affordable Housing Unit or assigns the Tenancy Agreement in whole or in part,

and in the case of each breach, subject to any contrary provisions in the *Residential Tenancy Act*, the Owner hereby agrees with the City to forthwith provide to the Tenant a notice of termination. Except for paragraph (e)(ii), above [*Termination of Tenancy Agreement if Annual Income of Tenant rises above amount prescribed in section 1.1(l) of this Agreement*], the notice of termination will provide that the termination of the tenancy will be effective two months following the date of the notice of termination. In respect to paragraph (e)(ii), above, termination will be effective on the day that is six months following the date that the Owner provided the notice of termination to the Tenant;

- (f) the Tenancy Agreement will identify all occupants of the Affordable Housing Unit and will stipulate that anyone not identified in the Tenancy Agreement will be prohibited from residing at the Affordable Housing Unit for more than 30 consecutive days or more than 45 days total in any calendar year; and
- (g) the Owner will forthwith deliver a certified true copy of the Tenancy Agreement to the City upon demand.

3.7 The Owner will not impose any age-based restrictions on Tenants of Affordable Housing Units.

3.8 The Owner will include in the Tenancy Agreement a clause requiring the Tenant and each permitted occupant of the Affordable Housing Unit to comply with this Agreement. This requirement will not lessen the Owner's obligations under this Agreement, or be deemed a delegation of the Owner's obligations under this Agreement.

- 3.9 The Owner will attach a copy of this Agreement to every Tenancy Agreement.
- 3.10 If the Owner has terminated the Tenancy Agreement, then the Owner will use commercially reasonable efforts to cause the Tenant and all other persons that may be in occupation of the Affordable Housing Unit, as applicable, to vacate the Affordable Housing Unit on or before the effective date of termination.

**ARTICLE 4  
DEMOLITION OF AFFORDABLE HOUSING UNIT**

- 4.1 The Owner will not demolish an Affordable Housing Unit unless:
- (a) the Owner has obtained the written opinion of a professional engineer or architect who is at arm's length to the Owner that it is no longer reasonable or practical to repair or replace any structural component of the Affordable Housing Unit, and the Owner has delivered to the City a copy of the engineer's or architect's report; or
  - (b) the Owner has obtained the written opinion of a professional engineer or architect who is at arm's length to the Owner that the Affordable Housing Unit is damaged or destroyed, to the extent of 40% or more of its value above its foundations,

and, in each case, a demolition permit for the Affordable Housing Unit, as applicable, has been issued by the City and the Affordable Housing Unit, as applicable, has been demolished under that permit.

Following demolition, the Owner will use and occupy any replacement Dwelling Unit in compliance with this Agreement and the Housing Covenant both of which will apply to any replacement Dwelling Unit to the same extent and in the same manner as those agreements apply to the original Dwelling Unit, and the Dwelling Unit must be approved by the City as an Affordable Housing Unit in accordance with this Agreement.

**ARTICLE 5  
STRATA CORPORATION BYLAWS**

- 5.1 This Agreement will be binding upon all strata corporations created upon the strata title Subdivision of the Lands or any Subdivided parcel of the Lands.
- 5.2 Any strata corporation bylaw which prevents, restricts or abridges the right to use the Affordable Housing Units as affordable rental accommodation, imposes age-based restrictions on Tenants of Affordable Housing Units, or is otherwise inconsistent with this Agreement, will have no force and effect.
- 5.3 No strata corporation will pass any bylaws preventing, restricting or abridging the use of the Affordable Housing Units as affordable rental accommodation in accordance with this Agreement.

- 5.4 No strata corporation will pass any bylaw or approve any levies which would result in only the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit (and not include all the owners, tenants, or any other permitted occupants of all the strata lots in the applicable strata plan which are not Affordable Housing Units) paying any extra charges or fees for the use of any common property, limited common property or other common areas, facilities, or indoor or outdoor amenities of the strata corporation contrary to section 3.6(d).
- 5.5 No strata corporation will pass any bylaws or approve any levies, charges or fees which would result in the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit paying for the use of parking, bicycle storage, electric vehicle and/or bicycle charging stations or related facilities contrary to section 3.6(d). Notwithstanding the foregoing, the strata corporation may levy parking, bicycle storage, electric vehicle and/or bicycle charging stations or other related facilities charges or fees on all the other owners, tenants, any other permitted occupants or visitors of all the strata lots in the applicable strata plan which are not Affordable Housing Units. For greater certainty, electricity fees and charges associated with the Owner or the Tenant's use of electrical vehicle and/or bicycle charging infrastructure are excluded from this provision.
- 5.6 The strata corporation will not pass any bylaw or make any rule which would restrict the Owner or the Tenant or any other permitted occupant of an Affordable Housing Unit from using and enjoying any common property, limited common property or other common areas, facilities or amenities of the strata corporation, including parking, bicycle storage, electric vehicle and/or bicycle charging stations or related facilities, except on the same basis that governs the use and enjoyment of these facilities by all the owners, tenants, or any other permitted occupants of all the strata lots in the same strata plan as the Affordable Housing Unit.

## **ARTICLE 6 DEFAULT AND REMEDIES**

- 6.1 The Owner agrees that, in addition to any other remedies available to the City under this Agreement or the Housing Covenant or at law or in equity, if:
- (a) an Affordable Housing Unit is used or occupied in breach of this Agreement or rented at a rate in excess of the Permitted Rent; or
  - (b) the Owner is otherwise in breach of any of its obligations under this Agreement or the Housing Covenant,

then the Owner will pay the Daily Amount to the City for every day that the breach continues after 45 days written notice from the City to the Owner stating the particulars of the breach. For greater certainty, the City is not entitled to give written notice with respect to any breach of the Agreement until any applicable cure period, if any, has expired. The Daily Amount is due and payable five business days following receipt by the Owner of an invoice from the City for the same.

- 6.2 The Owner acknowledges and agrees that a default by the Owner of any of its promises, covenants, representations or warranties set out in the Housing Covenant will also constitute a default under this Agreement.

**ARTICLE 7  
MISCELLANEOUS**

**7.1 Housing Agreement**

The Owner acknowledges and agrees that:

- (a) this Agreement includes a housing agreement entered into under section 483 of the *Local Government Act*;
- (b) where an Affordable Housing Unit is a separate legal parcel the City may file notice of this Agreement in the LTO against the title to the Affordable Housing Unit and, in the case of a strata corporation, may note this Agreement on the index of the common property of the strata corporation stored in the LTO and on title to all strata lots in the Development (including Affordable Housing Units and non-Affordable Housing Units);
- (c) where the Lands have not yet been Subdivided to create the separate parcels to be charged by this Agreement, the City may file a notice of this Agreement in the LTO against the title to the Lands;
- (d) if the Lands are Subdivided pursuant to the *Land Title Act* (including standard and air space parcels), this Agreement will secure only the legal parcels which contain the Affordable Housing Units. The City will partially discharge this Agreement accordingly, provided however that:
  - (i) the City has no obligation to execute such discharge until a written request therefor from the Owners is received by the City, which request includes the registrable form of discharge;
  - (ii) the cost of the preparation of the aforesaid discharge, and the cost of registration of the same in the Land Title Office is paid by the Owners;
  - (iii) the City has a reasonable time within which to execute the discharge and return the same to the Owners for registration; and
  - (iv) the Owners acknowledge that such discharge is without prejudice to the indemnity and release set forth in Section 7.5.

Notwithstanding a partial discharge of this Agreement, this Agreement will be and remain in full force and effect and, but for the partial discharge, otherwise unamended;

- (e) if the Lands, or a portion of the Lands, containing the Affordable Housing Units is Subdivided pursuant to the *Strata Property Act*, this Agreement will remain noted on the common property sheet of the strata corporation stored in the LTO and on title to all strata lots which are Affordable Housing Units; and
- (f) if the Lands, or a portion of the Lands, containing the Affordable Housing Units is Subdivided in any manner not contemplated in paragraph (d) or (e), this Agreement will remain on title to interests into which the Lands are subdivided.

## 7.2 **No Compensation**

The Owner acknowledges and agrees that no compensation is payable, and the Owner is not entitled to and will not claim any compensation from the City, for any decrease in the market value of the Lands or for any obligations on the part of the Owner and its successors in title which at any time may result directly or indirectly from the operation of this Agreement.

## 7.3 **Modification**

This Agreement may be modified or amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.

## 7.4 **Management**

The Owner will furnish good and efficient management of the Affordable Housing Units and will permit representatives of the City to inspect the Affordable Housing Units at any reasonable time, subject to the notice provisions in the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Affordable Housing Units in a good state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands. At the request of the City, the Owner will, at the Owner's expense, hire a person or company with the skill and expertise to manage the Affordable Housing Units.

## 7.5 **Indemnity**

The Owner will indemnify and save harmless the City and each of its elected officials, officers, directors, and agents, and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, actions, loss, damage, costs and liabilities, which all or any of them will or may be liable for or suffer or incur or be put to by reason of or arising out of:

- (a) any negligent act or omission of the Owner, or its officers, directors, agents, contractors or other persons for whom at law the Owner is responsible relating to this Agreement;

- (b) the City refusing to issue a development permit, building permit or refusing to permit occupancy of any building, or any portion thereof, constructed on the Lands;
- (c) the construction, maintenance, repair, ownership, lease, license, operation, management or financing of the Lands or any Affordable Housing Unit or the enforcement of any Tenancy Agreement; and/or
- (d) without limitation, any legal or equitable wrong on the part of the Owner or any breach of this Agreement by the Owner.

**7.6 Release**

The Owner hereby releases and forever discharges the City and each of its elected officials, officers, directors, and agents, and its and their heirs, executors, administrators, personal representatives, successors and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of or which would or could not occur but for the:

- (a) construction, maintenance, repair, ownership, lease, license, operation or management of the Lands or any Affordable Housing Unit under this Agreement;
- (b) the City refusing to issue a development permit, building permit or refusing to permit occupancy of any building, or any portion thereof, constructed on the Lands; and/or
- (c) the exercise by the City of any of its rights under this Agreement or an enactment.

**7.7 Survival**

The obligations of the Owner set out in this Agreement will survive termination or discharge of this Agreement.

**7.8 Priority**

The Owner will do everything necessary, at the Owner's expense, to ensure that this Agreement, if required by the City Solicitor, will be noted against title to the Lands in priority to all financial charges and encumbrances which may have been registered or are pending registration against title to the Lands save and except those specifically approved in advance in writing by the City Solicitor or in favour of the City, and that a notice under section 483(5) of the *Local Government Act* will be filed on the title to the Lands.

**7.9 City's Powers Unaffected**

This Agreement does not:

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Lands;
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement;
- (c) affect or limit any enactment relating to the use or subdivision of the Lands; or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.

**7.10 Agreement for Benefit of City Only**

The Owner and the City agree that:

- (a) this Agreement is entered into only for the benefit of the City;
- (b) this Agreement is not intended to protect the interests of the Owner, any Tenant, or any future owner, lessee, occupier or user of the Lands or the building or any portion thereof, including any Affordable Housing Unit; and
- (c) the City may at any time execute a release and discharge of this Agreement, without liability to anyone for doing so, and without obtaining the consent of the Owner.

**7.11 No Public Law Duty**

Where the City is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the City is under no public law duty of fairness or natural justice in that regard and agrees that the City may do any of those things in the same manner as if it were a private party and not a public body.

**7.12 Notice**

Any notice required to be served or given to a party herein pursuant to this Agreement will be sufficiently served or given if delivered, to the postal address of the Owner set out in the records at the LTO, and in the case of the City addressed:

To: Clerk, City of Richmond  
6911 No. 3 Road  
Richmond, BC V6Y 2C1

And to: City Solicitor  
City of Richmond  
6911 No. 3 Road  
Richmond, BC V6Y 2C1

or to the most recent postal address provided in a written notice given by each of the parties to the other. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery.

**7.13 Enuring Effect**

This Agreement will extend to and be binding upon and enure to the benefit of the parties hereto and their respective successors and permitted assigns.

**7.14 Severability**

If any provision of this Agreement is found to be invalid or unenforceable, such provision or any part thereof will be severed from this Agreement and the resultant remainder of this Agreement will remain in full force and effect.

**7.15 Waiver**

All remedies of the City will be cumulative and may be exercised by the City in any order or concurrently in case of any breach and each remedy may be exercised any number of times with respect to each breach. Waiver of or delay in the City exercising any or all remedies will not prevent the later exercise of any remedy for the same breach or any similar or different breach.

**7.16 Sole Agreement**

This Agreement, and any documents signed by the Owners contemplated by this Agreement (including, without limitation, the Housing Covenant), represent the whole agreement between the City and the Owner respecting the use and occupation of the Affordable Housing Units, and there are no warranties, representations, conditions or collateral agreements made by the City except as set forth in this Agreement. In the event of any conflict between this Agreement and the Housing Covenant, this Agreement will, to the extent necessary to resolve such conflict, prevail.

**7.17 Further Assurance**

Upon request by the City the Owner will forthwith do such acts and execute such documents as may be reasonably necessary in the opinion of the City to give effect to this Agreement.

**7.18 Covenant Runs with the Lands**

This Agreement burdens and runs with the Lands and every parcel into which it is Subdivided in perpetuity. All of the covenants and agreements contained in this

{00636353; 7 }

*Housing Agreement (Section 483 Local Government Act)  
3208 Carscallen Road  
Application No. RZ 12-610011/DP 18-821292/ZT 18-827860*

Agreement are made by the Owner for itself, its personal administrators, successors and assigns, and all persons who after the date of this Agreement, acquire an interest in the Lands.

**7.19 Equitable Remedies**

The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for any breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.

**7.20 No Joint Venture**

Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.

**7.21 Applicable Law**

Unless the context otherwise requires, the laws of British Columbia (including, without limitation, the *Residential Tenancy Act*) will apply to this Agreement and all statutes referred to herein are enactments of the Province of British Columbia.

**7.22 Deed and Contract**

By executing and delivering this Agreement the Owner intends to create both a contract and a deed executed and delivered under seal.

**7.23 Joint and Several**

If the Owner is comprised of more than one person, firm or body corporate, then the covenants, agreements and obligations of the Owner will be joint and several.

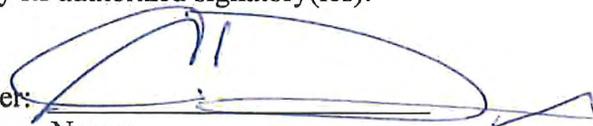
**7.23 Limitation on Owner's Obligations**

The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands provided however that notwithstanding that the Owner is no longer the registered owner of the Lands, the Owner will remain liable for breaches of this Agreement that occurred while the Owner was the registered owner of the Lands.

[Signature blocks follow]

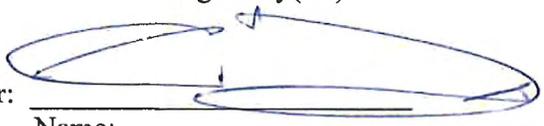
IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

**PINNACLE LIVING (CAPSTAN VILLAGE FOUR) LIMITED PARTNERSHIP,**  
by its general partner  
**PINNACLE LIVING (CAPSTAN VILLAGE FOUR) GP PLAZA INC.,**  
by its authorized signatory(ies):

Per:   
Name:

Per: M. De Cuiis  
Name:

**PINNACLE LIVING (CAPSTAN VILLAGE) LANDS INC.,**  
by its authorized signatory(ies):

Per:   
Name:

Per: M. De Cuiis  
Name:

**CITY OF RICHMOND**  
by its authorized signatory(ies):

Per: \_\_\_\_\_  
Malcolm D. Brodie, Mayor

Per: \_\_\_\_\_  
Claudia Jesson, Corporate Officer

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor
DATE OF COUNCIL APPROVAL

**Schedule A to Housing Agreement**

**STATUTORY DECLARATION  
(Affordable Housing Units)**

	)	IN THE MATTER OF Unit Nos. _____ - _____
	)	(collectively, the “Affordable Housing Units”) located
CANADA	)	at
	)	_____
PROVINCE OF BRITISH	)	(street address), British Columbia, and Housing
COLUMBIA	)	Agreement dated _____, 20____ (the
TO WIT:	)	“Housing Agreement”) between
	)	_____ and
	)	the City of Richmond (the “City”)

I, \_\_\_\_\_ (full name),  
of \_\_\_\_\_ (address) in the Province  
of British Columbia, DO SOLEMNLY DECLARE that:

1.  I am the registered owner (the “Owner”) of the Affordable Housing Units;  
*or,*  
 I am a director, officer, or an authorized signatory of the Owner and I have personal knowledge of the matters set out herein;
2. This declaration is made pursuant to the terms of the Housing Agreement in respect of the Affordable Housing Units for each of the 12 months for the period from January 1, 20\_\_\_\_ to December 31, 20\_\_\_\_ (the “Period”);
3. To the best of my knowledge, continuously throughout the Period:
  - a) the Affordable Housing Units, if occupied, were occupied only by Eligible Tenants (as defined in the Housing Agreement); and
  - b) the Owner of the Affordable Housing Units complied with the Owner’s obligations under the Housing Agreement and any housing covenant(s) registered against title to

the Affordable Housing Units;

- 4. To the best of my knowledge, the information set out in the table attached as Appendix A hereto (the “**Information Table**”) in respect of each of the Affordable Housing Units is current and accurate as of the date of this declaration; and
- 5. The tenancy agreements entered into between the Owner and the respective occupants of the Affordable Housing Units contains the prior written consent from each of the occupants of the Affordable Housing Units named in the Information Table to: (i) collect the information set out in the Information Table, as such information relates to the Affordable Housing Unit occupied by such occupant/resident; and (ii) disclose such information to the City, for purposes of complying with the terms of the Housing Agreement.

And I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE ME at \_\_\_\_\_ )  
 \_\_\_\_\_ in the )  
 Province of British Columbia, Canada, this )  
 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ )  
 \_\_\_\_\_ )  
 \_\_\_\_\_ )  
 A Notary Public and a Commissioner for )  
 taking Affidavits in and for the Province of )  
 British Columbia )

\_\_\_\_\_  
*(Signature of Declarant)*  
 Name:

*Declarations should be signed, stamped, and dated and witnessed by a lawyer, notary public, or commissioner for taking affidavits.*

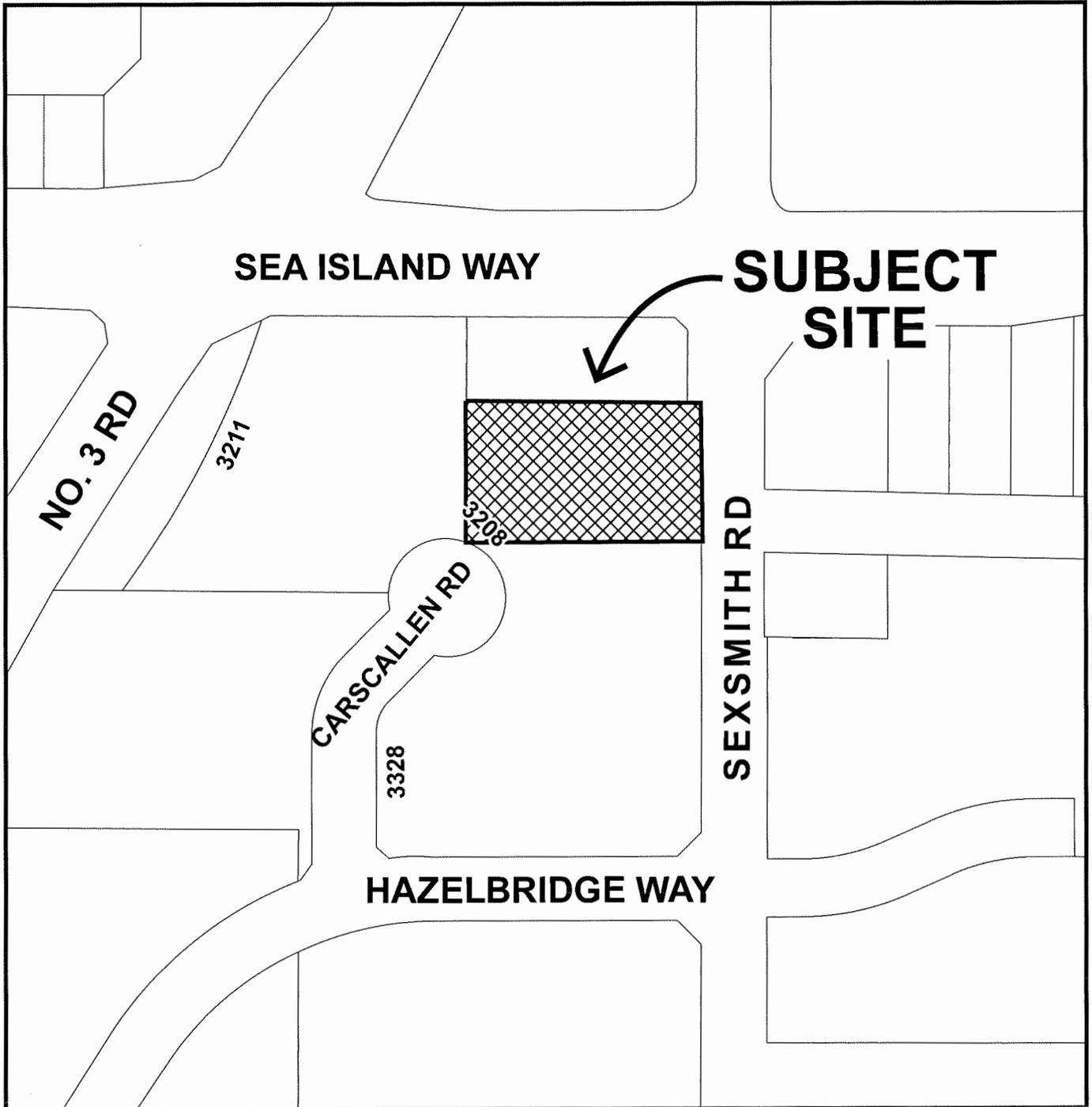
**APPENDIX A (to Statutory Declaration)  
Information Table**

Development Name, Address, Property Manager, Phone #, E-mail															
Unit #	Unit Type	# of Occupants	Related to Owner	# of Occupants 18 Years and Under	# of Occupants 55 Years and Over	Before-tax Employment Income (if Tenant is 18+ Years)	Other Income (if Tenant is 18+ Years)	Income Verification Received	Before-tax (gross) Income of all Tenants	Monthly Rent	Planned % Rent Increase in the Next Year	Parking Fees	Move-In/Move-out Fees	Storage Fees	Amenity Usage Fees
1															
2															
3															
4															
5															

Document Number: 5960485 Version: 1



City of  
Richmond



	<p>3208 Carscallen Road</p>	<p>Original Date: 07/13/20</p> <p>Note: Dimensions are in METRES</p>
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# City of Richmond

## Report to Committee

**To:** General Purposes Committee **Date:** July 24, 2020  
**From:** Lloyd Bie, P.Eng. **File:** 01-0140-20-TCAN1-06/2020-Vol 01  
 Director, Transportation  
**Re:** **Funding Agreement with Transport Canada Rail Safety Improvement Program for Williams Road-Shell Road Intersection Upgrade**

### Staff Recommendation

1. That the Chief Administrative Officer and the General Manager, Planning and Development, be authorized to execute the Rail Safety Improvement Program funding agreement with Transport Canada for the Williams Road-Shell Road intersection; and
2. That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly.

Lloyd Bie, P.Eng.  
 Director, Transportation  
 (604-276-4131)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Finance Sustainability Engineering	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
<b>SENIOR STAFF REPORT REVIEW</b>	INITIALS: 	<b>APPROVED BY CAO</b> (Acting)

## Staff Report

### Origin

An existing Council-approved capital project includes the signalization of the Williams Road-Shell Road intersection (both east and west Shell Road). As there is an active railway operating through the intersection, the two new traffic signals will require interconnection with the rail warning system. In addition, the existing rail warning system comprised of bells and flashing lights will require an upgrade to provide gates.

Transport Canada's Rail Safety Improvement Program (the Program) is a cost-share program to support the implementation of measures to improve public safety along railway lines. As the City's application to the Program for funding support for the Williams Road-Shell Road intersection signalization project was successful, this report seeks Council authorization to execute the funding agreement.

This report supports Council's Strategic Plan 2018-2022 Strategy #1 A Safe and Resilient City:

*Enhance and protect the safety and well-being of Richmond.*

*1.2 Future-proof and maintain city infrastructure to keep the community safe.*

This report supports Council's Strategic Plan 2018-2022 Strategy #5 Sound Financial Management:

*Accountable, transparent, and responsible financial management that supports the needs of the community into the future.*

*5.4 Work cooperatively and respectfully with all levels of government and stakeholders while advocating for the best interests of Richmond.*

### Analysis

#### Williams Road-Shell Road Intersection

Currently, the east and west intersections are controlled by stop signs for traffic on Shell Road (Figure 1). There are special crosswalks with pedestrian-actuated overhead amber flashing lights at both locations. The off-street Shell Road Trail crosses Williams Road adjacent to the west intersection and an active rail line operates between the two intersections.

The project comprises the full signalization of both intersections and the addition of gates at the railway crossing to improve the safety of all road users. The traffic signal works include interconnection to the railway warning system to ensure there is sufficient pre-emption time for vehicles to clear the grade crossing before the arrival of railway equipment at the crossing and prevent the through movement of traffic towards the crossing.

This site is within the City's designated Environmentally Sensitive Area and riparian management zone. If endorsed, a Qualified Environmental Professional will be hired to obtain applicable environmental permits and prepare an Environmental Management Plan to mitigate

potential impacts to these areas during construction. Detailed design of the project has been completed and construction is anticipated to begin in Q1 2021 and be completed in Q1 2022.

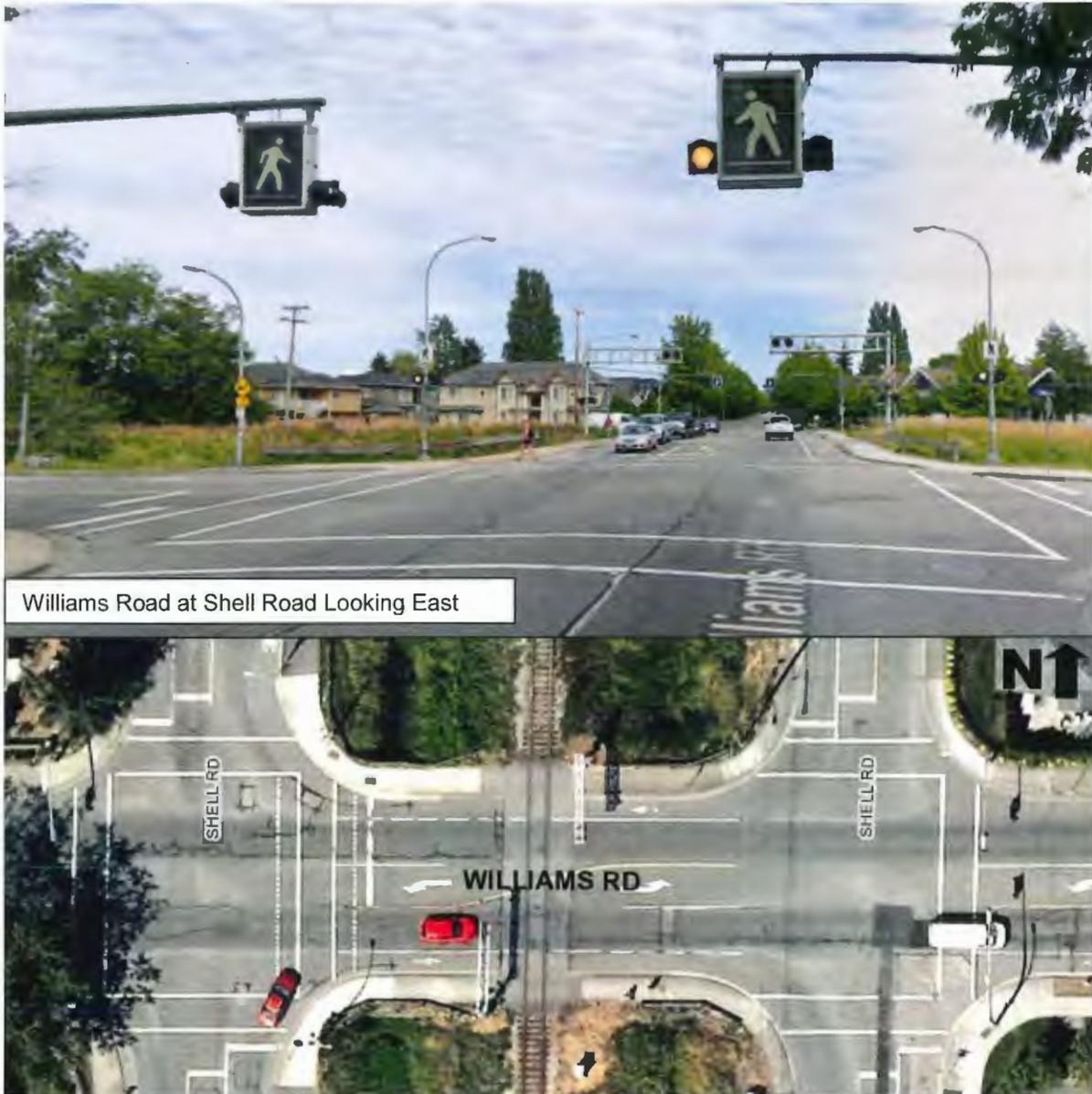


Figure 1: Existing Conditions at Williams Road-Shell Road

Proposed Funding

Table 1 below summarizes the estimated project cost, and the internal and external funding sources. With the successful application, the City's funding will be reduced from the total estimated project cost of \$700,000 to \$152,800.

Table 1: Funding for Williams Road-Shell Road Intersection Improvements

Project & Scope	City Portion & Funding Source	Transport Canada Funding <sup>(1)</sup>	Est. Total Project Cost
Williams Road-Shell Road Intersection Improvements	CT00012 (Roads DCC) Traffic Signal Program \$152,800	\$547,200	\$700,000

(1) The amount shown represents the funding contribution to be received from the external agency based on the City's cost estimate for the project. The actual invoiced amount follows project completion and is based on incurred costs.

The City will enter into a funding agreement with the Government of Canada. The agreement is a standard form agreement provided by senior levels of government and includes an indemnity and release in favour of the Government of Canada. Staff recommend that the Chief Administrative Officer and General Manager, Planning and Development be authorized to execute the agreement on behalf of the City.

**Financial Impact**

The City's estimated cost for this location will be reduced from \$700,000 to \$152,800.

**Conclusion**

The City's successful application to Transport Canada's Rail Safety Improvement Program will support the implementation of road and rail safety measures at Williams Road-Shell Road. The coordinated signalization of the east and west intersections and the upgrade of the road-rail warning system to include gates will improve community safety.



Joan Caravan  
Transportation Planner  
(604-276-4035)



Bill Johal  
Supervisor, Traffic Signals  
(604-276-4298)

JC:lce



# City of Richmond

## Report to Committee

**To:** General Purposes Committee

**Date:** June 10, 2020

**From:** Peter Russell, MCIP RPP  
Director, Sustainability and District Energy

**File:** 12-8060-20-009921/Vol 01

**Re:** City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187

### Staff Recommendation

That the City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187 presented in the “City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187” report dated June 10, 2020, from the Director, Sustainability and District Energy be introduced and given first, second, and third readings.

Peter Russell, MCIP RPP  
Director, Sustainability and District Energy  
(604-276-4130)

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Development Applications Law	<input type="checkbox"/> <input type="checkbox"/>	
<b>REVIEWED BY SMT</b>	<b>INITIALS:</b> AN 	<b>APPROVED BY CAO</b>  (Acting)

## Staff Report

### Origin

The purpose of this report is to recommend expansion of the City Centre District Energy Utility (CCDEU) service area to include the mixed use development located at 5500 No. 3 Rd, associated with rezoning application RZ 19-858804.

This report supports Council's Strategic Plan 2018-2022 Strategy #2: A Sustainable and Environmentally Conscious City:

*Environmentally conscious decision-making that demonstrates leadership in implementing innovative, sustainable practices and supports the City's unique biodiversity and island ecology.*

*2.1 Continued leadership in addressing climate change and promoting circular economic principles.*

*2.2 Policies and practices support Richmond's sustainability goals.*

In February 2018, as directed by LIEC Board and as endorsed by Council, LIEC executed a Memorandum of Understanding (MOU) with Corix Utilities Inc. (Corix) to conduct feasibility analysis to design, build, finance, and operate a district energy utility in Richmond's City Centre area.

While this CCDEU feasibility analysis has been progressing, staff identified the opportunity to secure a customer base for the immediate implementation of GHG emissions reduction through the rezoning and/or OCP amendment application process. To date, nine development applicants have committed to construct and transfer low carbon energy plants to the City or LIEC, at no cost to the City or LIEC, through either of these processes, so that LIEC can provide immediate service to these customers. Council adopted the CCDEU Bylaw No. 9895 in September 2018 to secure the commitment from developments. See Attachment 1 for a brief summary of the currently committed spaces under the CCDEU Bylaw along with an overview of the other DEU service areas.

### Analysis

The development rezoning application (RZ 19-858804) was granted third reading at the Public Hearing held on April 20<sup>th</sup>, 2020. The applicant is actively working to fulfill the rezoning considerations and the associated Development Permit application for the project for the City's Development Permit Panel's review and Council consideration.

The 15-storey building containing street-fronting commercial space will be comprised of approximately 104,045 ft<sup>2</sup> of residential space for market rental housing and 5,732 ft<sup>2</sup> of commercial space.

Expanding the CCDEU service area to include a development of this type results in the following direct benefits:

- Immediate reduction of greenhouse gas (GHG) emissions compared to business as usual;

- Expansion of LIEC's customer base under a positive stand-alone business case while the City Centre strategy develops;
- Providing financial and environmental stability to customers; and
- Increasing community's energy resiliency.

The rezoning considerations for this development include a requirement for a legal agreement that, if the City elects, would require the developer to transfer ownership of the development's centralized low carbon energy plant to the City or LIEC at no cost to the City or LIEC.

LIEC staff conducted business case analysis for owning and operating this development's energy plant which yielded positive results. Staff used the same rate structure applied to the other developments under the CCDEU Bylaw service area, which is competitive with conventional energy costs providing the same level of service. The rate structure and actual rate to customers will be refined once the costs have been confirmed through the design and engineering phase for the first developments within the CCDEU Bylaw service area.

The LIEC Board of Directors recommends expanding the CCDEU Bylaw service area to include the mixed-use development located at 5500 No. 3 Rd.

### **Financial Impact**

The centralized energy system will be designed and constructed by developers at their cost. Costs incurred by LIEC for engineering support and operations and maintenance will be funded from LIEC capital and operating budgets. All LIEC costs will be recovered from customers' fees.

### **Conclusion**

Expanding services in the City Centre area to include the mixed residential and commercial development proposed at 5500 No. 3 Rd (RZ 19-858804) will allow for the immediate expansion of LIEC's customer base and enhanced opportunities for connectivity to future low-carbon district energy systems in Richmond's City Centre. In addition, the inclusion of the subject development in the City Centre district energy system will increase the community's energy resiliency by taking advantage of the system's ability to utilize different fuel sources and the future fuel switching capability of the technology.



Peter Russell, MCIP RPP  
Director, Sustainability and District Energy  
(604-276-4130)

PR:cd

Att. 1: District Energy in Richmond  
Att. 2: Map of Current and Future District Energy Utility Areas in Richmond

## Attachment 1 – District Energy in Richmond

Richmond’s 2041 Official Community Plan (OCP) establishes a target to reduce greenhouse gas (GHG) emissions 33 per cent below 2007 levels by 2020 and 80 per cent by 2050. The OCP also aims to reduce energy use 10 per cent below 2007 levels by 2020. The City identified district energy utilities (DEUs) as a leading strategy to achieve City’s GHG reduction goals.

The City incorporated Lulu Island Energy Company Ltd. (LIEC) in 2013 for the purposes of carrying out the City’s district energy initiatives. LIEC owns and operates the Alexandra District Energy (ADEU) and Oval Village District Energy (OVDEU) Utilities and advances new district energy opportunities. Table 1 below provides a summary of the developments connected under the DEU service areas to-date. Attachment 2 shows current and planned future DEU areas.

Table 1 – District Energy Utility Service Areas

	Buildings To-Date	Residential Units To-Date	Floor Area	
			To-Date	Build-out
Alexandra District Energy Utility	10	1,736	1.9M ft <sup>2</sup>	4.4M ft <sup>2</sup>
Oval Village District Energy Utility	9	1,990	2.2M ft <sup>2</sup>	6.4M ft <sup>2</sup>
City Centre District Energy Utility	9 <sup>(1)</sup>	3,239 <sup>(1)</sup>	4.6M ft <sup>2</sup> <sup>(1)</sup>	48M ft <sup>2</sup>
DEU-Ready Developments <sup>(2)</sup>	17	4,524	5.3M ft <sup>2</sup>	N/A
<b>Total Connected Floor Area</b>			<b>4.1M ft<sup>2</sup> <sup>(3)</sup></b>	<b>58.8Mft<sup>2</sup></b>

(1) Commitments secured from upcoming developments in the City Centre; first connection expected in 2021.

(2) DEU-Ready developments are designed to connect to the City Centre district energy system at a future point.

(3) The “To-Date Connected Floor Area” figure corresponds to constructed developments currently served by a DEU.

### Alexandra District Energy Utility (ADEU)

ADEU provides heating and cooling services to seven residential buildings in the ADEU service area, the large commercial development at “Central at Garden City”, the Richmond Jamatkhana temple and Fire Hall No. 3, comprising over 1,735 residential units and over 1.9 million square feet of floor area. While some electricity is consumed for pumping and equipment operations, almost 100% of this energy is currently produced locally from geo-exchange fields in the greenway corridor and West Cambie Park, and highly efficient air source heat pumps.

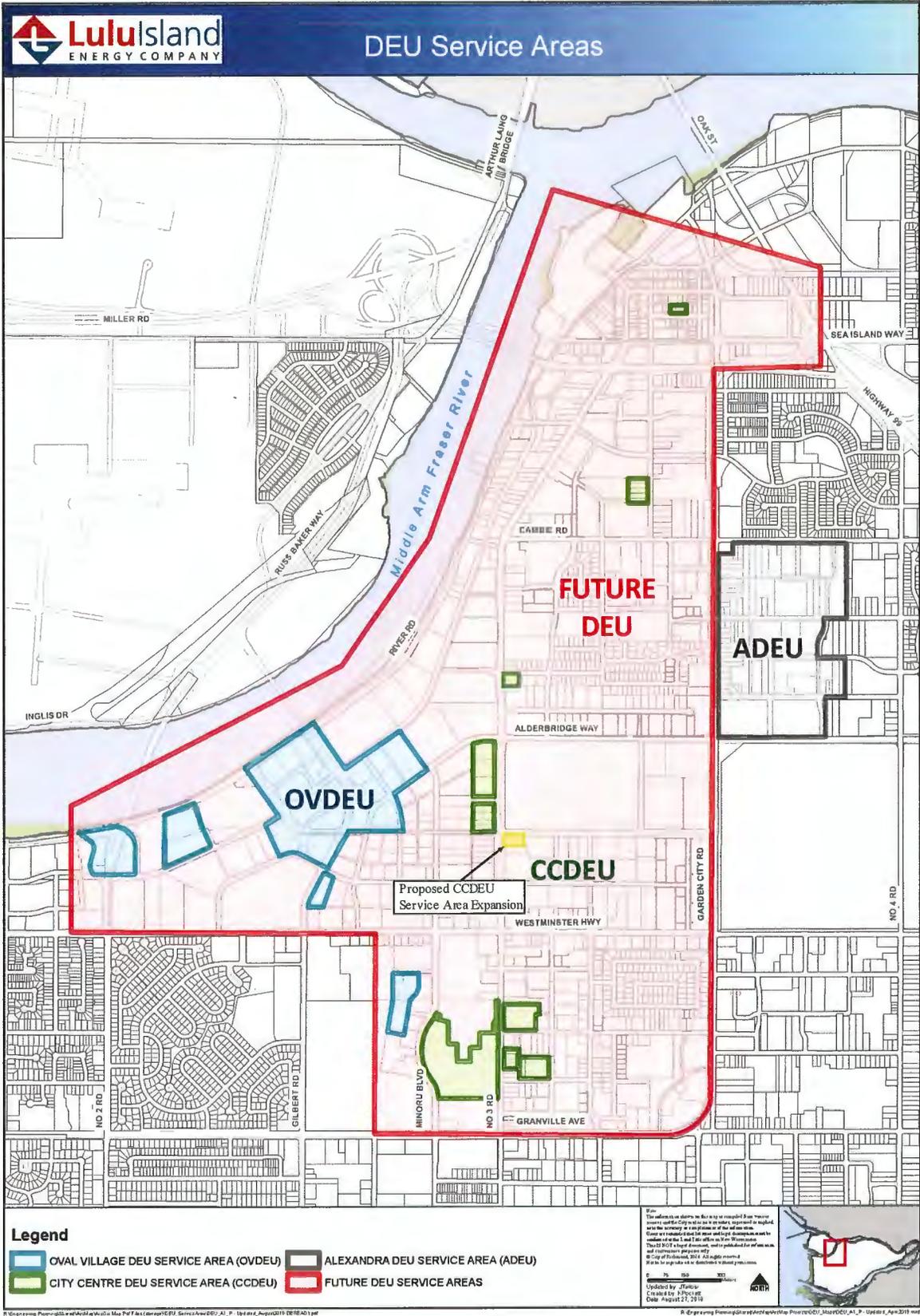
### Oval Village District Energy Utility (OVDEU)

OVDEU services nine buildings in the OVDEU service area, containing over 1,900 residential units. Energy is currently supplied from two interim energy centres with natural gas boilers which combined provide 11 MW of heating capacity. When enough buildings are connected to the system, a permanent energy centre will be built which will produce low-carbon energy. OVDEU is planned to harness energy from the Gilbert Trunk sanitary force main sewer through the implementation of the permanent energy centre in 2025.

### City Centre District Energy Utility (CCDEU)

Nine developments, comprising approximately 4.6 million square feet of residential, commercial, and hotel uses, have committed to construct and transfer low carbon energy plants to the City or LIEC at no cost to the City or LIEC. LIEC will operate and maintain these energy plants and provide heating and cooling services to these developments.

Attachment 2 – Map of Current and Future District Energy Utility Areas in Richmond





City of  
Richmond

Bylaw 10187

**City Centre District Energy Utility Bylaw No. 9895  
Amendment Bylaw No. 10187**

The Council of the City of Richmond enacts as follows:

1. The **City Centre District Energy Utility Bylaw No. 9895** is further amended:
  - (a) by deleting Schedule A (Boundaries of Service Area) in its entirety and replacing it with a new Schedule A attached as Schedule A to this Amendment Bylaw; and
  - (b) by deleting Schedule E (Energy Generation Plant Designated Properties) in its entirety and replacing it with a new Schedule E attached as Schedule B to this Amendment Bylaw.
  
2. This Bylaw is cited as “**City Centre District Energy Utility Bylaw No. 9895, Amendment Bylaw No. 10187**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CITY OF RICHMOND
APPROVED for content by DS
<i>1021</i>
APPROVED DS
<i>BRB</i>

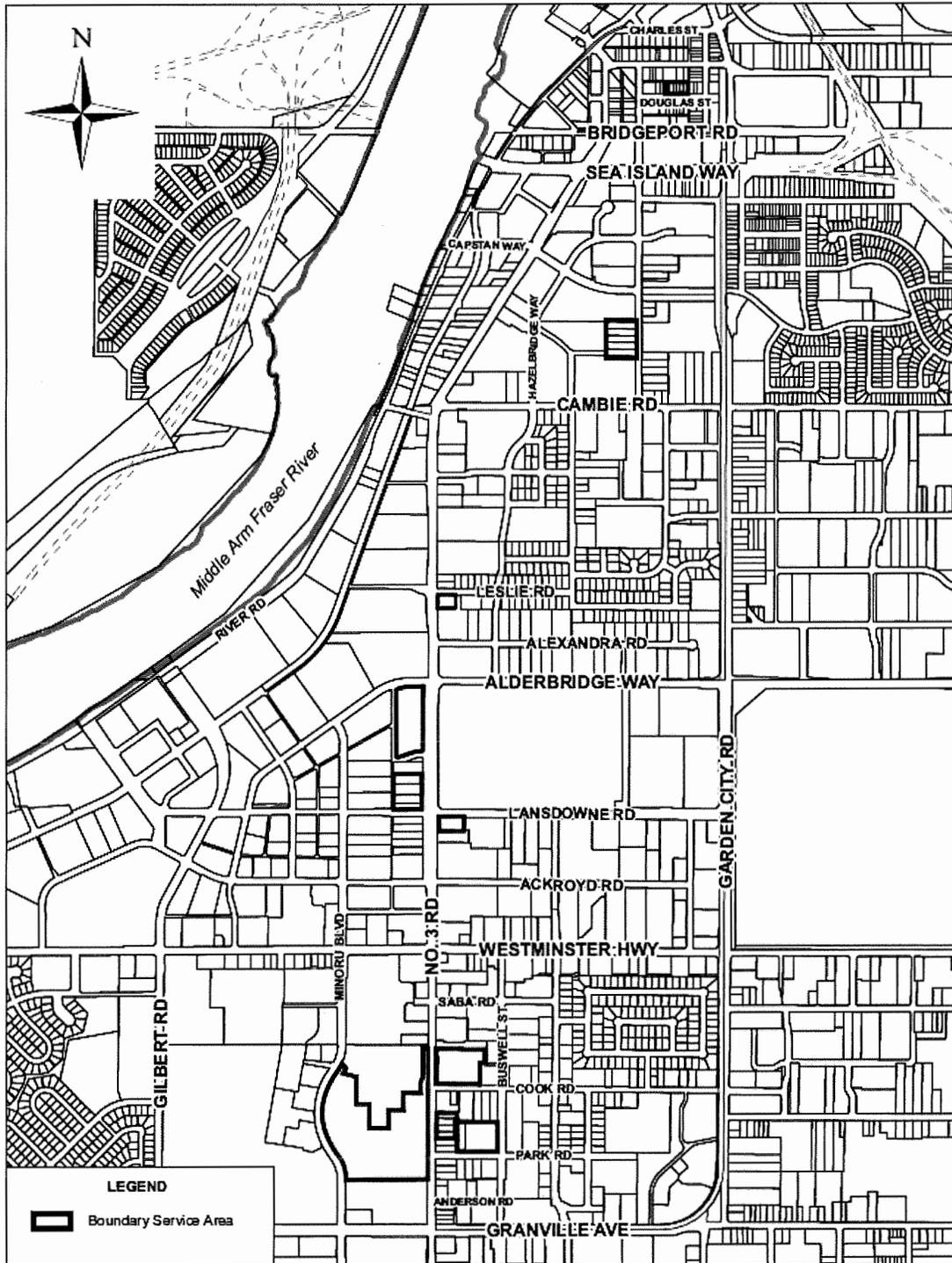
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**Schedule A to Amendment Bylaw No. 10187**

**SCHEDULE A to BYLAW NO. 9895**

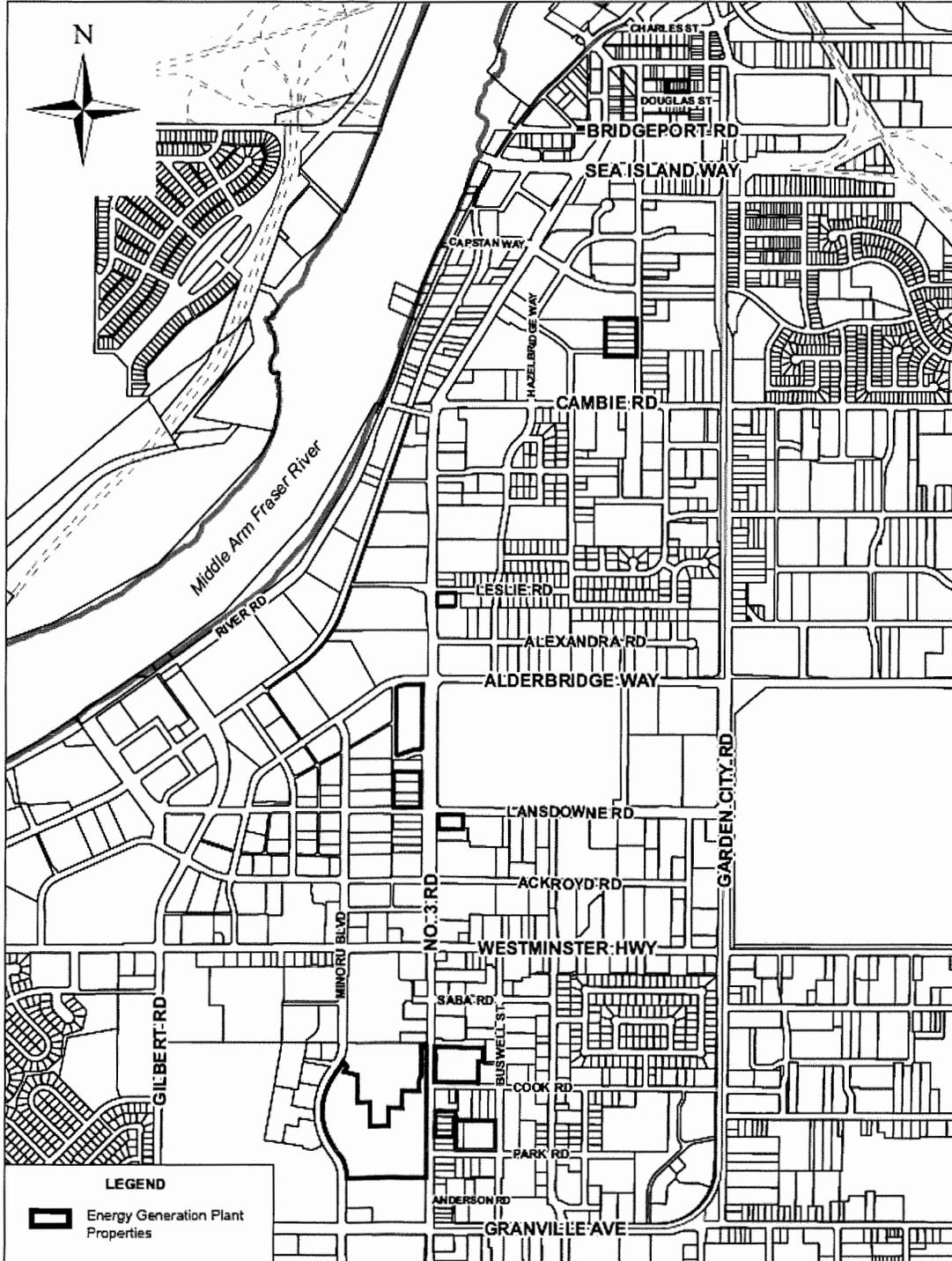
**Boundaries of Service Area**



**Schedule B to Amendment Bylaw No. 10187**

**SCHEDULE E to BYLAW NO. 9895**

**Energy Generation Plant Designated Properties**





# City of Richmond

## Report to Committee

**To:** General Purposes Committee **Date:** August 25, 2020  
**From:** Peter Russell **File:** 10-6160-04/2020-Vol 01  
 Director, Sustainability and District Energy  
**Re:** **Support for BC Salmon Restoration Projects in Sturgeon Bank**

### Staff Recommendation

That, as described in the staff report titled "Support for BC Salmon Restoration Projects in Sturgeon Bank," dated August 25, 2020 from the Director, Sustainability and District Energy and the Director, Engineering:

1. The scope of the three projects to be included in the Expression of Interest prepared by the South Coast Conservation Land Management Program for submission to the BC Salmon Restoration and Innovation Fund, be supported; and
2. That in-kind contributions for the projects outlined in the Expression of Interest be endorsed.

Peter Russell  
 Director, Sustainability and Dist Energy  
 (604-276-4130)

Att. 3

REPORT CONCURRENCE		
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>CONCURRENCE OF GENERAL MANAGER</b>
Engineering	<input checked="" type="checkbox"/>	
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b>	<b>APPROVED BY CAO</b>
	CJ	(Acting)

## Staff Report

### Origin

The South Coast Conservation Land Management Program is a partnership program involving the federal and provincial governments, Ducks Unlimited Canada, the Habitat Conservation Trust Foundation and the Nature Trust of BC to coordinate the management of conservation lands in BC, including Sturgeon Bank. The South Coast Conservation Land Management Program was established in 2005 to fill coordination gaps between various levels of government, conservation groups, land use interests and local communities to conserve species and ecosystems at risk. South Coast Conservation Land Management staff assist various stakeholders in navigating the complexities of multi-jurisdictional habitat restoration initiatives. Similar programs exist in different regions of BC. The program is not a regulatory authority and staff do not provide legal expertise or undertake investigative actions related to damage to habitat or violations under the various environmental regulations. It is considered a government entity and is not eligible for some funding opportunities such as the BC Salmon Restoration and Innovation Fund. The program relies on its relationships with non-government organizations such as Ducks Unlimited Canada to secure funding that is intended exclusively for non-government organizations.

The federal and provincial governments announced the BC Salmon Restoration and Innovation Fund in 2019 to encourage independent projects that protect Pacific salmon species and improve the sustainability of the fish and seafood sector in BC. The fund is worth \$142.85 million and is available, through Expression of Interest, only to non-government organizations that intend on completing projects in BC that meet the fund's priorities, including salmon habitat restoration projects.

The South Coast Conservation Land Management Program, in partnership with Ducks Unlimited Canada, the Raincoast Conservation Foundation and the Lower Fraser Fisheries Alliance is preparing an Expression of Interest that includes three potential projects in Sturgeon Bank. Ducks Unlimited Canada will be the lead applicant and the aforementioned agencies will be projects partners. The South Coast Conservation Land Management Program is assembling a list of project supporters for the Expression of Interest. A list of potential supporters includes the University of British Columbia, Metro Vancouver, Environment Canada and the City of Delta.

The City of Richmond has also been asked by the South Coast Conservation Land Management Program to support the Expression of Interest and provide any additional contributions (in-kind and/or financial) that the City deems appropriate by September 15, 2020.

This report supports Council's Strategic Plan 2018-2022 Strategy #1 A Safe and Resilient City:

*1.2 Future-proof and maintain city infrastructure to keep the community safe.*

*1.4 Foster a safe, caring and resilient environment.*

This report supports Council's Strategic Plan 2018-2022 Strategy #2 A Sustainable and Environmentally Conscious City:

*2.1 Continued leadership in addressing climate change and promoting circular economic principles.*

This project is consistent with the following Ecological Network Management Strategy objectives and actions, specifically: Foster community stewardship and education initiatives focused on the Fraser River Estuary and foreshore:

*9.7 Work with community partners and non-profit organizations that focus on the Fraser River Estuary to develop Richmond-tailored programming*

*9.8 Support the provision of information on stewardship opportunities in the estuary*

## **Analysis**

The BC Salmon Restoration and Innovation Fund is a contribution program funded jointly by the federal and provincial governments. The fund provides an investment of up to \$142.85 million over 5 years (i.e. until March 31, 2024). The federal government provides 70% of the funding, and the provincial government provides the remaining 30%.

The first intake for the BC Salmon Restoration and Innovation Fund, which focused on innovation, infrastructure and science partnership projects, closed in April 2019. Over 30 projects were successful in 2019. Many of the successful projects were located in the Lower Mainland including the Fraser Valley. No projects were situated in the Fraser River Estuary.

The federal and provincial governments refined the fund's 2020 priorities for the second round of intakes. One priority area for the second intake includes protecting critical salmonid habitats from loss or degradation, and investing in the restoration of critical habitats that have been lost or degraded. Based on this new priority, the South Coast Conservation Land Management Program and its partners decided to focus the Expression of Interest on the Lower Fraser Estuary due to the ongoing degradation to marsh habitat, specifically on Sturgeon Bank.

### **Sturgeon Bank Recession**

Sturgeon Bank encompasses the intertidal, and near shore subtidal lands on the western portions of Sea Island, Lulu Island and a portion of Iona Island in Richmond. A large portion of this area is owned by the province and is a designated Wildlife Management Area. Other landowners in the area include private land (limited), federal land, joint federal-provincial land, Metro Vancouver land, and City land. The City-owned portion of land includes the area commonly referred to as the Grauer Lands that was purchased in partnership with Ducks Unlimited Canada.

Sturgeon Bank is comprised of a salt marsh and a hydrologic bench of sand and mud that extends approximately 6 km from the leading edge of the salt marsh. The leading edge of salt marsh was mapped in the late 1970s, and recent mapping information has identified significant marsh vegetation recession. Provincial mapping information suggests that approximately 160 hectares

of marsh vegetation has died since the 1980s. The Province has been examining potential contributing factors such as erosion, sea level rise, increased salinity, nutrient input loss (due to isolation from the jetties) and herbivory (by geese) that may be responsible for the observable changes in vegetation patterns. Though marsh recession is not fully understood, recent geomorphological assessments indicates that Sturgeon Bank is in a state of disequilibrium with respect to sediment deposits and erosion.

### Flood Protection and Habitat Services

Sturgeon Bank supports flood protection for the City and provides critical habitat for local fish and wildlife. The area is identified as a major hub within the City's Ecological Network Management Strategy. All five species of Pacific salmon also utilize marsh habitat in Sturgeon Bank at some point in their life cycle, as well an abundance of non-salmonid fish species, invertebrates and other flora and fauna common to estuary ecosystems.

A healthy Sturgeon Bank is an important part of mitigating flood risk for the City, as it protects the dike from wind-generated waves. With future sea level rise, the protection afforded to Richmond by this feature may be considerably reduced. The Council-endorsed, Flood Protection Management Strategy and Dike Master Plans Phase 1 and 2 recognize the important wave attenuation benefits that Sturgeon Bank provides. The plans recommend key actions to mitigate sea level rise, including potentially installing breakwater islands.

In addition, at the April 22, 2013 Regular Council Meeting, Council endorsed staff to coordinate with the Port of Vancouver and the Department of Fisheries and Oceans to identify potential areas to create habitat and provide wave dissipation for the southern west dike. The City's Flood Protection Management Strategy also identifies the initiative to pursue senior government grant opportunities to assist in funding this type of project. This staff report supports both of these objectives.

### Proposed Projects

The Expression of Interest that will be submitted to the BC Salmon Restoration and Innovation Fund by Ducks Unlimited Canada proposes three potential projects, all currently at the conceptual stage of design, including:

1. **Sturgeon Bank Sediment Enhancement Pilot Project** – The pilot study will be managed by the the Provincial South Coast Conservation Land Management Program and proposes to introduce sediment from the Fraser River to the southern portion of Sturgeon Bank, within Richmond's municipal boundary (Attachment 1). As proposed, the project would seek to install a temporary, floating pipeline from that would pump river sand to offshore intertidal areas, from a dredge vessel anchored at the South Arm Jetty for three years. Clay berms would be installed to hold pumped sediments. The natural tide cycle would then be responsible for dispersing the sediment in the area. If successful, the results would increase the elevation of the marsh, and regenerate healthy tidal marsh conditions.

2. **North Arm Jetty Breaches** – The North Arm Jetty was constructed in 1916 to aid in navigation similar to the South Jetty. Both structures have altered the natural movement of sediment and wildlife from the Fraser River to Sturgeon Bank. This project would be managed by Raincoast Conservation Foundation and would have a similar scope as the South Arm Jetty breaches, constructed in 2019 to restore fish passages for juvenile salmonids and improve sediment transport from the South Arm to Sturgeon Bank. The original scope for the South Arm Jetty Project included three breaches on the South Arm of the Fraser River and up to three breaches on the North Arm. The Raincoast Conservation Foundation received a different grant for the work and did not complete the North Arm breaches due to insufficient funds in 2019. This proposal includes the scope of work to finish the remaining breaches in the North Arm. If approved, Raincoast Conservation Foundation would construct one to three, 15 metres-wide breaches along the North Jetty, northwest of Iona Island, within (or near) the City’s municipal boundaries (Attachment 2). This project also seeks to compliment the proposed environmental upgrades to the Iona Island Wastewater Treatment Facility, currently being pursued by Metro Vancouver.
3. **Alaksen National Wildlife Area Tidal Marsh Restoration** – The Alaksen National Wildlife Area is located on the northern extent of Westham Island, south of Gary Point Park in the City of Delta. The 300 hectare wildlife refuge was established by the federal government in 1972 to protect important wintering habitat and migratory staging areas along the Pacific flyway. This project would be led by Ducks Unlimited Canada and would build upon existing habitat restoration work they are completing at Woodward Island, Frenchies Island and Gunn-Williamson Slough. If the Expression of Interest is successful, Ducks Unlimited Canada would seek to restore ecological connectivity by breaching a historical dike that was installed for agricultural purposes (Attachment 3).

All three projects are in the concept stage of design and if the Expression of Interest is successful, additional stages and analysis will be conducted to further define the scope of work. Each project would also require additional environmental permitting, including additional stakeholder engagement, which staff have identified as a possible barrier to the implementation of the Sturgeon Bank Sediment Enhancement Pilot Project. However, staff recommend supporting these concepts plans. Staff also recommend that the City provide in-kind contributions for the Expression of Interest based on the potential benefits a successful pilot would provide.

### **Financial Impact**

Staff recommend providing an in-kind contribution of staff time equivalent to \$60,000 over three years, for technical support, if the Expression of Interest is successful. If endorsed, staff’s time would be funded through existing budgets.

Future opportunities may arise for additional contributions if the Expression of Interest is successful. Staff may return to Council to seek endorsement for financial support for additional similar projects at a later date based on the outcomes of the projects.

**Conclusion**

Sturgeon Bank provides critical wildlife habitat and valuable flood risk mitigation for the City. The South Coast Conservation Land Management Program is coordinating local stakeholder support, on behalf of Ducks Unlimited Canada, in support of a submission to the BC Salmon Restoration and Innovation Fund and has requested a letter from the City in support of the Expression of Interest by September 15, 2020. Staff recommend supporting the Expression of Interest and further recommend endorsement that in-kind contribution equivalent to \$60,000 (over three years) in technical support. Staff will provide regular updates to Council, if endorsed, including the success of the Expression of Interest.



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Jason Ho, P.Eng.  
Manager, Engineering Planning  
(604-244-1281)

- Attachments: Proposed Sturgeon Bank Sediment Enhancement Pilot Project  
Proposed North Arm Jetty Breach Project  
Proposed Alaksen National Wildlife Area Tidal Marsh Restoration Project

# Richmond Proposed Sturgeon Bank Sediment Enhancement Project



CNCL - 113

Note:  
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North Arrow  
Date: August 26, 2020  
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0 385 770 1,540 Meters







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**To:** General Purposes Committee **Date:** August 14, 2020  
**From:** Milton Chan, P.Eng.  
Director, Engineering **File:** 10-6060-01/2020-Vol  
01  
**Re:** **13740 Westminster Highway – Unauthorized Watercourse Crossing and  
Decorative Wall**

---

**Staff Recommendation**

1. Pursuant to the authority provided in Sections 72, 73 and 75 of the *Community Charter*, that:
  - a. the infill and culvert in the watercourse fronting the property located at 13740 Westminster Highway, and having a legal description of Lot 2 Section 8 Block 4 North Range 5 West New Westminster District Plan 12960 (Parcel Identifier: 001-703-269) (the “Property”) be declared as having obstructed, filled up or damaged the watercourse fronting the Property without the City’s approval or consent (the “Unauthorized Watercourse Crossing”); and
  - b. the decorative wall located at the Property, be declared as creating an unsafe condition.
2. Pursuant to Sections 72 and 73 of the *Community Charter*, the following remedial action requirements be imposed on Swarn Singh Panesar and Gurbax Kaur Panesar, as the registered owner of the Property (the “Owners”):
  - a. to demolish the decorative wall at the Property; and
  - b. to remove all debris from the decorative wall in accordance with any applicable federal, provincial and municipal laws.
3. Pursuant to Sections 72 and 75 of the *Community Charter*, and Part 7 of the Watercourse Protection and Crossing Bylaw No. 8441, the following remedial action requirements be imposed on the Owners:
  - a. to remove the Unauthorized Watercourse Crossing in and about the watercourse fronting the Property; and
  - b. to undertake and complete the restoration work identified in the Scope of Work, attached as Attachment 6 of the report to committee titled 13740 Westminster Highway – Unauthorized Crossing and Decorative Wall, dated August 14, 2020, from the Director, Engineering (the “Report”);

- c. to undertake and complete the restoration work identified in the Construction Environmental Management Plan for 13740 Westminster Highway dated October 2, 2018 by Madrone Environmental Services Ltd., attached as Attachment 7 of the Report;
  - d. to undertake any additional measures as directed by the General Manager, Engineering and Public Works, to restore the watercourse to its previous condition; and
  - e. to dispose of all material associated with the removal of the Unauthorized Watercourse Crossing at a permitted site under the guidance of a Qualified Professional, in compliance with all applicable federal, provincial and municipal laws.
4. That the time limit for completion of all the remedial action requirements described above be set as 5:00 pm on October 30, 2020.
  5. That staff be authorized to take all appropriate action in accordance with Section 17 [Municipal Action at Defaulter's Expense] of the *Community Charter* to ensure compliance with all remedial action requirements imposed on the Owners, provided that:
    - a. the Owners have not fully completed the remedial action requirements on or before the time limit specified by Council; and
    - b. all costs incurred by the City to fulfill the remedial action requirements shall be at the expense of the Owner, and subject to Section 17 of the *Community Charter*, such costs shall be recovered from the Owner as a debt owed to the City of Richmond.



Milton Chan, P.Eng.  
Director, Engineering  
(604-276-4377)

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law Community Bylaws Sewerage & Drainage Environmental Sustainability	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	 <hr/>
<b>SENIOR STAFF REPORT REVIEW</b>	INITIALS: 	<b>APPROVED BY CAO</b>  (Acting)

## Staff Report

### Origin

The watercourse fronting 13740 Westminster Highway (the “Watercourse”) is an integral part of the City’s drainage network, contributing to drainage conveyance for the area towards the Bath Slough Drainage Pump Station.

Pursuant to sections 2.0 and 2.2 of the *Watercourse Protection and Crossing Bylaw No. 8441*, no person shall place any fill or material in a watercourse in the City unless they have obtained a watercourse crossing permit. On January 8, 2018, the City received a Watercourse Crossing Permit Application to infill the Watercourse. The City rejected the permit application, as the Watercourse is in a Riparian Management Area (RMA) and, therefore, not eligible for an infill. The application fee was refunded in 2018.

The owners of 13740 Westminster Hwy have since installed a culvert and infilled the Watercourse (the “Unauthorized Watercourse Crossing”) without a City-approved Watercourse Crossing Permit. A copy of the *Watercourse Protection and Crossing Bylaw No. 8441* is included as Attachment 1.

The owners of 13740 Westminster Hwy have also since constructed a decorative wall (the “Decorative Wall”) on top of the Unauthorized Watercourse Crossing, on a portion of the property that is in a RMA, without obtaining a permit from the City. The Decorative Wall was constructed in contravention of section 4.20.3 of the Richmond Zoning Bylaw No. 8500, which provides that no development is permitted in a RMA unless it is for the purpose of environmental enhancement or is authorized by a City permit. Excerpts of the applicable provisions of the Richmond Zoning Bylaw No. 8500 are included in Attachment 2.

This report provides additional information on the impacts of this Unauthorized Watercourse Crossing and Decorative Wall and seeks Council authorization to impose remedial action on the property to bring the property into compliance.

### Analysis

The culvert works installed in the Watercourse do not meet the City’s Engineering Design Specifications and the Unauthorized Watercourse Crossing is located in the City’s RMA. A comparison of the City’s design specifications to the current unauthorized conditions of the culvert works is outlined in Attachment 3. Under current unauthorized conditions, the boulevard experiences substantial surface ponding fronting the Property and the neighbouring church located at 13780 Westminster Hwy. This ponding is a result of the unauthorized infill. Previous to the infill, the RMA ditch collected run off from both the boulevard and road. Photos of the current unauthorized conditions of the Unauthorized Watercourse Crossing are included in Attachment 4. Staff had the area video inspected, but were unable to access the newly-installed drainage pipe within the Unauthorized Watercourse Crossing due to the non-compliant installation.

In addition, the Unauthorized Watercourse Crossing raised the surrounding ground elevation, which has caused the existing water meter to be located approximately 1 m below the ground surface, making it inaccessible for servicing.

The unpermitted Decorative Wall was installed in August 2019 on top of the Unauthorized Watercourse Crossing (which is located in the RMA) and has started to fail. As a result, the Unauthorized Watercourse Crossing cannot be removed without subjecting workers to the safety hazard of the Decorative Wall potentially collapsing into the work area. In addition, the Decorative Wall is located directly on what previously was the top of the ditch bank and will prevent the ditch from being restored and constructed in accordance with the City's Engineering Design Specifications. A drawing of the Watercourse, the Unauthorized Watercourse Crossing and Decorative Wall is included in Attachment 8. Photos of the deteriorating Decorative Wall are included in Attachment 4.

To date staff have taken the following steps to encourage compliance without success:

- Mailed a letter on August 27, 2019, requesting compliance by September 30, 2019.
- Hand delivered a letter on September 17, 2019, requesting compliance by September 30, 2019.
- Hand delivered a letter on October 30, 2019 and started issuing daily fines.
- Issued fines for a total of \$8,500, which have not been paid by the owner to date.

The Law Department has reviewed and provided input on the Unauthorized Watercourse Crossing and Decorative Wall. Sections 72 through 80 of the *Community Charter* (which are set out in Attachment 5) outline the process for remedial action requirements. Remedial action requirements are imposed by Council resolution, and cannot be delegated to staff.

Pursuant to Sections 72 and 75 of the *Community Charter* Council may impose a remedial action requirement, requiring a person to undertake restoration work in accordance with directions of Council or a person authorized by Council, if a person has obstructed, filled up or damaged a ditch, drain, creek or watercourse that was constructed or improved under this *Act* or the *Local Government Act*.

Pursuant to sections 72 and 73 of the *Community Charter* Council may also impose a remedial action requirement in relation to a building or other structure, including a requirement to remove or demolish the building or structure, if Council considers that the building or structure is in or creates an unsafe condition.

If remedial action is not completed by the date specified by Council for compliance, then pursuant to sections 17 and 77 of the *Community Charter* the City may fulfill the requirement at the expense of the person, and may recover the costs incurred from that person as a debt. Furthermore, section 17 authorizes the City to collect all related costs as a debt owed to the City, which if unpaid would be transferred to property taxes as arrears at the end of the year.

Part 7 of the City's Watercourse Crossing Bylaw No. 8441 contains similar remedial action and cost recovery powers, so although Council authority is not required for the removal and remediation of the Unauthorized Watercourse Crossing, staff are seeking Council authority for consistency between all the remedial actions related to the Property.

Staff recommend that Council impose remedial actions on the owners of the property, requiring them to demolish the Decorative Wall and remove the debris, and remove the Unauthorized Watercourse Crossing and undertake and complete the restoration work for the Watercourse

identified in the Scope of Work, attached as Attachment 6 and the Construction Environmental Management Plan for 13740 Westminster Highway dated October 2, 2018 by Madrone Environmental Services Ltd., attached as Attachment 7, by 5:00 pm on Friday, October 30, 2020.

If the property owners do not comply, staff recommend that the City begin remediating the area to fully restore drainage system functionality and public safety. The cost for the removal of the Unauthorized Watercourse Crossing and the Decorative Wall and remediation back to Watercourse is estimated to be \$58,400.

The owner will be expected to pay to the City all expenses incurred to remove and remediate the area back to RMA watercourse. If the owner fails to pay the City by the end of the calendar year, the costs will be applied to the taxes payable in connection to the property.

### Financial Impact

None.

### Conclusion

The owners of 13740 Westminster Highway have infilled the Watercourse without a City-approved Watercourse Crossing Permit and have constructed a Decorative Wall in the RMA that creates an unsafe condition. Staff have taken a number of steps to encourage compliance without success. Staff recommend that remedial action orders be imposed on the property owners and, if they continue to be non-responsive, that the City begin remediating the area to fully restore drainage system functionality and public safety at the property owners' cost.



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Project Manager, Engineering Planning  
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JH:ch

- Att. 1: Watercourse Protection and Crossing Bylaw No. 8441
- Att. 2: Excerpts of Richmond Zoning Bylaw No. 8500
- Att. 3: Engineering Design Specifications Comparison
- Att. 4: Photos
- Att. 5: Excerpts of the *Community Charter*
- Att. 6: Scope of Work
- Att. 7: Construction Environmental Management Plan for 13740 Westminster Highway dated October 2, 2018 by Madrone Environmental Services Ltd.
- Att. 8: Drawing of 13740 Westminster Highway – Watercourse, Unauthorized Watercourse Crossing and Decorative Wall

CITY OF RICHMOND



## **WATERCOURSE PROTECTION AND CROSSING BYLAW**

### **BYLAW NO. 8441**

EFFECTIVE DATE – May 9, 2011

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

AMENDMENT BYLAW

Bylaw No. 9882

DATE OF ADOPTION

September 4, 2018

EFFECTIVE DATE  
(If different from Date of Adoption)

November 5, 2018

**WATERCOURSE PROTECTION AND  
CROSSING BYLAW**

**BYLAW NO. 8441**

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**CITY OF RICHMOND**  
**WATERCOURSE PROTECTION AND**  
**CROSSING BYLAW NO. 8441**

The Council of the City of Richmond enacts as follows:

**PART ONE: INTERPRETATION**

**1.0 Interpretation**

1.1 In this bylaw, unless the context otherwise requires:

<b>AGREEMENT</b>	means an agreement in the City's prescribed form.
<b>APPLICANT</b>	means an <b>owner</b> or a <b>utility company</b> , as the case may be, that makes an <b>application</b> .
<b>APPLICATION</b>	means the request to the <b>City</b> for a <b>permit</b> in the prescribed form.
<b>APPLICATION FEE</b>	means the fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 required when submitting an <b>application</b> .
<b>CITY</b>	means the City of Richmond as a corporate entity.
<b>CITY DESIGN DRAWINGS</b>	means design drawings prepared by the <b>City</b> .
<b>CITY DESIGN OPTION FEE</b>	means the fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 required when the <b>City design drawings</b> are requested.
<b>CITY LAND</b>	means land owned or in the control of the <b>City</b> .
<b>CITY REPRESENTATIVE</b>	means any one of the following: the <b>City's</b> General Manager of Engineering and Public Works, the <b>City's</b> Director, Engineering or the <b>City's</b> Director, Public Works.
<b>CONSTRUCTION AND MAINTENANCE REQUIREMENTS</b>	means all federal, provincial and municipal laws, bylaws, regulations, policies, codes, ordinances, guidelines and standards, including, without limiting the generality of the foregoing, in accordance with the <b>City's</b> bylaw entitled <i>To Regulate the Provision of Works and Services Upon Subdivision of Land Bylaw No. 6530</i> as the same may be amended or replaced from time to time.

<b>DEVELOPMENT</b>	means “development” as defined in section 4.20 of the Zoning Bylaw.
<b>DRAINAGE SYSTEM</b>	means all storm sewer works and appurtenances owned, controlled, maintained and operated by the <b>City</b> , including, without limitation, storm sewers, <b>watercourses</b> , storm service connections, detention facilities, pumping stations and outfalls located on or in <b>City land</b> .
<b>ENHANCEMENT</b>	means “enhancement” as defined in the Zoning Bylaw.
<b>ENVIRONMENT</b>	means air, land, water and all other external conditions or influences under which humans, animals and plants live or are developed.
<b>INSPECTION FEE</b>	means the fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 required when submitting an application for a <b>permit</b> .
<b>OWNER</b>	means a <b>person</b> who is the registered owner of a <b>parcel</b> .
<b>PARCEL</b>	means a lot, block, or other area in which land is held, or into which land is legally subdivided.
<b>PERMIT</b>	means permission or authorization in writing from the <b>City representative</b> under this bylaw to construct and use a <b>watercourse crossing</b> regulated by this bylaw.
<b>PERSON</b>	means the <b>City</b> , a government body, a <b>utility company</b> , an individual, corporation, partnership or other legal entity.
<b>POLLUTION</b>	means any substance, whether liquid or solid, that damages or is capable of damaging the <b>environment</b> and includes any substance or combination that does not conform to the British Columbia Water Quality Guidelines for the Protection of Aquatic Life and/or the Canadian Council of Ministers of the Environment Water Quality Guidelines for the Protection of Aquatic Life.
<b>PROFESSIONAL ENGINEER</b>	means a <b>person</b> who is registered or licensed as a professional engineer pursuant to the <i>Engineers and Geoscientists Act</i> , R.S.B.C. 1996, c. 116.

<b>QUALIFIED ENVIRONMENTAL PROFESSIONAL</b>	means a registered professional biologist, geoscientist, engineer, forester and/or agrologist registered in British Columbia, with demonstrated education, expertise, accreditation, and knowledge relevant to sensitive environments, ecosystems and/or riparian management.
<b>RIPARIAN AREA REGULATION</b>	means <i>Riparian Area Regulation</i> , B.C. Reg. 376/2004, as may be amended or replaced.
<b>RIPARIAN MANAGEMENT AREA</b>	means "riparian management area" as defined in the Zoning Bylaw.
<b>RIPARIAN VEGETATION GUIDELINES</b>	means the <b>Riparian Area Regulation</b> re-vegetation guidelines, as amended and replaced from time to time.
<b>SECURITY DEPOSIT</b>	means the sum of \$5000.00.
<b>UTILITY COMPANY</b>	means a public or private utility company which makes an <b>application</b> .
<b>WATERCOURSE</b>	means a natural or man-made channel through which water flows at any time of the year and includes a ditch, slough, brook, river, stream, creek, lake, pond and any other body of water running through or situated partially or fully on <b>City land</b> .
<b>WATERCOURSE CROSSING</b>	means any bridge, culvert including all appurtenances or any other construction spanning a <b>watercourse</b> located on <b>City land</b> .
<b>WATERCOURSE CROSSING OWNER</b>	means a <b>person</b> who owns a <b>watercourse crossing</b> .
<b>ZONING BYLAW</b>	means <i>Richmond Zoning Bylaw 8900</i> , as may be amended or replaced."

## PART 2: APPLICATION AND AGREEMENT

### 2.0 Application and Agreement

No **person** shall:

- (a) pollute, obstruct or impede the flow of any **watercourse** or waterworks (including drain or sewer) in the **City**; or
- (b) place any fill, concrete, timber or any other structure or material into a **watercourse** in the **City**, except as set out in subsection 2.2.

- 2.2 No **person** shall construct or cause to be constructed or use any **watercourse crossing** unless the following requirements are met:
- (a) the **applicant** submits an **application** to the **General Manager** as set out in subsection 2.3;
  - (b) the **applicant** has paid the City the **application fee**, the **inspection fee**, and, if applicable, the **City design option fee**, and provided to the **City** the **security deposit**;
  - (c) the **applicant** enters into an **agreement** with the **City** regarding the proposed **watercourse crossing**; and
  - (d) the **applicant** has obtained a **permit** to construct and use the proposed **watercourse crossing**.
- 2.3 The **application** referred to in subsection 2.2(a) shall include:
- (a) either of the following:
    - i. design drawings prepared for the **applicant**; or
    - ii. **City design drawings** prepared for the **applicant**; and
  - (b) any supporting documentation requested by the **City** in connection with the **application**.
- 2.4 The **City representative** is authorized to execute **agreements** on behalf of the **City** if the **City representative** is satisfied that the requirements of this bylaw have been met and that no reason exists why the **City** should not enter into an **agreement**.

### **PART THREE: PERMIT**

#### **3.0 Permit**

- 3.2 The **City representative** is authorized to execute **permits** on behalf of the **City** if the **City representative** is satisfied that the **application** has been approved, an **agreement** has been entered into, and all required fees have been paid and the **security deposit** has been provided.

### **PART FOUR: CONSTRUCTION OF WATERCOURSE CROSSING, SECURITY DEPOSIT AND INSURANCE**

#### **4.0 Construction of Watercourse Crossing, Security Deposit and Insurance**

- 4.1 The **applicant** must construct the **watercourse crossing**:
- (a) as contemplated by this bylaw and the **application**;

- (b) in accordance with the design approved by the **City**;
  - (c) in accordance with **construction and maintenance requirements**;
  - (d) so that it does not materially interfere with the **City's drainage system** or any **City land**;
  - (e) so as to protect water quality within the **watercourse** from sediment and other potential **pollution**, and to minimize the impact on **watercourse** and riparian ecology; and
  - (f) only after receiving all other regulatory permits and approvals required to undertake the work, including wildlife salvage for aquatic species performed by a **Qualified Environmental Professional**.
- 4.2 After completion of construction of the **watercourse crossing**, the **applicant** must:
- (a) in accordance with **construction and maintenance requirements**, clean and restore any portion of **City land** affected by the construction of the **watercourse crossing** to the condition in which it existed prior to the construction of such **watercourse crossing**, as determined by the **City**;
  - (b) re-instate all legal survey monuments and property pins removed or displaced by the construction of the **watercourse crossing**;
  - (c) re-instate any disturbed **watercourse** bank or riparian areas such that sediment erosion is controlled and plantings provide equal or better riparian protection as existed prior to construction to the satisfaction the **City** and (if applicable) Fisheries and Oceans Canada;
  - (d) complete As-Constructed drawings; and
  - (e) if the **application** is for the construction of a bridge, after completion of construction of the bridge, provide a certification letter signed and sealed by a **professional engineer** stating that a **professional engineer** has inspected the bridge, that the bridge was constructed in accordance with the design forming part of the **application**, and that the bridge can service the **parcel** without any detrimental impact to other nearby **parcels**, properties and/or the **City's drainage system**.
- 4.3 As security for the performance of the **applicant's** obligations in sections 4.1 and 4.2, the **applicant** must provide the **City** with a **security deposit**.
- 4.4 The **City** may utilize all or any portion of the **security deposit** if the **applicant** breaches its obligations contained in sections 4.1 and 4.2. If the **City**, without obligation to do so, remedies any breach of this bylaw and the cost of such undertaking exceeds the amount of the **security deposit**, the **applicant** shall pay to the **City** any amount exceeding the amount secured.
- 4.5 During the course of construction of the **watercourse crossing**, the **applicant** must maintain, and provide to the **City** evidence of, comprehensive general liability insurance with a limit of not less than \$5,000,000.00 inclusive per occurrence for bodily injury and property damage. The insurance must be endorsed to add the **City** as an additional

insured and contain a provision requiring that at least 30 days' notice be given to the **City** prior to cancellation or expiry.

## **PART FIVE: OWNERSHIP OF WATERCOURSE CROSSING**

### **5.0 Ownership of Watercourse Crossing**

- 5.1 Subject to section 5.2, despite the **watercourse crossing** being on **City land**, the **owner** of the **parcel** fronting the **watercourse crossing** shall be deemed to be the **watercourse crossing owner**.
- 5.2 If the **applicant** for the **permit** is a **utility company**, the **utility company** shall be deemed to be the **watercourse crossing owner**.
- 5.3 The **watercourse crossing owner** must provide to any prospective owner of the **watercourse crossing** a copy of the **permit** relating to the **watercourse crossing**.

## **PART SIX: MAINTENANCE OF WATERCOURSE CROSSING**

### **6.0 Maintenance of Watercourse Crossing**

- 6.1 During the lifetime of the **watercourse crossing**, the **watercourse crossing owner** must, to the **City's** satisfaction, maintain, repair and replace the **watercourse crossing** as necessary to ensure that it is in a safe condition for all purposes, does not hinder, impede or interfere with the **drainage system**, does not cause undue damage to the **watercourse** ecology or cause the introduction of **pollution** to the **watercourse**, and, without limiting the generality of the foregoing, ensure that the **watercourse crossing** complies with **construction and maintenance requirements**.
- 6.2 The **watercourse crossing owner** must notify the **City** in writing five (5) business days in advance of any work described in section 6.1 which the **watercourse crossing owner** intends to perform.
- 6.3 If the **watercourse crossing** is within an area designated as a **Riparian Management Area**, written approval from Fisheries and Oceans Canada and the **City** must be received prior to maintenance or modification of the **watercourse crossing** or the **watercourse**.

## **PART SEVEN: REMEDIAL ACTION**

### **7.0 Remedial action**

- 7.1 If a **watercourse crossing** is:
- (a) not in accordance with this bylaw, the **application** and/or the **permit**;
  - (b) causing a detrimental impact to other **parcels**, properties, the **drainage system**, or structures;
  - (c) causing a detrimental impact to the aquatic environment or causing the introduction of **pollution** to the **watercourse**;

- (d) affecting public safety; or
- (e) not permitting adequate drainage,

the **City representative** may require the **watercourse crossing owner** at its own expense to remove, repair or replace a **watercourse crossing** in accordance with **construction and maintenance requirements** and clean and restore any portion of **City land** affected by the construction of the **watercourse crossing** to the condition in which it existed prior to the construction of such **watercourse crossing**, as determined by the **City** and to the satisfaction of Fisheries and Oceans Canada (if applicable).

7.2 If an event referred to in section 7.1 has occurred, the **City representative** shall notify the **watercourse crossing owner** in writing, specifying:

- (a) the work to be undertaken; and
- (b) the period of time within which the work must be completed.

7.3 Where the **City** has determined that the **watercourse crossing owner** has failed to construct, install, remove, repair or replace a **watercourse crossing** in accordance with **construction and maintenance requirements** and/or clean and restore any portion of **City land** affected by the construction of the **watercourse crossing** to the condition in which it existed prior to the construction of such **watercourse crossing** within a reasonable period of time, all as determined by the **City**, the **City** may take whatever action the **City** considers necessary to remedy the situation without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken. The **watercourse crossing owner** will pay to the **City**, on demand by the **City**, all expenses incurred by the **City** exercising its rights pursuant to this section 7.3.

7.4 Where the **City** has determined that there has been a possible contravention of this bylaw which poses a possible threat to the **environment** or the health or safety of individuals, and immediate action is required to remedy the situation, the **City** may immediately take whatever action the **City** considers necessary to remedy the situation without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken. The **watercourse crossing owner** will pay to the **City**, on demand by the **City**, all expenses incurred by the **City** exercising its rights pursuant to this section 7.4.

7.5 If the **watercourse crossing owner** has failed to pay the costs incurred by the **City** in exercising its rights pursuant to section 7.3 and/or section 7.4 before the 31<sup>st</sup> day of December in the year that the corrective action was taken, the **City's** costs may, at the **City's** discretion, be added to and from part of the taxes payable in connection with the **parcel** fronting the **watercourse crossing** as taxes in arrears.

## **PART EIGHT: PROTECTION OF RIPARIAN MANAGEMENT AREAS**

### **8.0 Riparian Management Areas**

8.1 No person shall commence or conduct, or cause to be commenced or conducted, any **development** on land situated in a **riparian management area**, unless:

- (a) it is for the purposes of **enhancement**, satisfactory to the **City representative**; or

- (b) is authorized by a **City** permit and is in accordance with the **Riparian Area Regulation**, and any other applicable Federal or Provincial legislation and **City** bylaw.

8.2 A person who applies, under the **City's Building Regulation Bylaw No. 7230**, for a permit to authorize the construction of, demolition of, or addition to a single or two family dwelling, accessory building and/or structure, and/or any ancillary **development** (such as services permitted by the City) on property that contains all or a portion of a **riparian management area**, must include in, or submit with, the application:

- (a) a survey of the property and delineation of the **riparian management area** on all site plans and site surveys;
- (b) a description of how fill will be contained outside of the **riparian management area**, including but not limited to, showing the location of a retaining wall on the building site plan, and/or providing a site level grading plan showing proposed and existing elevations;
- (c) inclusion of the following **riparian management area** site note on all site plans and site surveys:

*"City of Richmond Riparian Management Area (RMA)*

- *The RMA must not be altered except in accordance with a City approved permit, or authorized enhancement. No tree, shrub or ground cover removal; no storage of materials; no building, structure or surface construction including retaining walls can occur in an RMA.*
- *A brightly coloured, temporary fence of a minimum height of 1.2 m must be erected at least 2 m outside of the RMA. An erosion and sediment control fence must be installed on the property side of the brightly coloured fence. All additional RMA protection measures, as defined by the City must also be installed/completed.*
- *All protective fencing and erosion and sediment control measures must be in place before development begins, and remain in place until development is complete and final approval received.*
- *The landowner is responsible to restore to the satisfaction of the City any unauthorized development within the RMA."*

- (d) a **riparian management area** building permit application review fee above in the amount set out from time to time in the *Consolidated Fees Bylaw No. 8636*.

8.3 The **City representative** is authorized to enter on property at any time to:

- (a) determine whether or requirements of this or any applicable **City** bylaw, or Federal and Provincial statutes or regulations, are being met and
- (b) undertake an inspection to determine the work and measures required to restore the **riparian management area** affected by such contravention, in accordance with **riparian vegetation guidelines** and all applicable best management practices;

- 8.4 If **development** occurs in a **riparian management area** in contravention of Section 8.1 above, the **City representative**:
- (a) may order in writing the owner and/or occupant of the property to, at their sole expense, restore any portion of **riparian management area** on or adjacent to the property affected by such contravention, and may require such restoration work and measures to be overseen by a **Qualified Environmental Professional**, and may require such restoration work and measures to be completed within a specified period of time. Upon receipt, the owner and/or occupant shall take whatever action is specified in the order within the time period specified therein; and
  - (b) may require additional inspections to confirm the undertaking and completion of restoration work and measures ordered pursuant to subsection (a) above, and compliance with **City** bylaws, and Federal and Provincial statutes and regulations.
- 8.5 The owner of the property must pay the non-refundable **riparian management area** inspection fees for the inspections referred to in sections 8.3 and 8.4 above in the amount set out from time to time in the *Consolidated Fees Bylaw No. 8636*.

## PART NINE: TERMINATION

### 9.0 Termination

- 9.1 The **City representative** may terminate a **permit** at any time and for any reason upon providing the **watercourse crossing owner** with a written notice of the same. If the **watercourse crossing owner** receives such a notice, the **watercourse crossing owner** shall at its own expense remove the **watercourse crossing** and restore the **City land** affected by such removal within the time specified in the notice and to the satisfaction of the **City** and Fisheries and Oceans Canada (if applicable), and in accordance with **construction and maintenance requirements**, clean and restore any portion of **City land** affected by the construction of the **watercourse crossing** to the condition in which it existed prior to the construction of such **watercourse crossing**, as determined by the **City**.

## PART TEN: LOCAL AREA SERVICES PROGRAM

### 10.0 Local Area Services Program

- 10.1 A **watercourse crossing** is not a permanent component of any **drainage system**. If a Local Area Services Program becomes effective in the area in which a **parcel** fronting the **watercourse crossing** is located, the **City** will remove the **watercourse crossing** as part of the Local Area Services Program and the **owner** will be required to pay the **owner's** portion of the Local Area Services Program fees.

## PART ELEVEN: VIOLATIONS AND PENALTIES

### 11.0 Offences and Penalties

- 11.1 (a) A violation of any of the provisions identified in this bylaw shall result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*; and

- (b) A violation of any of the provisions identified in this bylaw shall be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c. 60.

- 11.2 Every **person** who contravenes any provision of this bylaw is considered to have committed an offence against this bylaw and is liable on summary conviction, to the penalties provided for in the *Offence Act*, RSBC 1996, c. 338, and each day that such violation is caused, or allowed to continue, constitutes a separate offence.

## **PART TWELVE: PREVIOUS BYLAW REPEAL**

### **12.0 Previous Bylaw Repeal**

- 12.1 *Ditch and Watercourse Protection and Regulation Bylaw No. 7285* (adopted December 17, 2001) is repealed.

## **PART THIRTEEN: SEVERABILITY AND CITATION**

### **13.0 Severability and Citation**

- 13.1 If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 13.2 This bylaw is cited as "**Watercourse Protection and Crossing Bylaw No. 8441.**"

## Excerpts out of the Richmond Zoning Bylaw No. 8500

### 4.20 Riparian Management Area Protection *[Bylaw 9871, Sep 4/18]*

- 4.20.1 All lands, lots and sites containing all or a portion of a riparian management area, are subject to the regulations set out in this Section 4.20, except for: *[Bylaw 9871, Sep 4/18]*
- a) those lands and uses permitted in the Agricultural Land Reserve that are exempt from the Riparian Area Regulation; *[Bylaw 9871, Sep 4/18]*
  - b) those lands within City rights-of-way and unopened roads used for the construction, maintenance or operation of municipal works and services that are not ancillary to commercial, industrial or residential development activity. *[Bylaw 9871, Sep 4/18]*
- 4.20.2 For the purposes of this Section 4.20, "development" is defined to mean any of the following activities associated with or resulting from residential, commercial or industrial activities or ancillary activities: *[Bylaw 9871, Sep 4/18]*
- a) removal, alteration, disruption or destruction of vegetation; *[Bylaw 9871, Sep 4/18]*
  - b) disturbance of soils; *[Bylaw 9871, Sep 4/18]*
  - c) construction, erection, modification, conversion, enlargement, reconstruction, alteration, placement, or addition of buildings and structures; *[Bylaw 9871, Sep 4/18]*
  - d) creation of non-structural impervious or semi-impervious surfaces, including hardsurfacing; *[Bylaw 9871, Sep 4/18]*
  - e) flood protection works; *[Bylaw 9871, Sep 4/18]*
  - f) construction of roads, trails, docks, wharves and bridges; *[Bylaw 9871, Sep 4/18]*
  - g) provision and maintenance of sewer and water services; *[Bylaw 9871, Sep 4/18]*
  - h) development of drainage systems; *[Bylaw 9871, Sep 4/18]*
  - i) development of utility corridors (including urban services, major utilities, and minor utilities); and/or *[Bylaw 9871, Sep 4/18]*
  - j) subdivision. *[Bylaw 9871, Sep 4/18]*
- 4.20.3 No development is permitted within a riparian management area, unless: *[Bylaw 9871, Sep 4/18]*
- a) it is for the purposes of enhancement; or *[Bylaw 9871, Sep 4/18]*
  - b) is authorized by a City permit and is in accordance with the Riparian Area Regulation, and any other applicable Federal or Provincial legislation and City bylaw, and *[Bylaw 9871, Sep 4/18]*
- is in accordance with any applicable best management practices. *[Bylaw 9871, Sep 4/18]*
- 4.20.4 Notwithstanding the setbacks specified elsewhere in this bylaw, including any zone: *[Bylaw 9871, Sep 4/18]*
- a) for a lot containing or adjacent to a minor designated stream, the setback is 5.0 m measured perpendicular from the top of bank; *[Bylaw 9871, Sep 4/18]*
  - b) for a lot containing or adjacent to a major designated stream, the setback is 15.0 m measured perpendicular from the top of bank; and *[Bylaw 9871, Sep 4/18]*
  - c) for a lot abutting a road where a minor or major designated stream is adjacent to the far side of the abutting road, the setback is measured perpendicular from the crown of the road rather than the top of bank, *[Bylaw 9871, Sep 4/18]*
- unless the setbacks applicable to that lot from any lot line would result in a larger setback, in which case the zone's lot line setbacks would apply. *[Bylaw 9871, Sep 4/18]*

<b>Engineering Design Specifications</b>	<b>Current Unauthorized Conditions</b>
Minimum pipe size for culverts: 600 mm	300 mm
Minimum pipe grade: 0.05%	Unknown
Pipe joints: all joints shall be gasketed and water tight	No coupling or manhole present at the connection to the 600 mm pipe to the east
Manhole: at every change in pipe size	Not present
Inspection chamber: invert elevation shall be calculated so that the furthest point on the lot must be capable of being drained	Rim of the inspection chamber sits higher than the surrounding surface
Service connection: to be installed perpendicular to the main	Includes a 90-degree vertical bend, preventing future maintenance on the inspection chamber and any blockages in the lateral will be unreachable

Photos



March 18, 2020 – CCTV unable to inspect unauthorized crossing due to missing manhole



January 24, 2020 – Rim of inspection chamber located above surrounding ground elevation



January 24, 2020 – failing decorative wall on property line adjacent to infill



January 24, 2020 – 90-degree vertical bend service connection



January 24, 2020 - Localized ponding



January 24, 2020 – Localized ponding



May 2, 2017 - RMA non-compliance prior to unauthorized ditch infill



January 24, 2020 – Unauthorized Watercourse Crossing

**Excerpts of the *Community Charter***

**Municipal action at defaulter's expense**

**17** (1)The authority of a council under this or another Act to require that something be done includes the authority to direct that, if a person subject to the requirement fails to take the required action, the municipality may

- (a)fulfill the requirement at the expense of the person, and
- (b)recover the costs incurred from that person as a debt.

(2)Division 14 [*Recovery of Special Fees*] of Part 7 [*Municipal Revenue*] applies to an amount recoverable under subsection (1) that is incurred for work done or services provided in relation to land or improvements.

**Division 12 – Remedial Action Requirements**

**Council may impose remedial action requirements**

**72** (1)A council may impose remedial action requirements in relation to

- (a)matters or things referred to in section 73 [*hazardous conditions*],
- (b)matters or things referred to in section 74 [*declared nuisances*], or
- (c)circumstances referred to in section 75 [*harm to drainage or dike*].

(2)In the case of matters or things referred to in section 73 or 74, a remedial action requirement

- (a)may be imposed on one or more of
  - (i)the owner or lessee of the matter or thing, and
  - (ii)the owner or occupier of the land on which it is located, and
- (b)may require the person to
  - (i)remove or demolish the matter or thing,
  - (ii)fill it in, cover it over or alter it,
  - (iii)bring it up to a standard specified by bylaw, or

(iv) otherwise deal with it in accordance with the directions of council or a person authorized by council.

(3) In the case of circumstances referred to in section 75, a remedial action requirement

(a) may be imposed on the person referred to in that section, and

(b) may require the person to undertake restoration work in accordance with the directions of council or a person authorized by council.

### **Hazardous conditions**

**73** (1) Subject to subsection (2), a council may impose a remedial action requirement in relation to any of the following:

(a) a building or other structure, an erection of any kind, or a similar matter or thing;

(b) a natural or artificial opening in the ground, or a similar matter or thing;

(c) a tree;

(d) wires, cables, or similar matters or things, that are on, in, over, under or along a highway;

(e) matters or things that are attached to a structure, erection or other matter or thing referred to in paragraph

(a) that is on, in, over, under or along a highway.

(2) A council may only impose the remedial action requirement if

(a) the council considers that the matter or thing is in or creates an unsafe condition, or

(b) the matter or thing contravenes the Provincial building regulations or a bylaw under section 8 (3) (l) [*spheres of authority — buildings and other structures*] or Division 8 [*Building Regulation*] of this Part.

### **Declared nuisances**

**74** (1) A council may declare that any of the following is a nuisance and may impose a remedial action requirement in relation to the declared nuisance:

- (a) a building or other structure, an erection of any kind, or a similar matter or thing;
- (b) a natural or artificial opening in the ground, or a similar matter or thing;
- (c) a drain, ditch, watercourse, pond, surface water, or a similar matter or thing;
- (d) a matter or thing that is in or about any matter or thing referred to in paragraphs (a) to (c).

(2) Subsection (1) also applies in relation to a thing that council considers is so dilapidated or unclean as to be offensive to the community.

### **Harm to drainage or dike**

**75** A council may impose a remedial action requirement if a person has

- (a) obstructed, filled up or damaged a ditch, drain, creek or watercourse that was constructed or improved under this Act or the *Local Government Act*, or
- (b) damaged or destroyed a dike or other drainage or reclamation work connected with it.

### **Time limit for compliance**

**76** (1) The resolution imposing a remedial action requirement must specify the time by which the required action must be completed.

(2) Subject to section 79 [*shorter time limits in urgent circumstances*], the time specified under subsection (1) must not be earlier than 30 days after notice under section 77 (1) [*notice to affected persons*] is sent to the person subject to the remedial action requirement.

(3) The council may extend the time for completing the required action even though the time limit previously established has expired.

### **Notice to affected persons**

**77** (1) Notice of a remedial action requirement must be given by personal service or by registered mail to

- (a) the person subject to the requirement, and
- (b) the owner of the land where the required action is to be carried out.

(2) In addition, notice of the remedial action requirement must be mailed to

- (a) each holder of a registered charge in relation to the property whose name is included on the assessment roll, at the address set out in that assessment roll and to any later address known to the corporate officer, and
- (b) any other person who is an occupier of that land.

(3) A notice under this section must advise

- (a) that the person subject to the requirement, or the owner of the land where the required action is to be carried out, may request a reconsideration by council in accordance with section 78 [*person affected may request reconsideration*], and
- (b) that, if the action required by the remedial action requirement is not completed by the date specified for compliance, the municipality may take action in accordance with section 17 [*municipal action at defaulter's expense*] at the expense of the person subject to the requirement.

#### **Person affected may request reconsideration by council**

**78** (1) A person who is required to be given notice under section 77 (1) [*notice to affected persons*] may request that the council reconsider the remedial action requirement.

(2) Subject to section 79 [*shorter time limits in urgent circumstances*], a request under subsection (1) must be made by written notice provided within 14 days of the date on which the notice under section 77 (1) was sent or a longer period permitted by council.

(3) If the council receives a notice that complies with subsection (2), it must provide the person with an opportunity to make representations to the council.

(4) After providing the opportunity referred to in subsection (3), the council may confirm, amend or cancel the remedial action requirement.

(5) Notice of a decision under subsection (4) must be provided in accordance with section 77 (1) and (2) [*notice to affected persons*].

#### **Shorter time limits in urgent circumstances**

**79** If the council considers that there is a significant risk to health or safety if action is not taken earlier, the resolution imposing the remedial action requirement may

- (a) set a time limit under section 76 [*time limit for compliance*] that is shorter than the minimum otherwise applicable under subsection (2) of that section, and
- (b) set a time limit for giving notice under section 78 [*persons affected may request reconsideration*] that is shorter than the limit otherwise applicable under subsection (2) of that section.

### **Recovery of municipal costs through sale of property**

**80** (1) This section applies to remedial action requirements in relation to the following:

- (a) matters or things referred to in section 73 (1)
  - (a) [*unsafe and non-complying structures*];
- (b) matters or things referred to in section 74 (1)
  - (a) [*nuisances in relation to structures*];
- (c) matters or things referred to in section 74 (1)
  - (d) [*nuisances in relation to things in or near structures*] that are in or about a matter or thing referred to in section 74 (1) (a).

(2) Subject to this section, if a remedial action requirement has not been satisfied by the date specified for compliance, the municipality may sell the matter or thing in relation to which the requirement was imposed or any part or material of it.

(3) The earliest date on which the municipality may sell property referred to in subsection (2) is the later of

- (a) the date specified for compliance, and
- (b) 60 days after the notice under section 77 (1) [*notice to affected persons*] is given.

(4) If a municipality sells property under this section, it

- (a) may retain from the proceeds
  - (i) the costs incurred by the municipality in carrying out the sale, and
  - (ii) if applicable, the costs incurred by the municipality in exercising its power under section 17 [*municipal actions at defaulter's expense*] that have not yet been paid by the person subject to the requirement, and

(b) must pay the remainder of the proceeds to the owner or other person lawfully entitled.

(5) For certainty, the authority under this section is in addition to that provided by section 17 [*municipal action at defaulter's expense*].



**City of  
Richmond**

**Scope of Work**  
Engineering and Public Works  
Engineering Planning

Contact the City's Engineering Planning department (Corrine Haer at 604-276-2026) to confirm exact scope. Scope will include, but not be limited to the following and may include additional measures as directed by the General Manager, Engineering and Public Works, to restore the ditch to its previous condition.

- All work outlined below must be overseen and inspected by a Qualified Environmental Professional
- Upon completion of restoration back to RMA Watercourse, a report that documents all restoration activities is required. The report needs to contain a chronological break down of all activities and describe compliance to the various measures.
- A restoration monitoring schedule will need to be created including invasive species removal and management provisions, watering schedule, and a post-planting monitoring period.
- A pre-construction meeting must be held at the property with the Qualified Environmental Professional, any contractors involved and City staff
- All material removal must be sent to a permitted site under the guidance of the QEP and in accordance with all applicable Acts, statutes, regulations, and decisions and orders of any person or body having jurisdiction over the Lands
- Remove existing decorative wall that encroaches into the RMA buffer zone
- Remove existing culvert and reinstate RMA ditch with proper grading and 1:1 ditch bank slope
- Construct mini lock block headwall on west side of ditch
- Reconstruct retaining wall on the east side of the ditch (if required)
- Renew existing culvert under driveway (if required)
- Staff recommend using a hydro vac or manual excavation near the submerged retaining wall
- Re-vegetate and stabilize the RMA per the planting plan as explained in Appendix A of the Construction Environmental Management Plan for 13740 Westminster Hwy, dated October 2, 2018 by Madrone Environmental Services Ltd. for the private property impacts
- Unplanted areas should be seeded with the City's preferred 100% native riparian seed mix supplied by Premier Pacific Seeds and covered with coconut matting.

**For more information on the appropriate seed mix for a project please contact Environmental Sustainability.**

100% Native Grass Seed Mix Roadside Riparian Coastal Seed Mix			
Supplier	Premier Pacific Seeds Ltd		
Application type	Coastal roadside riparian		
Functions and Features	<ul style="list-style-type: none"> <li>erosion and sediment control</li> <li>pollinator attractant</li> <li>mitigate invasive plant growth in disturbed soils</li> <li>low growth height</li> </ul>		
Sowing time	Fall and spring		
Sowing rate	40 – 50 kg/ha		
Cost	\$35/kg		
Notes	This is the preferred mix to be used in the City's Riparian Management areas as it is comprised of all native grasses and will support habitat functions in these areas.		
Seed Mix	% by weight	Seeds/lb	% by Seed Count
<i>Agrostis exarata</i> , Spike Bentgrass*	1.00	6,000,000	21.30
<i>Bromus sitchensis</i> , Alaska (Sitka) Brome*	40.00	100,000	14.20
<i>Deschampsia cespitosa</i> , Tufted Hairgrass*	3.00	2,100,000	22.36
<i>Festuca rubra</i> , Native Red Fescue*	15.00	600,000	31.95
<i>Hordeum brachyantherum</i> , Meadow Barley*	41	70,000	10.19
* native to coastal British Columbia	100.00		100.00





**CONSTRUCTION ENVIRONMENTAL MANAGEMENT  
PLAN**

**13740 Westminster Highway**

**FOR:**

**Swam Panesar  
2380 Shell Road  
Richmond, BC V6X 2P1**

**SPR REVISION BY:**

**Stephen Ostensen, ASCT**

**October 2, 2018**

**Madrone Environmental Services Ltd.**

DESIGN: 18-0362

MADRONE ENVIRONMENTAL SERVICES LTD.



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## CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

### 13740 Westminster Highway

#### 1 Introduction

The purpose of this report is to provide the property owner of 13740 Westminster Highway, Richmond BC with a revised Construction Environmental Management Plan (CEMP) to address non-compliant work conducted within the City of Richmond (City) Riparian Management Area (RMA). Non-compliant works associated with construction of a large single family home in 2018 include:

- A septic tank system installed within the RMA, and;
- A retaining wall installed below the top of bank, and above the highwater mark (HWM) within the RMA.

The approved Building Permit indicated that a retaining wall was to be installed outside of the RMA setback and the RMA was to be restored to its native condition per the approved Construction Environmental Management Plan (CEMP) and Restoration Plan created by prepared by Madrone Environmental Services Ltd. (Madrone 2017). The septic tanks system was designed and installed under supervision of Cleartech Consulting Ltd. (Cleartech) within the RMA in 2018. The septic tank system has since been accepted by the City and is to remain in the current location. However, the retaining wall installed by the owner has not been approved, and the City requires it to be removed.

#### 2 Background

Madrone provided the City and Swarn Panesar (owner) a CEMP on January 27, 2017 to accompany a building permit application for proposed development of a new single family home at 13740 Westminster Highway. As part of the building permit review, City staff conducted a site inspection of the works permitted under Building Permit 16-753783-B7 on April 12, 2017. The City determined that vegetation had been removed and

soils disturbed within the RMA at 13740 Westminister Highway in advance of permit approval, and that no measures recommended by Madrone to protect the RMA had been implemented. The owner was issued a letter of Non-compliance and notice of Unauthorized Impacts to the City's RMA on April 12, 2017. The property owner was ordered by the City to install temporary measures in accordance with info-bulletin 23 to mitigate further impacts to the watercourse and to hire a QEP to prepare a revised CEMP and Restoration and Planting Plan to restore the RMA to its natural state.

In support of the building permit application, Madrone provided the City and the owner a revised CEMP and Remediation Plan on May 17, 2017. The CEMP and Remediation Plan outlined measures to restore the slope and stability of the top of bank and re-vegetate the RMA. In addition Madrone coordinated with Joss Design Inc. (architect) to include the 5 metre RMA setback and 2 m RMA buffer boundaries on the approved site plan.

On September 13 2017, City of Richmond staff conducted a site inspection of the works permitted under Building Permit 16-753783-B7. The City determined that no RMA Restoration work had been completed. Further non-compliance included a newly installed septic tank system and a retaining wall within the 5 metre RMA setback without City approval. To achieve compliance with the City approved building permit, the Watercourse Protection Bylaw No. 8441, the Provincial Riparian Area Regulation (RAR) re-vegetation Guidelines, and this revised and updated 2018 CEMP and Restoration and Planting Plan; the RMA is required to be stabilized, restored and re-vegetated and the retaining wall pushed back to re-establish as much of the RMA while ensuring the structural integrity of the septic tank system is maintained.

A revised site plan reflecting the septic tank system dimension and location within the RMA has been prepared by Cleartech Consulting Ltd. and is included in Appendix II.

An updated RMA Restoration and Planting Plan has been prepared by Madrone and is included in Appendix I. All septic tank system dimensions, location, stability recommendations, and re-location of the retaining wall specification are per Cleartech Consulting Ltd. design.

After the City of Richmond's approval of this CEMP and RMA Restoration and Planting Plan to ensure compliance with Bylaw requirements, all RMA Restoration and protection measures outlined in this report must be in place prior to any work being started and must be inspected by a QEP prior to construction and remain installed and maintained until construction is complete. A pre-construction meeting must be held at the property with Madrone and any contractors involved in the Restoration activities covered in this report.

## 2.1 Site Location

The subject property covers an area of 0.1 (ha) and is situated in the Agricultural Land Reserve (ALR). It is located in south Richmond along Westminster Highway, near the corner of No.6 Road, and is bounded by single family homes to the west and south, a church and parking lot to the east and Westminster Highway to the north (Figure 1). The parcel is zoned AG1.



FIGURE 1 OVERVIEW MAP OF SUBJECT PROPERTY, 13740 WESTMINSTER HIGHWAY, RICHMOND, BFISHERIES VALUES

The recent development is adjacent to a watercourse which runs along the north property line on the south side of Westminster Highway. The watercourse along Westminster Highway is a protected watercourse under the Provincial Riparian Area Regulation. The City has designated a 5m setback RMA along this watercourse to protect the integrity of the riparian area.

The watercourse is an unnamed, un-gazetted roadside ditch historically channelized for irrigation and flood control purposes. The water levels are managed by the City through an upstream and downstream system of valves and pumps. The watercourse flows east underneath the owner's driveway along the north property boundary on City property. The RMA affects approximately 15 m of the property frontage.

The watercourse is not identified by any government mapping tools (i.e. iMapBC, Habitat Wizard) and there is no fish inventory data documented in the Ministry of Environment (MoE) / Fisheries and Oceans Canada (DFO) Fisheries Information Summary System (FISS) database. This watercourse is connected to the channelized stream network via a fish passable culvert along the south of Westminster Highway. This network of channelized streams and ditches are reported to support threespine stickleback (*Gasterosteus aculeatus*).

Salmonid fish presence at the subject property is unlikely due to downstream in-stream obstructions (long, narrow culverts) and flood control infrastructure. In addition, the water is apparently very high in Iron (Fe) and low in dissolved oxygen, which further limits suitability for fish and ability to sustain aquatic life.

The watercourse has a bankfull width of 5 m. The bankfull depth is 1.3 m and wetted depth was 15 cm. The streambed consists of mud (80%), sand (15%) and gravel (5%). The gradient is 1%. A retaining wall has been constructed below the top bank and above the HWM. This watercourse is considered a fish-bearing stream under the Riparian Area Regulation.

## 2.2 Vegetation

Vegetation within and adjacent to the RMA up to the property line has been completely cleared and grubbed since April 2017. Vegetation within RMA upstream and downstream of the site consists of Himalayan blackberry (*Rubus armeniacus*), Indian Plum (*Oemleria cerasiformis*) shrub, and reed canary grass (*Phalaris arundinacea*). Streamside vegetation within Right of Way (ROW) of the watercourse consisted of mowed grass.

## 3 Measures to Protect and Maintain the RMA

The watercourse fronting 13740 Westminster Highway is part of the City's drainage infrastructure and has a designated RMA setback that measures horizontally 5 meters from top of watercourse bank. This RMA setback has been subject to non-compliant development resulting in complete removal of vegetation, disturbance of soil and installation of a septic tank system and retaining wall. The Following Restoration measures must be implemented to achieve compliance with the approved building permit.

1. Install erosion and sediment control measures.
2. Remove and re-locate the retaining wall per Cleartech specification.

3. Re-grade the RMA and prepare soil for planting.
4. Re-vegetate and stabilize the RMA per the RMA Restoration and Planting Plan.
5. Remove ESC measures.

All work will be conducted above the HWM, and below the top of bank.

All design, planning and recommendations related to the relocation of the retaining wall and stability of the septic tank system has been provided by Cleartech. Retaining wall relocation and installation details are provided Section 3.0 of this report.

Erosion and sediment control (ESC), RMA soil stabilization measures and planting details are provided in the RMA Restoration and Planting Plan prepared by Madrone in Appendix I.

No deleterious foreign substances should be placed in the RMA (e.g., grass clippings, garbage, soil, excess fertilizer). No further removal, alteration, disruption or destruction of vegetation and soils, or installation of non-structural impervious surfaces are permitted inside the RMA.

### 3.1 Encroachment

Restoration work will be conducted within the RMA. Once the RMA is restored, there will be no further encroachment into the RMA. Septic tank maintenance and associated permitting will be the responsibility of the owner. A brightly-coloured, temporary fence of a minimum height of 1.2m will be erected at least 7 m outside of the RMA where possible. In addition, a sediment fence must be installed on the property side of the brightly-coloured fence during Restoration works to protect the RMA (Figure 2).

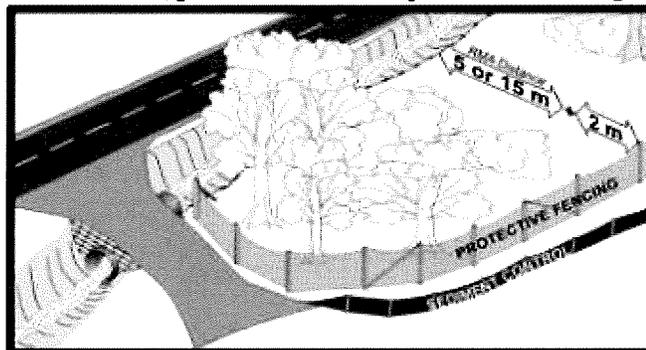


FIGURE 2. MINIMUM RMA PROTECTION MEASURES (COPIED FROM CITY OF RICHMOND WEBSITE).

All further activities must be conducted outside of the 5 m RMA protection area and additional 2 m buffer zone.

All RMA encroachment protection measures are required to be inspected by the QEP prior to commencement of restoration activities. All fencing and sediment control must remain intact and in place throughout the entire restoration works period.

### 3.2 Sediment and Erosion Control

Because the RMA area has been altered, cleared and the soils disturbed, risks involved with erosion and sediment transportation into the watercourse are high. Excavation activities associated with removing and relocating the retaining wall have the potential of increasing risk bank erosion and subsequent sediment transportation. Appropriate Erosion and Sediment Control (ESC) mitigation measures will be implemented prior to any site restoration activity to prevent sediment transportation. All works will be conducted under supervision of a QEP Environmental Monitor (EM) and in a manner that will prevent the release of sediment or sediment laden waters to watercourses, ditches and swales draining to fish habitat.

For erosion and sediment control to be effective on this site, it is important that the following erosion and sediment control measures be deployed in order to meet or exceed the standards outlined in the DFO "Land Development Guidelines for the protection of Aquatic Habitat".

Current Provincial Water Quality Guidelines for discharge of sediment, sediment-laden water, and turbid water are as follows:

- Water quality should not exceed 8 NTU of background in 24 hours when background is less than or equal to 8 NTU
- Water quality should not exceed 5 NTU when background is between 8 and 30 NTU
- Water quality should not exceed 10% when background is greater than or equal to 50 NTU

The following ESC measures will be deployed during the Restoration process:

- All ESC measures will be implemented under supervision and direction of an Environmental Monitor provided by Madrone.

- Sufficient quantities of sediment fence, straw bales, and grass seed mix, necessary to stabilize disturbed ground must be onsite, or readily available for inspection and installation prior to implementing the Restoration plan.
- Prior to removing the retaining wall, the contractor must coordinate with Denbow to have the Filtrexx® FilterSoxx™ pre-filled with Certified Filtrexx® Filtermedia on site and installed by a Certified Filtrexx® Installer or under supervision by the QEP per product specification, the RMA Restoration and Planting Plan, and above the HWM.
- Sediment fencing will be installed from the top of bank and around the perimeter of the orange protective fencing.
- All disturbed slopes, watercourse banks, and ground surfaces that may contribute sediment-laden water into sensitive fish habitats during precipitation events will be stabilized with a Coastal Re-vegetation Seed Mix and protected with a hand spread layer of straw.
- ESC measures will be inspected by the EM regularly during the course of the Restoration work. Necessary repairs will be made by the contractor immediately if any damage occurs such that erosion and sediment control is compromised.
- All efforts will be made to leave undisturbed vegetation where possible.
- Work will be pursued to completion as quickly as possible once started.
- All work which involves heavy machinery that is disturbing earth material must be suspended during significant rainfall (> 25 mm of rain in a 24/hr. period). Significant rainfall will be determined by review of adjacent rain gauge stations.
- No debris is to remain below the high water mark or placed into the watercourse. All existing structure debris will be disposed of by the contractor.

### **3.2.1 Sediment Fencing**

Due to the disturbed condition of the RMA and buffer area proper installation of sediment fencing is mandatory. As much of the RMA buffer area has been developed, sediment fencing will be placed where possible at least 7 m from the top of bank and outside of the protective buffer fencing.

- The lower edge of the fence fabric must be dug into the ground and back-filled to prevent turbid water from potentially flowing underneath the fence. The fence must also be securely fixed to strong wooden stakes. Figure 3 below illustrates the proper installation of a sediment fence:

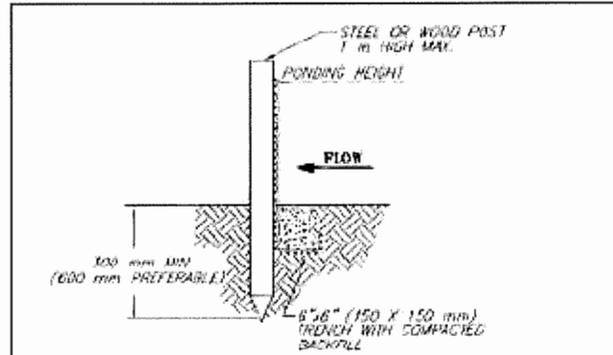


FIGURE 3. DIAGRAM OF HOW TO PROPERLY INSTALL SEDIMENT FENCING

### 3.2.2 Slope Stability

The soil within the RMA has been disturbed and the bank is at risk of having stability issues. All unauthorized work within the RMA was identified by the City to have occurred above the high watermark of the watercourse. Per the Restoration plan and approved building permit; the loading or hydrology of the slopes contained in the channel banks will be restored to pre-disturbed condition. The top of bank of the RMA will be stabilized with willow stakes, Filtrexx® Filtersoxx and Filtermedia sediment control measures, and re-vegetated per the Planting Plan. All activities will be above the high water mark.

## 4 Septic Tank Stability and Retaining Wall Relocation

The septic tank system and revised site plan was designed and installed by Cleartech. All details regarding stability and structural integrity of the septic system and retaining wall relocation have been provided by a Certified Professional from Cleartech.

By order of the City, the retaining wall must be removed from its current location and relocated while ensuring stability of the installed septic tank system. In order to provide adequate soil pressure on the side wall of the tanks, and prevent soils from being eroded away between the tanks and ditch, Cleartech recommends a retaining wall be installed

2.0m to the north of the tanks with the top of the wall being at least 1.0m below the top of the tanks (Figure 4).

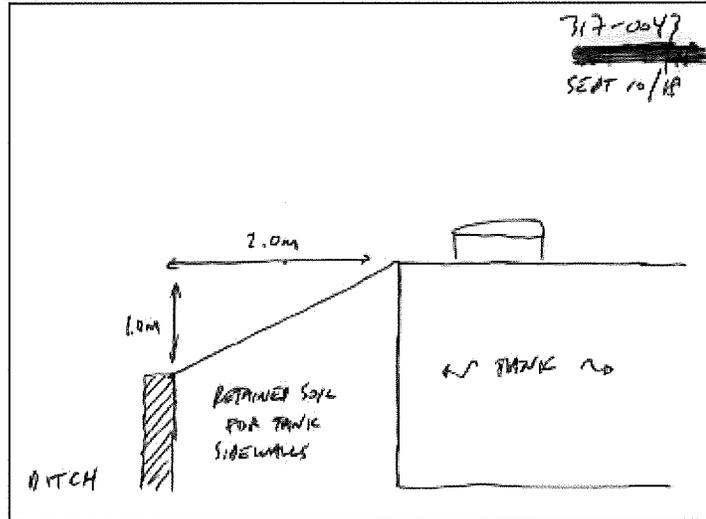


FIGURE 4. RETAINING WALL RELOCATION DESIGN DRAWING PROVIDED BY CLEARTECH.

#### 4.1 Storm and Waste Water Management

Construction of impermeable surfaces (e.g. rooftops) generally increases the amount of storm water leaving a site in comparison to pre-development conditions. Infiltration capacity is reduced, and short-term surface run-off associated with rain events increases.

Elevated storm water run-off can have negative impacts on watercourses and groundwater resources, including a potential increase in short-lived peak flow events and a decrease in the long-term supply of water to a system, which can result in lower water levels (both surface and ground) in the summer months. The goal of storm water management is to capture storm flow and return it to natural hydrological pathways.

There are no instream works associated with this project.

#### 4.2 Fuel spill mitigation measures

- Oil, grease, or any other substance deleterious to aquatic life will be prevented from entering into any watercourse, ditch or stormsewer
- Appropriate measures must be taken to prevent fuels, lubricants, or construction wastes, from entering watercourses.

- The contractor must keep emergency spill kit onsite; it is mandatory, will be inspected and will be required to be onsite each day the contractor's crew is working on the site
- Operators will be held responsible to ensure that oil, grease or other deleterious substances do not enter any environmentally sensitive areas.
- There is to be no machine refueling within 30 m of flowing watercourses.

The Contractor will have a spill kit capable of absorbing a 255 litre spill kit that would include:

- o 150 Absorbent Pads
  - o 8 - 3" x 8' Absorbent Socks (Oil, Gas & Diesel)
  - o 1-15 lb. Pail Oil Sponge
  - o 1 Nitrile Rubber Drain Mat
  - o 1 Pair Nitrile Gloves
  - o 4 Disposal Bags
- Any spill of a substance toxic to aquatic life of reportable quantities will be immediately reported to the Provincial Emergency Program 24 hour phone line at 1-800-663-3456.

## 5 Environmental Monitoring

An Environmental Monitor (EM) will be onsite to monitor restoration activities to ensure the Contractor is in compliance with mitigation measures outlined in this report, the Restoration and Planting Plan, and Provincial, Federal and the City regulations.

### Specific Actions Required:

- Reviewing the revised CEMP and Restoration Plan and ensuring its approval prior to any development activity;
- Completion of on-site monitoring visits throughout the restoration works period to ensure the measures are being implemented properly; and
- Completion of a final site visit to ensure that all measures were implemented as required.

### Monitoring Schedule:

- An initial pre-construction meeting will be held to discuss the Restoration plans, RMA protection measures, and RMA remediation procedures. It is expected that an open

dialogue will be maintained between the QEP and the developer prior to any work occurring within the RMA;

- The site will be visited during the mid-point of the restoration process;
- A final site visit will be completed at the end of each phase (ESC installation, excavation, retaining wall re-location, re-grading, site preparation, and re-vegetation) to ensure that all measures were followed.

**Communication Plan:**

- The developer will maintain open communication with the QEP prior to restoration activities occurring within or adjacent to the RMA. This will allow for site visits to be made throughout the restoration process and for modifications to be made, where necessary; and
- Upon completion of each restoration phase, the developer will contact the QEP to allow for the final site inspection to be carried out.

**Post Construction Report:**

As part of the monitoring process, a report that documents all restoration activities is required. The report would contain a chronological break down of all development activities and describe compliance to the various measures.

## 7 Conclusion

As a qualified environmental professional, I hereby provide my professional opinion that if the Riparian Management Area identified in this report is protected from the development and the measures identified in this report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is currently active.

Prepared by:

A handwritten signature in cursive script, appearing to read "S. Ostensen", is written over a circular professional seal. The seal contains the text "33740", "Swarn Panesar", "2018", and "MADRONE ENVIRONMENTAL SERVICES LTD." around the perimeter.

Stephen Ostensen, AScT  
Madrone Environmental Services Ltd.



## **APPENDIX I**

# **RMA Restoration and Planting Plan Prepared by Madrone Environmental Services Ltd**

DOSSIER: 18.0388

MADRONE ENVIRONMENTAL SERVICES LTD.

6511999

**CNCL - 161**

**ENVIRONMENTAL NOTES**

The primary purpose of this Riparian Management Area (RMA) remediation and planting plan is to address the installation of a retaining wall that is not in compliance with the City of Richmond (City) approved Building Permit, the Richmond Watercourse Protection Bylaw No. 8441, and the Provincial Riparian Area's Protection Act and Regulation. The City has designated the watercourse fronting the property with a 5 metre RMA. In order to achieve building permit compliance, the City requires that as much area as returned to the RMA as possible while ensuring the structural integrity of the septic tank system is maintained. This planting plan is part of the revised CBMP prepared by Madrone Environmental Services Ltd., dated May 2017, revised September 2018. Remediation works consists of:

1. Removing the existing retaining wall, and installing a new retaining wall per Cleartech Consulting Ltd (Cleartech) specification.
2. Re-grading the RMA to the Top of Bank (TOB) and stabilizing the soil by installing erosion and sediment control (ESC) measures as specified in the RMA Remediation and Planting plan (Madrone, 2018).
3. Restoration planning within the RMA in accordance with the Riparian Areas Regulation Re-vegetation Guidelines (2012) and the approved Conservation Environmental Management Plan (Madrone, 2018).

All planting, ESC and stability measures will be conducted and implemented above the normal high water mark (HWM).

**Planting Location:**

- The re-vegetation area within the RMA is approximately 15 m long x 5 m wide and is located at 13740 Westminster Highway, Richmond BC. Installation of septic tanks within the RMA have reduced the restoration planting area from 70 m<sup>2</sup> to an approximately 50 m<sup>2</sup> riparian strip along the south bank of a channelized stream; south of Westminster Highway.
- Retaining Wall Relocation
- To provide adequate soil pressure on the side wall of the tanks, and to prevent soils from being eroded away between the tanks and ditch, the existing retaining wall must be removed and relocated 2.0 m north and 1.0 m below the top of the tanks (Cleartech).
- Soil Preparation
- Once the approved retaining wall structure has been installed, the RMA will be regraded with soil and prepared by decompaction and scarification to provide an appropriate growth medium for re-vegetation.
- To promote native plant survival, the soil should be grubbed to a minimum depth of 0.5 m.
- Soil preparation will include manual or mechanical separation of existing vegetation, grasses, and non-native invasive species. The soils at this planting location are typically moist. Madrone recommends that microclimates such as hummocks, mounds, and pits be created during soil preparation to create varying moisture, shade and nutrient regimes favoured by certain plant species.

**Erosion and Sediment Control**

- Removal of the non-compliant retaining wall and re-grading the RMA will impact the stability of stream bank.
- To ensure compliance and final remediation of the RMA, Madrone recommends that the primary source of sediment control consist of a Filtracorb Filtracorb™ pre-filled with a Certified Filtracorb Filtrawalls™, and installed by a Filtracorb Certified™ Installer per product specification, this design and above the HWM.
- The sediment control is a permanent, biodegradable measure that will improve slope stability and filtration capacity once vegetation is established.
- After construction and re-vegetation activities are complete, the sediment control will be left in place and seeded with a Coastal Re-vegetation Seed mix. This will reduce the erodible potential of surface run-off during the Fall/Winter months and eventually permanently stabilize the stream bank.

**Planting Criteria**

- A Qualified Environmental Professional (QEP) will be onsite during planting activities, and will provide the City a post-construction report outlining the works.
- All newly stems will be planted 1m above the High Water Mark (HWM) as to not impact maintenance requirements by the COR. No significant trees that could destabilize channel banks at maturity will be planted below the HWM.
- All trees will be planted in accordance with COR Replacement Tree Guidelines requirements and in compliance with the COR Tree Protection Bylaw 8057.
- All plants must have been grown for a length of time necessary to permit the roots to fill and hold soil within the container as required by the Canadian Nursery and Landscapes Associated Standards for nursery stock.
- The contractor will ensure that plants are banded with the growing medium and that plant growth above the top of bank is trained to project outward over the channel bank to assist in shading out moisture tolerant invasive species re-vegetation along the bank slope.
- Shrubs will be planted on 2 m centres with bucket growing shrubs and willow shrubs planted on 0.5 m centres.
- Trees will be planted on 3 m centres.

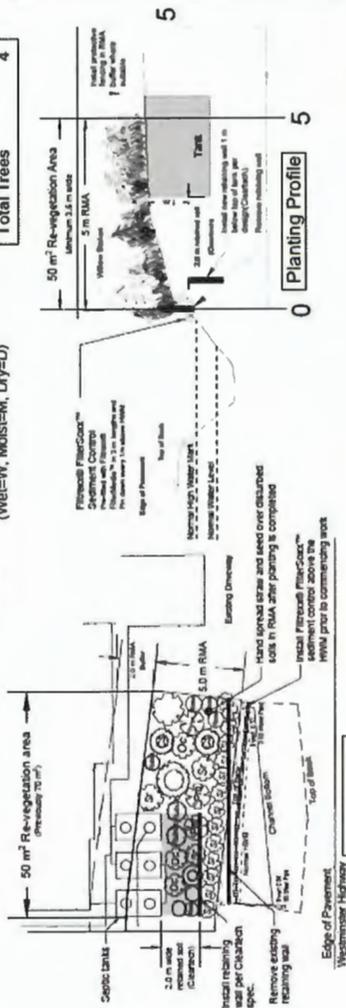
**Plant Survival**

- The target survival will be 80% for shrubs and 90% for trees.
- Invasive plant control maintenance is required to be conducted every 4 - 6 weeks, and a weeding program will be instituted through the dry summer months (May - September) in the first year after planting.
- A detailed monitoring plan is included in the CBMP, 2018.

**RIPARIAN MANAGEMENT AREA RE-VEGETATION SPECIES LIST**

SYMBOL	COMMON NAME	LATIN NAME	MICROSITE CONDITION	POT SIZE	SPACING	NUMBER
(S)	Pacific willow	<i>Salix lasandra</i>	W	Slakes	0.5 m	14
(R)	Nootka rose	<i>Rosa nutkana</i>	D,M	#1 Pot	1.0 m	4
(A)	Salmonberry	<i>Rubus spectabilis</i>	M,W	#1 Pot	1.0 m	4
(B)	Red osier dogwood	<i>Cornus sericea</i>	M	#1 Pot	2.0 m	3
(S)	Red elderberry	<i>Sambucus racemosa</i>	M	#1 Pot	2.0 m	3
(P)	Sword fern	<i>Polystichum munitum</i>	D,M	#1 Pot	2.0 m	2
(O)	Indian Plum	<i>Oemleria cerasiformis</i>	D,M	#1 Pot	2.0 m	3
<b>Total Shrubs</b>						<b>33</b>
(C)	Western red cedar	<i>Thuja plicata</i>	M,W	#3 Pot	3.0 m	1
(R)	Red alder	<i>Alnus rubra</i>	M	#2 Pot	3.0 m	2
(C)	Bitter cherry	<i>Prunus emarginata</i>	M	#2 Pot	3.0 m	1
<b>Total Trees</b>						<b>4</b>

(Well=W, Moist=M, Dry=D)



**Planting Profile**

50 m<sup>3</sup> Re-vegetation Area  
Minimum 3.5 m wide

Hand spread straw and seed over disturbed soils in RMA after planting is completed

Local Filtracorb Filtrawall™  
HWM prior to commencing work

50 m<sup>3</sup> Re-vegetation Area  
Minimum 3.5 m wide

Field products being used in RMA  
1 cubic metre  
1 bucket

2.0 m wide  
removed soil  
Clearance

Install remaining soil per Cleartech Spec.

Remove existing retaining wall

Edge of Pavement  
Westminster Highway

**Planting Plan**

**City of Richmond Riparian Management Area (RMA)**

- The RMA must not be altered except in accordance with a City approved permit and Construction Environmental Management Plan prepared by a Qualified Environmental Professional (QEP). Any ground cover removal, the storage of materials, no building, structure or surface construction including retaining walls can occur in an RMA.
- A utility concern, temporary fence of a minimum height of 1.2 m must be erected at least 2 m outside of the RMA. An erosion and sediment control fence must be installed on the property side of the utility concern fence. All additional RMA protection measures, as approved by the City, must be installed and maintained throughout the project.
- All trees will be planted in accordance with COR Replacement Tree Guidelines requirements and in compliance with the COR Tree Protection Bylaw 8057.
- All plants must have been grown for a length of time necessary to permit the roots to fill and hold soil within the container as required by the Canadian Nursery and Landscapes Associated Standards for nursery stock.
- The contractor will ensure that plants are banded with the growing medium and that plant growth above the top of bank is trained to project outward over the channel bank to assist in shading out moisture tolerant invasive species re-vegetation along the bank slope.
- Shrubs will be planted on 2 m centres with bucket growing shrubs and willow shrubs planted on 0.5 m centres.
- Trees will be planted on 3 m centres.

**City of Richmond is responsible to ensure that the RMA is maintained in accordance with the RMA. The contractor is responsible to ensure that the RMA is maintained in accordance with the RMA.**

**RMA RESTORATION AND PLANTING PLAN**

**MADRONE**  
MADRONE ENVIRONMENTAL SERVICES LTD.

**CITY OF RICHMOND**  
13740 Westminster Hwy

**DRAWN** S.O  
**DESIGNED** S.O  
**CHECKED** L.K  
**APPROVED** L.K  
**SCALE** AS SHOWN

**DATE** 18/09/25  
**SHEET** 1 of 1  
**DWG. No.** 18.0366



## APPENDIX II

### **Site Plan Prepared by Cleartech Consulting Ltd.**

DOSSIER: 18.0388

MADRONE ENVIRONMENTAL SERVICES LTD.







**To:** General Purposes Committee **Date:** August 5, 2020

**From:** Jim V. Young, P. Eng.  
Director, Facilities and Project Development **File:** 10-6000-01/2020-Vol 01

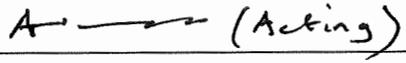
**Re:** **Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre**

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**Staff Recommendation**

1. That the submission to the Investing in Canada Infrastructure Program – Community, Culture and Recreation Stream, requesting funding of up to \$2.4 million as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development be endorsed;
2. That the Chief Administrative Officer and General Manager, Engineering and Public Works be authorized to enter into funding agreements with the government for the aforementioned project should it be approved for funding, as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development.
3. That the Minoru Place Activity Centre Project capital budget be increased by \$749,000, which will be funded by Project Developments 2020 Operating Budget account “Infrastructure Replacement” and that the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly.
4. That the Revised Consolidated 5 Year Financial Plan (2020-2024) be amended accordingly should the aforementioned project be approved for funding as outlined in the report titled, “Investing in Canada Infrastructure Program - Minoru Place Activity Centre Conversion to Arts Centre,” dated August 5, 2020 from the Director, Facilities and Project Development.

Jim V. Young, P. Eng.  
Director, Facilities and Project Development  
(604-247-4610)

REPORT CONCURRENCE		
<b>ROUTED TO:</b> Finance Department Arts, Culture and Heritage Community Social Development Sustainability and District Energy Intergovernmental Relations and Protocol Unit	<b>CONCURRENCE</b> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<b>CONCURRENCE OF GENERAL MANAGER</b>  <hr/>
<b>SENIOR STAFF REPORT REVIEW</b>	<b>INITIALS:</b> 	<b>APPROVED BY CAO</b>  (Acting)

## Staff Report

### Origin

On June 25, 2020 Infrastructure Canada and the Province of British Columbia announced the Investing in Canada Infrastructure Program (ICIP) - Community, Culture and Recreation (CCR) Intake Phase 2 for infrastructure projects in communities across the province. The program supports projects that improve citizens' access to or the quality of cultural, recreational and community spaces. This second intake supports projects that can be completed by March 31, 2026 following approval, with applications due by October 1, 2020.

The purpose of this report is to seek Council's endorsement for the application submission to the CCR Stream for grant funding of up to \$2.4 million for the Minoru Place Activity Centre Conversion to Arts Centre project, which is part of the 2019 approved capital program (CB00068).

This report supports Council's Strategic Plan 2018-2022 Strategy #3 One Community Together:

*Vibrant and diverse arts and cultural activities and opportunities for community engagement and connection.*

*3.2 Enhance arts and cultural programs and activities.*

This report supports Council's Strategic Plan 2018-2022 Strategy #4 An Active and Thriving Richmond:

*An active and thriving community characterized by diverse social and wellness programs, services and spaces that foster health and well-being for all.*

*4.2 Ensure infrastructure meets changing community needs, current trends and best practices.*

### Analysis

#### Funding Requirements

The CCR Program supports projects that provide improved access to or increased quality of cultural, recreational and community spaces. It is a component of the over-arching ICIP which strives to create long-term economic growth, build inclusive, sustainable communities and support a low carbon, green economy. Projects must be community oriented, non-commercial in nature and open for public use. In the case of the Minoru Place Activity Centre, the facility will have spaces that bring together a variety of arts related services, programs and cultural activities that reflect local community needs.

Only one application per municipality may be submitted and projects approved for funding must complete construction by March 31, 2026. The grant application guidelines emphasize that projects most likely to receive funds would provide value for money and are proportionate to the size of the community that will benefit. Equitable distribution of funding is a consideration. In this context, projects in the \$3 million range give the City the best chance of success.

Total funding available for the second intake phase of the CCR Program is \$100.6 million. Funding requests should be reasonable as compared to the funding envelope and, while there is no stated maximum, the guidelines state that projects of \$10 million or more will be subject to climate lens assessments prior to approval. A successful grant application would preclude the City from applying for other grant opportunities for the Minoru Place Activity Centre Conversion to Arts Centre project under the ICIP program.

#### Minoru Place Activity Centre Conversion to Arts Centre

The repurposing of the Minoru Place Activity Centre for Community Arts Program and Education Space was approved by Council as part of the 2019 Capital Budget on February 11, 2019. This facility improvement includes upgrades to the building systems and conversion to an Arts Centre. This will create purpose-built spaces, so that the Arts Centre could expand its programs, better serve community need, reduce waitlist numbers and better accommodate community art groups.

Sustainable components added to the project's scope of work to better reflect the grant application criteria and provide a positive benefit to the City's energy and GHGs targets include the installation of a solar energy harvesting system through roof mounted solar panels and conversion kits. This energy will be utilized throughout the facility to offset its energy draw from conventional systems and ultimately save on energy costs.

#### Minoru Place Activity Centre – Emergency Response Centre (ERC)

On April 27, 2020 Council approved the staff recommendation to convert the Minoru Place Activity Centre to an ERC for individuals experiencing homelessness as a consequence of the COVID-19 pandemic. An agreement was reached with BC Housing whereby they would utilize the space until August 15, 2020 at such time the facility would be turned-over to the City to commence repurposing of the facility to a Community Arts Program and Education Space as directed by Council.

Given the positive community impact and successful operation of the ERC, BC Housing requested an extension to the license agreement that would allow the continued temporary use of the facility up to March 31, 2021 subject to any funding limitations they may have. A staff report recommending an extension of the license agreement with BC Housing for the temporary use of Minoru Place Activity Centre was endorsed by Council on July 27, 2020.

Occupation of the Minoru Place Activity Centre by BC Housing until March 31, 2021 will not impact the City's ability to deliver the project according to the timelines outlined in the Community, Culture and Recreation infrastructure grant terms. Design is complete and

construction is planned to commence by April 2021 and be complete by the end of 2021. The grant terms require project completion prior to March 31, 2026.

### **Financial Impact**

The City of Richmond will be requesting up to \$2.4 million towards the Minoru Place Activity Centre Conversion to Arts Centre project under the Investing in Canada Infrastructure Program (ICIP) Community, Culture and Recreation (CCR) Stream. This request is based on a project budget of \$3,260,000 and the published infrastructure terms of 40% federal funding and 33.33% provincial funding.

Capital funding for the Minoru Place Activity Centre Improvement project has been allocated in the amount of \$2,511,000 funded from the Leisure Facilities Reserve as part of the 2019 Capital Budget. Staff recommend that an additional \$749,000 be allocated from Project Development's 2020 Operating Budget account Infrastructure Replacement. The additional funding will allow the completion of base building upgrades and sustainability features, for a total of \$3,260,000.

Should the City be successful with the grant application, the amount received will replace the \$749,000 funded from Project Development's 2020 Operating Budget and the remaining balance of the grant received will replace the funding from the Leisure Facilities Reserve.

### **Conclusion**

Staff are seeking Council's endorsement to submit an application to the Investing in Canada Infrastructure Program - Community, Culture, and Recreation Stream for the Minoru Place Activity Centre Conversion to Arts Centre project. The City of Richmond is requesting up to \$2.4 million of grant funding for the project.



Jim V. Young, P. Eng.  
Director, Facilities and Project Development  
(604-247-4610)

JY:nc



# City of Richmond

## Report to Committee

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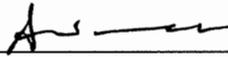
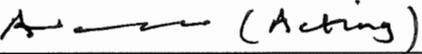
**To:** Finance Committee  
**From:** Jerry Chong  
Director of Finance  
**Date:** August 10, 2020  
**File:** 03-1240-01/2020-Vol  
01  
**Re:** **Extension of Non-Acceptance of Cash Transactions at City Hall**

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### Staff Recommendation

That Council extends non-acceptance of cash transactions at City Hall until March 31, 2021.

Jerry Chong  
Director of Finance  
(604-276-4064)

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
SENIOR STAFF REPORT REVIEW	INITIALS: 
APPROVED BY CAO  (Acting)	

## Staff Report

### Origin

At the Special General Purposes Committee meeting on March 23, 2020, the report titled “Cessation of Cash Transactions During Covid-19 Outbreak” was brought forward and received Council’s support for the cessation of cash transactions until September 30, 2020. This report provides an update of the situation and a request for an extension to March 31, 2021.

This report supports Council’s Strategic Plan 2018-2022 Strategy #5 Sound Financial Management:

*Accountable, transparent, and responsible financial management that supports the needs of the community into the future.*

### Analysis

Richmond City Hall was closed to the public effective March 23<sup>rd</sup> and reopened on June 8<sup>th</sup> for the collection of tax and utility payments. The following table provides the number of transactions received and where the payments originated between March 23<sup>rd</sup> to July 31<sup>st</sup>:

2020 Payment Details by Transaction					
	City			Financial Institution	Total Transactions
	In Person or Mail-in Payment	Self Serve Online credit card / eHOG	Total Transactions Paid Through City	Online & Over The Counter Banking	
Mar 24-31	498	629	1,127	4,678	5,805
April	1,812	626	2,438	977	3,415
May	2,611	11,581	14,192	13,496	27,688
June	13,916	19,633	33,549	33,909	67,458
July	9,429	5,267	14,696	18,675	33,371
Total	28,266	37,736	66,002	71,735	137,737

In the 4 months since the City ceased to accept cash, the City continued to accept over 66K transactions in person and online via the City’s website. The number of in-person payments totalling 28,266 includes all payments dropped through the City’s drop box, walk-in customers, and Canada Post mail processed onsite. The number of self-service customers during this period totalled 37,736. This includes online credit card payments and electronic Home Owner Grant applications (“eHOGs”) claimed through the City’s website. In comparison, the number of payments made through financial institutions totalled 71,735.

Even though the City advertised extensively that City Hall does not accept cash payments, customers who are accustomed to the practice still asked to pay by cash. Usually, once staff

explained the rationale behind the decision, most customers understood and found other means of making payment.

In total, less than 10 customers expressed their displeasure and insisted on transacting by cash. All cash payments were not accepted and customers were advised to go through their financial institution if they wish to use that form of payment. The following is a breakdown of the payments by percentage:

<b>2020 Payment Details</b>				
	<b>City</b>			<b>Financial Institution</b>
	<b><i>In Person or Mail-in Payment*</i></b>	<b><i>Self Serve Online credit card / eHOG</i></b>	<b><i>Total Paid Through City Options</i></b>	<b><i>Online &amp; Over The Counter Banking</i></b>
March	9%	11%	19%	81%
April	53%	18%	71%	29%
May	9%	42%	51%	49%
June	21%	29%	50%	50%
July	28%	16%	44%	56%
Total	21%	27%	48%	52%

\*Majority of payments processed at City Hall were made via mail or drop box. Due to COVID restrictions, in person payment was less than 15% of total transactions processed at City Hall.

Overall, in 2020, 52% of the tax and utility payments were made through financial institutions and 48% were through City services. In comparison, the 2019 table is as follows:

<b>2019 Payment Details by Percentage</b>				
	<b>City</b>			<b>Financial Institution</b>
	<b><i>In Person or Mail-in Payment</i></b>	<b><i>Self Serve Online credit card / eHOG</i></b>	<b><i>Total Paid Through City</i></b>	<b><i>Online &amp; Over The Counter Banking</i></b>
Mar 24-31	28%	0%	28%	72%
April	52%	19%	71%	29%
May	24%	23%	47%	53%
June	20%	30%	50%	50%
July	54%	14%	68%	32%
Total	30%	24%	53%	47%

In 2019, when the City was open to the public, the trends were reversed in that 47% of the payments were made through financial institutions while 53% of the payments were made through City services.

With the current COVID-19 situation in BC, social distancing measures continue to be encouraged. The rationales for not accepting cash at City Hall in March 2020, still exists today.

August 10, 2020

- 4 -

Many local businesses also encourage cashless payments in order to minimize the risk of touching cash that someone else has handled and customers have largely accepted this practice.

The extension of non-acceptance of cash at City Hall until March 31, 2021 would continue to support social distancing and anti-money laundering in the community.

**Financial Impact**

None

**Conclusion**

That Council extends non-acceptance of cash transactions at City Hall until March 31, 2021.



Ivy Wong  
Manager, Revenue  
(604-276-4046)

IW:iw



**To:** General Purposes Committee

**Date:** August 25, 2020

**From:** Wayne Craig  
Director, Development

**File:** AG 20-891572

**Re:** Application by Dagneault Planning Consultants Ltd. for an Agricultural Land Reserve Subdivision at 3031 No. 7 Road

**Staff Recommendation**

That the application by Dagneault Planning Consultants Ltd. for an Agricultural Land Reserve Subdivision at 3031 No. 7 Road be forwarded to the Agricultural Land Commission.

for  
Wayne Craig  
Director, Development

WC:sds  
Att. 8

**REPORT CONCURRENCE**

**CONCURRENCE OF GENERAL MANAGER**

## Staff Report

### Origin

Dagneault Planning Consultants Ltd., on behalf of the property owners David May & Mayland Farms Ltd. (Director: Kim May), has submitted an Agricultural Land Reserve (ALR) subdivision application at 3031 No. 7 Road in order to subdivide the homesite from the larger agricultural parcel. A location map and aerial photograph are provided in Attachment 1.

The subject ALR subdivision application is proposing to utilize the Agricultural Land Commission's (ALC) Homesite Severance Policy (Policy L-11) (Attachment 2). The purpose of the Policy is to provide a list of guidelines to consider for situations where the property has been the principal residence of the applicant as owner-occupant since December 21, 1972, and the applicant wishes to dispose of the parcel, but retain a homesite on the land. More information regarding the Policy's guidelines and a comparison with the subject application is provided in the "Analysis" section of this report.

The subject ALR subdivision application is part of the applicant's farm succession planning and the purpose is to transfer the remainder parcel to the applicant's children, the next generation of farmers.

As per the *Agricultural Land Commission Act (ALCA)*, the ALR subdivision application may not proceed to the ALC unless authorized by a resolution of the local government.

### Findings of Fact

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

### Surrounding Development

- To the North: Across a City-owned Road Right-of-Way, an agricultural operation on an approximately 3.24 hectare (8 acre) lot zoned "Agriculture (AG1)".
- To the South & West: Agricultural operation on an approximately 23.75 hectare (58.69 acre) lot zoned "Agriculture (AG1)".
- To the East: Single-family dwelling on a lot zoned "Agriculture (AG1)", and across No. 7 Road, an agricultural operation on an approximately 15.6 hectare (38.56 acre) lot zoned "Agriculture (AG1)".

### Related Policies & Studies

#### Official Community Plan

The Official Community Plan (OCP) land use designation for the subject site is "Agriculture (AGR)", which comprises of those areas of the City where the principal use is agriculture and food production, but may include other land uses as permitted under the *Agricultural Land Commission Act (ALCA)*. The proposed ALR subdivision application would comply with this

designation. The subject property is also currently zoned “Agriculture (AG1)”, which permits a wide range of farming and compatible uses.

The City’s OCP and Agricultural Viability Strategy also contain policies limiting subdivision of agricultural land into smaller parcels, except where possible benefits to agriculture can be demonstrated. The possible benefits to agriculture as a result of the subject ALR subdivision application are further discussed in the “Analysis” section of this report.

#### Food Security and Agricultural Advisory Committee

The Food Security and Agricultural Advisory Committee (FSAAC) reviewed and supported the subject ALR subdivision application at its meeting held on June 18, 2020. An excerpt from the June 18, 2020 FSAAC meeting minutes is provided in Attachment 4.

### **Analysis**

#### ALC Homesite Severance Policy

The ALC’s Homesite Severance Policy (Policy L-11) provides guidelines for situations where the property has been the principal residence of the applicant as owner-occupant since December 21, 1972, and the applicant wishes to dispose of the parcel, but retain a homesite on the land. The guidelines contained in the Policy are summarized below, along with staff comments regarding the subject application in **bold italics**:

- Documentary evidence that the applicant has continuously owned and occupied the property as a principal residence since December 21, 1972.

***The applicant has provided documentary evidence that the property owner was part of a trust which purchased the property prior to December 21, 1972. The subject property became the applicant’s principal residence in 1988 upon receiving clear title and completion of the existing single-family dwelling. ALC staff have advised that although the applicant has not occupied the property since December 21, 1972, the applicant can still apply under the Policy, as the applicant’s eligibility is subject to the discretion of the Commission. Regardless, eligibility and consistency with the Policy does not grant the applicant an automatic right to approval.***

- Where an applicant has had a previous subdivision application approved by the Commission, the Commission may deny further subdivision under the Homesite Severance Policy.

***Two previous subdivision applications associated with this property have been approved by the ALC in 1984 (Resolution #1074/84 & #1460/84) and 1988 (Resolution #266/88) to create the current configuration of lots in the surrounding area. The purpose of the previous subdivision applications was also related to farm succession planning and transferring parcels to the next generation of farmers in order to farm with title.***

- Documentary evidence showing a legitimate intention to sell the remainder of the property upon approval of the application.

*The purpose of the application is to transfer the remainder parcel to the property owner's children. The property owner has provided a letter (Attachment 5) indicating the intent to transfer the remainder parcel to the property owner's child. Should the application be forwarded by Council and approved by the ALC, the property owner will complete the documentation required by the ALC to ensure the remainder parcel is formally transferred.*

- Consideration of the agricultural integrity of the area as a result of the subdivision, including the minimum size compatible with the character of the homesite and the potential difficulty for the agricultural operation or management of the remainder.

*The proposed subdivision would result in a 1.29 hectare (3.2 acre) homesite and a 6 hectare (14.83 acre) remainder parcel. The proposed subdivision plan is provided in Attachment 6. The property is currently farmed and has farm status as per BC Assessment. The applicant has indicated that the remainder area is currently in forage crops and the intention is to replant the area into cranberry production. The applicant has indicated that replanting cranberries is costly, and credit is traditionally used to finance the process. In this case, the Agrologist has provided an approximate cost estimate of \$414,000 in improvements, which includes irrigation and drainage lines, plant stock, and labour costs. It is important to obtain title in order to secure the credit necessary to finance the proposed agricultural improvements. No agricultural activity is currently conducted or proposed on the homesite.*

- Consideration of the remainder to ensure it is of a size and configuration that will constitute a suitable agricultural parcel.

*The applicant has submitted an Agrologist Report in support of the application (Attachment 7), which indicates the remainder parcel will be part of the larger farm operation which will ensure that it becomes a viable farm unit. The larger farming operation currently includes cranberry fields of a much smaller size than the subject property (as small as 2 acres). The Report also indicates the remainder parcel is already farmed and there are no impediments to the continued farming of this parcel by the next generation. The Commission will ultimately determine if the size and configuration of the proposed subdivision constitutes a suitable agricultural parcel.*

- Condition of the homesite severance approval includes that the homesite is not to be sold for five years except in the case of the death of the owner.

*ALC staff have advised that a written undertaking or other legal documentation satisfactory to the Commission is required prior to approval of the ALR subdivision application, to ensure the homesite is not sold for five years except in the case of the death of the owner. The applicant is aware and agrees to this commitment.*

- Where a homesite severance is approved by the Commission, a separate subdivision application is required to be submitted to the City.

*The applicant is aware that should the ALC approve the ALR subdivision application, a separate City subdivision application is required to be submitted to the City.*

### Agricultural Operation

The applicant has indicated the parcel is part of a large holding that includes 32 parcels (including the surrounding parcels). All parcels are currently part of an intensive farming operation associated with cranberry production. This is not proposed to change, but the purpose of the subject application is to allow the continuation of the farming operation by the next generation of farmers.

The existing farm access road along the north property line is used as farm access to the parcel. No changes to the existing farm access are proposed at this time.

The applicant has also submitted an Agrolgist Report in support of the application (Attachment 7).

### Proposed Subdivision Application

The proposed subdivision would result in a 1.29 hectare (3.2 acres) homesite and a 6 hectare (14.83 acre) remainder parcel. The septic field for the single-family dwelling is located to the west of the home and is within the proposed boundaries of the homesite.

Should the ALR subdivision application be approved by Council and the ALC, a subsequent City subdivision application will be required prior to subdivision approval. The City's OCP contains policies limiting subdivision of agricultural land into smaller parcels, except where possible benefits to agriculture can be demonstrated. If the proposed subdivision is approved, it would create the potential for additional residential development. In response, staff have asked the applicant to register a legal agreement on title prior to approval of the City subdivision, to ensure no residential development is permitted on the remainder parcel (no build covenant), which the property owners have agreed to.

The proposed homesite has been designed to accommodate the existing residential uses on-site, including the existing house, septic field, and the need to maintain driveway access from No. 7 Road. The proposed subdivision would result in a legal non-conforming building on the homesite (the existing single-family dwelling), as it would not comply with the current "Agriculture (AG1)" zoning, including floor area, farm home plate area, and setbacks. As per the Local Government Act, the existing single-family dwelling may only be repaired, extended or altered to the extent that these works involve no further contravention of the bylaw, and if removed, the new single-family dwelling would be required to be constructed according to the current regulations of the "Agriculture (AG1)" zone.

### **Financial Impact**

None.

### **Conclusion**

Dagneault Planning Consultants Ltd., on behalf of David May & Mayland Farms Ltd., has submitted an Agricultural Land Reserve (ALR) subdivision application at 3031 No. 7 Road in order to subdivide the homesite from the larger agricultural parcel.

The subject application is proposing to utilize the Agricultural Land Commission's (ALC) Homesite Severance Policy in order to transfer the remainder parcel to the next generation of farmers for the purposes of cranberry production. It is recommended that the ALR Subdivision Application be forwarded to the Agricultural Land Commission (ALC).

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



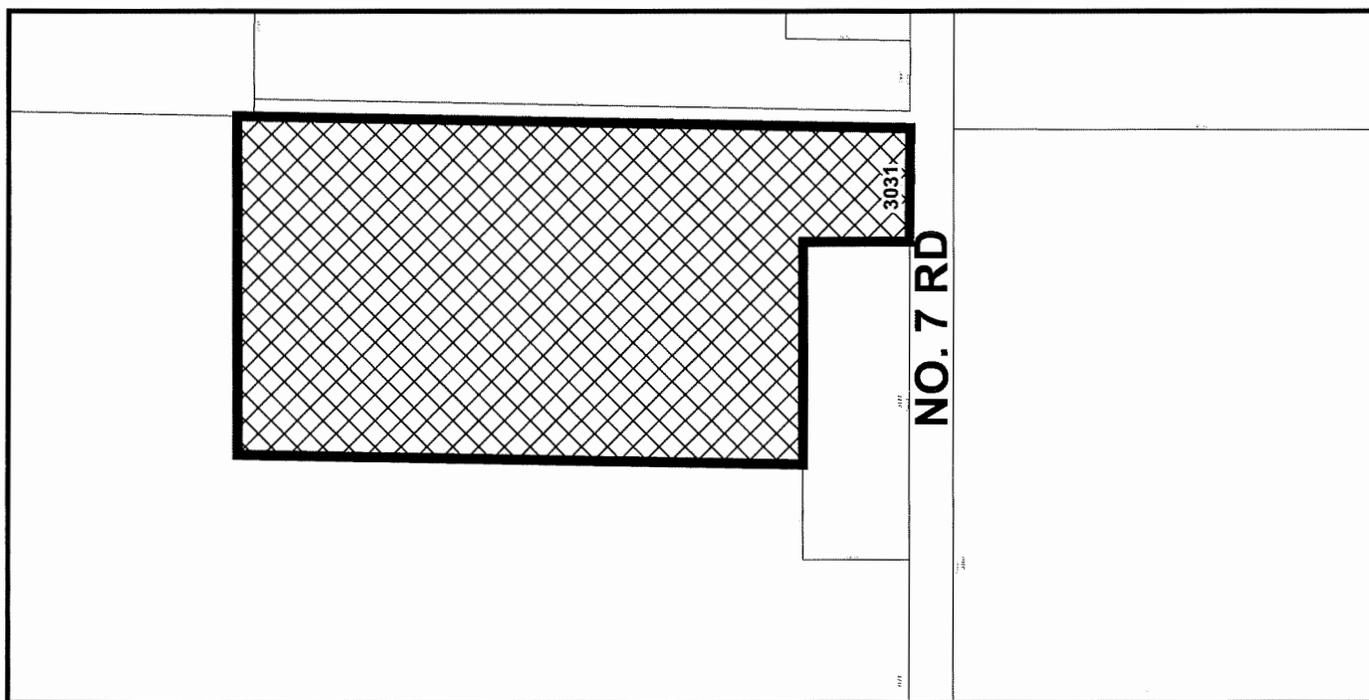
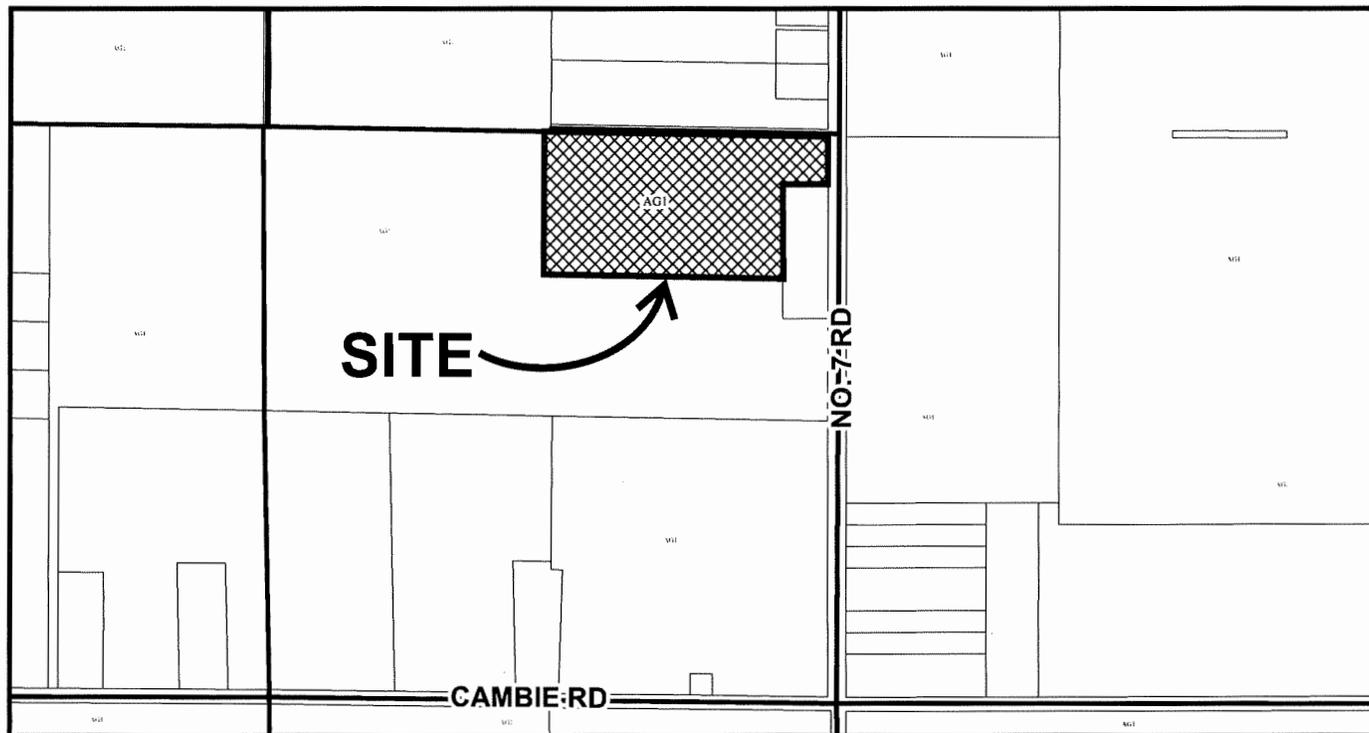
Steven De Sousa  
Planner 1

SDS:rg

- Attachment 1: Location Map & Aerial Photo
- Attachment 2: Agricultural Land Commission's Homesite Severance Policy (Policy L-11)
- Attachment 3: Development Application Data Sheet
- Attachment 4: Excerpt from the June 18, 2020 FSAAC Meeting Minutes
- Attachment 5: Letter from the Property Owner regarding Transfer of the Remainder Parcel
- Attachment 6: Proposed Subdivision Plan
- Attachment 7: Agrologist Report
- Attachment 8: ALR Subdivision Considerations



# City of Richmond



	<h2>AG 20-891572</h2>	<p>Original Date: 02/25/20 Revision Date: Note: Dimensions are in METRES</p>
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City of  
Richmond



**SUBJECT  
PROPERTY**

3031

NO. 7 RD

CAMBIE RD



**AG 20-891572**

Original Date: 02/25/20

Revision Date:

Note: Dimensions are in METRES

 <p><b>Agricultural Land Commission Act</b></p>	<p style="text-align: right;"><b>Policy L-11</b> <b>January 2016</b></p> <p style="text-align: center;"><b>HOMESITE SEVERANCE ON ALR LANDS</b></p>
--------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------

*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), including amendments as of September 2014, (the "ALCA") and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016, (the "Regulation"). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.*

The purpose of this policy is to provide a consistent approach to situations where property under application has been the principal residence of the applicant as owner-occupant since December 21, 1972 and the applicant wishes to dispose of the parcel but retain a homesite on the land.

A subdivision application under Section 21 (2) of the ALCA is required.

Persons making use of this homesite severance policy (the "Homesite Severance Policy") must understand the following:

- a. there is no automatic right to a homesite severance;
- b. the Agricultural Land Commission (the "Commission") shall be the final arbiter as to whether a particular homesite severance meets good land use criteria; (see #4 below)
- c. a prime concern of the Commission will always be to ensure that the "remainder" will constitute a suitable agricultural parcel. (see #5 below).

Without limiting the generality of the foregoing, the following guidelines apply to homesite severance applications.

1. A once only severance may be permitted where the applicant submits documentary evidence that he or she has continuously owned and occupied the property as his or her principal place of residence since December 21, 1972.
2. Where an applicant for a homesite severance has had a previous subdivision application approved by the Commission resulting in the creation of a separate parcel, the Commission may deny any further subdivision under the Homesite Severance Policy.
3. An application for a homesite severance will be considered only where the applicant submits documentary evidence showing a legitimate intention to sell the remainder of the property upon the approval of the homesite severance application. (An interim agreement for sale, a prospective buyer's written statement of intent to purchase, a real estate listing, or some other written evidence of a pending real estate transaction may be acceptable as documentation)

In considering the application, the Commission may make an approval subject to sale of the remainder within a specified period of time.

An order of the Commission authorizing the deposit of the subdivision plan will be issued to the Registrar of Land Titles only when a transfer of estate in fee simple or an agreement for sale is being registered concurrently.

4. There will be cases where the Commission considers that good land use criteria rule out any subdivision of the land because subdivision would compromise the agricultural integrity of the area, and the Commission will therefore exercise its discretion to refuse the homesite severance.

The following two options apply to a homesite severance:

- a. the existing homesite may be created as a separate parcel where it is of a minimum size compatible with the character of the property (plus a reasonable area, where required, for legal access purposes); or
  - b. where the location of the existing homesite is such that the creation of a parcel encompassing the homesite would, in the Commission's opinion, create potential difficulty for the agricultural operation or management of the remainder, the Commission may, if it deems appropriate, approve the creation of a homesite severance parcel elsewhere on the subject property.
5. The remainder of the subject property after severance of the homesite must be of a size and configuration that will, in the Commission's opinion, constitute a suitable agricultural parcel. Where, in the Commission's opinion, the remainder is of an unacceptable size or configuration from an agricultural perspective, there may be three options:
    - a. the Commission may deny the homesite severance;
    - b. the Commission may require that the remainder be consolidated with an adjacent parcel; or
    - c. the Commission may require the registration of a covenant against the title of the remainder and such a covenant may prohibit the construction of dwellings.
  6. A condition of every homesite severance approved by the Commission shall be an order stipulating that the homesite is not to be sold for five years except in the case of the death of the owner. Prior to the issuance of a Certificate of Order authorizing deposit of the subdivision plan, the owner shall file with the Commission a written undertaking or other legal documentation satisfactory to the Commission setting out this commitment.
  7. Where a homesite severance application has been approved by the Commission, local governments and approving officers are encouraged to handle the application in the same manner as an application under Section 514 of the [Local Government Act](#) insofar as compliance with local bylaws is concerned.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.

**RELATED POLICY:**

*ALC Policy L-17 Activities Designated Permitted Non-Farm Use in the ALR: Lease for a Retired Farmer – Zone 2*



**AG 20-891572**

**Attachment 3**

Address: 3031 No. 7 Road

Applicant: Dagneault Planning Consultants Ltd.

Planning Area(s): East Richmond

	<b>Existing</b>	<b>Proposed</b>
<b>Owner:</b>	David May (50%) & Mayland Farms Ltd. (Director: Kim May) (50%)	Homesite: No change Remainder: Garrett May
<b>Site Size:</b>	7.29 ha (18.03 ac)	Homesite: 1.29 hectare (3.2 acres) Remainder: 6 hectare (14.83 acre)
<b>Land Uses:</b>	Single-family residential & agriculture	Homesite: Single-family residential Remainder: Agriculture
<b>OCP Designation:</b>	Agriculture (AGR)	No change
<b>Zoning:</b>	Agriculture (AG1)	No change
<b>Number of Units:</b>	1	No change

	<b>Bylaw Requirement</b>	<b>Existing</b>	<b>Variance</b>
Floor Area Ratio:	Max. 400 m <sup>2</sup> (4,306 ft <sup>2</sup> )	Approx. 619.8 m <sup>2</sup> (6,671 ft <sup>2</sup> ) (legal non-conforming)	None permitted
Farm Home Plate Area:	Max. 1,000 m <sup>2</sup> (10,764 ft <sup>2</sup> )	Approx. 12,900 m <sup>2</sup> (138,854 ft <sup>2</sup> ) (legal non-conforming)	None
Setback – Farm Home Plate:	Max. 75 m	Approx. 180.4 m (legal non-conforming)	None
Setback – Single Detached Housing Building:	Max. 50 m	Approx. 152.3 m (legal non-conforming)	None
Setback – Front Yard (East):	Min. 6.0 m	Approx. 134.8 m	None
Setback – Side Yard (North):	Min. 6.0 m	Approx. 30.9 m	None
Setback – Side Yard (South):	Min. 1.2 m	Approx. 24.5 m	None
Setback – Rear Yard (West):	Min. 10.0 m	Approx. 28.1 m	None
Height:	Max. 9.0 m (2 storeys)	Approx. 7.8 m (2 storeys)	None

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

**Thursday, June 18, 2020 – 7:00 p.m.  
Rm. M.2.002 (Webex)  
Richmond City Hall**

**ALR Subdivision Application – 3031 No. 7 Road**

Steven De Sousa, Planner 1, introduced the subdivision application and provided the following comments:

- The purpose of the application is to subdivide the homesite from the remainder parcel for the purposes of farm succession planning;
- The property is currently farmed as forage crops and has farm status, and the intention is to transition the remainder parcel to cranberry production for the next generation of farmers;
- The application proposes to make use of the ALC's Homesite Severance Policy, which includes a number of guidelines, including an assessment of the agricultural integrity of the area as a result of the subdivision;
- Despite the ALC's policy, there is no automatic right to a homesite severance approval; and
- Should the application be approved by Council and the ALC, the applicant has agreed to register a legal agreement on title to ensure that no residential development is permitted on the remainder parcel.

The property owner noted that the main purpose of the application is for farm succession planning and to transfer the remainder parcel to his children.

Discussion ensued regarding the requirement of the restrictive covenant prohibiting residential development on the remainder parcel.

As a result of the discussion, the applicant indicated that the children are all currently housed, but need title in order to farm, and the proposal will maintain the agricultural integrity of the land.

The Committee passed the following motion:

*That the Food Security and Agricultural Advisory Committee support the ALR Subdivision Application at 3031 No. 7 Road (AG 20-891572).*

*Carried Unanimously*



2611 No.7 Rd. Richmond BC V6V-1R3 Phone: 604-278-1663

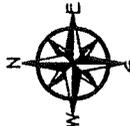
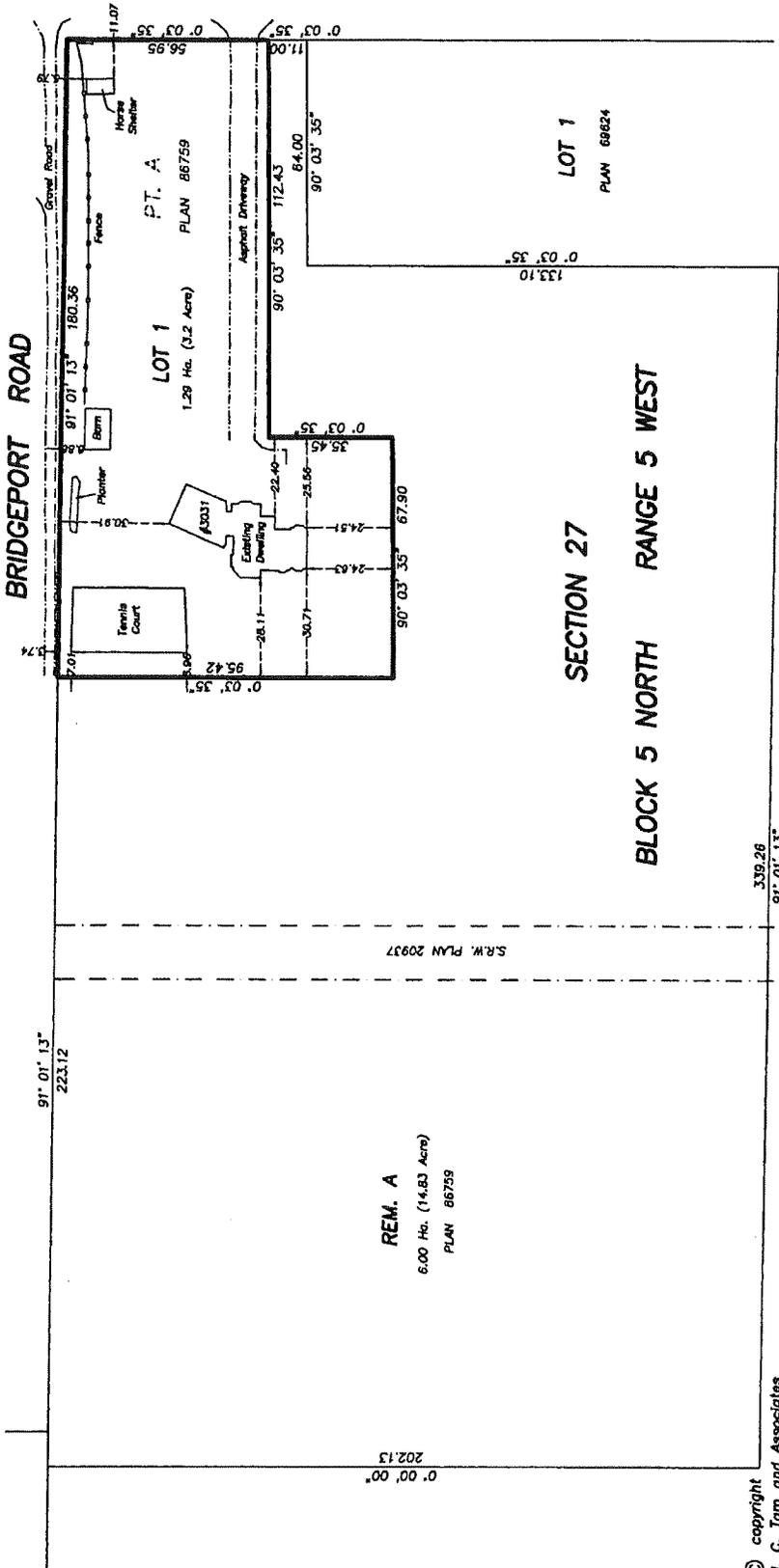
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To whom it may concern:

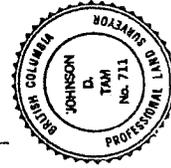
Regarding the succession process of Mayland Farms, Mayland Farms requests approval of the subdivision at **3031 No. 7 Road Richmond B.C V6V 1R3**. The transfer of ownership of this property will be from Mr. David and Kim May and inherited by Mr. Garrett May.

David and Kim May  
Mayland Farms Ltd.

**SKETCH PLAN OF PROPOSED SUBDIVISION OF PART OF LOT A SECTION 27  
BLOCK 5 NORTH RANGE 5 WEST NEW WESTMINSTER DISTRICT PLAN 86759**



CERTIFIED CORRECT:



*Jonathan D. Tam*  
 JOHNSON C. TAM, B.C.L.S., C.L.S.  
 October 9th, 2019.

SECTION 27  
 BLOCK 5 NORTH RANGE 5 WEST

REM. NORTH 20 CHAINS SECTION 27

SCALE: 1:1250



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. 7404  
 Drawn By: KA

DWG No. 7404-PRO-SUB

Bearings and distances are derived from Plan 86759



R.G. (Bob) Holtby, MSc, PAg. Principal

# An Opinion on an Application for a Homesite Severance in the Agricultural Land Reserve

Client: Mayland Farms Ltd. and  
David May

Date: January 10, 2020

## 1.0 Introduction

David May is the owner of Mayland Farms Ltd which, in turn, owns, amongst others, two properties that he wishes to subdivide to put his succession plan for his four children into effect.

The application to the Agricultural Land Commission is a companion application to one to adjust boundaries for four lots which would be reduced to three and to subdivide a parcel into two. The first application is being made directly to the City of Richmond under Section 10 (1)(c) of the *Agricultural Land Reserve General Regulation*. The latter application will be made through the ALC Portal

The succession plan involves six parcels as shown in Figure 1:

**Figure 1: Lots Proposed for Succession Plan**



Lots 1 to 4 are the subject of the application to the City of Richmond. Lot 5 is proposed for subdivision under the Homesite Severance Policy, the current application. Lot 6 is a subdivision to make the division equitable and will be the subject of another application to the ALC. The applicant owns other lots as detailed in the application.

## 2.0 Qualifications

I am a licensed Agrologist and have been a full member of the B.C. Institute of Agrologists since 1971 (except 2001-2002). I am a graduate from the University of British Columbia with a Bachelor of Science degree in 1967, specializing in Agriculture Economics, and a Master of Science degree in 1972, specializing in Farm Management. My thesis for my Master's degree was entitled *Resource Allocation for the Median Peace River Farm in British Columbia*

I have been involved in the work of the Agricultural Land Commission since 1974 when the reserve boundaries were proclaimed. At that time, I was District Agriculturist for the British Columbia Ministry of Agriculture in Prince George. In October 1978 I entered private practice and have provided professional opinions for clients who have sought amendments to the Agricultural Land Reserve boundaries, subdivision within the ALR,

or who have needed assistance in compliance with requests or orders from the Commission.

I have also written and spoken of the need to address the unintended consequences of the provincial land use policy.

All agricultural assessments, whether they are for feasibility or management purposes, start with the soils. Past that point one needs an understanding of plant science, animal science and farm management to properly assess the farming potential of any site. I have demonstrated that understanding throughout my career.

During my years in both public and private practice, Courts and Review Boards have accepted me as an expert regarding farming practices in British Columbia. Consequently, I feel qualified to provide an assessment of a proposal under the *Agricultural Land Commission Act*. My qualifications and experience allow me to comment on the value of agricultural land and the practices of farming on that land.

Consequently, I believe I am qualified to comment on the two main purposes of the Agricultural Land Commission. That is: to preserve the agricultural land reserve; and to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest.

I have been a member of the Environmental Appeal Board and the Forest Appeals Commission. Following these appointments, I have received training in Administrative Law and the Rules of Natural Justice.

Since the inception of the Application Portal, I have been identified in the application as the “Agent.” The reader should note that I do not act as an agent in the normal use of the term. That is, I have no fiduciary responsibility to the applicant.

Section 3 of the Code of Ethics of the BC Institute of Agrologists includes the paragraph:

ensure that they provide an objective expert opinion and not an opinion that advocates for their client or employer or a particular partisan position.

Given the complexity of the Portal, it is more expeditious for me to enter the data and forward correspondence than to expect the applicants to learn the procedure for what may be a one-time process.

I have requested that the Commission use the term “Consultant” rather than “Agent” as it describes the work performed. Given the refusal to amend the title, I am content in the understanding that I am acting in concert with the requirements of my profession whatever term is used.

### **3.0 Subdivision Proposal**

Lot 5 is described as:

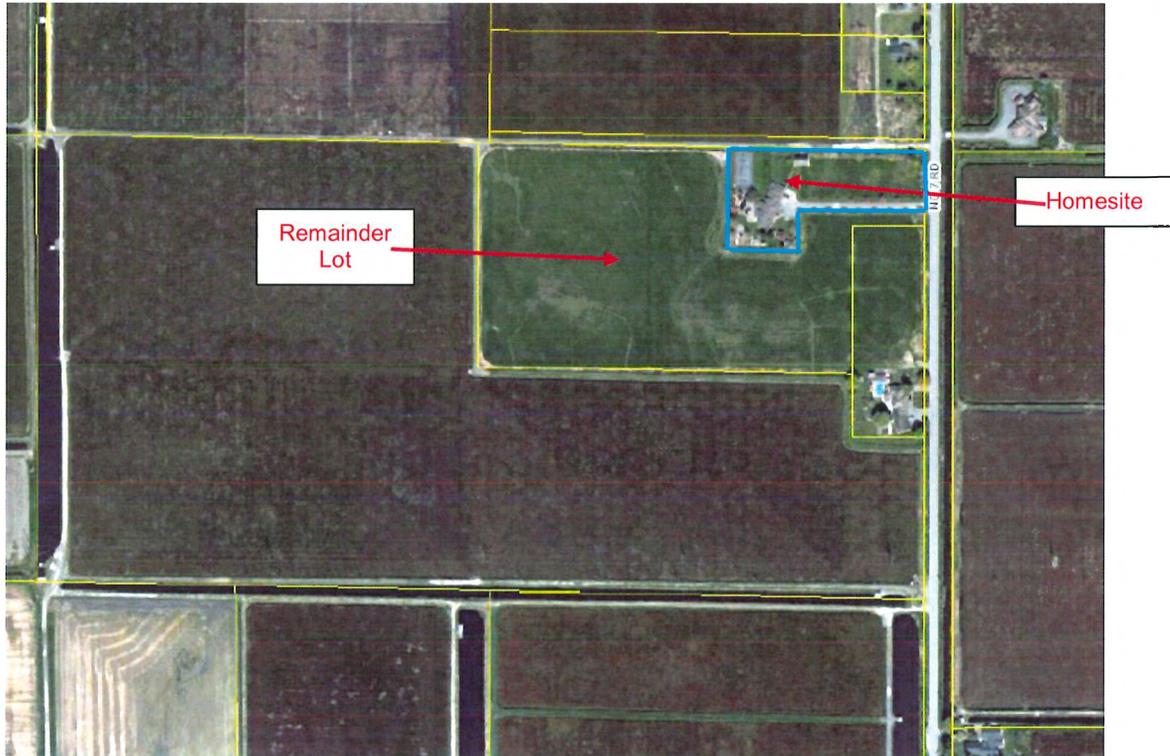
Lot A Section 27 Block 5 North Range 5 West New Westminster District  
Plan 86759; PID 016-473-591; located at 3031 No 7 Road containing  
18.02 acres or 7.29 hectares.

An aerial view is shown in Figure 2:

The lot contains 18.02 acres or 7.29 hectares. The proposal subdivides a 3.2 acre (1.3 hectare) homesite leaving the remainder with 14.82 acres or 5.98 hectares. The

subdivision includes an approximate 35 foot (11 metre) wide panhandle to allow access to the remainder land.

**Figure 2: Aerial View of Lot 5**



On May 14, 1971, Fredrick Duncan Henry May established a trust<sup>1</sup> entitled “The Duncan May Children Trust” and named Ralph Norman May, John Randall May, and John Samuel Savage as Trustees.

The beneficiaries of the Trust were his children, namely Hugh Randall May, John Ronald May, Duncan Spence May, David Walter May, and Richard Glen May. The applicant is formally named David Walter May.

On May 17, 1971, the Trustees purchased in the name of the Trust the following land<sup>2</sup> from the Commercial Peat Company Ltd.:

The North Twenty (20) Chains<sup>3</sup> of Section Twenty Seven (27), Block 5 North (B5N), Range Five West (R5W), save and except the East (E) Thirty-Three (33) feet thereof, and save and except portion outlined in red on Plan with Bylaw Filed 56297, Title No. 488752E, New Westminster District.

This land is shown in Figure 3.

<sup>1</sup> The Trust Document is attached to the application.

<sup>2</sup> The Deed Transfer is attached to the application.

<sup>3</sup> One Chain is 66 feet or four rods. 20 chains equals 1320 feet or a quarter of a mile.

**Figure 3: Land Purchased in 1971**



There were two applications to the Agricultural Land Commission decided in 1984 (Resolution #1074/84) and 1988 (Resolution #266/88) that left the land in the configuration shown in yellow in Figure 3. Other lots were created and consolidated following those applications.

During the period of the application and the implementation of the succession plan, the parcel ownership varied according to the following table:

Date	Owner	Title No.	Legal Description
May 25, 1971	Ralph May, John May, and John Savage in trust	722387E	N 20 chains, Sec 27, Block 5N, Range 5 W except E 33 chns and Plan Bylaw 56297
November 16, 1982	May Bros Farms Ltd.	RD170379E	
May 23, 1985	Mayacres Farms Ltd.	Y80698E	
September 9, 1990	Mayacres Farms Ltd.	AD211793	Lot A, Sec 27, Blk 5N Range 5 W, NW District, Plan 86759
November 26, 1990	Fredrick Duncan May	AD267043	
December 3, 1990	Mayland Farms Ltd.	AD274139	
December 20, 1990	Mayland Farms Ltd and David Walter May	AD287826	

Policy L-11 restricts a Homesite Severance to properties where:<sup>4</sup>

<sup>4</sup> Section 1, Policy L-11, Homesite Severance on ALR Lands.

A once only severance may be permitted where the applicant submits documentary evidence that he or she has continuously owned and occupied the property as his or her principal place of residence since December 21, 1972. 2

As the above table shows, David May has had an ownership interest in the subject parcel since 1971 and built his house while the previous applications were in process. Once the applications were approved, he was able to gain title which he subsequently split between himself and his company.

Section 3 of the Policy states:<sup>5</sup>

3. An application for a homesite severance will be considered only where the applicant submits documentary evidence showing a legitimate intention to sell the remainder of the property upon the approval of the homesite severance application. (An interim agreement for sale, a prospective buyer's written statement of intent to purchase, a real estate listing, or some other written evidence of a pending real estate transaction may be acceptable as documentation) In considering the application, the Commission may make an approval subject to sale of the remainder within a specified period of time.

An order of the Commission authorizing the deposit of the subdivision plan will be issued to the Registrar of Land Titles only when a transfer of estate in fee simple or an agreement for sale is being registered concurrently.

In my opinion, the policy envisions an arms length sale of the remainder property. In this case, however, the remainder property will be transferred as a non-arms length transaction to a family member under the succession plan. Consequently, a "transfer of estate in fee simple" will be available to complete the subdivision.

The makeup of the succession plan is dependent on the approval of this and other applications.

Section 5 of the Policy states:<sup>6</sup>

5. The remainder of the subject property after severance of the homesite must be of a size and configuration that will, in the Commission's opinion, constitute a suitable agricultural parcel. Where, in the Commission's opinion, the remainder is of an unacceptable size or configuration from an agricultural perspective, there may be three options:

- a. the Commission may deny the homesite severance;
- b. the Commission may require that the remainder be consolidated with an adjacent parcel; or
- c. the Commission may require the registration of a covenant against the title of the remainder and such a covenant may prohibit the construction of dwellings.

The remainder parcel will be part of the succession plan which will ensure that it becomes part of a viable farm unit. The applicant has no objection to a "no build" covenant on the parcel.

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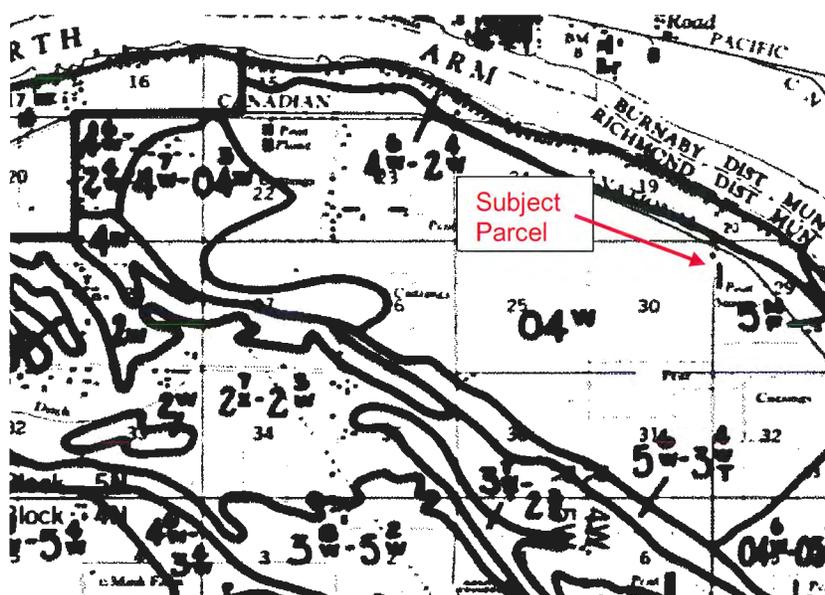
<sup>5</sup> Ibid, Section 3

<sup>6</sup> Ibid, Section 5

#### 4.0 Agricultural Capability of the Subject Parcels

The parcels under application are part of the Peat Soils area of East Richmond as shown in Figure 5:

Figure 4: Canada Land Inventory Classifications of the Subject Parcels



As is shown, the parcel is on the organic soils. The parcel has been farmed for some time and is clearly arable.

In my opinion, there is no soils impediment to the continued farming of this parcel by the next generation.

#### 5.0 Local Government Concerns

According to the Property Information provided by the City of Richmond, the property is zoned AG1. According to the Zoning Bylaw:

##### 14.1.8 Subdivision Provisions/Minimum Lot Size

1. Subdivision of land in the Agricultural Land Reserve shall not be permitted unless approved by the Provincial Agricultural Land Commission. Where the approval of the Provincial Agricultural Land Commission is not required, the minimum lot area shall be 2.0 ha.

The noted approval is the subject of the present application. The Homesite severance is proposed as 3.2 acre (1.3 hectare).

#### 6.0 The Bases for Providing an Opinion

Amendments to the *Agricultural Land Commission Act* in 2019 have changed the purposes of the Agricultural Land Commission. As a consequence, the framework for my Opinion must change.

The previous purposes were provided in Section 6 of the *Act*:

- (a) to preserve agricultural land;

- (b) to encourage farming on agricultural land in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies

The new purposes are:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

The standards of review for decisions and processes of administrative bodies (including the ALC), as outlined in the Supreme Court of BC are as follows:<sup>7</sup>

[56] The standard of review for issues of procedural fairness is correctness:  
*Murray Purcha & Son Ltd. v. Barriere (District)*, 2019 BCCA 4 at paras. 3, 23–29.

[57] The standard of review for substantive decisions is reasonableness:  
*Boundary Bay Conservation Committee v. British Columbia (Agricultural Land Commission)*, 2008 BCSC 946 at paras. 88–91;  
*Walters v. Agricultural Land Commission*, 2016 BCSC 1618 at para. 124.

In adjudicating a previous case, the Court of Appeal made the following statement which provides input into the issue of “correctness” in the procedure of the ALC:<sup>8</sup>

I cannot find the Commission took into account irrelevant considerations, failed to take into account relevant considerations, or that it acted without evidence.

The concept of “reasonableness” has been defined by the Supreme Court of Canada as follows:<sup>9</sup>

Reasonableness is concerned mostly with the existence of justification, transparency and intelligibility within the decision-making process and with whether the decision falls within a range of possible, acceptable outcomes which are defensible in respect of the facts and the law.

As a non-lawyer, my understandings of the changes and rulings are as follows:

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<sup>7</sup> *R.N.L. Investments Ltd. V. Provincial Agricultural Land Commission*, 2019 BCSC 1191, Paragraphs 56 and 57

<sup>8</sup> *Brentwood Pioneer Holdings Ltd. v. British Columbia (Provincial Agricultural Land Commission)*, – 1998/08/27, Paragraph 38

<sup>9</sup> *Dunsmuir v. New Brunswick*, [2008] 1 S.C.R. 190, 2008 SCC 9

- There is an equivalence in the Act<sup>10</sup> "agricultural land means land that is included in the agricultural land reserve" This equivalence may or may not be true. If not, there are provisions in the Act (Section 30) to remove the land from the ALR.

As I have written elsewhere, it has been some 45 years since the ALR boundaries were proclaimed following the Canada Land Inventory classifications. Yet, discrepancies still exist. I believe that the ALC and the Ministry of Agriculture have an ethical obligation to ensure that the land within the ALR is actually capable of the Farm and Non-Farm activities to which it is restricted.

- Where an application does not request for removal of land from the ALR, that purpose of the Commission is satisfied.
- The procedures of the Commission must be correct. Those procedures do not allow taking into account irrelevant considerations, failing to take into account relevant considerations, or acting without evidence. An example of an irrelevant consideration, in my opinion, is the question in the application: "Does the proposal support agriculture in the short or long term? Please explain." Such a question is not part of the Purposes of the ALC as mandated by the Legislature.
- The concept of "to encourage farming" has been retained as part of the purposes of the Commission. In my experience I have not seen any decisions of the Commission that use this purpose as a reason for a decision. My search of decisions of the Supreme Court of BC and the BC Court of Appeals resulted in no cases where this purpose was used as a review of a Commission Decision. I cannot find any policy of the Commission which provides guidance on encouraging farming.
- The term "Communities of Interest" is not defined. I believe that it should include non-farm activities that provide to the overall family income without limiting the productivity of the farm. Activities such as logging, or construction would fit into this category.
- I believe that it is time to utilize the purpose of encouraging farming as part of the adjudication of applications to the Commission. I believe that it is correct to do so and conversely, incorrect to not do so.
- The object of the third purpose of the Commission in both Acts require the Commission to encourage local governments to accommodate farm use. I assume that the Zoning Bylaws and Official Community Plans reflect that accommodation.

## 7.0 What is Farming and How to Encourage it?

The Act does not describe "Farming" but does describe "Farm Use" as follows:

- (a) means an occupation or use of agricultural land for
  - (i) farming land, plants, mushrooms, truffles or animals,
  - (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*, or
  - (iii) a purpose designated as a farm use by regulation, and

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<sup>10</sup> *Agricultural Land Commission Act*, Definitions

(b) does not include a residential use or a soil or fill use;

The Farm Practices Protection (Right to Farm) Act defines “Farm Business” as:

... a business in which one or more farm operations are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more farm operations;

“Farm Operations” under the latter Act are defined as:

... any of the following activities involved in carrying on a farm business:

- (a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- (b) clearing, draining, irrigating or cultivating land;
- (c) using farm machinery, equipment, devices, materials and structures;
- (d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- (e) conducting any other agricultural activity on, in or over agricultural land;

and includes

- (f) intensively cultivating in plantations, any
  - (i) specialty wood crops, or
  - (ii) specialty fibre crops prescribed by the minister;
- (g) conducting turf production
  - (i) outside of the agricultural land reserve, or
  - (ii) in the agricultural land reserve with the approval under the Agricultural Land Commission Act of the Provincial Agricultural Land Commission;
- (h) prescribed types of aquaculture;
- (i) raising or keeping fur bearing animals or game, within the meaning of a regulation made under the Animal Health Act, by a person licensed or permitted to do so under that Act;
- (k) processing or direct marketing by a farmer of one or both of
  - (i) the products of a farm owned or operated by the farmer, and
  - (ii) within limits prescribed by the minister, products not of that farm, to the extent that the processing or marketing of those products is conducted on the farmer's farm;

but does not include

- (l) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice as defined in the Forest and Range Practices Act;
- (m) breeding pets or operating a kennel;

(n) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the minister

And finally, "Farmer" is defined as:

... the owner or operator of a farm business

In summary, a farm is a business in which farming operations are conducted. A business is generally defined as "any activity or enterprise entered into for profit."<sup>11</sup> As an undergraduate, I was taught that the purpose of farming is to make a profit.

Therefore, to encourage farming, the ALC must permit activities that generate an expectation of profit.

## 8.0 Summary and Conclusion

As I have concluded above, the duty of the Commission is to fulfill the purposes as provided by the Legislature. Again, these are:

The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;

The first purpose is binary. The decision either preserves the Agricultural Land Reserve or it doesn't. The application for subdivision of the lot preserves all land in the agricultural land reserve.

In my opinion, the subdivisions and passing of titles to the next generation of farmers encourages farming on the land, particularly because of the acquisition of titles by the next generation of farmers. With titles, the new farmers can continue to fully utilize the land for farming and have a reasonable expectation of profit. Accordingly, Section 6(b) of the purpose of the Commission will be fulfilled.

In my opinion, the application meets the criteria for the Homesite Severance Policy since David May has maintained a chain of ownership interest in the property since purchase in 1971. Permitting the severance allows the remainder parcel to be in the land inventory for the succeeding children who will farm it actively with title.

I remain available to discuss my findings and opinions in this report.

Respectfully submitted,



R.G. (Bob) Holtby, P.Ag.

January 10, 2020

<sup>11</sup> Law.com <http://dictionary.law.com/Default.aspx?typed=business&type=1>



City of  
Richmond

## ALR Subdivision Considerations

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

**Address:** 3031 No. 7 Road

**File No.:** AG 20-891572

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

1. Registration of a legal agreement on title to ensure no residential development is permitted on the remainder parcel (no build covenant).

**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



**To:** General Purposes Committee

**Date:** August 26, 2020

**From:** Wayne Craig  
Director, Development

**File:** RZ 18-836123

**Re:** **Application by Polygon Talisman Park Ltd. to Create the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” Zone, and Rezone the Site at 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road from the “Single Detached (RS1/F)” Zone to the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” Zone**

**Staff Recommendation**

That Richmond Zoning Bylaw 8500, Amendment Bylaw 10198 to create the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone, and to rezone 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road from the “Single Detached (RS1/F)” zone to the “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” zone and the “School and Institutional Use (SI)” zone, be introduced and given first reading.

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

WC:sb  
Att. 11

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Affordable Housing	<input checked="" type="checkbox"/>	<i>Wayne Craig for Joe Erceg</i>
Community Social Development	<input checked="" type="checkbox"/>	
Parks Services	<input checked="" type="checkbox"/>	
Recreation and Sport Services	<input checked="" type="checkbox"/>	
Sustainability and District Energy	<input checked="" type="checkbox"/>	
Transportation	<input checked="" type="checkbox"/>	

## Staff Report

### Origin

Polygon Talisman Park Ltd. has applied to the City of Richmond for permission to rezone the site at 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road (Attachments 1 & 2) from the “Single Detached (RS1/F)” zone to a new “Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)” site specific zone and the “School and Institutional Use (SI)” zone to permit the development of a mixed-use mid-rise and high-rise development. The subject site is located in Capstan Village within the City Centre (Attachment 3).

The applicant is a company incorporated in BC under the number BC1167752 and is the owner of the subject properties. The directors and officers of the company are Robert Bruno and Neil Chrystal. The application was submitted by Robin Glover, authorized agent for the owner and applicant.

Key components of the proposal (Attachments 4 & 5) include:

- A three-phase mid-rise and high-rise, high density, mixed-use development with 4,748 m<sup>2</sup> (1.17 acres) of City-owned park and 2,244 m<sup>2</sup> (0.56 acres) of secured public open space.
- A total floor area of approximately 109,558.76 m<sup>2</sup> (1,179,280 ft<sup>2</sup>) comprised of:
  - 10,432.83 m<sup>2</sup> (112,298 ft<sup>2</sup>) of low-end-of-market rental (LEMR) affordable housing units in a stand-alone 11,417.88 m<sup>2</sup> (122,901 ft<sup>2</sup>) building.
  - 5,312.57 m<sup>2</sup> (57,184 ft<sup>2</sup>) of market rental housing in a stand-alone building.
  - 92,044.32 m<sup>2</sup> (990,756.81 ft<sup>2</sup>) of market strata housing.
  - 784 m<sup>2</sup> (8,438 ft<sup>2</sup>) of commercial space.
- Additional 2,615 m<sup>2</sup> (28,148 ft<sup>2</sup>) indoor amenity space provided over the three phases.
- Approximately 1,226 residential units (150 affordable housing units, 65 market rental housing units, and 1,011 market strata housing units).

Road and engineering improvement works will be secured through the City’s standard Servicing Agreement processes prior to final adoption of the rezoning bylaw. The works include park and road network development, frontage improvements, pedestrian trail, and utility upgrades.

### Findings of Fact

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

### Subject Site Existing Housing Profile

On the subject site there are currently five single-family dwellings and a temporary sales centre for the development under construction across Sexsmith Road to the west. Three previous

single-family dwellings have been demolished. None of the eight single-family dwellings had a secondary suite.

### **Surrounding Development**

To the North: Across Capstan Way, is a development site that is the subject of a separate rezoning application (RZ 18-836107) for a mixed-use development. The west portion of the site is designated under the City Centre Area Plan (CCAP) for medium to high-density mid to high-rise mixed-use development (Urban Center T5 (35 m)). The east portion of the site is designated for low to medium density low to mid-rise residential development with limited commercial uses (General Urban T4 (25 m)). The rezoning application is under staff review and will be subject to a separate report upon completion of the staff review.

To the South: Along the southwest edge of the subject site, are an adjacent single-family dwelling and church site. The single-family site is designated under the City Centre Area Plan (CCAP) for high density high-rise mixed-use development (General Urban T4 (25 m) and Village Centre Bonus). The church site is designated for institutional and low to medium density low to mid-rise residential development with limited commercial uses (General Urban T4 (25 m) and Institution). Along the south edge of the site, across Cambie Road in Aberdeen Village, is a three-storey strata commercial mall and a vacant development site designated for urban business park development (General Urban T4 (25 m)).

To the East: Across Garden City Road in the Oaks West Cambie neighbourhood, is a single-storey commercial development and two-storey townhouse development.

To the West: Across Sexsmith Road, is a low-rise strata commercial mall and a recently approved high-density high-rise development (DP 18-818748) by the same developer is under construction. Both of the sites are designated under the City Centre Area Plan (CCAP) for high-density high-rise mixed-use development (Urban Center T5 (35 m)).

### **Related Policies & Studies**

#### Official Community Plan/City Centre Area Plan

The Official Community Plan (OCP) designation for the subject site is “Mixed Use”.

The City Centre Area Plan (CCAP) Specific Land Use Map: Capstan Village (2031) (Attachment 3) designation for portions of the subject site includes ‘Urban Centre T5 (35 m)’, ‘General Urban T4 (25 m)’, ‘Park-Configuration & location to be determined’ and new roads.

The subject site is located within the ‘Capstan Station Bonus’ and ‘Village Centre Bonus’ CCAP density bonusing areas. The proposal also accommodates the density bonus identified in the OCP policy to encourage the development of new purpose-built market rental housing units.

The developer is required to provide ownership of the stand alone lot in the southwestern portion of the subject site to the City as road dedication for the extension of Odlin Crescent.

After density bonuses from the provision of affordable housing, market rental housing, roads, park and public open space, the CCAP allows for medium-density mid-rise residential development with limited commercial uses on the southeastern portion of the subject site (proposed Phase 1, Lot 1 (South Lot)), and high-density high-rise mixed-use development on the northeastern (proposed Phase 2, Lot 2 (East Lot)) and western (proposed Phase 3, Lot 3 (West Lot)) portions of the subject site.

The CCAP also allows for additional building height east of Sexsmith Road for developments that comply with the provisions of the Capstan Station Bonus; on the western portion of the subject site where skyline and pedestrian experience are enhanced; and on the eastern portion of the subject site where livability of the subject site and neighbouring sites is enhanced.

The proposal is consistent with current OCP and CCAP policies applicable to the subject site.

#### OCP Aircraft Noise Sensitive Development (ANSD) Policy

The subject site is located in an area impacted by aircraft noise (Area 2) and registration of an aircraft noise sensitive use legal agreement on title is required prior to final adoption of the rezoning bylaw. The purpose of the legal agreement is to ensure that the building design satisfies CMHC guidelines for interior noise levels and ASHRAE standards for interior thermal comfort, and potential purchasers are made aware of potential noise conditions. The developer has provided confirmation from a qualified acoustic professional that the proposed development can be designed in compliance with the ANSD standards.

#### NAV Canada Building Height

Transport Canada regulates building heights in locations that may impact airport operations. The developer has submitted confirmation from a BC Land Surveyor that the proposal, including maximum building height of 45 m (147.6 ft.), complies with Transport Canada regulations.

#### 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**

Rezoning signs have been installed on all four frontages of the subject site.

Staff have received an item of public correspondence from the public (Attachment 6), expressing concern of the loss of Barn Owl hunting habitat and a desire to find a viable solution that preserves habitat for Barn Owls. Barn Owls have been recorded by the correspondent hunting in the large grass area centrally located on the subject site – ***Prior to final adoption of the rezoning bylaw, the developer is required to enter into a Servicing Agreement to design and construct***

***off-site hunting habitat enhancements. Further details are provided in the 'Barn Owl Hunting Habitat Compensation' section below.***

Staff have received an additional item of public correspondence from the public (Attachment 6), with photographs of hawks in trees at 8791 Cambie Road, which composes part of the subject development site. The author has noted hawks nesting and/or hunting in trees on that lot. – ***In response to this correspondence, City staff have required the applicant's Qualified Environmental Professional (QEP) to conduct a site inspection with the purpose of providing an inventory of raptors and raptor nests on the proposed development site. The QEP has provided staff with a letter (Attachment 7) confirming that, although raptors were observed on the site, no nests were present. Staff note that the habitat compensation secured for the barn owls will also serve hawks. Additional inspections would be required of any trees on the subject site prior to tree removal.***

Should the 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*.

### **External Agencies**

Ministry of Transportation and Infrastructure (MOTI): The subject development was referred to MOTI because it is located within 800 m (2,625 ft.) of Sea Island Way, which is a Provincial Limited Access Highway. MOTI has granted preliminary approval for the subject application and final approval is required prior to final adoption of the rezoning bylaw.

### **Analysis**

The applicant has applied to rezone the subject site to permit the construction of an approximately 109,558.76 m<sup>2</sup> (1,179,280 ft<sup>2</sup>) three-phase high-rise mixed-use development comprising five towers, three mid-rise buildings, 1,226 residential units (including 150 low-end-of-market rental affordable housing units and 65 market rental housing units), and ground floor commercial space, together with new park and road. The proposal is consistent with current OCP and CCAP policies applicable to the subject site, which encourage high-rise high-density mixed-use development on the western portion of the subject site and medium-density mid-rise residential development with limited commercial uses on the northeastern and southeastern portions of the subject site including, among other things, new park and public open space, street improvements, affordable housing, market rental housing, contributions for community amenities and Capstan Station construction, and off-site Barn Owl hunting habitat enhancements.

#### **1. Proposed Zoning Amendment**

To facilitate the subject development and provide for voluntary developer contributions in compliance with OCP Policy (i.e., market rental housing) and CCAP Policy (i.e., affordable housing, Capstan Station Bonus, and community amenity contributions), the applicant has requested that the subject site be rezoned to a new site specific zone, "Residential/Limited Commercial (ZMU47) - Capstan Village (City Centre)", which includes:

- **Maximum density:** The overall maximum density works out to 2.10 FAR calculated against the gross site area eligible for FAR calculation purposes and 2.86 FAR calculated against the net site area after the land transfer for the neighbourhood park and all road dedications. The proposed ZMU47 zone allows for: 2.1 floor area ratio (FAR) in the southeastern portion of the site (Phase 1 and Lot 1 (South Lot)), 2.61 FAR in the northeastern portion of the site (Phase 2 and Lot 2 (East Lot)), and 3.91 FAR in the northwestern portion of the site (Phase 3 and Lot 3 (West Lot)). This includes density bonuses related to the provision of affordable housing, market rental housing, park, public open space, roads, and funding for Capstan Station and Village Centre Bonus City amenities. The zone also includes the typical 0.1 FAR density bonus for common indoor amenity space for residents.
- **Permitted land uses:** Apartment and related land uses and at least 784 m<sup>2</sup> (8,438 ft<sup>2</sup>) of commercial space at the ground floor level.
- **Residential rental tenure restriction** relating to the provision of 215 rental units (e.g., 150 affordable housing low-end-of-market rental units and 65 market rental housing units).
- **Maximum building height:** 25 m (82 ft.) on the southeastern portion of the subject site, 35 m (115 ft.) to 45 m (148 ft.) on the northeastern portion of the subject site, and 45 m (148 ft.) on the northwestern portion of the subject site.
- **Maximum lot coverage, minimum setbacks, minimum lot size, and loading space provisions.**

2. Housing

- a) Dwelling Unit Mix: The OCP encourages multiple residential development to provide at least 40% of units with two or more bedrooms that are suitable for families with children. Staff support the applicant’s proposed unit mix, which includes 70% family friendly units.

Phase 1 on Lot 1 (South Lot) includes the following unit mix:

Unit Type	Tenure Type			Total
	Affordable Housing Units	Market Rental Housing Units	Market Strata Housing Units	
Studio	11% (17 units)	-	-	5% (17 units)
1-Bedroom	35% (52 units)	28% (18 units)	15% (20 units)	26% (90 units)
2-Bedroom	31% (47 units)	72% (47 units)	85% (112 units)	59% (206 units)
3-Bedroom	23% (34 units)	-	-	10% (34 units)
<b>Phase 1 Total</b>	<b>100% (150 units)</b>	<b>100% (65 units)</b>	<b>100% (132 units)</b>	<b>100% (347 units)</b>

Phase 2 and Phase 3 are designed to conceptual level, including the following unit mix:

Unit Type	Market Strata Housing Units		Total
	Phase 2	Phase 3	
Studio	2% (7 units)	2% (11 units)	2% (18 units)
1-Bedroom	28% (95 units)	28% (151 units)	28% (246 units)
2-Bedroom	56% (190 units)	56% (302 units)	56% (492 units)
3-Bedroom	14% (47 units)	14% (76 units)	14% (123 units)
<b>Phase 2 &amp; 3 Total</b>	<b>100% (339 units)</b>	<b>100% (540 units)</b>	<b>100% (879 units)</b>

- b) **Affordable Housing:** In compliance with the City’s Affordable Housing Strategy, the developer proposes to design and construct 150 low-end-of-market rental (LEMUR) units, to a turnkey level of finish, at the developer’s sole cost, comprising 10,432.83 m<sup>2</sup> (112,298 ft<sup>2</sup>) of habitable space, based on 10% of the development’s total residential floor area. Occupants of these units will enjoy full use of all indoor residential amenity spaces provided inside the affordable housing building. The exclusive use of the indoor amenity space will allow the non-profit housing operator to provide scheduled and customized programming tailored to the residents of the affordable housing units. The affordable housing occupants will also have access to all outdoor residential amenity spaces, parking, bicycle storage, and related features, at no additional charge to the affordable housing occupants.

The proposed affordable housing will be provided in the first building of the first phase of development (i.e., on proposed Lot 1 (South Lot)) in a stand-alone 11,417.88 m<sup>2</sup> (122,901 ft<sup>2</sup>) six-storey wood frame building. The City’s Affordable Housing Strategy supports affordable housing units being clustered in a stand-alone building if there is a non-profit operator in place. Based on City consultation with non-profit housing providers, they typically prefer clustered units due to the operational efficiencies as well as the opportunity for greater control over operating costs.

The developer has reached a tentative agreement with S.U.C.C.E.S.S., an experienced non-profit housing provider, to manage the development’s required affordable housing units (Attachment 8). More information regarding this arrangement will be provided at Development Permit stage.

The proposed building location was chosen in the first phase of development, on Cambie Road which is designated by Translink as a frequent transit network, and in the location least impacted by future construction of future phases and future potential development.

The Affordable Housing Strategy requires at least 20% of affordable housing units to be provided with two or more bedrooms, and encourages that percentage to be increased to 60%. The proposed development complies, with 54% of affordable housing units having two and three bedrooms.

As noted above, the proposed site specific ZMU47 zone includes a density bonus and residential rental tenure restriction associated with the proposed affordable housing units.

Staff support the developer’s proposal, which is consistent with City Policy. Prior to final adoption of the rezoning bylaw, a Housing Agreement and Housing Covenants will be registered on title requiring that the developer satisfies all City requirements in perpetuity and that the affordable housing building achieves occupancy prior to any other building in the proposed development.

Unit Type	Affordable Housing Strategy Requirements (1)			Project Targets (2)	
	Minimum Unit Area	Max. Monthly Unit Rent	Total Maximum Household Income	Unit Mix	BUH
Studio	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811/month	\$34,650 or less	11% (17 units)	N/A
1-Bedroom	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975/month	\$38,250 or less	35% (52 units)	100%

2-Bedroom	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218/month	\$46,800 or less	31% (47 units)	100%
3-Bedroom	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480/month	\$58,050 or less	23% (34 units)	100%
<b>Total</b>	<b>10,267.82 m<sup>2</sup> (110,521.89 ft<sup>2</sup>)</b>	<b>N/A</b>	<b>N/A</b>	<b>100% (150 units)</b>	<b>100%</b>

- (1) Values adopted by Council on July 24, 2017. May be adjusted periodically, as provided for under City Policy.
- (2) Project Targets will be confirmed through the project’s Development Permit process.
- (3) BUH indicates units designed and constructed in compliance with the City’s Basic Universal Housing standards.

c) Market Rental Housing: In compliance with the OCP Market Rental Housing Policy, the developer proposes to design and construct 65 market rental housing units, based on 0.10 FAR calculated against the gross site area of the subject site eligible for FAR calculation purposes. Indoor residential amenity space for the use of market rental housing residents is provided inside the building. Common outdoor residential amenity spaces, parking, bicycle storage, and related features are provided on-site. There will be no restriction on tenant incomes or rental rates for these units.

The proposed market rental housing will be provided in the first phase of development (i.e., on proposed Lot 1 (South Lot)) in a stand-alone 5,312.57 m<sup>2</sup> (57,184 ft<sup>2</sup>) six-storey wood frame building.

The developer will be the initial operator of the market rental housing building. The required market rental agreement will include the requirement that all of the market rental units are maintained under a single ownership (within a single airspace parcel or strata lot).

In compliance with the OCP Market Rental Housing Policy, 100% of the market rental housing units incorporate Basic Universal Housing features. The Policy also requires at least 40% of market rental housing units be provided with two or more bedrooms. The proposed development complies, with 85% of market rental housing units having two bedrooms.

As noted above, the proposed site specific ZMU47 zone includes a density bonus and residential rental tenure restriction associated with the proposed market rental housing units.

Staff support the developer’s proposal, which is consistent with City Policy. Prior to final adoption of the rezoning bylaw, a Market Rental Agreement and covenant will be registered on title requiring that the developer satisfies all City requirements in perpetuity.

- d) Accessibility: Richmond’s OCP encourages development to meet the needs of the city’s aging population and people facing mobility challenges. Staff support the developer’s proposal, which is consistent with City Policy and will include:
- Barrier-free lobbies, common areas, and amenity spaces.
  - Aging-in-place features in all units (e.g., blocking for grab bars, lever handles, etc.).
  - 17.5% Basic Universal Housing (BUH) units (i.e., 215 of 1,226 units), including 100% of market rental housing units (i.e., 65 units) and 100% of affordable housing units (i.e., 150 units). (Note: The developer will be utilizing the Zoning Bylaw’s BUH floor area exemption of 1.86 m<sup>2</sup> (20 ft<sup>2</sup>) per BUH unit).

### 3. Capstan Station Bonus (CSB)

Under the CCAP and Zoning Bylaw, developments that make use of the density bonus provisions of the Capstan Station Bonus (i.e., 0.5 floor area for residential uses) must:

- Contribute funds towards the construction of the Capstan Canada Line Station, based on the total number of units and Council-approved contribution rate in effect at the time of Building Permit (BP) issuance (i.e., \$8,992.14 per unit, which rate is in effect until September 30, 2020, plus applicable annual rate increases).
- Provide public open space in some combination of fee simple, dedication, and/or Statutory Right-of-Way (as determined to the City's satisfaction) at a rate of at least 5 m<sup>2</sup> (54 ft<sup>2</sup>) per dwelling, based on total dwelling units.

Staff support the subject development, which satisfies CSB requirements. As detailed in the rezoning considerations (Attachment 11 and Schedule C) prior to final adoption of the rezoning bylaw, the developer shall:

- Register legal agreements on title to secure voluntary Building Permit-stage contribution of at least \$11,024,364 (adjusted for applicable rates) for station construction.
- Provide 6,992 m<sup>2</sup> (75,251 ft<sup>2</sup>) of publicly-accessible open space, which is 14% larger than the CSB minimum open space requirement and is comprised of a fee simple City-owned neighbourhood park, Capstan Way and Sexsmith Road frontage road dedication enhancements, and on-site public open spaces (Statutory Right-of-Way) adjacent to the neighbourhood park, in corner plazas along Capstan Way and a mid-block trail connecting to Garden City Road.

### 4. Village Centre Bonus (VCB)

Under the CCAP and Zoning Bylaw, developments that make use of the density bonus provisions of the Village Centre Bonus (i.e., 1.0 floor area ratio for VCB designated properties limited to appropriate non-residential uses) make a voluntary community amenity contribution based on 5% of bonus VCB floor area.

The VCB bonus provision is applicable to the small stand-alone lot in the southwestern portion of the subject site, which will be dedicated to the City for a new road extension to Odlin Crescent. The developer proposes that 100% of the development's potential VCB floor area is comprised of retail and related uses at grade along Capstan Way at Garden City Road and proposed to be constructed in the second phase of the development.

Prior to final adoption of the rezoning bylaw, the developer proposes to make a construction-value contribution to the City, in lieu of constructing community amenity space on-site. The funds will be divided equally and deposited in Richmond's Leisure Facilities Reserve Fund – City Centre Facility Development Sub-Fund, and Richmond's Child Care Reserve. As indicated in the table below, the proposed voluntary contribution shall be based on the allowable VCB community amenity area floor area (5% of the maximum VCB floor area permitted on the subject site under the proposed ZMU47 zone and a construction-value amenity transfer rate to

facilitate future community area floor area to be constructed off-site elsewhere in the City Centre.

	VCB Bonus Floor Area as per the ZMU47 Zone	VCB Community Amenity Space Area (5% of Bonus Area)	Construction-Value Amenity Transfer Contribution Rate	Minimum Voluntary Cash Contribution
Total	1.0 FAR 783.98 m <sup>2</sup> (8,438.69 ft <sup>2</sup> )	39.20 m <sup>2</sup> (421.93 ft <sup>2</sup> )	750.00 /ft <sup>2</sup>	\$316,450.90

(1) In the event that the contribution is not provided within one year of the application receiving Third Reading of Council (Public Hearing), the Construction-Value Amenity Transfer Contribution Rate (as indicated in the table above) shall be increased annually thereafter based on the Statistics Canada "Non-Residential Building Construction Price Index" yearly quarter-to-quarter change for Vancouver, where the change is positive.

Recreation and Sport Services Staff and Community Social Development Staff are supportive of the developer’s proposed construction-value cash-in-lieu amenity contribution on the basis that this approach (rather than construction of an on-site amenity) will better meet the City Centre’s anticipated amenity needs by allowing for the City to direct the developer’s contribution to larger amenity projects and key locations.

5. Sustainability

The CCAP encourages the coordination of private and City development and infrastructure objectives with the aim of advancing opportunities to implement environmentally responsible buildings, services, and related features. Areas undergoing significant change, such as Capstan Village, are well suited to this endeavour.

Staff support the developer’s proposal, which is consistent with City Policy and includes:

- i) District Energy Utility (DEU): The developer will design and construct 100% of the subject development to facilitate its future connection to a DEU system, which will include an owner supplied and installed central low carbon energy plant to provide heating and cooling to the development and transferring ownership of the energy plant to the City, all at no cost to the City. Registration of a legal agreement on title is required prior to final adoption of the rezoning bylaw.
- ii) Step Code: The architect has confirmed their intent to meet the sustainability requirements set out in the applicable sections of Richmond’s BC Energy Step Code, which with the provision of a low carbon building energy system, is step 2 for the proposed high-rise buildings and step 3 for the proposed wood-frame buildings.

6. Parks

a) Park and Public Open Spaces

In compliance with the CCAP and the ZMU47 zone, the developer proposes to provide land for park and public open space uses, including 4,748 m<sup>2</sup> (1.17 ac.) for a City-owned neighbourhood park and at least 2,244 m<sup>2</sup> (0.55 ac.) for public open space (in a combination of road dedication and SRW) for the proposed 1,226 dwelling units. A conceptual design for the required park and public open space improvements has been prepared by the developer (Attachments 5 and 11).

The proposed 4,748 m<sup>2</sup> (1.17 ac.) City-owned neighbourhood park will be secured, designed and constructed through the required Servicing Agreement process, including the provision of Letters of Credit, and construction completed as part of the second phase of the development (Attachment 11). The City park planning process will be the subject of a separate staff report from the Director, Parks Services, after the rezoning application is considered at a Public Hearing meeting. It takes time to plan, design and construct a neighbourhood park and in the interim residents in the first phase of development are within walking distance of the City's Aberdeen Park.

The proposed 2,244 m<sup>2</sup> (0.55 ac.) public open space includes a mid-block trail connection between Garden City Road, internal roads and the proposed neighbourhood park, expanded public open space areas and plazas along Capstan Way and Sexsmith Road, and a public open space area adjacent to the proposed neighbourhood park. Detailed design of these public open space areas will be undertaken and secured through the development's Servicing Agreement and Development Permit processes, including the provision of Letters of Credit.

b) Farm Soil Recovery

Soil is a valuable resource and preserving it for continued agricultural use meets the standard for highest and best use of this soil. Although the subject site is not located in the Agricultural Land Reserve, City staff have identified an estimated 31,900 m<sup>2</sup> (7.88 ac.) old field grassland area within the subject site which has been under cultivation for hay since prior to 1999 (according to City records). The developer has agreed to test and salvage appropriate farm soil from the subject site for use on the Garden City Lands, ensuring Richmond soil is preserved and used for ongoing local agricultural production. Registration of a legal agreement on title is required prior to final adoption of the rezoning bylaw.

There are already approvals in place from the Agricultural Land Commission and Council for the deposit of up to 48,000 m<sup>3</sup> (1,695,104 ft<sup>3</sup>) soil meeting Agricultural Land (AL) Standards on the Garden City Lands as part of the establishment of the Kwantlen Polytechnic University farm area. The proposed soil relocation from the subject site, subject to required soil testing, to Garden City Lands would be accommodated by the existing approvals.

c) Barn Owl Hunting Habitat Compensation

As noted in the received public correspondence (Attachment 6), Barn Owls and hawks have been recorded hunting on the subject site. Barn Owls require large open areas, with minimal human activity to facilitate their hunting behaviours, such as the approximately 31,900 m<sup>2</sup> of old field grassland on the subject site. Staff note that subject site is not an identified Environmentally Sensitive Area. The proposed neighbourhood park, road network and form of development intended in the City's City Centre Area Plan is not consistent with Barn Owl hunting habitat needs.

The Western population of Barn Owls are listed Schedule 1 – Threatened species under the federal *Species at Risk Act*. Although Barn Owls and their hunting habitat are not protected by the Province or the City, and there is no evidence of Barn Owl nesting on the subject site, the

developer has offered to work with the City to provide alternative off-site Barn Owl hunting habitat enhancements.

The developer retained a Qualified Environmental Professional (QEP) and working with Sustainability, Parks Services and Parks Operations staff, the QEP has identified three City-owned locations (Attachment 9) for Barn Owl hunting habitat enhancement at locations showing evidence of raptor utilization and having the potential for open grassland of approximately 28,000 m<sup>2</sup> to offset the losses at the subject site. At these three City-owned locations, the City will address Knotweed and the City and the developer will work cooperatively to remove remaining invasive species. The developer will design and construct the Barn Owl hunting habitat enhancement works, and detail a grassland maintenance plan through the City's standard Servicing Agreement process, including the provision of a Letter of Credit in the amount of \$205,000 to secure the estimated value of the works. The installation of Barn Owl hunting habitat offsets will also benefit other species of raptors which utilize similar hunting habitat.

Although hawk nests and eggs are protected by the Province, their habitats are not. The applicant's QEP conducted a site inspection and has concluded that there are no raptor nests on the subject site (Attachment 7). However, in order to ensure that no hawks have migrated into the proposed development area, the applicant's QEP is required to conduct additional inspection of any trees on the subject site for raptor nests prior to tree removal.

#### 7. Transportation and Site Access

The CCAP requires various road, pedestrian, and cycling network improvements on and around the subject site. Consistent with the OCP, CCAP and Zoning Bylaw, the proposed development provides for a variety of new roads, transportation improvements and related features, all at the developer's sole cost, to be secured through a combination of road dedication and legal agreements registered on title, to the satisfaction of the Director of Transportation, and the City's standard Servicing Agreement processes and Letters of Credits, as applicable, as per the attached Rezoning Considerations (Attachment 11).

Staff support the developer's proposal, which is consistent with City objectives and includes:

- i) Widening and/or frontage improvements along Cambie Road, Garden City Road, Capstan Way, and Sexsmith Road to accommodate road, sidewalk, and related upgrades, together with off-site bike path and landscape features.
- ii) The extension of Ketcheson Road and Brown Road.
- iii) A new road extension to Odlin Crescent, including the requirement for the developer to provide the southwestern stand alone lot to the City as road dedication.
- iv) The construction of a new internal North-South road.
- v) The implementation of traffic safety improvements (e.g., right-turn lane, traffic signal and intersection operational upgrades) at the Garden City Road and Cambie Road intersection, which is number 8 of the top 20 collision-prone locations in the City.

The number of site access driveways is limited to one for each lot to minimize potential pedestrian and cycling conflicts with vehicles.

Under the Zoning Bylaw, prior to Capstan Station being operational, multi-phase Capstan Village developments are required to implement a transitional parking strategy. It is the understanding of the staff that the Capstan Canada Line Station will be operational post June 2022, prior to the subject development and, as such, a transitional parking strategy is not required and Zoning Bylaw “Parking Zone 1” rates apply.

The OCP seeks 10% of commercial parking spaces to support electric vehicle charging.

The Zoning Bylaw permits parking reductions for Capstan Village developments that incorporate Transportation Demand Management (TDM) and other measures to the City’s satisfaction. The developer proposes to provide TDMs and is requesting 8 - 10% permitted parking reductions for affordable housing, market rental housing and visitors in the first phase of development. The developer proposes to provide sufficient parking in the second and third phases to meet the bylaw requirements without the need for parking reductions and TDMs.

Staff support the developer’s proposal, which is consistent with City objectives and includes:

- i) Accommodating electrical charging for 100% of resident parking spaces, 10% of commercial parking spaces and 10% of resident and commercial class 1 secure bicycle storage spaces.
- ii) Shared commercial and residential visitor parking in the second phase of development.
- iii) Limiting tandem parking to market strata housing residents only.
- iv) Transportation Demand Management (TDM) measures in the first phase of development, including:
  - Transit Pass Program: monthly bus pass (two-zone) will be offered to 25% of market strata units (33 units), 50% of market rental housing units (33 units), 100% of affordable housing units (150 units) for a period of one year.
  - Providing 10% of the required Class 1 bicycle spaces for the use of the affordable housing and market rental housing residents in the form of over-sized lockers for family bike storage (e.g., bike trailers.)
  - Providing a shared bicycle maintenance and repair facility.
  - Providing two car-share vehicles and related parking spaces (equipped with quick charge 240V electric vehicle charging stations).

#### 8. Site Servicing and Frontage Improvements

In compliance with City Policy, prior to final adoption of the rezoning bylaw, the developer will enter into standard City Servicing Agreements, secured with a Letters of Credit, for the design and construction of all required off-site rezoning works including, but not limited to road widening and/or frontage improvements along Cambie Road, Garden City Road, Capstan Way, and Sexsmith Road; extensions to Odlin Crescent, Ketcheson Road, and Brown Road; construction of a new internal north-south road; water, storm sewer, sanitary sewer, and utilities infrastructure and/or upgrades as set out in the attached Rezoning Considerations (Attachment 11). Development Cost Charge (DCC) credits will be applicable to works identified

on the City's DCC Program (e.g., part of the required works along Cambie Road, Garden City Road, Capstan Way and Sexsmith Road).

#### 9. Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site (City and neighbouring) tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development (Attachment 11 Schedule E).

Staff are supportive of the developer's proposal, which includes, among other things:

- i) The removal of the 168 existing bylaw-size trees on the subject site and planting of 336 replacement trees (2:1 ratio) through the Development Permit applications for the development's proposed three phases of development (secured with \$252,000 on-site tree planting security). As of the date of this report, two of the existing on-site trees were required to be removed in order to demolish three existing buildings and Tree Removal Permits for those two trees have been issued. A third tree has also been identified for removal by the applicant in order to accommodate demolition of a fourth building on site and is subject to the submission and approval of a Tree Removal Permit from the City. Unfortunately retention of the on-site trees is incompatible with the higher density form of development envisioned for the subject site in the City Centre Area Plan. Tree removal is proposed to occur after public hearing to allow for site preloading.
- ii) The protection of all trees on neighbouring properties is required (secured with \$10,000 tree survival security). The arborist has identified potential root zone conflict areas between required roads and existing neighbouring trees, which must be resolved through either through the developer receiving the neighbouring property owners permission to apply for a tree removal permit, or detail design through the required SA process to ensure the critical root zones of off-site trees are adequately protected in the interim until the required roads are widened to ultimate width through future redevelopment of neighbouring properties.
- iii) The protection of 30 existing City trees along the subject site's frontages (10 trees along Sexsmith Road and 20 trees along Cambie Road), through the development's Development Permit and Servicing Agreement processes (secured with \$165,000 tree survival security). The arborist has identified a potential root zone conflict area between required road works and three existing City trees, which will be addressed through detail design as part of the required SA process.
- iv) The protection of 34 existing City trees, including the relocation of 14 existing street trees along the south side of Capstan Way to facilitate required road widening, and the protection of 20 existing trees in the Garden City Road median, at the developer's sole cost, through the development's Servicing Agreement process (secured with \$195,000 tree survival security).
- v) The removal of 36 existing City trees on the subject site's frontages and voluntary contribution in the amount of \$43,250 to the City's tree compensation fund for tree planting elsewhere in the city. These trees have been identified for removal due to poor health or conflict with required Servicing Agreement works.

To developer is required to complete the following to ensure protection of trees to be retained:

- Prior to final adoption of the rezoning bylaw, submission of a contract with a Certified Arborist for the supervision of all works conducted in close proximity to trees to be protected, monitoring during construction, any needed tree protection measures, and a post-construction impact assessment report.
- Prior to commencing any works on-site, installation of tree protection fencing around all trees to be retained, which is to be installed in accordance with Tree Protection Information Bulletin Tree-03 and maintained until construction and landscaping on-site is completed.

#### 10. Public Art

Staff support the developer's proposal, which is consistent with City Policy and includes a voluntary developer contribution of at least \$885,740, based on City-approved rates and the proposed floor area (excluding affordable housing and market rental housing). The developer has engaged a Public Art Planner and a proposed Public Art Plan is under review. Prior to final adoption of the rezoning bylaw, a legal agreement will be registered on title requiring the developer's implementation of a Public Art Plan for the subject site, prepared by an accredited professional and secured by Letter of Credit and/or voluntary cash contribution, to the satisfaction of the City.

#### 11. City Centre Mixed Use Development

In compliance with the CCAP, the developer proposes to voluntarily contribute \$308,136 towards future City community planning studies at a rate of \$3.23/m<sup>2</sup> (\$0.30/ft<sup>2</sup>) of maximum buildable floor area, excluding affordable housing and market rental housing.

The subject site is located in City Centre. Prior to final adoption of the rezoning bylaw, a legal agreement will be registered on title ensuring that future owners are aware that the development is subject to potential impacts from other development that may be approved within City Centre.

The proposed development includes commercial and residential uses. Prior to final adoption of the rezoning bylaw, a legal agreement will be registered on title that identifies the proposed mixed uses and requires noise mitigation through building and equipment design.

#### 12. Development Phasing

The proposed development is intended to be constructed in three phases. To address the development's phasing and secure the required works identified in the attached Rezoning Considerations (Attachment 11), prior to final adoption of the rezoning bylaw, legal agreements will be registered on title securing that:

- i) No separate sale of the developer's lots will be permitted without the prior approval of the City (to ensure that all legal, financial, and development obligations assigned to each lot through the subject rezoning are satisfactorily transferred and secured).
- ii) Prior to final adoption of the rezoning bylaw, the developer will enter into Servicing Agreements for the design and construction of public open space located in the first phase of development, Barn Owl hunting habitat enhancement works, engineering infrastructure works, transportation works, and City tree protection, relocation and removals.

- iii) Prior to Building Permit issuance for the second phase of the proposed development, the developer will enter into a Servicing Agreement for public open space located in the second phase of development, the proposed neighbourhood park, and transportation works.
- iv) Prior to Building Permit issuance for the third phase of the proposed development, the developer will enter into a Servicing Agreement for public open space located in the third phase of development, and transportation works.

### 13. Built Form and Architectural Character

The developer proposes to construct a mid-rise and high-rise, high density, mixed-use development fronting Cambie Road, Garden City Road, Capstan Way and Sexsmith Road, within walking distance of Aberdeen Park (Attachment 5). The proposed development is consistent with CCAP Policy for the provision of land (via a combination of dedication, fee simple and Statutory Rights-of-Way) to facilitate required transportation and public open space improvements. The proposed form of development, which combines articulated mid-rise buildings, streetwall building elements and towers, generally conforms to the CCAP's Development Permit Guidelines. More specifically, the development has successfully demonstrated:

- i) A strong urban concept contributing towards a high-density, high-amenity, mixed-use, transit-oriented environment, comprising pedestrian-oriented commercial, and a variety of dwelling types (including townhouse and apartment units), neighbourhood park, public plazas, and mid-block trail.
- ii) Variations in massing contributing towards streetscape interest, solar access to the usable rooftops of high-rise podium buildings, and upper- and mid-level views across the subject site for residents and neighbours.
- iii) Articulated building typologies contributing to a sense of pedestrian scale and interest.
- iv) Sensitivity to future and existing neighbours, by meeting or exceeding minimum recommended tower separation guidelines (e.g., 24 m/79 ft. on the west side of proposed Ketcheson Road extension and 35 m/115 ft. on the east side).
- v) Opportunities to contribute towards a high amenity public realm, particularly along Capstan Way at the proposed corner plazas.

Development Permits are required for each of the three phases of development. Each of the Development Permits is required to be formally reviewed by the Advisory Design Panel (ADP) as part of the Development Permit process. On March 4, 2020, the ADP reviewed the subject rezoning application on an informal basis and provided generally supportive design development comments for the developer to take into consideration in the preparation of the required DP applications. A copy of the relevant excerpt from the Advisory Design Panel Minutes is attached for reference (Attachment 10), together with the applicant's design response in '*bold italics*'.

Development Permit approval, to the satisfaction of the Director of Development, will be required for the development's first phase of development (Lot 1 (South Lot)) prior to final

adoption of the rezoning bylaw. At DP stage, additional design development is encouraged with respect to the following items.

- a) Public Open Space: Opportunities to contribute towards a high amenity public realm.
- b) Richmond Arts District: Opportunities to incorporate Public Art, which is the process of being reviewed by the applicant through the City's Public Art Program process, including the potential to incorporate public art into building(s). Opportunities to incorporate CCAP Richmond Arts District expression in building design.
- b) Residential Streetscape: Opportunities to enhance individual building identity, skyline and streetscape visual interest through design differentiation between buildings and phases in the proposed large development. Opportunities to incorporate more colour in building design and to provide an enhanced interface between townhouses, residential frontages and commercial frontages with fronting pedestrian sidewalks and open spaces.
- c) Commercial Streetscape: Opportunities to create a distinctive, cohesive Capstan Village retail node and identity (i.e., not generic) (e.g., shop front design, signage).
- d) Common Amenity Spaces: The proposed indoor and outdoor common amenity spaces satisfy OCP and CCAP DP Guidelines rates (Attachment 4). More information is required with respect to the programming, design, and landscaping of these spaces to ensure they satisfy City objectives. In the first phase of development, the conceptual design includes separate building specific indoor amenity areas and a common central outdoor amenity area. The conceptual design proposes that a two-level indoor amenity space would be provided in the second phase adjacent to the mid-block trail public open space for the shared use of the second and third phases of development. In both the second and third phases of development, the conceptual design includes additional smaller indoor amenity area and common outdoor amenity area on the podium roof.
- e) Accessibility: Design and distribution of accessible units and common spaces and uses.
- f) Sustainability: Opportunities to enhance building performance in coordination with architectural expression.
- g) Emergency Services: Confirm provision of Fire Department requirements (e.g., emergency vehicle access through the mid-block trail, Fire Department response points).
- h) Crime Prevention through Environmental Design (CPTED): Opportunities to incorporate CPTED measures including surveillance and territoriality to promote a sense of security.
- i) Parking, Loading & Waste Management: The development proposal is consistent with the Zoning Bylaw and related City requirements. Further design of vehicle parking and circulation, truck manoeuvring, waste management activities, and related features and spaces.

#### 14. Existing Legal Encumbrances

Development of the subject site is not encumbered by existing legal agreements on title.

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

As a result of the proposed development, the City will take ownership of developer contributed assets such as roadworks, waterworks, storm sewers, sanitary sewers, street lights, street trees

and traffic signals. The anticipated operating budget impact (OBI) for the ongoing maintenance of these assets \$36,896.00. This will be considered as part of the 2021 Operating budget.

As a part of the Barn Owl hunting habitat enhancement off-site works, the costs associated with the removal of Knotweed identified on City-owned property will be addressed under the City's Knotweed management programs budgets. The City portion of costs associated with the removal of other invasive species will be covered under Parks Operations maintenance budget.

### Conclusion

Polygon Talisman Park Ltd. has applied to the City of Richmond for permission to create a new site specific zone, "Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)" and rezone lands at 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, 3540/3560 Sexsmith Road to the new ZMU47 zone and the "School and Institutional Use (SI)" zone, to permit the construction of 6,992 m<sup>2</sup> (1.73 acres) of park and public open space and a mid-rise and high-rise, high density, mixed-use development containing 1,226 dwellings (including 150 affordable housing units and 65 market rental housing units) and 784 m<sup>2</sup> (8,438 ft<sup>2</sup>) of non-residential uses, including retail. The proposed ZMU47 zone, if approved, will guide development of the subject site. Off-site works, including utility upgrades, road widening and new roads, frontage improvements, park construction, and off-site Barn Owl hunting habitat enhancement will be subject to the City's standard Servicing Agreement processes (secured with Letters of Credit). An analysis of the developer's proposal shows it to be well designed and consistent with the CCAP's development, livability, sustainability, and urban design objectives.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 10198, be introduced and given First Reading.



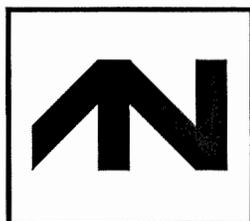
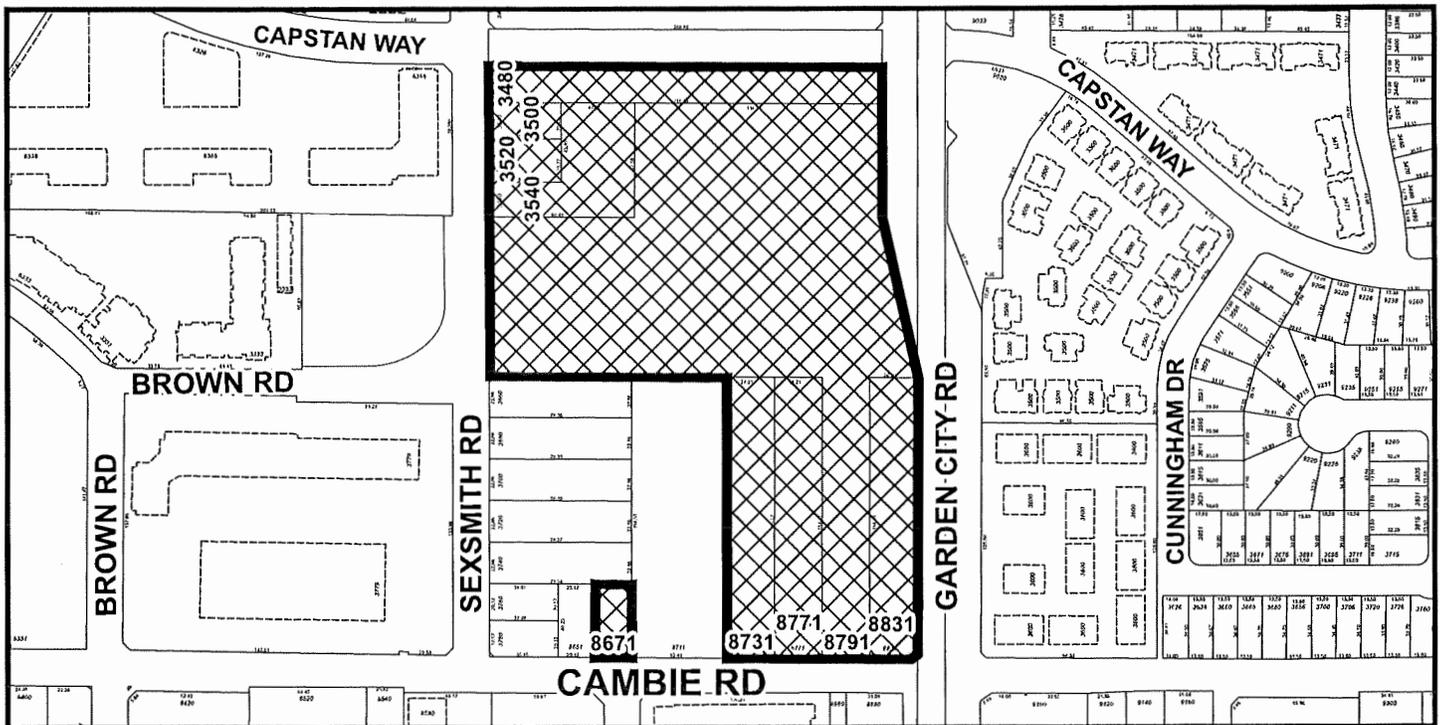
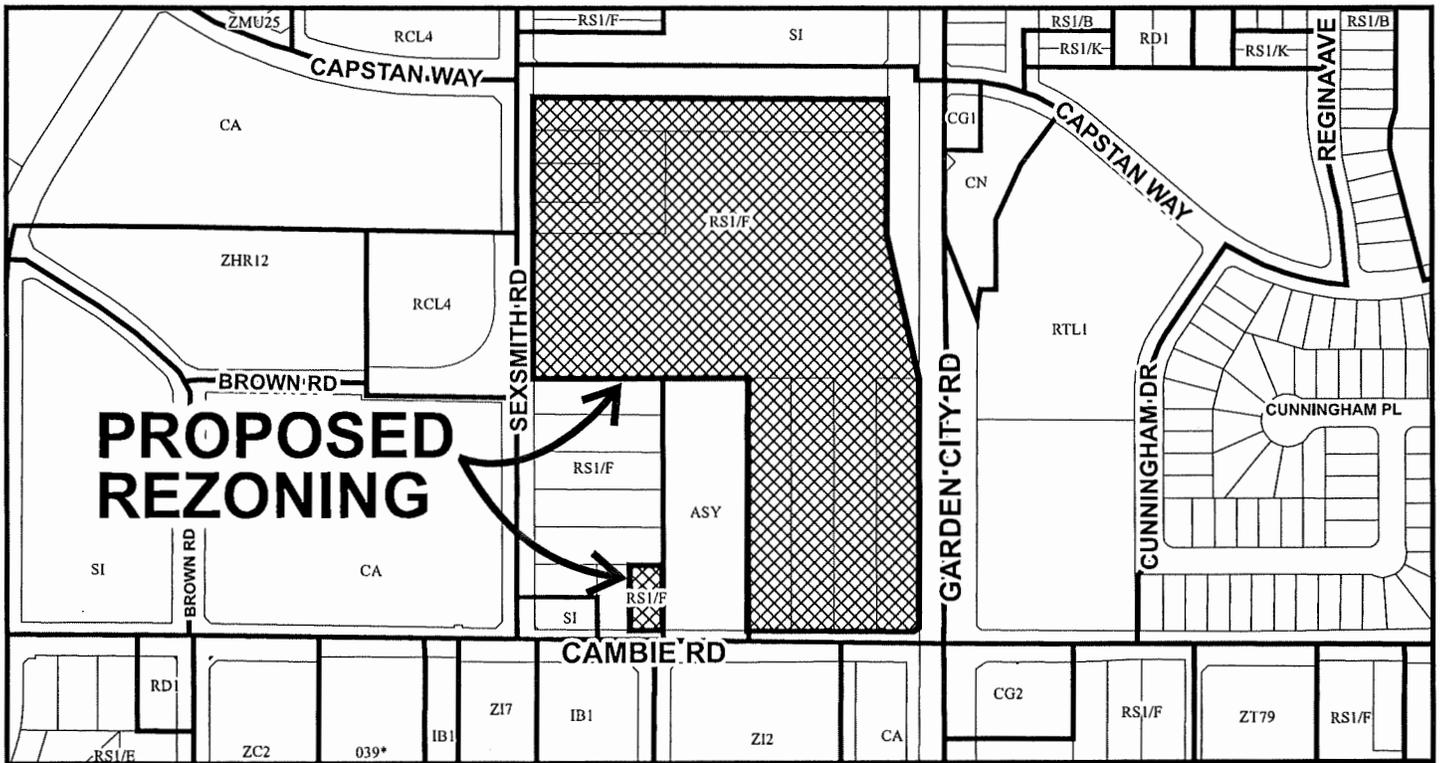
Sara Badyal  
Planner 2  
(604-276-4282)

SB:blg

- Attachment 1: Location Map
- Attachment 2: Aerial Photograph
- Attachment 3: Specific Land Use Map: Capstan Village (2031)
- Attachment 4: Development Application Data Sheet
- Attachment 5: Conceptual Development Plans
- Attachment 6: Public Correspondence
- Attachment 7: QEP Letter: Site Inspection for Hawk Nests
- Attachment 8: Affordable Housing Letter from S.U.C.C.E.S.S.
- Attachment 9: Off-site Barn Owl Hunting Habitat Enhancement Sites Map
- Attachment 10: Advisory Design Panel meeting Minutes Annotated Excerpt (March 4, 2020)
- Attachment 11: Rezoning Considerations



# City of Richmond



## RZ 18-836123

CNCL - 219

Original Date: 09/28/18

Revision Date: 05/19/2020

Note: Dimensions are in METRES



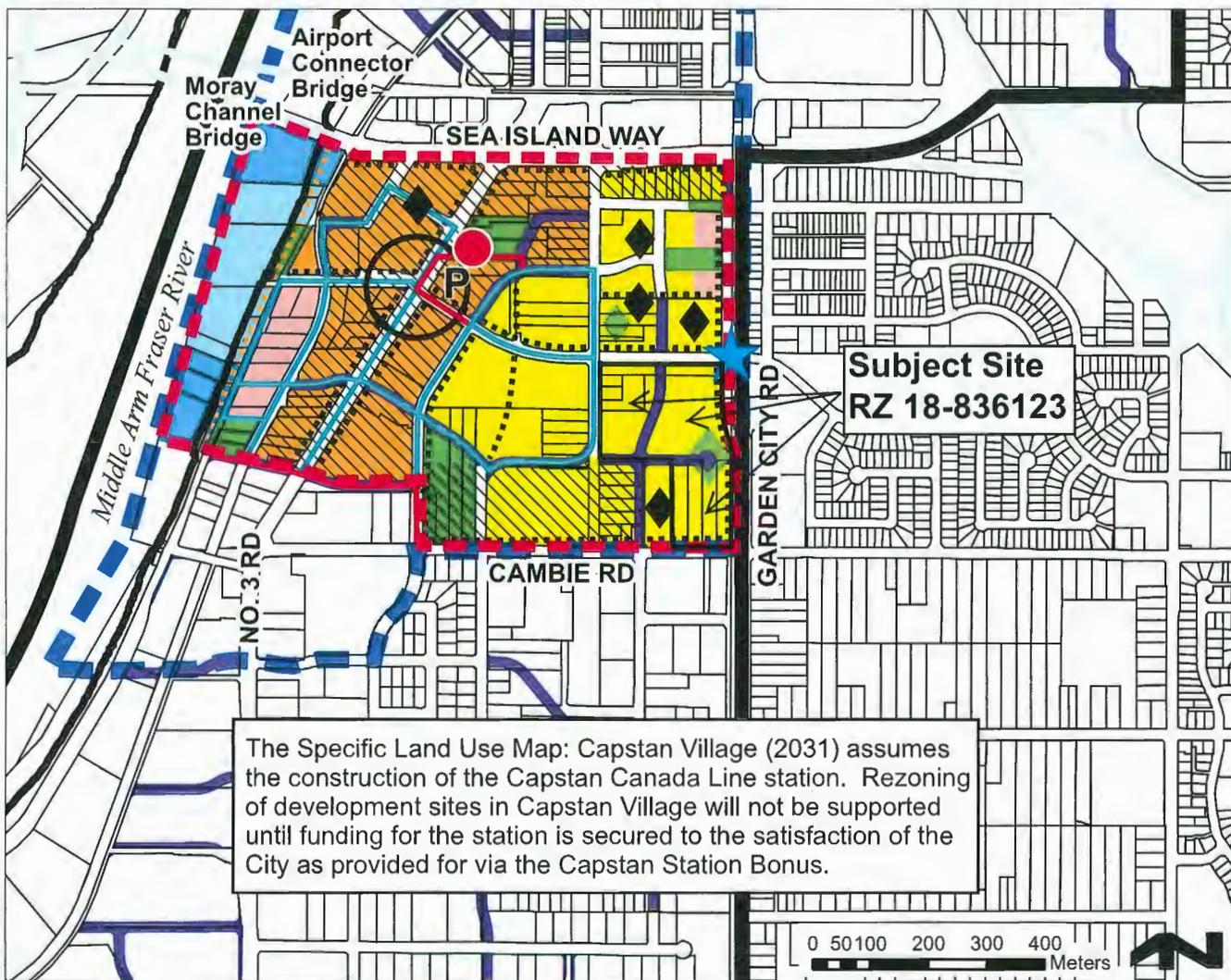
# City of Richmond



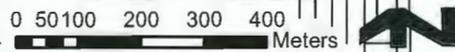
## RZ 18-836123

Original Date: 09/28/18  
 Revision Date: 05/19/2020  
 Note: Dimensions are in METRES

**Specific Land Use Map: Capstan Village (2031)** Bylaw 9593  
2017/05/08



The Specific Land Use Map: Capstan Village (2031) assumes the construction of the Capstan Canada Line station. Rezoning of development sites in Capstan Village will not be supported until funding for the station is secured to the satisfaction of the City as provided for via the Capstan Station Bonus.



	General Urban T4 (25m)		Marina (Residential Prohibited)		Proposed Streets
	Urban Centre T5 (45m)		Marina (Waterborne Residential Permitted)		Pedestrian-Oriented Retail Precincts-High Street & Linkages
	Urban Centre T5 (35m)		Village Centre Bonus		Pedestrian-Oriented Retail Precincts-Secondary Retail Streets & Linkages
	Urban Centre T5 (25m)		Institution		Richmond Arts District
	Park		Pedestrian Linkages		Capstan Station Bonus
	Park-Configuration & location to be determined		Waterfront Dyke Trail		Canada Line Station
	Village Centre: No. 3 Road & Capstan Way Intersection		Enhanced Pedestrian & Cyclist Crossing		Transit Plaza

Bylaw 10020  
2019/05/21 Maximum building height may be subject to established Airport Zoning Regulations in certain areas.



<b>RZ 18-836123</b>			
<b>Address</b>	8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road, and 3480,3500,3520,and 3540/3560 Sexsmith Road		
<b>Applicant</b>	Polygon Talisman Park Ltd.		
<b>Owner</b>	Polygon Talisman Park Ltd., Inc. No. BC1167752		
<b>Planning Area(s)</b>	Capstan Village (City Centre)		
	<b>Existing</b>	<b>Proposed</b>	
<b>Site Area</b>	54,704.50 m <sup>2</sup>	38,922.40 m <sup>2</sup>	
<b>Land Uses</b>	Single Family Residential and Temporary Sales Centre	Multi-Family Residential	
<b>OCP Designation</b>	Mixed Use	Complies	
<b>CCAP Designation</b>	Urban Centre T5 (35 m) / 2.0 FAR General Urban T4 (25 m) / 1.2 FAR Capstan Station Bonus (CSB) / 0.5 FAR Village Centre Bonus (VCB) / 1.0 FAR New park and streets Richmond Arts District	Complies	
<b>Zoning</b>	Single Detached (RS1/F)	Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)	
<b>Number of Units</b>	Previously 8 houses	1,226 dwelling units, including 150 affordable housing units and 65 market rental units 784 m <sup>2</sup> commercial space	
	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
<b>Floor Area Ratio</b>	Including market rental & affordable housing: South Lot: Max 2.1 (28,966 m <sup>2</sup> ) East Lot: Max 2.61 (32,227 m <sup>2</sup> ) West Lot: Max 3.91 (49,973 m <sup>2</sup> ) (Total: 111,167 m <sup>2</sup> )	Including market rental & affordable housing: South Lot: 2.0 (27,485 m <sup>2</sup> ) East Lot: 2.61 (32,153 m <sup>2</sup> ) West Lot: 3.91 (49,921 m <sup>2</sup> ) (Total: 109,559 m <sup>2</sup> )	None permitted
<b>Lot Coverage</b>	South Lot: Max. 60% East Lot: Max. 90%* West Lot: Max. 90%* *exclusive of CSB open space	South Lot: Max. 60% East Lot: Max. 90%* West Lot: Max. 90%* *exclusive of CSB open space	None
<b>Setback – Public Road</b>	Min. 3 m	Min. 3 m	None
<b>Setback – Side Yard</b>	None	None	None
<b>Setback – Rear Yard</b>	None	None	None
<b>Setback – publicly accessible open space</b>	Min. 1.5 m	Min. 1.5 m	None
<b>Building Height</b>	South Lot: Max. 25 m East Lot: Max. 35 m* – 45 m West Lot: Max. 45 m *additional height can be considered	South Lot: Max. 25 m East Lot: 36 m & 42 m West Lot: 42 m & 45 m To be confirmed through DP	None
<b>Lot Size:</b>	South Lot: Min. 13,700 m <sup>2</sup> East Lot: Min. 12,300 m <sup>2</sup> West Lot: Min. 12,700 m <sup>2</sup>	South Lot: 13,793.7 m <sup>2</sup> East Lot: 12,347.7 m <sup>2</sup> West Lot: 12,781.0 m <sup>2</sup>	None

	<b>Bylaw Requirement</b>	<b>Proposed</b>	<b>Variance</b>
Parking Space rates:	(Phase 1) City Centre Zone 1 with TDMs Affordable Housing: 0.81 per dwelling Market Rental: 0.72 per dwelling Market Strata: 0.9 Visitors: 0.18 per dwelling, including 2 car-share spaces (Phases 2 & 3) City Centre Zone 1 without TDMs Market Strata: 1 Shared commercial/visitor, greater of: Commercial: 3.75 per 100 m <sup>2</sup> , or Residential Visitors: 0.2 per dwelling	(Phase 1) City Centre Zone 1 with TDMs Affordable Housing: 0.81 per dwelling Market Rental: 0.72 per dwelling Market Strata: 0.9 Visitors: 0.18 per dwelling, including 2 car-share spaces (Phases 2 & 3) City Centre Zone 1 without TDMs Market Strata: 1 Shared commercial/visitor, greater of: Commercial: 3.75 per 100 m <sup>2</sup> , or Residential Visitors: 0.2 per dwelling	None
Accessible Parking Spaces	Min. 2%	Min. 2%	
Small Car Parking Spaces	Max. 50%	Max. 50%	None
Tandem Parking Spaces	Permitted for Market Strata residential units only to a maximum of 50%	Max. 50% for market strata residents	None
Loading Spaces	South Lot: 2 medium East Lot: 3 medium West Lot: 3 medium	South Lot: 2 medium East Lot: 3 medium West Lot: 3 medium	None
Bicycle Spaces	Class 1: 1.25 per dwelling, including 10% family sized for affordable housing and market rental housing Class 2: 0.2 per dwelling	Class 1: 1.25 per dwelling, including 10% family sized for affordable housing and market rental housing Class 2: 0.2 per dwelling	None
EV (Energized) Car Charging	100% resident parking spaces 10% commercial parking spaces 100% car share parking spaces	100% resident parking spaces 10% commercial parking spaces 100% car share parking spaces	None
Amenity Space – Indoor @ 2 m <sup>2</sup> per dwelling	South Lot: Min. 694 m <sup>2</sup> East Lot: Min. 678 m <sup>2</sup> West Lot: Min. 1,080 m <sup>2</sup>	South Lot: 752 m <sup>2</sup> East & West Lots: 1,863 m <sup>2</sup> To be confirmed through DP	None
Amenity Space – Outdoor @ 6 m <sup>2</sup> per dwelling	South Lot: Min. 2,082 m <sup>2</sup> East Lot: Min. 2,034 m <sup>2</sup> West Lot: Min. 3,240 m <sup>2</sup>	South Lot: 2,289 m <sup>2</sup> East Lot: 2,676 m <sup>2</sup> West Lot: 3,605 m <sup>2</sup> To be confirmed through DP	None
Capstan Station Bonus Public Open Space	5 m <sup>2</sup> per dwelling, or 6,992 m <sup>2</sup> , whichever is greater	6,992 m <sup>2</sup> secured as a combination of road dedication, park, and SRW	None



## Application Intent

Polygon and IBI Group are pleased to submit this master plan rezoning application for a significant site in Capstan Village.

This application seeks to rezone 13.5 acres of the block bounded by Capstan Way, Sexsmith Road, Garden City Road, and Cambie Road.

The southwest quadrant of the block – home to the Richmond United Church, a daycare, and several private residences – is not proposed to be redeveloped as part of this project.

This master plan rezoning application proposes:

- 109,559 m<sup>2</sup> (1,179,280 ft<sup>2</sup>) of Floor Area
- 1.17 acres of new City Park
- An additional 1.72 acres of new public open space (Capstan Station Bonus)
- Over 1,200 new homes including:
  - 150 affordable housing units
  - 65 market rental units
  - 1,011 market residential

# Land Use

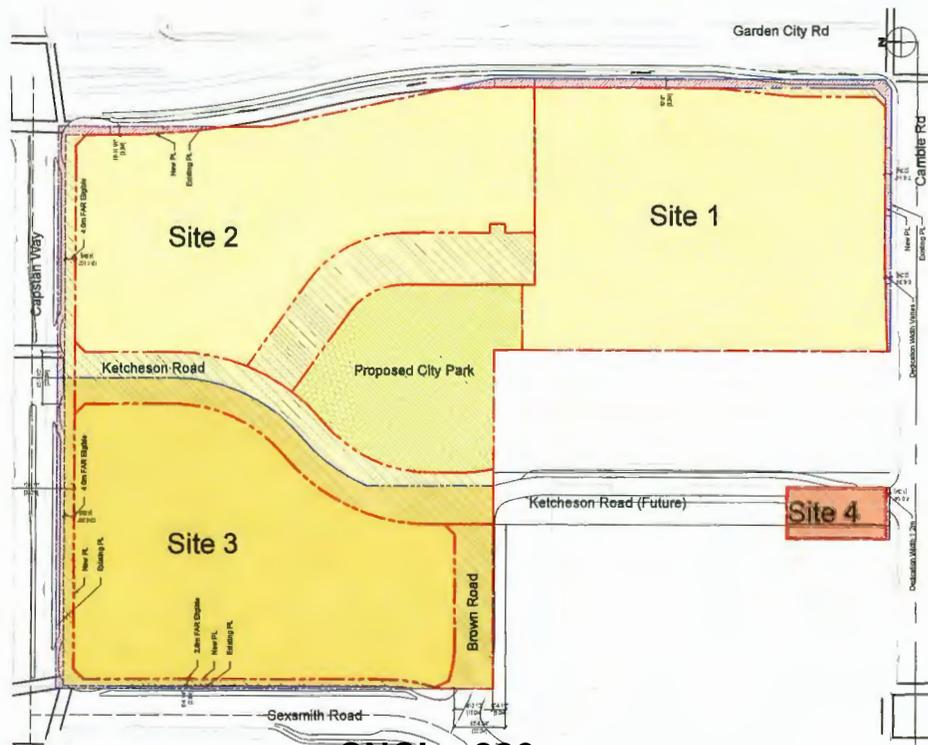


- Market Residential
- Market Rental
- Affordable Rental
- Commercial
- Amenity



# Land Use and Density

Proposed



CNCL - 226

Allowable FAR Per CCAP (Includes Affordable Housing Bonus & Capstan Station Bonus)

Parcel	Designation	Sub-Area	FAR with AH	CSB	VCB	CCAP Designation (FAR)	Net Site Area Eligible for FAR (sm)	Allowable FAR Floor Area (sm)	Allowable FAR Floor Area (\$f)
Site 1	General Urban T4 (25m)	B1 Mixed-Use - Low-Rise Residential & Limited Commercial	1.20	0.50	n/a	1.70	13,966.32	23,742.74	255,564.77
Site 2	General Urban T4 (25m)		1.20	0.50	n/a	1.70	21,579.91	36,685.85	394,883.17
Site 3	Urban Centre T5 (35M)	B2 Mixed-Use - Mid-Rise Residential & Limited Commercial	2.00	0.50	n/a	2.50	16,684.77	41,711.93	448,993.42
Site 4	General Urban T4 (25m)		1.20	0.50	1.00	2.70	763.98	2,116.75	22,784.46
All	n/a	Market Rental Housing Policy Density Bonus				0.10	53,014.98	5,301.50	57,064.85
Overall Total						2.06	53,014.98	109,558.76	1,179,280

Proposed FAR

Parcel	Proposed FAR	Net Site Area (sm)	Provided FAR Floor Area (sm)	Provided FAR Floor Area (\$f)
Site 1 (Affordable Housing)	0.83		11,417.88	122,901
Site 1 (Market Rental)	0.39	13,793.7	5,312.57	57,184
Site 1 (Market Condo)	0.78		10,754.73	115,763
Site 2	2.61	12,347.7	32,152.82	346,090
Site 3	3.91	12,781.0	49,920.77	537,342
Site 4	0	0	0	0
<b>Total</b>	<b>2.82</b>	<b>38,922.4</b>	<b>109,558.76</b>	<b>1,179,280</b>

- SITE 1 & SITE 2 AREA - FAR ELIGIBLE
- SITE 3 AREA - FAR ELIGIBLE
- SITE 4 AREA - FAR ELIGIBLE
- DEDICATION - CITY ROAD - FAR INELIGIBLE
- DEDICATION - CITY ROAD - FAR ELIGIBLE
- DEDICATION - CITY PARK - FAR ELIGIBLE
- PROPERTY LINE (BEFORE DEDICATION)
- PROPERTY LINE (AFTER DEDICATION)
- BOUNDARY FOR FAR CALCULATION

Affordable Housing Density Required/ Provided:

- Total Market Residential FAR area: 1,179,280 - 57,184 (Market Rental) = 8,438 (Site 2 commercial) = 1,113,658 sqft
- Affordable Housing Required (Net Floor Area): 10% x 1,113,658 = 111,366 sqft
- Affordable Housing Provided (Net Floor Area): 112,298 sqft



# Indoor and Outdoor Amenity Space

Site	Items	Amenity			
		Buildings	Units	Required (m2)	Provided (m2)
<b>Site 1</b>	Wood-Frame				
		Indoor Amenity (CCAP: 2 m <sup>2</sup> per unit)			305
		Building 1-1 (AH)	150	300	
		Building 1-2 (MFI)	65	130	138
		Building 1-3	132	264	265
		Sub-total	347	694	708
		Outdoor Amenity (6m <sup>2</sup> per unit)			
		Site 1	347	2,081	2,289
		Sub-total	347	2,081	2,289
	<b>Site 2 &amp; 3</b>	Concrete			
		Indoor Amenity (CCAP: 2 m <sup>2</sup> per unit)			0
		Building 2-1	227	454	
		Building 2-2	112	224	82
		Building 2-3	N/A	N/A	1,707
		Building 3-1	185	370	0
		Building 3-2	172	344	0
		Building 3-3	183	366	74
		Sub-total	879	1,758	1,863
		Outdoor Amenity (6m <sup>2</sup> per unit)			
	Site 2	339	2,034	2,676	
	Site 3	540	3,240	3,605	
	Sub-total	879	5,274	6,281	
<b>Total</b>					
		Indoor Amenity		2,452	2,571
	Outdoor Amenity		7,355	8,570	

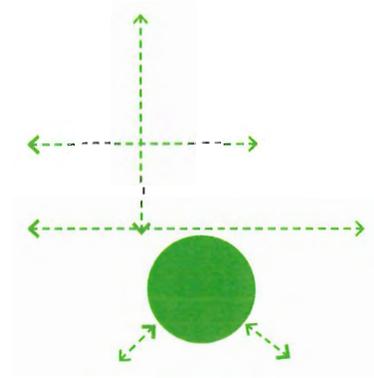


# Plan Structure



## 1. Open Space:

- City park at centre; connected in all directions



1. Open Space

## 2. Park Edge:

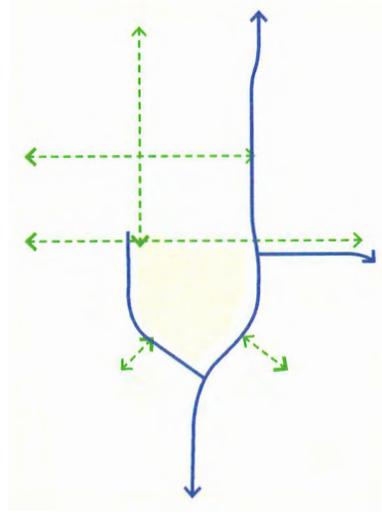
- Park's shape is reinforced by buildings



2. Park Edge

## 3. Mobility:

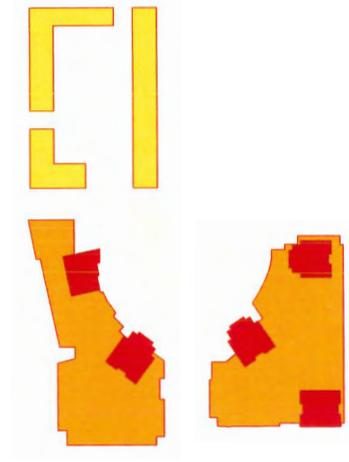
- New streets, paths enhance connectivity



3. Mobility

## 4. Density:

- Building density NW to SE diminishes

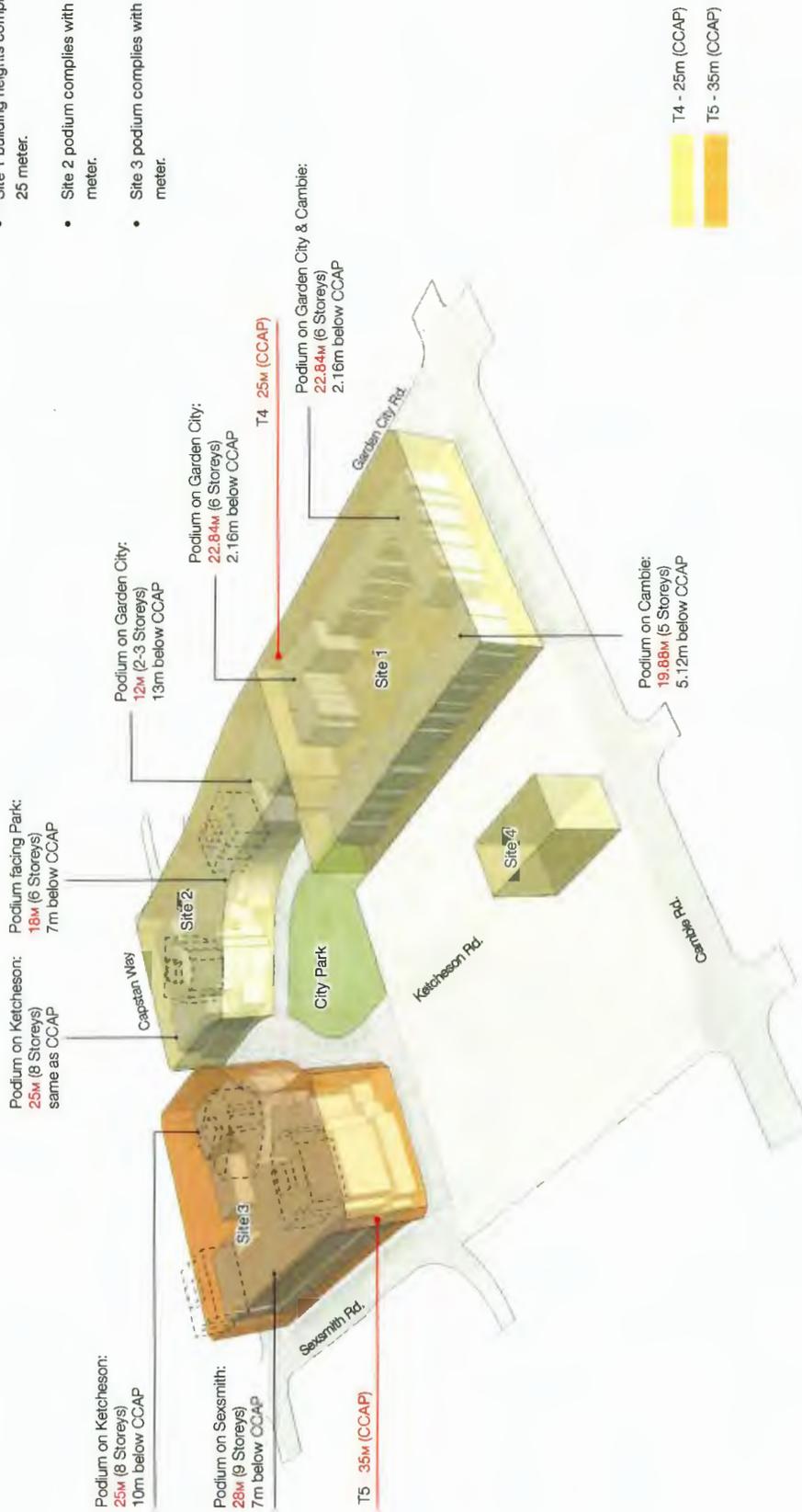


4. Density

# Podium Height Analysis

Proposed Podium Heights & Variance from CCAP

- Site 1 building heights comply with CCAP height of 25 meter.
- Site 2 podium complies with CCAP height of 25 meter.
- Site 3 podium complies with CCAP height of 35 meter.



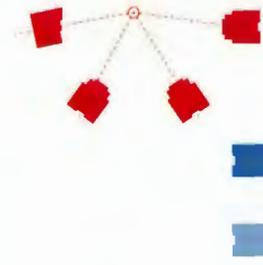
## Building Heights Analysis

- All podium heights well below CCAP heights
- Towers exceeding CCAP heights where:
  - Towers frame park's north edge
  - "Gateway" tower at Capstan/Sexsmith.

Solar performance excellent on City Park and Capstan's north sidewalk.



Park Edge & Gateway



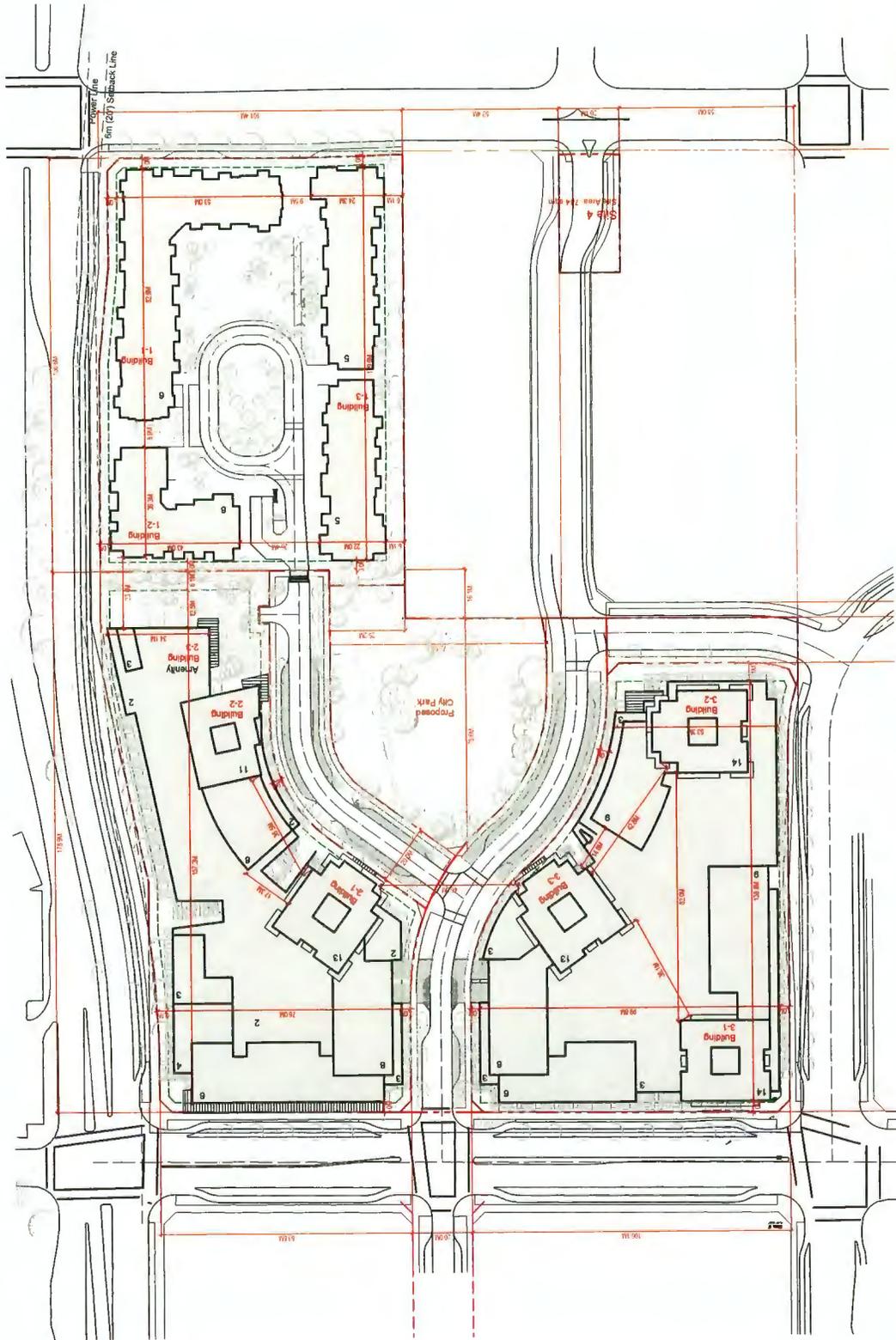
Solar Impact (4pm Equinox)



# Illustrative Site Plan



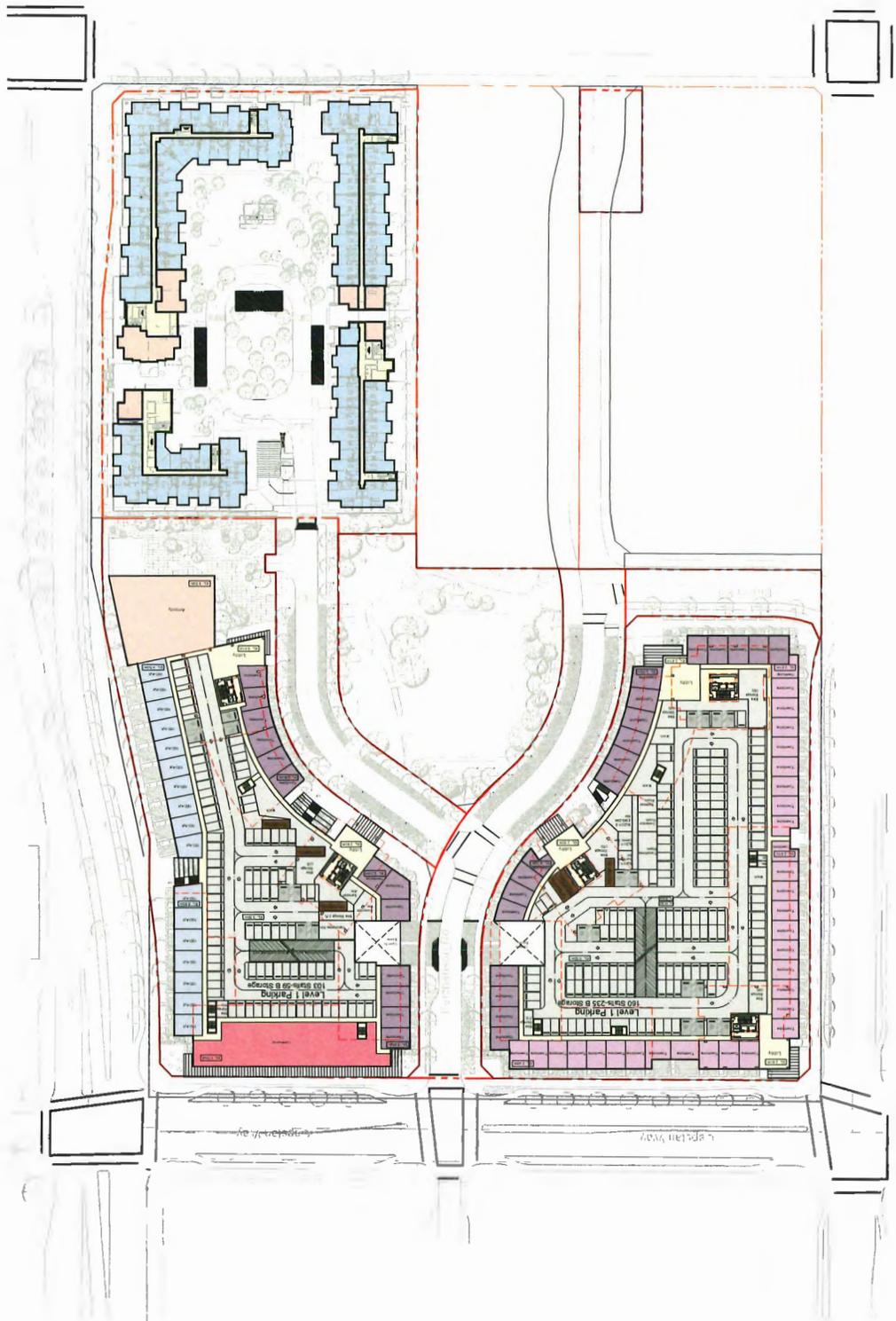
# Site Plan



CNCL - 232

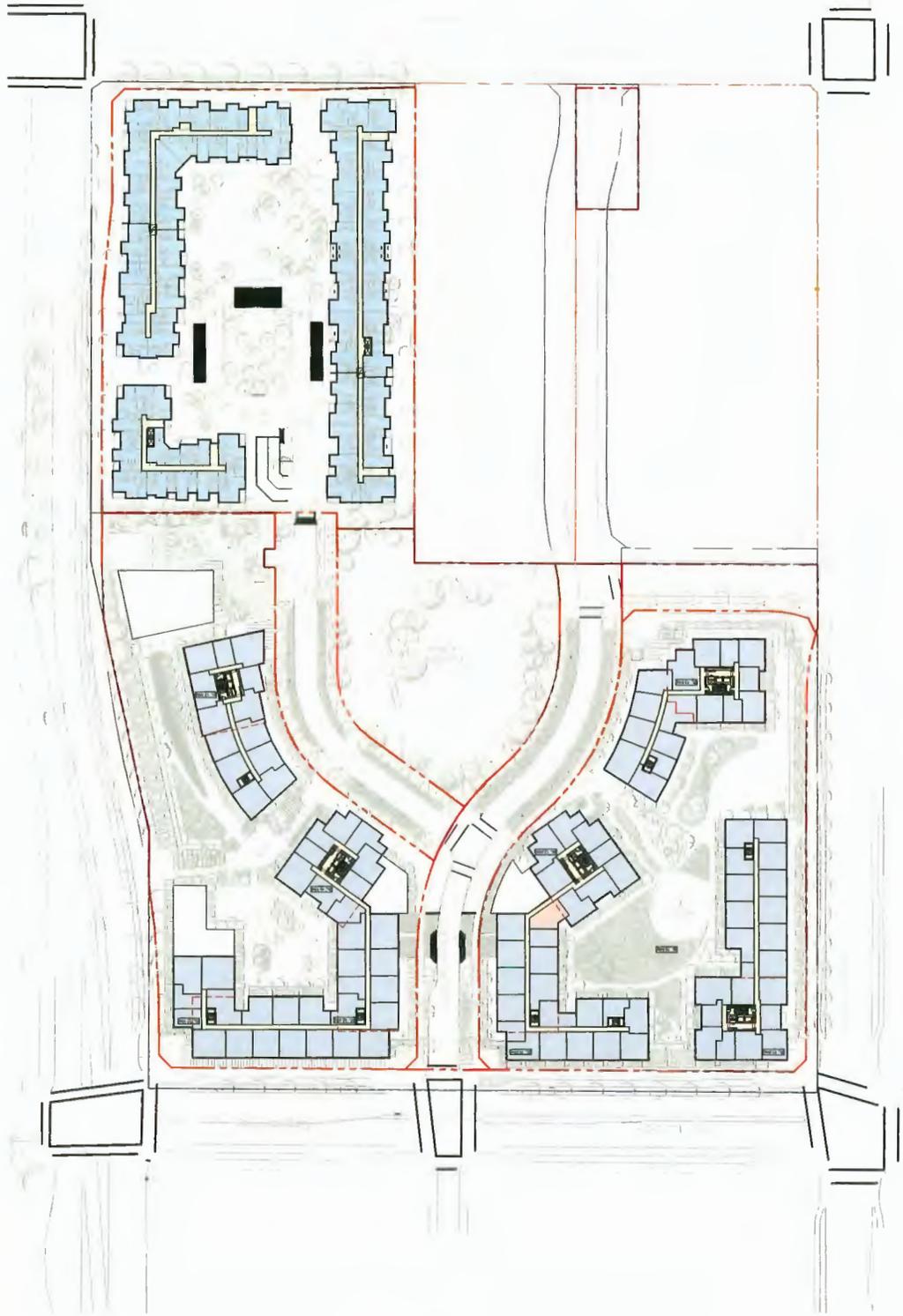


# Level 1 Floorplan



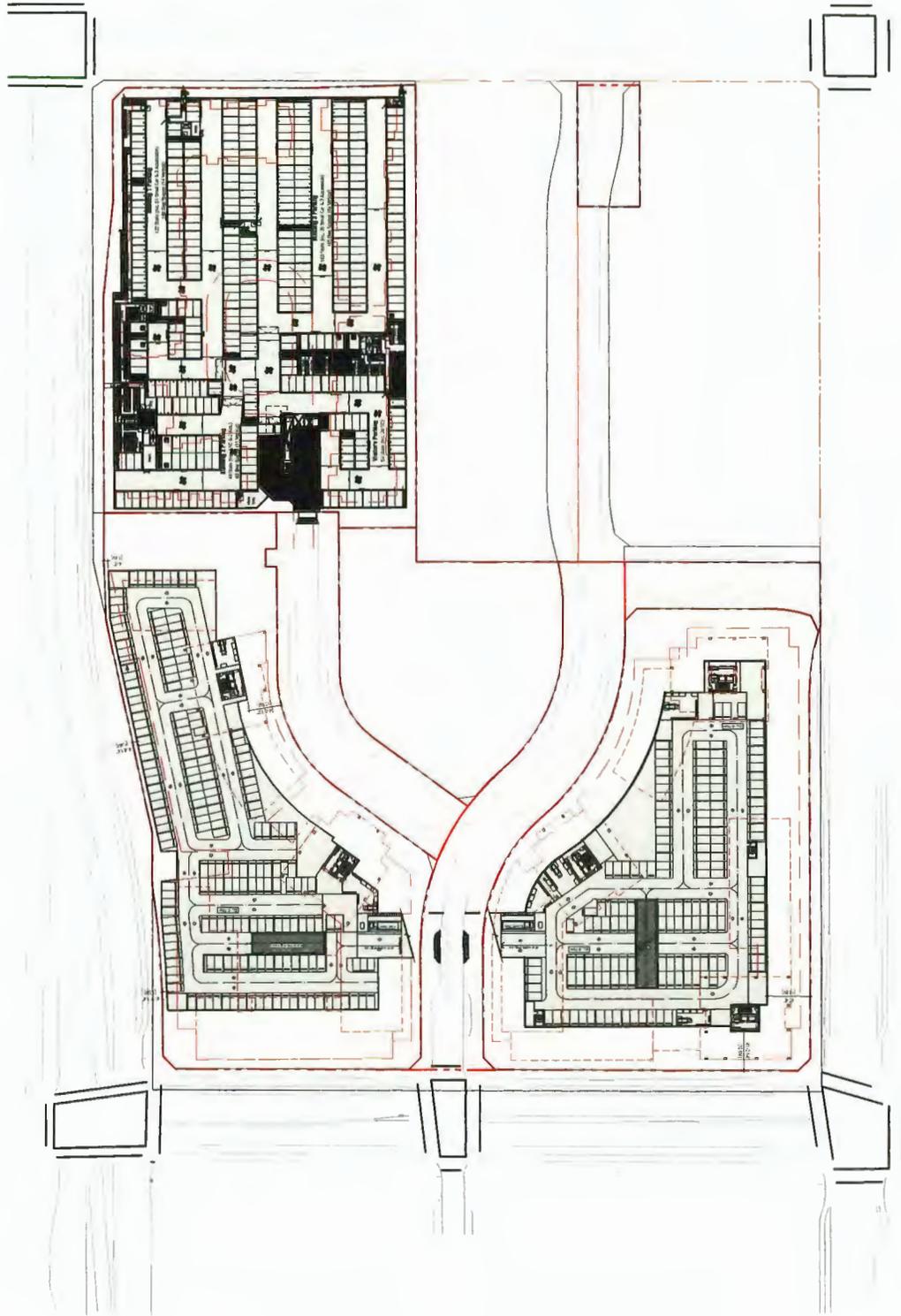
CNCL - 233

Typical Upper Floor Plan



CNCL - 234

# Typical Parking



CNCL - 235

# Site 1 Elevation at Cambie Rd



CNCL - 236

# Site 1 Elevation at Garden City Rd



CNCL - 237



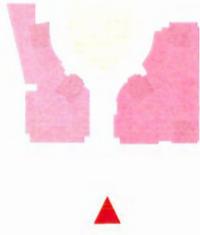
# Site 2 Elevation at Garden City Rd



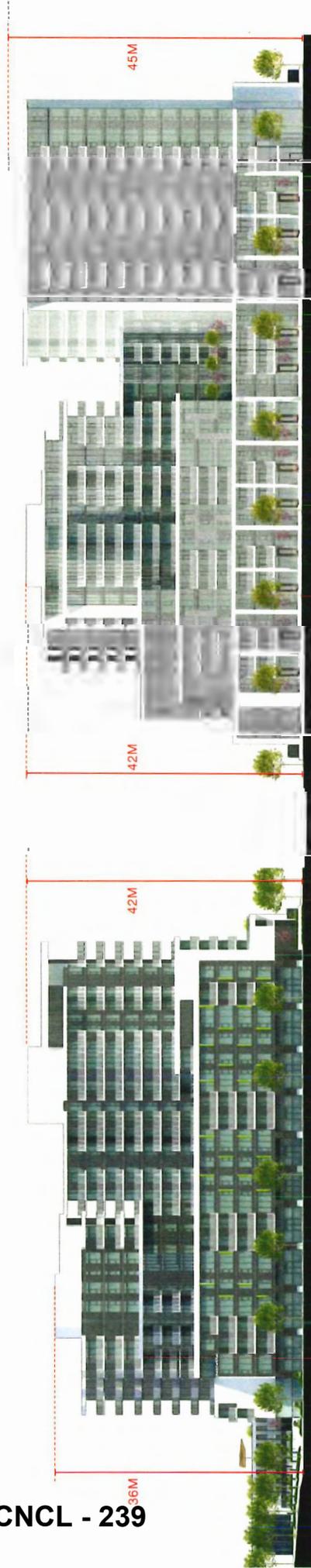
CNCL - 238



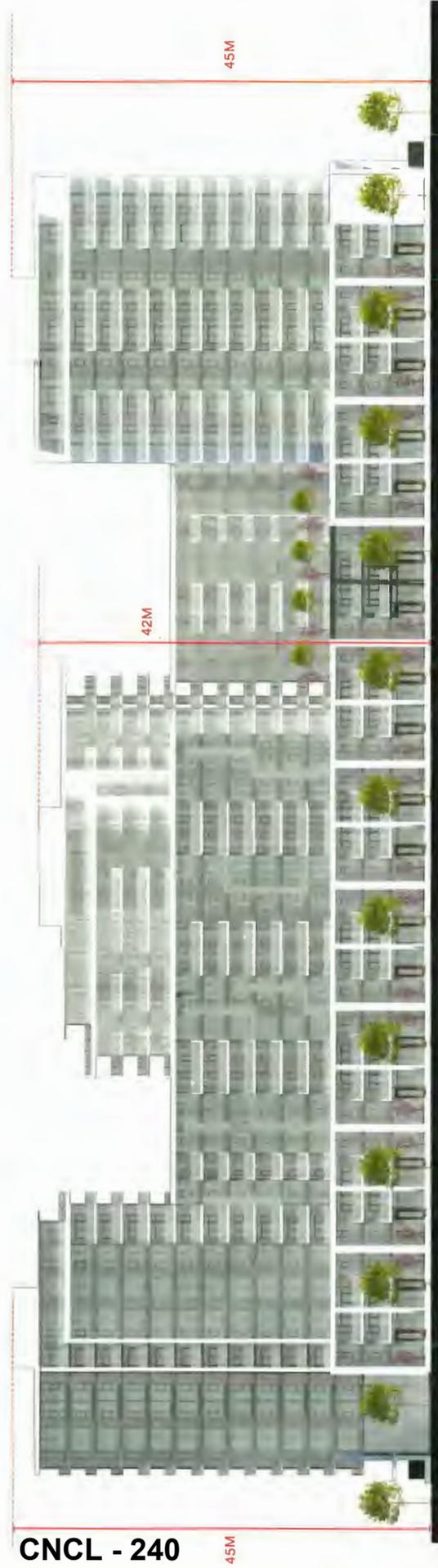
# Site 2&3 Elevation at Capstan Way



CNCL - 239



# Site 3 Elevation at Sexsmith Rd



CNCL - 240

45M

42M

45M

# Site 1



CNCL - 241



Site 2



CNCL - 242



Site 3



CNCL - 243

**LANDSCAPE PRINCIPLES**



**CNCL - 244**

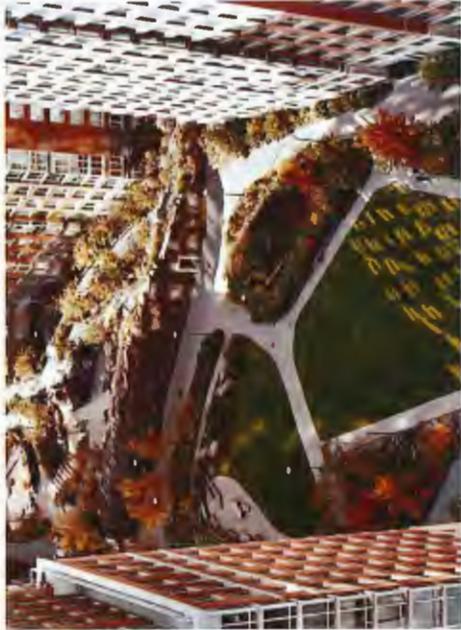
**REFERENCE TO HISTORY**

The rain gardens take inspiration from the old sloughs of Richmond, BC. The use of rain gardens will be used for stormwater management and reinforce the character of the site.



**REINFORCE THE EDGE**

Create an enticing landscape that draws people into and through the network of streets, pathways, and central park.



**CONNECTION**

Connect and complement the larger network of surrounding parks, trails, greenways, and other community amenities. Create passive spaces within the park and community for people to enjoy together.



**IMMERSIVE GARDEN**

Use the surrounding natural landscape character to guide the design of the central park and create a rich and immersive outdoor experience.

**DESIGN RATIONALE**

The Capstan Village Lands project is designed around having a single cohesive landscape approach for the neighbourhood park and surrounding development. The neighbourhood park is designed as a passive nature experience with three distinct vegetation types taken from the surrounding landscape character: forest, meadow, and rain gardens. These landscape characters are repeated throughout the development in open spaces, at entrance points, and along public pathways.

**HAPA**

LANDSCAPE ARCHITECTURE  
URBAN DESIGN  
403 - 275 WEST 5TH AVENUE  
VICTORIA, BC V8T 1J8  
250.609.4150  
HAPA@HAPA.CA

NOT FOR CONSTRUCTION

No.	Description	Date
1	Prepared for Issuance	July 23, 2020
2	Revised for Issuance	July 23, 2020
3	Revised for Issuance	July 23, 2020
4	Revised for Issuance	July 23, 2020
5	Revised for Issuance	Aug 20, 2020

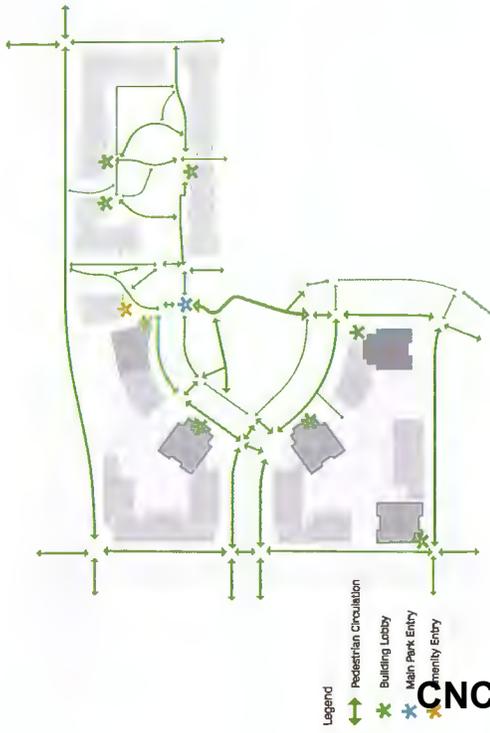
Project Name: Talisman Park  
Project No.: 2012  
Drawing No.: L0.11  
Date: 2020  
Project Status: Final/Checked

Talisman Park  
Capstan Master Plan  
Richmond, BC

**Landscape Rationale**

Date	Author	Drawing Number
2020	JMP/CLJ/EJ	L0.11

LANDSCAPE RATIONALE



CNCL -245

CONNECTIVITY

LANDSCAPE CHARACTER

NOT FOR CONSTRUCTION

No.	Description	Date
1	Prepared for Issuance	July 31, 2013
2	Prepared for Issuance	July 31, 2013
3	Revised for Issuance	July 31, 2013
4	Revised for Issuance	July 31, 2013
5	Revised for Issuance	July 31, 2013
6	Revised for Issuance	July 31, 2013
7	Revised for Issuance	July 31, 2013
8	Revised for Issuance	July 31, 2013
9	Revised for Issuance	July 31, 2013
10	Revised for Issuance	July 31, 2013
11	Revised for Issuance	July 31, 2013
12	Revised for Issuance	July 31, 2013
13	Revised for Issuance	July 31, 2013
14	Revised for Issuance	July 31, 2013
15	Revised for Issuance	July 31, 2013
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NOT FOR CONSTRUCTION

Talisman Park  
 Capstan Master Plan  
 Richmond, BC

Landscape Rationale

Date	July 2013	Drawing Number
Project No.	2013	
Scale		
Author		
Check		
Project Manager		
		<b>L0.13</b>

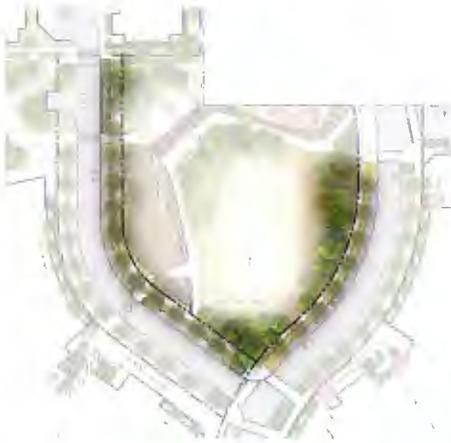
**PARK CHARACTER EXTENSION AND CONNECTIONS**

The park character will extend out along Ketcheson Road, East Road, and Brown Road with coniferous street planting, similar street edge planting, and street furnishings similar to those of the park. These elements will create a cohesive landscape approach for the park's surrounding streets, extend the parks character to connect to Garden City Road, and neighbouring parks such as Concord Gardens and Aberdeen Park.

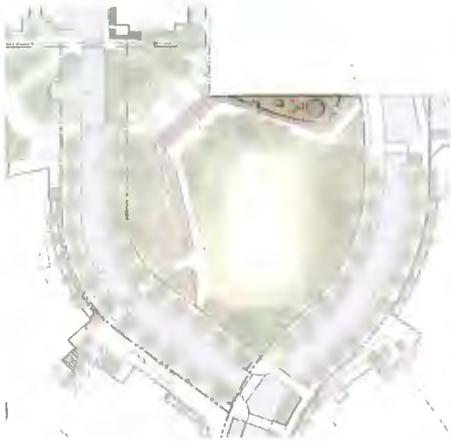


**CNCL - 246**

**PARK CHARACTER EXTENSION**



**STREET EDGE**



**DOG PARK**



NOT FOR CONSTRUCTION

No.	Description	Date
1	Prepared for Issuance	July 2016
2	Revised for Issuance	Jan 2017
3	Revised for Issuance	Jan 2017
4	Revised for Issuance	Jan 2017
5	Revised for Issuance	Jan 2017
6	Revised for Issuance	Jan 2017
7	Revised for Issuance	Jan 2017
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100	Revised for Issuance	Jan 2017

Talisman Park  
Capstan Master Plan  
Richmond, BC

Landscape Rationale

Date	July 01/2016	Drawing Number	
Project No.	2012	Scale	1:10.16
Drawn/Checked		Project/Checked	

**HAPA**  
Landscape Architecture  
Urban Design  
403 - 375 West Fifth Avenue  
Vancouver, BC, V6T 2L6  
604.689.4330  
hapa@hapa.com

# HAPA

Landscape Architecture  
Urban Design  
403 - 375 West Fifth Avenue  
Vancouver, BC, V5Y 1J6  
604.609.4030  
hapa@hapa.com

NOT FOR CONSTRUCTION

No.	Description	Date
1	Pre-Design for Planning	July 2015
2	Pre-Design for Planning	July 2015
3	Pre-Design for Planning	July 2015
4	Master Plan for Planning	Aug 2015
5	Master Plan for Planning	Aug 2015

This plan is a conceptual illustration of the proposed development and is not intended to be used for construction. It is subject to the approval of the relevant authorities and the final design may vary from this illustration.

Talisman Park  
Capstan Master Plan  
Richmond, BC

Illustrative Plan  
Level 1

Date	July 2015	Planning Number
Project No.	2015	
Scale	1:500	10:21
Author	HAPA	



**PUBLIC OPEN SPACE AT STREET CORNER**  
Provides places of refuge at the street corners with planting and furnishings that resemble the character of the neighbourhood park.

**COMMERCIAL EDGE**  
Provides places of refuge at the street corners with planting and furnishings that resemble the character of the neighbourhood park.

**CNCL 247**  
LOBBY ENTRANCE  
PRKASDE ACCESS

**PUBLIC OPEN SPACE AT STREET CORNER**  
Provides places of refuge at the street corners with planting and furnishings that resemble the character of the neighbourhood park.

**PUBLIC OPEN SPACE AT STREET CORNER**  
Provides places of refuge at the street corners with planting and furnishings that resemble the character of the neighbourhood park.

PRIVATE PATIO  
SECONDARY BUILDING ACCESS

LOBBY ENTRANCE

# HAPA

Landscape Architecture  
Urban Design  
400 - 375 West Fifth Avenue  
Vancouver, BC, V5Y 1J1  
604 609 4550  
hapa@hapa.com

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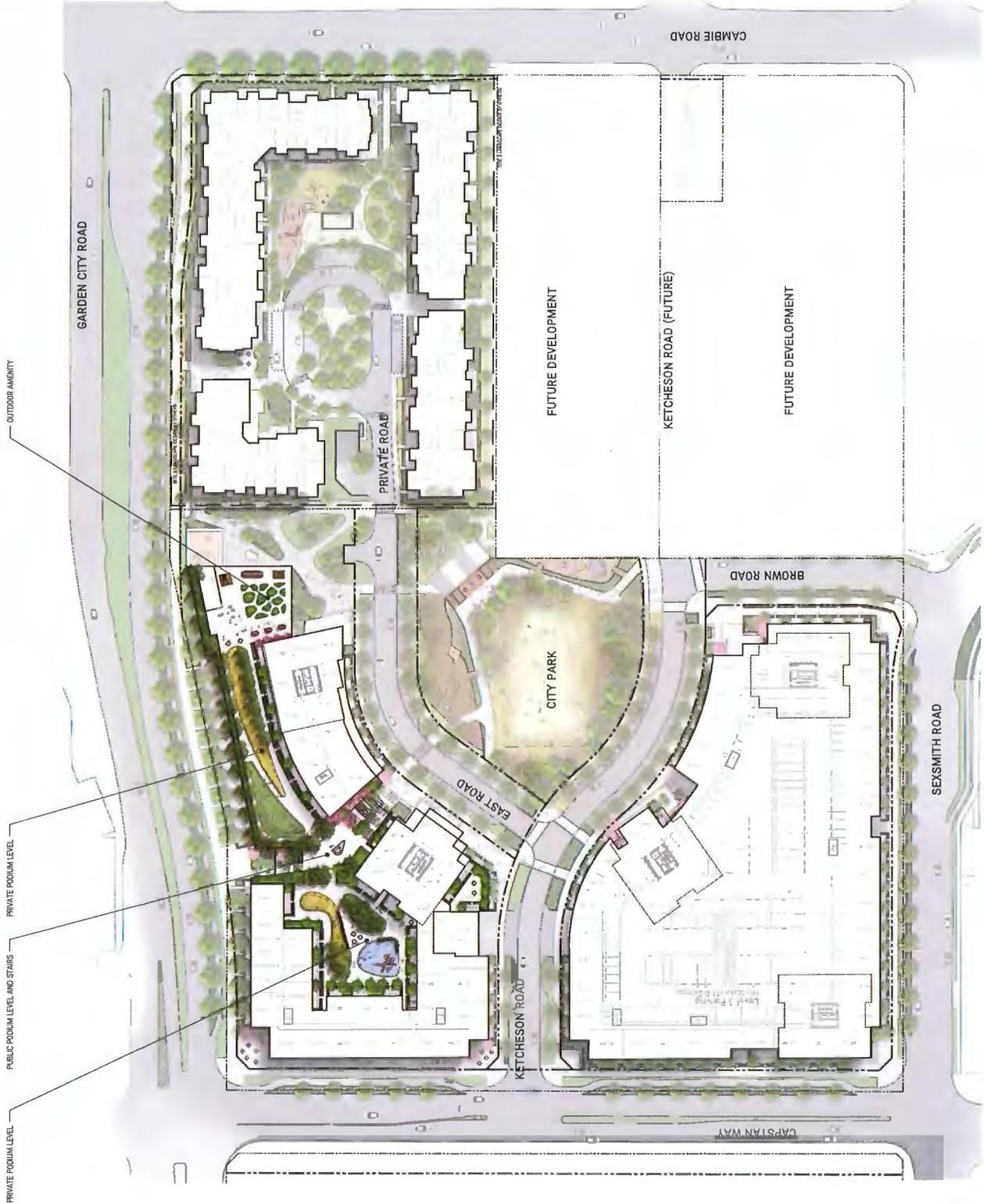
No.	Description	Date
4	Pre-issued for Planning	July 2020
3	Pre-issued for Planning	June 2020
2	Pre-issued for Planning	June 2020
1	Issued for Planning	Aug 2019

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Talisman Park  
Capstan Master Plan  
Richmond, BC

Illustrative Plan  
Level 3

Date	JULY 01/20	Drawing Number	
Project No.	2482	Scale	1:0.22
Sheet No.	2482	Author	ALP



# HAPA

Landscape Architecture  
Urban Design  
403-379-7444  
100-10750 101st Avenue  
Richmond, BC, V6V 1A7  
604-609-1450  
hapa.ca  
hapa@hapa.com

NOT FOR CONSTRUCTION

No.	Description	Date
4	Revised for Planning	July 24/23
3	Revised for Planning	July 18/23
2	Revised for Planning	June 28/23
1	Revised for Planning	Aug 29/23

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Talisman Park  
Capstan Master Plan  
Richmond, BC

Illustrative Plan  
Level 4

Date	July 24/23	Drawing Number
Project No.	1000	10.23
Scale	1:800	
Drawn/Checked	MJF	



# HAPA

Landscape Architecture  
Urban Design  
3750 St. Johns Street  
Victoria, BC V8N 1A6  
604.909.0455  
hapa@hapa.com

NOT FOR CONSTRUCTION

4	Revised for Marketing	July 2020
3	Revised for Marketing	June 2020
2	Revised for Marketing	June 2020
1	Revised for Marketing	Aug 2019
Rev.	Description	Date

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Talisman Park  
Capstan Master Plan  
Richmond, BC

Illustrative Plan  
Roof

Date	JUL 02/20	Drawing Number	
Project No.	20122	Scale	1:500
Sheet	1.000	Scale	1:500
Drawn/Checked	MLF	Scale	1:500



CNCL - 250

**September 23, 2019**

**Dear Mayor and Council**

**cc: City Manager**

**Re. Developmental Proposal #2018 836123 000 00 RZ and loss of barn owl hunting habitat**

I am writing to you as I have great concerns about the proposed rezoning of 12 parcels of land (#2018 836123 000 00 RZ) from a single detached zone to a site-specific zone to allow for a three-phase development with 8 buildings that would include 1,222 residential units and retail space. As part of the proposal there will also be a new City Park.

My main concern lies with the development of the largest parcel, 3600 Sexsmith Road as this has, until recently, been in hay production and is now fallow grass. This parcel is critical hunting habitat for the local barn owl population in Richmond and is one of the last remaining areas left for them to hunt. Barn owls are strongly associated with grasslands and marshlands, and Richmond is one of the key strongholds for this Federally threatened and Provincially red-listed species.

Barn owls are regularly seen hunting the field at 3600 Sexsmith Road at night. As part of a larger radio telemetry study I conducted between 2010-2013 on barn owl hunting behaviour in the Lower Mainland (Hindmarch et al. 2017), we had two monitored barn owls that would hunt this field at night (see attached hunting location map below). Since this study was conducted, North Richmond has changed significantly and there has been a substantial loss of grass habitat as other parcels in the area have been redeveloped from single detached residential to condominium buildings. As a result, barn owls have been displaced from these areas, and in most cases no habitat compensation was provided for barn owls when these developments occurred.

This site is undeniably important hunting habitat for the remaining barn owls in North Richmond. Based on the below-referenced study, it is crucial that some habitat is retained either as part of the proposed city park, or that funds are provided to enhance habitat elsewhere to make it more conducive for barn owls.

I have monitored barn owls in the Lower Mainland since 2006 and wrote both the Federal and Provincial Recovery Plan for the Western barn owl in 2013. I am happy to answer any questions and provide additional information on barn owl hunting behaviour and nesting activity in Richmond to help you find a viable solution that preserves habitat for this threatened species.

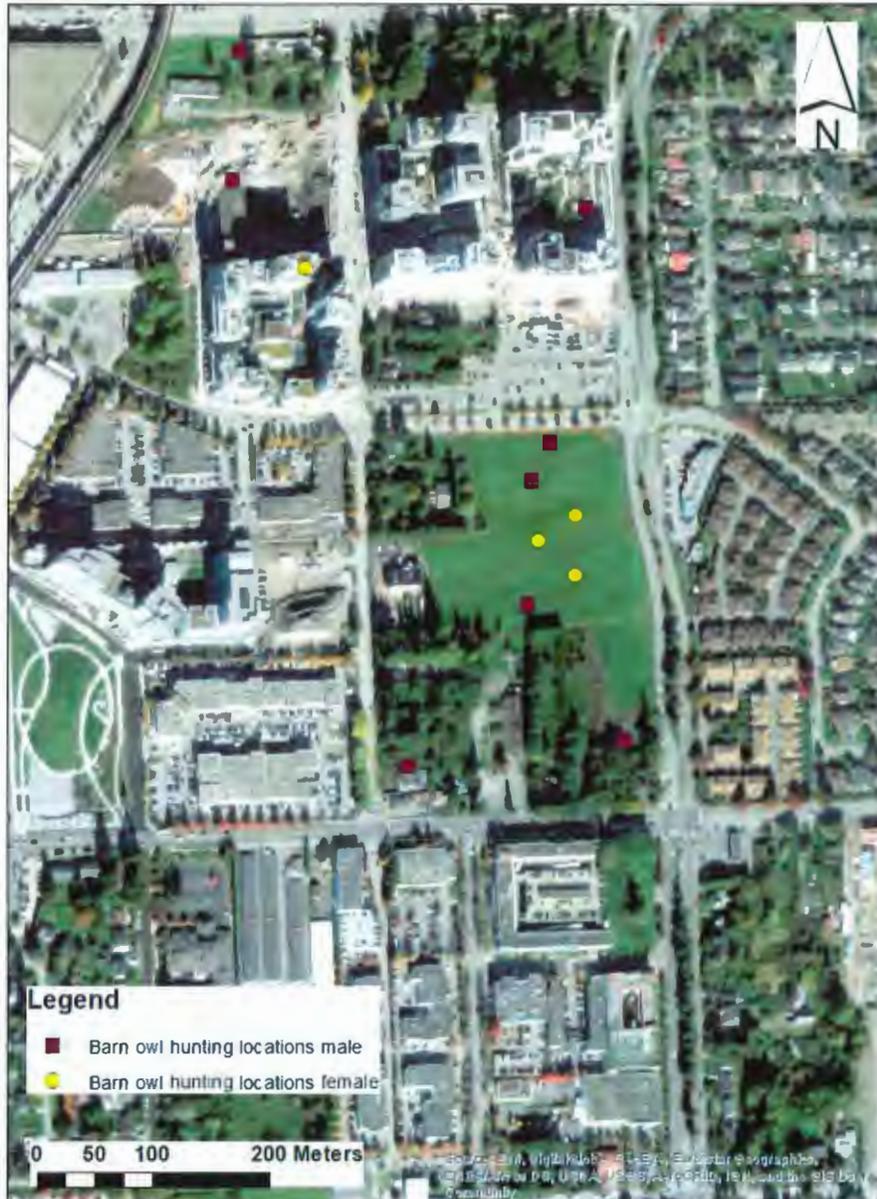
Yours Sincerely,



Sofi Hindmarch

Literature Cited:

Hindmarch S, Elliott JE, McCann S, Levesque P. 2017. Habitat use by barn owls across a rural to urban gradient and an assessment of stressor including, habitat loss, rodenticide exposure and road mortality. *Landscape and Urban Planning* 164: 132-143.



Subset of hunting locations for two radio tagged barn owls that were monitored between 2010-2011 in Richmond.

---

**From:** Murray Spitz <murrayspitz@icloud.com>  
**Sent:** August 9, 2020 2:26:03 PM  
**To:** Badyal,Sara  
**Subject:** RZ18836123

Hi Sara ,I said I would send you some pictures of the hawks that live in our trees here are a few  
Murray Spitz  
8791 Cambie Rd  
RichmondBC  
V6X1K2  
604-727-7774  
call me if you need more info







Sent from my iPhone



August 25, 2020

Mr. Robin Glover  
Vice President Development  
Polygon Talisman Ltd.  
900 – 1333 West Broadway  
Vancouver, BC V6H 4C2

Dear Mr. Glover:

**Re: Nest Survey**  
**8671 Cambie, 3540, 3500 & 3480 Sexsmith Road, Richmond BC**  
**File No. 15401-2**

Keystone Environmental Ltd. (Keystone Environmental) completed an active bird nest survey at the request of the City of Richmond (the City) sustainability staff prior to removal of vegetation at 8671 Cambie, 3540, 3500 & 3480 Sexsmith Road, Richmond BC (the Site) at Garden City Road and Capstan Way. The bird nest survey is required by the City to fulfil conditions for tree clearing permits and the survey was requested by the City since a hawk was observed by a local resident at the Site. The City would like to have confirmation from a Qualified Environmental Professional that no hawk nests are present.

Birds are protected under the BC *Wildlife Act* and the *Migratory Birds Convention Act (MBCA)*. The *MBCA* prohibits harm to bird species listed as migratory under the act, including destruction or disturbance of their nests, eggs, and young. The BC *Wildlife Act* provides protection to the majority of native vertebrate species from harm, destruction, or disturbance unless otherwise indicated under the Designation and Exemption Regulation or authorized under a permit. Section 34 provides additional protection to bird species not listed under the *MBCA*, including their eggs or nests when occupied. The nests of eagle, peregrine falcon, gyrfalcon, osprey, heron, and burrowing owl are protected year-round.

Environment Canada identifies the estimated general nesting period for each region in the country based on species diversity, climate, elevation, and habitat type. The general nesting period identified for the Site is between March 10 and August 20, which is a conservative use of the data to be inclusive of all habitat types and outliers.

## SITE SURVEY

### Methods

A presence/non-detected survey was conducted on foot through the Site with 10 m transect spacings used to visually assess vegetation capable of containing bird nests (trees and shrubs). The survey involved an audio-visual scan for birds/raptor activity, bird nests, and recent nesting or perching activity in the form of nest debris, nesting cavities, fecal wash, pellets or prey remains within the cluster of trees. The trees and associated vegetation were inspected for nests and monitored to observe bird activity that may indicate nesting use.

### Results

The bird nest survey was conducted on August 25, 2020 by the undersigned. The nest survey was conducted during clear skies with very little wind (Beaufort wind scale 1<sup>1</sup>).

Each tree and shrub on the Site was assessed for active and nests that would be protected year round. Nesting season for this year is complete (Aug 20) as defined by Canadian Wildlife Service breeding dates for migratory birds<sup>2</sup>.

A local resident observed two species of birds using the Site and communicated the information to the City. The two birds photographed by the local resident (Photographs 1 - 4) consisted of a Cooper's Hawk (*Accipiter cooperii*) and a Red-tailed Hawk (*Buteo jamaicensis*), both protected under the BC *Wildlife Act*. Both species' nests are protected only when 'active' (i.e., a nest occupied by a bird or its egg). Outside of breeding season their nests are not protected and can be removed. If they have been nesters in the area, they both have completed nesting for the season. In addition, hunting/foraging habitat for these two species is not regulated.

During the Site visit a single Red-tailed Hawk was observed in the tall Douglas fir (*Pseudotsuga menziesii*) tree on property 8671 Cambie Road (Photograph 5). All trees in the area were checked for this bird's nest and none were identified. The Cooper's Hawk was not present.

No active nests or nesting activities were observed during the survey by the two hawks, migratory birds or birds that are protected under the provincial *Wildlife Act* or the federal *Migratory Birds Convention Act*. In addition, no nests protected year-round, were identified at the Site.

---

<sup>1</sup> No wind, slight breeze

<sup>2</sup><https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods/nesting-periods.html>

## PROFESSIONAL STATEMENT

This letter has been prepared by Libor Michalak and reviewed by Annette Bosman. This document has been prepared solely for the use of the City of Richmond and Polygon Talisman Ltd.

If you require any further information, please do not hesitate to contact the undersigned at 604-838-0475.

**Keystone Environmental Ltd.**



Libor Michalak, R.P.Bio., P.Biol.  
Senior Biologist

I:\15400-15499\15401\Aug 2020 Nest Sry Raptor\15401-2 200825 Talisman Site Raptor Nest Survey.docx

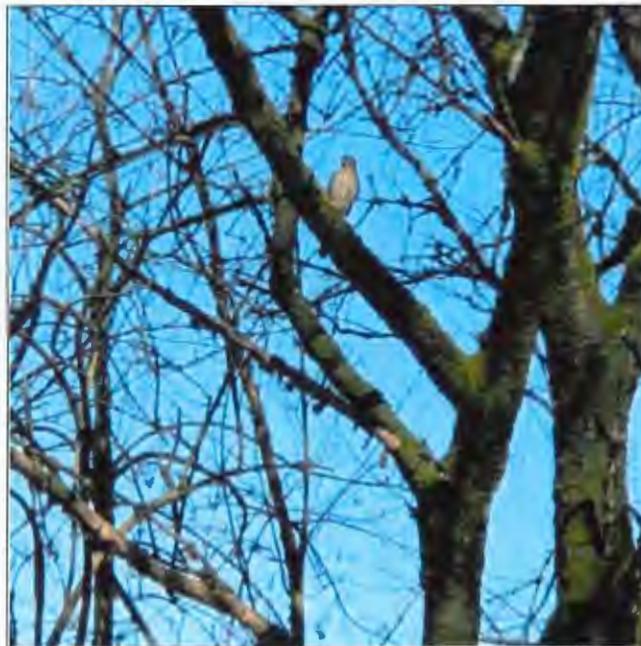
### ATTACHMENT:

- Photographs

## PHOTOGRAPHS



**Photograph 1: Local Resident Photograph (Red-tailed Hawk)**



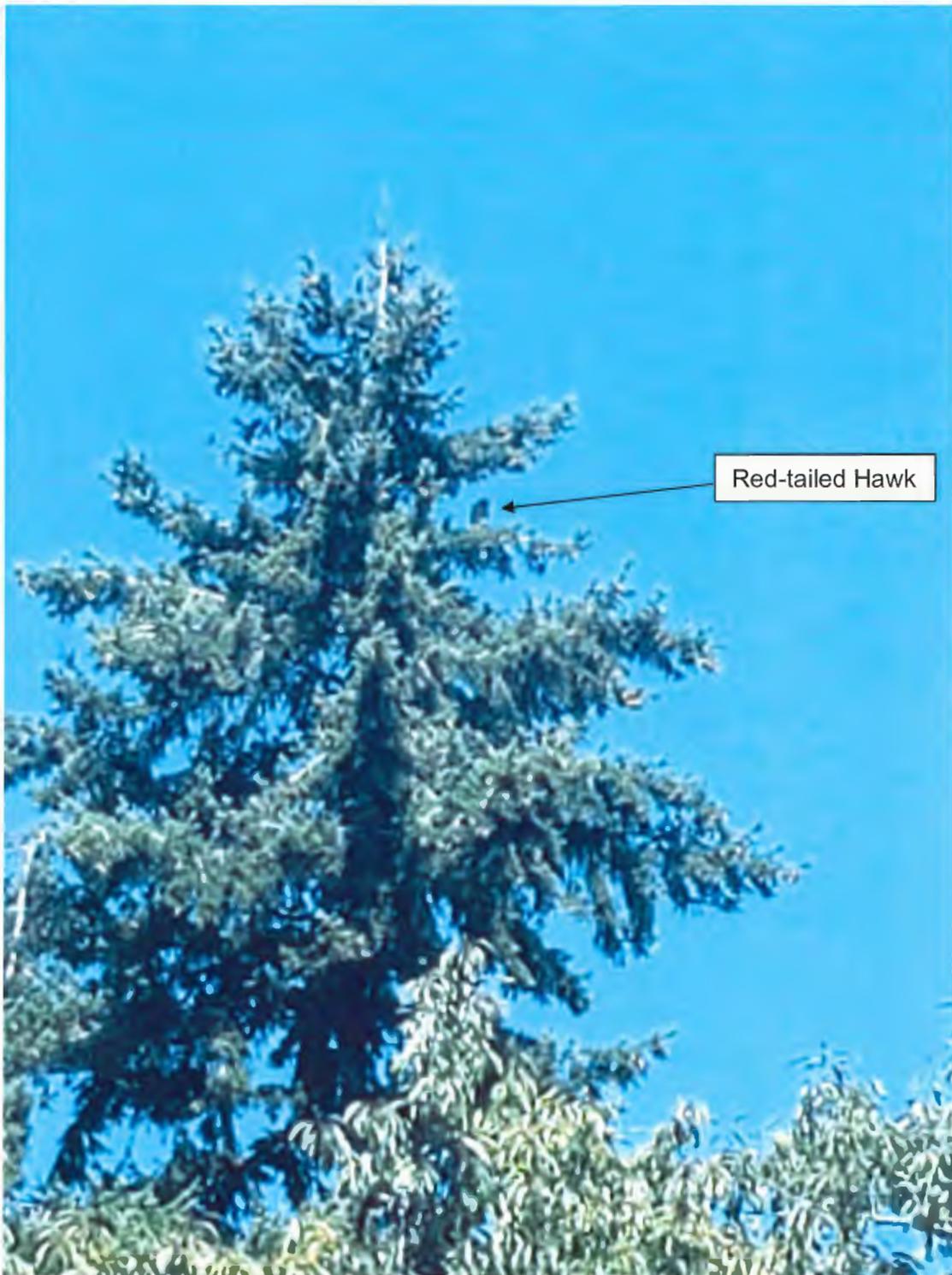
**Photograph 2: Local Resident Photograph (Cooper's Hawk 1)**



**Photograph 3: Local Resident Photograph (Cooper's Hawk 2)**



**Photograph 4: Local Resident Photograph (Cooper's Hawk 3)**



**Photograph 5:** Red-tailed Hawk in Douglas Fir tree at 8671 Cambie Road



Sara Badyal, M. Arch, RPP  
Development Applications Department  
City of Richmond  
6911 No. 3 Road  
Richmond BC V6Y 2C1

Delivered via email - [SBadyal@richmond.ca](mailto:SBadyal@richmond.ca)

July 22, 2020

Dear Ms. Badyal,

I am writing in connection with Polygon's Low End of Market Rental (LEMR) building at Talisman Park at Garden City Road & Cambie Road. I understand from discussions with Polygon (Matthew Carter and Robin Glover) that this project is proceeding to Planning Committee in the next few months.

### **S.U.C.C.E.S.S. and Polygon Partnership**

S.U.C.C.E.S.S. and Polygon have had several discussions over the last year regarding S.U.C.C.E.S.S. operating/owning the LEMR building in Talisman Park, upon completion of construction. Both parties have expressed interest in working with each other on this project and have drafted an MOU to formalize this partnership.

### **Memorandum of Understanding**

Included in the MoU is the intent to submit a joint application to BC Housing under the 2020 Community Housing Fund proposal call process to facilitate S.U.C.C.E.S.S. purchasing the building from Polygon.

### **S.U.C.C.E.S.S.'s interest in Talisman Park project**

S.U.C.C.E.S.S. recognizes that affordable, secure, and well-maintained housing is fundamental to the community and contributes to healthier residents and communities. Affordable housing is integrally linked to other community issues such as health, recreation, and social and economic development. In 2011, S.U.C.C.E.S.S.'s Board of Directors approved a 10-year housing plan to increase 500 residential units to be owned/managed by S.U.C.C.E.S.S. As of September 2017, approximately 65% of the target has been achieved through direct investment and partnerships with municipal governments, BC Housing, developers, non-profit housing providers, and financial institutions. We continue to work with our partners to reach our housing plan. S.U.C.C.E.S.S. currently owns/operates two affordable housing buildings in Richmond with a total of 134 units. Adding more buildings / units within Richmond allows for a cluster of units to increase operational efficiencies and economies of scale.

Partnering with Polygon to deliver these affordable housing units to S.U.C.C.E.S.S. is an example of the partnerships we need to help us deliver affordable housing to our communities. Polygon is an experienced developer of large-scale, complex real estate development projects. They bring an experienced development team, financial strength, and a highly regarded construction operation that is known for delivering high quality homes on time and on budget. Working with Polygon on this project with a fixed-price and turnkey delivery basis provides S.U.C.C.E.S.S. with housing at an attractive cost and in a risk-managed manner. We are pleased to be working with Polygon on this project and hope this translates into a long term working relationships for future opportunities.



## Stand-alone Building

S.U.C.C.E.S.S. prefers all affordable housing units to be located within a stand-alone building. The clustering of units results in much more efficient operations. Having a stand-alone building is preferable to have control over operating costs as well as repair and maintenance. Having units within a strata may lead to conflict between the Non-Profit and the strata owners in terms of strata fees, scheduled maintenance etc. Many strata owners' objective is to keep strata fees to a minimum often to the detriment of the building condition in the long term. S.U.C.C.E.S.S. operates the building for the long term with a focus on timely repair and maintenance to avoid deterioration of building components. The two outlooks may result in conflict in a 'dispersed strata' situation.

S.U.C.C.E.S.S.'s experience with REMY (9388 Cambie Rd) which has 81 units within a stand-alone building built on a shared parking structure solidifies the preference for stand-alone buildings. This 81 unit building allows S.U.C.C.E.S.S. far better control of operations and budgets than would be the case if the units were dispersed with market units. Further, tenants of the entire complex share the parking structure and outdoor amenities with no conflict between tenants from the private buildings and affordable housing building. In fact, we regularly hear positive feedback from both market and affordable tenants on living at REMY.

For these reasons, we fully support and endorse the approach that Polygon and the City of Richmond have taken at Talisman where the LEMR building is stand-alone rather than dispersed, but shares amenities with adjoining market buildings.

## Opportunity to influence design

Through developing and operating affordable rental housing, S.U.C.C.E.S.S. amassed a wealth of knowledge, lessons learnt and design best practices to ensure operational efficiencies and reduction of maintenance costs. Being involved with Polygon at this early stage as well as Polygon's openness for design input will ensure the affordable housing building is built to Polygon's highest standards while meeting S.U.C.C.E.S.S.'s operational needs.

## LEMR Building within complex

Talisman Park is a master planned residential development project which is currently in the early stage design process. S.U.C.C.E.S.S. acknowledges that the LEMR building is part of the entire residential development and therefore the building will be designed so as to be indistinguishable from the adjoining market building. This is important for both tenants of the LEMR building and the remainder of the complex to avoid any potential stigmatization. Similar to REMY where majority of tenants in the entire complex are comfortable with the arrangement and have positive experiences living there.

Please let me know if you require any further information

Regards

Ahmed Omran  
Director, Community Real Estate and Asset Management  
July 21, 2020

Copies: Robin Glover, Polygon Talisman Park Ltd

# Off-site Barn Owl Hunting Habitat Enhancement Areas



**Annotated Excerpt from the Minutes from  
Advisory Design Panel Meeting  
March 4, 2020**

**RZ 18-836123 – 3-PHASE 5-TOWER AND LOW-RISE MIXED USE RESIDENTIAL  
AND LIMITED COMMERCIAL DEVELOPMENT, INCLUDING AFFORDABLE  
HOUSING BUILDING, MARKET RENTAL BUILDING, NEW CITY ROADS AND NEW  
CITY PARK**

ARCHITECT: IBI Group Architects  
LANDSCAPE ARCHITECT: Hapa Collaborative  
PROPERTY LOCATION: 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie  
Road/3600 Sexsmith Road, and 3480, 3500, 3520, and  
3540/3560 Sexsmith Road

**Applicant's Presentation**

Robin Glover, Polygon, Gwyn Vose, IBI Group Architects, and Joe Fry, Hapa Collaborative, presented the project, and together with Jian Gong, IBI Group Architects, and Ryan Broadfoot, Hapa Collaborative, answered queries from the Panel.

**Panel Discussion**

Comments from Panel members were as follows, together with the applicant's design response in '*bold italics*':

- Appreciate the inclusion of the affordable housing low-end-of-market rental units in the project; looking forward to seeing the details in the formal presentation of the project to the Panel – *Noted.*
- Appreciate the project's landscape principles which incorporate the City's natural landscape and history into the proposed development; the applicant is encouraged to do more than what is currently proposed for the landscaping of the project but should relate to the project's overall landscape vision – *Will be reviewed through DP process.*
- The applicant's vision for the significant size of proposed community gardens and urban agriculture may not be realized as this would depend on the commitment of future strata management; review whether the proposed amount of community gardens and urban agriculture should be included in the landscaping of the proposed development – *Will be reviewed through DP process.*
- Overall, the proposed landscaping for the project is clear and cohesive – *Noted.*
- Appreciate the proposed City Park as it brings the whole project together; the significant size of the three sites and surrounding outside roads create opportunities for a successful design of the project – *Noted.*
- The architectural form and character of buildings on the north and south portions of the development are different and appear like separate developments; consider bringing the buildings together in terms of building design and articulation to create an appearance of one project and enhance the visual experience of Park users – *Different architects are working on Lot 1 (South Lot) and Lot 2 (East Lot) and a rough concept was provided for*

***Lot 3 (West Lot). An architect will be retained for Lot 3 (West Lot) and at DP stage for all projects it will become clear that each phase will have a separate, yet complimentary, architectural expression.***

- Consider reviewing the location of the amenity hub on the east side adjacent to Garden City Road as pedestrians will likely access the subject site from the north and west sides, which are closer to the future Capstan Canada Line Station; also consider incorporating commercial spaces along Capstan Way on the northwest portion of the site in addition to the proposed commercial spaces on the northeast portion of the site – ***The amenity building is sited to take advantage of the relationship with the central park and the SRW linking the park with Garden City. The neighbourhood is in a state of transformation so predicting pedestrian routes at this time is challenging. With respect to commercial uses on Capstan Way, the location at Garden City Road reinforces existing commercial uses across Garden City and mirrors commercial and institutional uses proposed on the north side of Capstan Way in the rezoning application under review.***
- A portion of the streetwall along Garden City Road (along the row of townhouses) is significantly set back from the street and does not provide a residential feel for pedestrians – ***The additional setback is in response to the hydro transmission lines running down the west side of Garden City which require minimum clearances.***
- Concerned about the phasing of the overall development; when built, Phase 1 can only be accessed from internal roads running through Phases 2 and 3 which will be under construction; also review the cohesiveness of the landscaping between Phase 1 and Phase 2 considering that the two phases have different landscape architects – ***The current phasing strategy supports the construction access to each phase, minimizing impacts on adjacent land uses, and delivers the Affordable Housing Units and Market Rental units in phase 1 of the development on Lot 1 (South Lot). Landscape design will be refined through the DP process.***
- Overall, the proposed development is impressive; however, concerned about the lack of manoeuvrability of large vehicles (e.g., delivery and moving trucks) in Phase 2 which would need to access the private road and roundabout in Phase 1 to manoeuvre – ***A SRW will be secured over the turnaround in phase 1 on Lot 1 (South Lot) and there is a hammerhead proposed in the road design at the road end driveway. Design will be further reviewed through DP and SA processes.***
- Consider reviewing the location of pedestrian crossings for pedestrian safety in Phase 1 and Phase 2 in relation to road curve; also consider installing traffic calming measures along the private road in Phase 1 to enhance pedestrian safety – ***Safety is a priority. These crossings will be further reviewed through the SA process.***
- Consider providing additional shadow studies as the children's play areas in Phase 2 and Phase 3 appear shaded – ***Additional shadow studies will be produced at DP stage.***
- Review whether proposed phase 1 dog area in the Park to achieves its purpose – ***The park concept will be further refined in consultation with Parks staff.***

- Ensure appropriate height for the proposed street trees, i.e. conifer trees, to provide adequate clearance for vehicles; also ensure survivability of the trees to be planted – ***Species tree size will be further reviewed through SA process.***
- Ensure CPTED principles are addressed for the long sidewalks along Garden City Road and Capstan Way – ***Sidewalk design will be reviewed through SA process.***
- Consider providing wheelchair access for areas in the project where staircases are proposed to be installed, especially along the proposed pedestrian connection from Garden City Road to the City Park – ***The pedestrian link from Garden City through to the neighbourhood park is at grade and will be accessible and inviting.***
- Agree with Panel comment that the project is impressive – ***Noted.***
- The applicant should be mindful on the impact to the shape and form of the buildings when mechanical rooms are installed for the low carbon energy plant – ***Will be reviewed through the DP process.***
- As the project moves forward to the next stages, the energy modeling should show how the project would achieve Energy Step Code 2 for the concrete buildings and how the slab edges would impact the achievement of applicable performance targets – ***Noted.***
- Agree with the Panel comment that the children’s play area in Phase 1 could be shaded; consider shifting the roundabout and the children’s play area to ensure adequate sunlight exposure – ***Updated phase 1 shadow studies confirm that the outdoor children’s play area has ample solar access while still providing necessary shade in the summer months.***
- Appreciate the significant breaks of buildings in Phase 1 and Phase 2 adjacent to the surrounding outside roads which allow pedestrian access into the site; consider increasing the breaks of buildings in Phase 3 (west side) to achieve the same level of visual porosity of buildings in Phase 1 and Phase 2 – ***Phase 3 of the development on Lot 3 (West Lot) requires a parkade of at least 3-stories. Once a consultant team has been retained, the architect will review opportunities to articulate and reduce the visual bulk of the development through the DP process.***
- Appreciate the breaking down of the massing of buildings in Phase 2 while still appearing like whole buildings; consider incorporating the architectural elements in Phase 2 buildings into the Phase 3 buildings – ***Will be reviewed through DP process.***
- Appreciate the grand staircase in Phase 2 providing pedestrian connection from Garden City Road to the City Park; however, consider addressing the accessibility of people using strollers and in wheelchairs – ***Expression of a visual break in the massing in-lieu of a staircase connection will be reviewed through the DP process to avoid a 2-storey climb to private amenity space. Elevator and corridor access will provided inside the building for building residents.***

- Appreciate the two-storey podium in Phase 2 which provides a human scale at street level; consider a two-storey podium for Phase 3 in lieu of the proposed three-storey podium; The two-storey townhouses are more successful than the three-storey townhouses in terms of proportion – ***The phase 3 design concept for Lot 3 (West Lot) will be refined when an architect is engaged to prepare the DP application. Incorporating those elements of Lot 2 (East Lot) that create a more human scale in Lot 3 (West Lot) will be reviewed through the DP process.***
- Appreciate the up and down pedestrian connection from Garden City Road to the proposed City Park; however, it lacks visual connection and provision for accessibility – ***Addressed above.***
- The proposed landscaping for the project is well developed; the public realm, private spaces and shared spaces are well integrated at this early stage of the project; also appreciate the proposed extensive landscaping on the roofs – ***Noted.***
- Consider incorporating a small commercial space in the City Park to provide relief from the Park, e.g. install a coffee shop and/or fast food for Park users along the park elevation – ***Commercial uses are proposed along Capstan Way for reasons stated above. The amenity building will provide a social gathering space that a coffee shop might provide and will act as a hub for residents of the community. Polygon has a long history of staffing clubhouses with an event/social planner that will jump start the community building by organizing daily/weekly activities such as yoga, art classes, etc.***
- Consider redesigning Phase 1 of the project through (i) replacing the proposed wood-frame building with a podium and tower form with landscaping on the podium similar to Phase 2 and Phase 3, (ii) extending the new East Road to connect to Cambie Road, and (iii) extending the City Park space to the area occupied by the proposed market residential building in Phase 1 – ***Maximum six-storey height is proposed at the southeast corner of the site to step down building height in transition to the existing lower building heights in the Oaks neighbourhood to the east of Garden City and lower building heights south of Cambie Road. The extension of the new North-South road through to Cambie is not supported in part due to proximity to the proposed Odlin Crescent extension which will occur mid-block on Cambie Road.***

*NOTE: Rezoning applications receive an informal review, with comments provided and no vote. The required Development Permit application(s) will be reviewed formally, including comments and a vote.*



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**Address:** 8671, 8731, 8771, 8831/8851 Cambie Road, 8791 Cambie Road/3600 Sexsmith Road,  
and 3480,3500,3520, and 3540/3560 Sexsmith Road **File No.:** RZ 18-836123

**Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 10198, the developer is required to complete the following:**

1. (**Ministry of Transportation & Infrastructure - MOTI**): Final MOTI approval must be received.  
NOTE: Preliminary MOTI approval is on file and will expire on June 19, 2021.
2. (**NAV Canada Building Height**) Submit a letter of confirmation from a registered surveyor assuring that the proposed building heights are in compliance with Transport Canada regulations.  
NOTE: This consideration has been satisfied (REDMS # 6234621).
3. (**Consolidation, Subdivision, Dedication and Land Transfer**) Registration of a Subdivision Plan for the subject site and park land ownership transfer, to the satisfaction of the City. Prior to the registration of a Subdivision Plan, the following conditions shall be satisfied:
  - 3.1. (**Site Contamination – Dedicated and/or Transferred Land**) Prior to rezoning bylaw adoption, submission to the City of sufficient information and/or other assurances satisfactory to the City in its sole discretion to support the City's acceptance of the proposed dedicated and/or transferred land. Such assurances could include one or more of the following:
    - 3.1.1. a contaminated sites legal instrument (e.g. Certificate of Compliance (COC) or Final Site Determination (FSD) showing no contamination in the dedication lands);
    - 3.1.2. evidence satisfactory to the City, in its sole discretion, that the lands to be dedicated to the City are in a satisfactory state from an environmental perspective; and
    - 3.1.3. a legal commitment to provide a contaminated sites legal instrument (e.g. Certificate of Compliance (COC) or Final Site Determination (FSD) showing no contamination in the dedication lands), including security therefore in the amount and form satisfactory to the City.
  - 3.2. Road: Dedication of approximately 11,034 m<sup>2</sup> (2.73 ac) for road and related purposes, as indicated generally on the Preliminary Subdivision Plan (Schedule A) and Preliminary Road Functional Plan (Schedule B). Final extents and amounts to be determined through the required Servicing Agreement\* application process, to the satisfaction of the Director of Transportation. Road dedication areas include:
    - 3.2.1. Cambie Road widening (Across 8671 Cambie Road frontage and from West property line of 8731 Cambie Road to Garden City Road): varying width of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along the development frontage. Exact extent to be confirmed through the detailed design SA process to the satisfaction of the City;
    - 3.2.2. Garden City widening (Cambie Road to +/- 70 m northward): varying width (up to 6.53 m) of strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along the development frontage. Exact extent to be confirmed through the detailed design (SA) process to the satisfaction of the City;
    - 3.2.3. Capstan Way widening (Sexsmith Road to Garden City Road): 6.8 m wide strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along the development frontage;

NOTE: Development Cost Charge (DCC) credits may apply.

- 3.2.4. Sexsmith Road widening: (Capstan Way to Brown Road): varying width (3.61 m typical) strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along the development frontage;

NOTE: Development Cost Charge (DCC) credits may apply.

- 3.2.5. Odlin Crescent extension (Cambie Road to north property line of 8671 Cambie Road): dedication of entire lot at 8671 Cambie Road;
- 3.2.6. Ketcheson Road extension (Capstan Way to Brown Road extension): a 20 m wide strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalks along both sides of the street;
- 3.2.7. Brown Road extension (Sexsmith Road to Ketcheson Road extension): a 15 m wide strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along the development frontage;
- 3.2.8. New North-South road (Ketcheson Road extension to North property line of Lot 1 (South Lot)): a 20 m wide strip of land dedication required along the entire length to accommodate road elements to the back of the proposed sidewalk along both sides of the street; and
- 3.2.9. Corner Cuts: minimum 4 m x 4 m corner cuts (measured from the new property lines) required on all corners of intersections where two dedicated roadways intersect.

- 3.3. Lot Consolidation and Subdivision: The creation of the following lots:

- 3.3.1. Three (3) lots for development purposes, as per the Preliminary Subdivision Plan (Schedule A), including:

- a) Lot 1 (South Lot): 13,793.7 m<sup>2</sup> (3.41 ac);
- b) Lot 2 (East Lot): 12,347.7 m<sup>2</sup> (3.05 ac); and
- c) Lot 3 (West Lot): 12,781.0 m<sup>2</sup> (3.16 ac).

- 3.3.2. One (1) lot for park and related purposes: 4,748.3 m<sup>2</sup> (1.17 ac).

- 3.4. No Separate Sale of Development Lots: Registration of legal agreements on the three (3) lots created for development purposes for the subject mixed use development proposal, as per the Preliminary Subdivision Plan (Schedule A), requiring that the lots may not be sold or otherwise transferred separately without prior approval of the City, to ensure that legal agreement and business terms related to financial, legal, development, and other obligations assigned to each of the lots as a result of the subject rezoning are transferred and secured to the satisfaction of the Director of Development and City Solicitor.

- 3.5. Park: Transfer of the approximately 4,748.3 m<sup>2</sup> (1.17 ac) lot to the City as a fee simple lot for park and related purposes, which may include, but may not be limited to, a neighbourhood park, and associated features and activities. The primary business terms of the required land transfer, including any environmental conditions, shall be to the satisfaction of the Director, Real Estate Services, the City Solicitor, the Director, Parks Services and the Director of Development. All costs associated with the land transfer shall be borne by the developer. The lands to be transferred are generally indicated on the Preliminary Subdivision Plan (Schedule A).

NOTE: Development Cost Charge (DCC) credits shall not apply.

NOTE: This land transfer is required to satisfy the developer's CCAP and Zoning Bylaw public open space requirements with respect to the Capstan Station Bonus.

4. (**Public Rights of Passage Statutory-Rights-of-Way - SRWs**) Registration of right-of-ways for the purposes of public passage and utilities to facilitate public access, related landscaping and infrastructure, including:

- 4.1. Public Open Space SRWs, as shown generally on the Parks and Public Open Space Key Plan (Schedule C), of approximately 1,077 m<sup>2</sup> (0.27 ac), including the provision of the following, to the satisfaction of the City:

- 4.1.1. Mid-Block Trail SRW: approximately 646.4 m<sup>2</sup> (0.16 ac) along the south side of Lot 2 (East Lot) where it abuts Lot 1 (South Lot), for a landscaped trail for pedestrians and bikes, providing a public trail and recreation connection between Garden City Road and the proposed road and neighbourhood park.
- 4.1.2. Corner Plaza Open Spaces SRWs: approximately 304 m<sup>2</sup> (0.08 ac) combined area in the form of corner plazas at all of the intersections along the north side of Lot 2 (East Lot) and Lot 3 (West Lot) for the enhancement of intersection corners accommodating landscaping, pedestrian and bike activity, including:
  - a) Capstan/Garden City SW corner plaza: approximately 121.4 m<sup>2</sup>;
  - b) Capstan/Ketcheson SE corner plaza: approximately 73.3 m<sup>2</sup>;
  - c) Capstan/Ketcheson SW corner plaza: approximately 73.4 m<sup>2</sup>; and
  - c) Capstan/Sexsmith SE corner plaza: approximately 35.8 m<sup>2</sup>;
- 4.1.3. South Lot Open Space SRW: approximately 127 m<sup>2</sup> (0.03 ac) along the north side of Lot 1 (South Lot) where it abuts the proposed neighbourhood park, for park activity and integration improvements.

NOTE: These SRW areas are required to satisfy the developer's CCAP and Zoning Bylaw public open space requirements with respect to the Capstan Station Bonus.

- 4.2. The 'Public Open Space SRWs' shall provide for:
  - 4.2.1. A public experience, use, and enjoyment of the SRW area as attractive, welcoming, well-lit, safe, and well maintained, as determined to the satisfaction of the City;
  - 4.2.2. 24 hour-a-day, universally accessible, public access, which may include, but may not be limited to, lighting, furnishings, street trees and planting, decorative paving, and signage indicating the SRW area is publicly accessible, to the satisfaction of the City;
  - 4.2.3. Public art;
  - 4.2.4. Public access to fronting residential, public open space, and other on-site uses;
  - 4.2.5. Emergency and service vehicle access, City bylaw enforcement, and any related or similar City-authorized activities;
  - 4.2.6. City utilities, traffic control (e.g., signals), and related equipment;
  - 4.2.7. The owner-developer's ability to close a portion of the right-of-way to public access to facilitate maintenance or repairs to the right-of-way or the fronting uses, provided that adequate public access is maintained and the duration of the closure is limited, as approved by the City in writing in advance of any such closure;
  - 4.2.8. Design and construction of the SRW areas, via Servicing Agreement\* processes, at the sole cost and responsibility of the developer, as determined to the satisfaction of the City;
  - 4.2.9. Maintenance of the SRW area at the sole cost of the owner-developer, except as otherwise determined via the Servicing Agreement approval process;
  - 4.2.10. Building encroachments located fully below the finished grade of the right-of-way, provided that such encroachments do not conflict with the design, construction, or intended operation of the right-of-way (e.g., tree planting, accessible grades, underground utilities), as specified in a Development Permit\* or Servicing Agreement\* approved by the City;
  - 4.2.11. The right-of-ways shall not provide for:
    - a) Driveway crossings;
    - b) Vehicle access, except as described above; or
    - c) Building encroachments above the finished grade of the right-of-way;

- 4.2.12. “No development” shall be permitted on the lot where the SRW is located, restricting Development Permit\* issuance for any building on the lot where the SRW is located, in whole or in part, unless the permit includes the design of the SRW area, to the City’s satisfaction;
- 4.2.13. No Building Permit\* shall be issued for a building on the lot where the SRW is located, in whole or in part, unless the permit includes the design of the SRW area, to the City’s satisfaction; and
- 4.2.14. “No occupancy” shall be permitted of a building on the lot where the SRW is located, restricting final Building Permit\* inspection granting occupancy for any building on the lot where the SRW is located, in whole or in part, until the SRW area is completed to the satisfaction of the City and has received, as applicable, a Certificate of Completion and/or final Building Permit\* inspection granting occupancy.
- 4.3. Vehicle turnaround on Lot 1 (South Lot), to the satisfaction of the Director of Transportation, which shall provide for:
  - 4.3.1. Exact dimensions to be determined through the required Development Permit\* process;
  - 4.3.2. 24 hour-a-day, universally accessible, public pedestrian and vehicle access, which may include, but may not be limited to, lighting, to the satisfaction of the City;
  - 4.3.3. Building encroachments located fully below the finished grade of the right-of-way, as specified in the required Development Permit\*; and
  - 4.3.4. Maintenance of the SRW area at the sole cost of the owner-developer.
- 4.4. Other Right-of-Ways: As determined to the sole satisfaction of the City via the Servicing Agreement\*, Development Permit\*, and/or Building Permit\* processes.
5. (***Farm Soil Recovery***) Enter into a legal agreement to relocate up to a maximum of approximately 19,100 m<sup>3</sup> (674,510 ft<sup>3</sup>) of agricultural soil from a source site area on the subject site (as generally indicated on the Farm Soil Recovery Area diagram /Schedule D) to the City’s Garden City Lands at 5560 Garden City Road for farm use.
  - 5.1. Parks Services to obtain Soil Deposit Permit\* for the placement of the soils in the Agricultural Land Reserve (ALR) in consultation with Community Safety and Bylaws staff.
  - 5.2. The soil relocation shall be done in accordance with applicable Agricultural Land Commission (ALC) regulations and approval conditions. The City has ALC approval to develop the Kwantlen Polytechnic University farm area on the Garden City Lands and is responsible for securing any additional approvals from the ALC, if needed, prior to any soil movement from the source site to the Garden City Lands.
  - 5.3. The developer is responsible for the payment of soil tipping fees to the City as be per the rates outlined in the City’s Consolidated Fees - Bylaw 8636 for the Garden City Lands.
  - 5.4. Under the guidance of a Qualified Environmental Professional (QEP), a Phase I Environmental Site Assessment will be conducted to determine if further testing is required as per *Contaminated Sites Regulations* (BC CSR) protocols.
  - 5.5. The soil will be tested for overall soil composition, soil chemistry, and other characteristics required to fully profile the soil for agricultural purposes.
  - 5.6. In addition, a QEP will assess the source site to determine if there are any invasive plants. Any areas identified as containing invasive plants will remain on the source site and soil from the identified areas will not be relocated to the Garden City Lands.
  - 5.7. Soil testing results will be provided to the developer for third party verification review prior to the developer applying to the City for a soil deposit permit.
  - 5.8. The soil is to be excavated prior to pre-load activities occurring on the source site. When excavation of soil commences, the soil is to be relocated as soon as possible directly to a specified soil deposit area within the Garden City Lands in coordination with Parks Services. Sub-soil from the source site is to be deposited onto the Garden City Lands prior to the placement of top soil from the source site.

**NOTE:** Any stockpiling of existing top soil on the subject site identified to be retained on-site for the purposes of constructing the proposed neighbourhood park shall be stockpiled in a manner such that the soil quality will be maintained to the greatest extent possible following best management practices and under the guidance of a Qualified Agrologist.

- 5.9. Only uncontaminated soil meeting Agricultural Land (AL) Standards will be accepted by the City to be placed on the Garden City Lands
- 5.10. The developer is responsible for the costs associated with excavating and transporting the soil to the Garden City Lands. Upon receiving and accepting the soil, the City will assume management of the soil and associated costs related to managing the soil on the Garden City Lands. Soil management on the Garden City Lands includes moving the soil within the site, grading and incorporation of soil amendments.
- 6. (**Capstan Station Bonus - CSB**) Registration of a restrictive covenant and/or alternative legal agreement, to the satisfaction of the City, securing that “no building” will be permitted on the subject site and restricting Building Permit\* issuance for the subject site, in whole or in part, until the developer satisfies the terms of the Capstan Station Bonus (CSB) as provided for via the Zoning Bylaw. More specifically, the developer shall satisfy the following requirements:
  - 6.1. Capstan Station Reserve Contribution: Prior to Building Permit\* issuance for the subject site, in whole or in part, the developer shall submit a cash contribution to the Capstan Station Reserve. The preliminary estimated value of the required developer contribution is shown in the following table. The actual value of the developer contribution shall be based on the actual number of dwelling units and the City-approved contribution rate in effect at the time of Building Permit\* approval.

TABLE 1

Phase	No. of Dwellings <i>Preliminary estimate</i>	CSB Contribution Rate <i>Effective to Sep 30, 2020</i>	CSB Voluntary Contribution <i>Preliminary estimate</i>
1	347	\$8,992.14 /dwelling	\$3,120,272.58
2	339	\$8,992.14 /dwelling	\$3,048,335.46
3	540	\$8,992.14 /dwelling	\$4,855,755.60
<b>Total</b>	<b>1,226</b>	<b>\$8,992.14 /dwelling</b>	<b>\$11,024,363.64</b>

- 6.2. CSB Minimum Public Open Space Contribution:

6.2.1. Prior to the final reading of the Rezoning Bylaw, granting of at least 6,992 m<sup>2</sup> (1.73 ac) of publicly-accessible open space to the City, in a combination of fee simple, dedication and/or Public Rights of Passage Statutory Right-of-Way (SRW), including:

TABLE 2

Capstan Station Bonus (CSB) Public Open Space Features		CSB Voluntary Public Open Space Contribution		
		Dedication (Road)	Fee Simple Lot (Park)	SRW
A	Capstan/Ketcheson SW corner plaza	-	-	73.4 m <sup>2</sup> (0.02 ac)
	Capstan Way additional widening	445 m <sup>2</sup> (0.11 ac)	-	-
B	Capstan/Garden City SW corner plaza	-	-	121.4 m <sup>2</sup> (0.03 ac)
	Capstan/Ketcheson SE corner plaza	-	-	73.3 m <sup>2</sup> (0.02 ac)
	Capstan Way additional widening	353.3 m <sup>2</sup> (0.09 ac)	-	-
C	Capstan/Sexsmith SE corner plaza	-	-	35.8 m <sup>2</sup> (0.01 ac)
	Sexsmith Road additional widening	368.5 m <sup>2</sup> (0.09 ac)	-	-
D	Mid-block Trail SRW	-	-	646.4 m <sup>2</sup> (0.16 ac)
E	South Lot open space SRW	-	-	127.1 m <sup>2</sup> (0.03 ac)
F	Neighbourhood Park	-	4,748 m <sup>2</sup> (1.17 ac)	-
	<b>Sub-Total</b>	<b>1,167 m<sup>2</sup> (0.29 ac)</b>	<b>4,748 m<sup>2</sup> (1.17 ac)</b>	<b>1,077 m<sup>2</sup> (0.27 ac)</b>
	<b>Total</b>	<b>6,992.82 m<sup>2</sup> (1.73 ac)</b>		

6.2.2. Prior to Building Permit\* issuance for the subject site, in whole or in part, the developer shall provide to the City publicly-accessible open space to the City, in a combination of fee simple,

dedication and/or Public Rights of Passage Statutory Right-of-Way (SRW), at a rate of 5.0 m<sup>2</sup> (53.82 ft<sup>2</sup>) for each dwelling unit exceeding 1,226 dwelling units.

7. (**Village Centre Bonus - VCB**): Submission of a voluntary developer cash contribution to secure the developer’s commitment to satisfy Village Centre Bonus requirements contained in the ZMU47 zone with respect to the developer’s lands in general and Lot 2 (West Lot) in particular.

7.1. **VCB Amenity Contribution**: Submission of a voluntary developer cash contribution, in the amount of \$316,450.90, divided equally, to Richmond’s Leisure Facilities Reserve Fund – City Centre Facility Development Sub-Fund and Richmond’s Child Care Reserve, in lieu of constructing community amenity space on-site, as determined based on a construction-value amenity transfer rate of \$750/ft<sup>2</sup> and an amount of amenity transferred off-site based on 5% of the maximum VCB buildable floor area permitted on the subject site under the proposed ZMU47 zone, as indicated in the table below.

In the event that the contribution is not provided within one year of the application receiving third reading of Council (Public Hearing), the Construction-Value Amenity Transfer Contribution Rate (as indicated in the table below) shall be increased annually thereafter based on the Statistics Canada “Non-Residential Building Construction Price Index” yearly quarter-to-quarter change for Vancouver, where the change is positive.

TABLE 3

	Maximum Permitted VCB Bonus Floor Area as per the ZMU47 Zone	VCB Community Amenity Space Area (5% of Bonus Area)	Construction-Value Amenity Transfer Contribution Rate	Minimum Voluntary Developer Cash Contribution
Total	783.98 m <sup>2</sup> (8,438.69 ft <sup>2</sup> )	39.20 m <sup>2</sup> (421.93 ft <sup>2</sup> )	750.00 /ft <sup>2</sup>	\$316,450.90

8. (**Community Planning**) The City’s acceptance of the developer’s voluntary contribution in the amount of \$308,136.04 towards future City community planning studies, as set out in the City Centre Area Plan, based on \$0.30/ft<sup>2</sup> and the maximum permitted buildable floor area under the proposed ZMU47 zone (excluding affordable housing and market rental housing), as indicated in the table below.

TABLE 4

Use	Maximum Permitted Floor Area as per ZMU47 Zone	Applicable Floor Area After Exemption (1)	Minimum Contribution Rates (1)	Minimum Voluntary Contribution
Residential	110,383.98 m <sup>2</sup> (1,188,163.24 ft <sup>2</sup> )	94,638.58 m <sup>2</sup> (1,018,681.21 ft <sup>2</sup> )	\$0.30 /ft <sup>2</sup>	\$305,604.36
Non-Residential	784 m <sup>2</sup> (8,438.91 ft <sup>2</sup> )	784 m <sup>2</sup> (8,438.91 ft <sup>2</sup> )	\$0.30 /ft <sup>2</sup>	\$2,531.67
<b>Total</b>	<b>111,167.98 m<sup>2</sup> (1,196,602.14 ft<sup>2</sup>)</b>	<b>95,422.58 m<sup>2</sup> (1,027,120.12 ft<sup>2</sup>)</b>	<b>\$0.30 /ft<sup>2</sup></b>	<b>\$308,136.04</b>

9. (**Parking Strategy**) City acceptance of the developer’s offer to voluntarily contribute towards various transportation-related improvements and secure parking for various uses in compliance with Zoning Bylaw requirements with respect to Parking Zone 1 (Capstan Village) and transportation demand management (TDM) parking reductions.

**NOTE:** It is the understanding of the City that the subject development will be constructed concurrently with the Capstan Canada Line Station. In light of this, the developer is not required to implement a transitional parking strategy. Zoning Bylaw “Parking Zone 1” rates shall apply, except where other requirements are stated in the ZMU47 zone and/or these Rezoning Considerations.

9.1. **Commercial and Visitor Parking** at Lot 2 (East Lot): Registration of a restrictive covenant(s) and/or alternative legal agreement(s) on title to Lot 2 (East Lot) restricting the use of parking provided on-site for all uses except resident uses. More specifically, commercial and visitor parking requirements for the lot shall include the following.

9.1.1. Commercial and Visitor Parking shall mean any parking spaces needed to satisfy Zoning Bylaw requirements, as determined through the Development Permit\*, including businesses and commercial tenants, their employees, visitors, customers, and guests and residential visitors.

- 9.1.2. Commercial and Visitor Parking shall be shared and shall not be designated, sold, leased, reserved, signed, or otherwise assigned by the owner/operator for the exclusive use of employees, specific persons, specific businesses and/or specific units.
- 9.1.3. Commercial and Visitor Parking shall not include tandem parking and must include a proportional number of handicapped parking spaces and regular size parking spaces as per the Zoning Bylaw.
- 9.1.4. 10% of commercial parking must be equipped with electric vehicle charging equipment, as per OCP DP Guidelines and legal agreement registered on title with respect to the subject rezoning.
- 9.1.5. “No development” shall be permitted, restricting Development Permit\* issuance for a building on the lot, in whole or in part, until the developer provides for the required commercial and visitor parking and related features.
- 9.1.6. No Building Permit\* shall be issued for a building on the lot, in whole or in part, until the developer provides for the required commercial and visitor parking and a letter of confirmation is submitted by the architect assuring that the facilities satisfy the City’s objectives.
- 9.1.7. “No occupancy” shall be permitted, restricting final Building Permit inspection granting occupancy for any building on the lot, in whole or in part, until the required commercial and visitor parking and related features are completed and have received final Building Permit inspection granting occupancy.
- 9.2. Enhanced Bicycle Facilities at Lot 1 (South Lot):
- 9.2.1. The developer/owner shall, at its sole cost, design, install, and maintain on the lot, to the satisfaction of the City as determined via the Development Permit\*:
- a) “Class 1” Family Bike Storage: 10% of the required Class 1 bicycle spaces for the affordable housing & market rental housing units provided in the form of over-sized lockers for family bike storage (e.g., bike trailers). “Class 1” Over-Sized Bicycle Locker” means an over-sized locker for long-term secured storage of bicycles, with a minimum dimension of 1.2 m wide and 3.0 m long (which will accommodate multiple bicycles of a single household to be stored within locker).
  - b) Bicycle maintenance and repair facility: one bicycle maintenance and repair facility for the shared use of all of the residents of all three buildings on the lot, including bicycle repair stand (with tools); foot pump, and faucet, hose and drain for bicycle washing. A note is required on the Development Permit\* and Building Permit\*. Appropriate signage is required.
- 9.2.3. “No development” shall be permitted, restricting Development Permit\* issuance for any building on the lot, until the developer provides for the required enhanced bicycle facilities.
- 9.2.4. No Building Permit\* shall be issued for a building on the lot, in whole or in part, until the developer provides for the required enhanced bicycle facilities and a letter of confirmation is submitted by the architect assuring that the facilities satisfy all applicable City’s requirements.
- 9.2.5. “No occupancy” shall be permitted, restricting final Building Permit inspection granting occupancy for any building on the lot, in whole or in part, until the required enhanced bicycle facilities are completed and have received final Building Permit inspection granting occupancy.
- 9.3. Transit Pass Program at Lot 1 (South Lot): Registration of a legal agreement on title to ensure the execution and completion of a transit pass program, including the following method of administration and terms:
- 9.3.1. Residents: Provide one year of two-zone monthly transit passes for 25% of the market strata residential (33 of 132 units), 50% of the market rental housing (33 of 65 units), and 100% of affordable housing (150 units).
- 9.3.2 Letter of Credit provided to the City for 100% of transit pass program value;

- 9.3.3. Administration by TransLink, housing society or management company. The owner is not responsible for the monitoring of use of transit passes but only noting number of “subscribed” users to the program, until full unit count is exhausted over a period of one year;
  - 9.3.4. If the transit pass program is not fully subscribed within one year, the program is to be extended until the equivalence of the costs of the full one year transit pass program has been exhausted. Should not all transit passes be utilized by the end of the second year, the remaining funds equivalent to the value of the unsubscribed transit passes are to be transferred to the City of Richmond for alternate transportation demand management measures at the City’s discretion.
  - 9.3.5. The availability and method of accessing the two-zone transit passes is to be clearly explained in the tenancy and sales agreements.
- 9.4. Car-Share Parking & Vehicles at Lot 1 (South Lot): Registration of a legal agreement on title requiring that no development shall be permitted on Lot 1 (South Lot), restricting Development Permit\* issuance until the developer provides for parking for two (2) car-share vehicles, together with electric vehicle (EV) charging stations, car-share vehicles, and contractual arrangements with a car-share operator, all to the satisfaction of the City. More specifically, the car-share parking and vehicle requirements shall include the following:
- 9.4.1. The car-share parking spaces shall be located together on the ground floor of the lot where they will be with safe, convenient, universally-accessible, and provide for 24/7 public pedestrian and vehicle access.
  - 9.4.2. The car-share spaces shall be provided as part of residential visitor parking requirements.
  - 9.4.3. The car-share spaces shall be equipped with electric vehicle (EV) quick-charge (240 V) charging stations for the exclusive use of car-share vehicles parked in the required car-share spaces.
  - 9.4.4. Users of the car-share spaces shall not be subject to parking fees, except as otherwise determined at the sole discretion of the City.
  - 9.4.5. “No development” shall be permitted on the lot, restricting Development Permit\* issuance, until the developer:
    - a) Designs the lot to provide for the required car-share facility, including car-share parking spaces, 24/7 public access for vehicles and pedestrians, and related features (e.g., EV 240V chargers, signage).
    - b) Secures the car-share facility on the lot via a statutory right-of-way(s) and easement(s) registered on title and/or other legal agreements.
    - c) Provides a car-share security Letter of Credit (LOC) to the City to secure the developer’s commitment to provide the two (2) car-share vehicles on the lot, the value of which shall be the estimated retail value of the car-share vehicles at the time of purchase or as otherwise determined to the satisfaction of the Director of Transportation and Director of Development. The car-share security is to be returned to the developer, without interest, upon developer submitting confirmation that required car-share vehicle(s) have been provided to the car-share operator. If the developer fails to provide the two (2) car-share vehicles for the lot within two years of “occupancy”, the remaining car-share security shall be transferred to the City, at no cost to the City, and the City at its sole discretion, without penalty or cost, shall determine how the funds shall be used going forward.
    - d) Registers legal agreement(s) on title requiring that, unless otherwise agreed to in advance by the City, in the event that the car-share facility is not operated for car-share purposes as intended via the subject rezoning application (e.g., operator’s contract is terminated or expires), control of the car-share facility shall be transferred to the City, at no cost to the City, and the City at its sole discretion, without penalty or cost, shall determine how the facility shall be used going forward.

- 9.4.6. No Building Permit\* shall be issued for a building on the lot, in whole or in part, until the developer provides for the required car-share facility.
- 9.4.7. “No occupancy” shall be permitted on the lot, restricting final Building Permit inspection granting occupancy for any building, in whole or in part, until the developer:
  - a) Completes the required car-share facility on the lot and it has received final Building Permit inspection granting occupancy.
  - b) Enters into a contract with a car-share operator for the operation of the car-share spaces on the lot for a minimum term of three (3) years, which contract shall include, that:
    - i) The developer provides one (1) car-share vehicle on the lot at no cost to the operator;
    - ii) The developer provides up to an additional one (1) car-share vehicle at no cost to the operator, subject to car-share usage demand, to the satisfaction of the Director of Transportation. To determine if there is sufficient demand for additional car(s), information is to be provided by the operator to the City on the usage of the car-share vehicle(s) on a yearly basis; and
    - iii) The required car-share facility and vehicle(s) will be 100% available for use upon Building Permit inspection granting occupancy of the first building on the lot, in whole or in part (excluding parking intended as an ancillary use to non-parking uses), unless otherwise determined to the satisfaction of the car-share operator and the City.

10. (**Tandem Parking**) Registration of a legal agreement(s) on title, ensuring that:

- 10.1. Resident Parking: Where two parking spaces are provided in a tandem arrangement for the use of resident parking, as per the Zoning Bylaw, both parking spaces must be assigned to the same dwelling unit; and
- 10.2. Elsewhere: Tandem parking shall be prohibited for all other purposes including, but not limited to, parking for residential visitors and commercial uses.
- 10.3. Affordable Housing and Market Rental Housing: Tandem parking shall be prohibited for parking for affordable housing and market rental housing.

11. (**Electric Vehicles - EV**) Charging Infrastructure for Vehicles & “Class 1” Bicycle Storage: Registration of legal agreement(s) on the subject site requiring that the developer/owner provides, installs, and maintains electrical vehicle (EV) charging infrastructure within the building on Lot 1 (South Lot), Lot 2 (East Lot), and Lot 3 (West Lot) for the use of the building’s residents, commercial tenants, and others as determined to the satisfaction of the City through a approved Development Permits\*. More specifically, the minimum permitted rates for EV charging infrastructure shall be as indicated in the following table or as per the Official Community Plan or Zoning Bylaw rates in effect at the time of Development Permit\* approval , whichever is greatest.

TABLE 5

User/Use	Energized Outlet – Minimum Permitted Rates	
	Vehicle Parking (1)	“Class 1” (Secured) Bike Storage (2)
Market Residential (i.e. resident parking & bike storage)	(as per zoning bylaw)	1 per each 10 bikes or portion thereof in a bike storage room or locker (which Energized Outlet shall be located to facilitate shared use with bikes in the room/locker)
Affordable Housing (i.e. resident parking & bike storage)		
Non-Residential (i.e. commercial)	1 per 10 parking spaces (as per OCP)	
Car-Share	1 per parking space (as per TDMs)	N/A

- (1) “Vehicle Parking” “Energized Outlet” shall mean all the wiring, electrical equipment, and related infrastructure necessary to provide Level 2 charging (as per SAE International’s J1772 standard) or higher to an electric vehicle.
- (2) “Class 1 (Secured) Bike Storage” “Energized Outlet” shall mean an operational 120V duplex outlet for the charging of an electric bicycle and all the wiring, electrical equipment, and related infrastructure necessary to provide the required electricity for the operation of such an outlet.

12. (*District Energy Utility - DEU*): Registration of a restrictive covenant and Statutory Right-of-Way and/or alternative legal agreement(s), to the satisfaction of the City, securing the owner's commitment to connect to District Energy Utility (DEU) and granting the statutory Right-of-Way(s) necessary for supplying the DEU services to the building(s), which covenant and Statutory Right-of-Way and/or legal agreement(s) will include, at minimum, the following terms and conditions:
- 12.1. No Building Permit\* will be issued for a building on the subject site unless the building is designed with the capability to connect to and be serviced by a DEU and the owner has provided an energy modelling report satisfactory to the Director of Engineering.
  - 12.2. If a low carbon energy plant district energy utility (LCDEU) service area bylaw which applies to the site has been adopted by Council prior to the issuance of the Development Permit\* for the subject site, no Building Permit\* will be issued for a building on the subject site unless:
    - 12.2.1. the owner designs, to the satisfaction of the City and the City's DEU service provider, Lulu Island Energy Company Ltd. (LIEC), a low carbon energy plant to be constructed and installed on the site, with the capability to connect to and be serviced by a DEU; and
    - 12.2.2. the owner enters into an asset transfer agreement with the City and/or the City's DEU service provider on terms and conditions satisfactory to the City to transfer ownership of the low carbon energy plant to the City or as directed by the City, including to the City's DEU service provider, at no cost to the City or City's DEU service provider, LIEC, on a date prior to final building inspection permitting occupancy of the first building on the site. Such restrictive covenant and/or asset transfer agreement shall include a warranty from the owner with respect to the on-site DEU works (including the low carbon energy plant) and the provision by the owner of both warranty and deficiency security, all on terms and conditions satisfactory to the City;
  - 12.3. The owner agrees that the building(s) will connect to a DEU when a DEU is in operation, unless otherwise directed by the City and the City's DEU service provider, LIEC.
  - 12.4. If a DEU is available for connection and the City has directed the owner to connect, no final building inspection permitting occupancy of a building will be granted unless, and until:
    - 12.4.1. the building is connected to the DEU;
    - 12.4.2. the owner enters into a Service Provider Agreement for that building with the City and/or the City's DEU service provider, LIEC, executed prior to depositing any Strata Plan with LTO and on terms and conditions satisfactory to the City; and
    - 12.4.3. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all Statutory Right-of-Way(s) and/or easements necessary for supplying the DEU services to the building.
  - 12.5. If a DEU is not available for connection, but a LCDEU service area bylaw which applies to the site has been adopted by Council prior to the issuance of the Development Permit\* for the subject site, no final building inspection permitting occupancy of a building will be granted unless and until:
    - 12.5.1. the City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU;
    - 12.5.2. the building is connected to a low carbon energy plant supplied and installed by the owner, at the owner's sole cost, to provide heating, cooling and domestic hot water heating to the building(s), which energy plant will be designed, constructed and installed on the subject site to the satisfaction of the City and the City's service provider, LIEC;
    - 12.5.3. the owner transfers ownership of the low carbon energy plant on the subject site, to the City or as directed by the City, including to the City's DEU service provider, LIEC, at no cost to the City or City's DEU service provider, on terms and conditions satisfactory to the City;

- 12.5.4. prior to depositing a Strata Plan, the owner enters into a Service Provider Agreement for the building with the City and/or the City’s DEU service provider, LIEC, on terms and conditions satisfactory to the City; and
- 12.5.5. prior to subdivision (including Air Space parcel subdivision and Strata Plan filing), the owner grants or acquires, and registers, all additional Covenants, Statutory Right-of-Way(s) and/or easements necessary for supplying the services to the building and the operation of the low carbon energy plant by the City and/or the City’s DEU service provider, LIEC.
- 12.6. If a DEU is not available for connection, and a LCDEU service area bylaw which applies to the site has not been adopted by Council prior to the issuance of the Development Permit\* for the subject site, no final building inspection permitting occupancy of a building will be granted until:
  - 12.6.1. the City receives a professional engineer's certificate stating that the building has the capability to connect to and be serviced by a DEU; and
  - 12.6.2. the owner grants or acquires any additional Statutory Right-of-Way(s) and/or easements necessary for supplying DEU services to the building, registered prior to subdivision (including Air Space parcel subdivision and strata plan filing).
- 13. (**Affordable Housing**) The City’s acceptance of the developer’s offer to voluntarily contribute affordable housing, in the form of low-end market rental (LEMR) units, constructed to a turnkey level of finish in the first phase of development, on Lot 1 (South Lot), at the sole cost of the developer, the terms of which voluntary contribution shall include, but will not be limited to, the registration of the City’s standard Housing Agreement and Covenant on title to each lot to secure the affordable housing units. The form of the Housing Agreements and Covenants shall be agreed to by the developer and the City prior to final adoption of the subject rezoning; after which time, only the Housing Covenants may be amended or replaced and any such changes will only be permitted for the purpose of accurately reflecting the specifics of the Development Permit\* for Lot 1 (South Lot) and other non-materials changes resulting thereof and made necessary by the Lot 1 (South Lot) Development Permit\* approval requirements, as determined to the satisfaction of the Director of Development and Director, Community Social Development. The terms of the Housing Agreements and Covenants shall indicate that they apply in perpetuity and provide for, but will not be limited to, the following requirements.
  - 13.1. The required minimum floor area of the affordable (low-end market rental) housing shall be equal to a combined habitable floor area of at least 10,267.73 m<sup>2</sup> (110,520.88 ft<sup>2</sup>), excluding standard Floor Area Ratio (FAR) exemptions, as determined based on 10% of the total maximum residential floor area, excluding market rental housing residential floor area, of 102,677.26 m<sup>2</sup> (1,105,208.83 ft<sup>2</sup>) proposed on Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot) under the ZMU47 zone; and
  - 13.2. The developer shall, as generally indicated in the table below:
    - 13.2.1. Ensure that the types, sizes, rental rates, and occupant income restrictions for the affordable housing units are in accordance with the City’s Affordable Housing Strategy and guidelines for Low End Market Rental (LEMR) housing, unless otherwise agreed to by the Director of Development and Director, Community Social Development; and
    - 13.2.2. Achieve the Project Targets for unit mix and Basic Universal Housing (BUH) standard compliance or as otherwise determined to the satisfaction of the Director, Community Social Development through an approved Development Permit\*.

TABLE 6

Unit Type	Affordable Housing Strategy Requirements (1)			Project Targets (2)	
	Min. Unit Area	Max. LEMR Rent	Max. Household Income	Unit Mix	BUH
Studio	37 m <sup>2</sup> (400 ft <sup>2</sup> )	\$811/month	\$34,650 or less	11% (17 units)	N/A
1-Bedroom	50 m <sup>2</sup> (535 ft <sup>2</sup> )	\$975/month	\$38,250 or less	35% (52 units)	100%
2- Bedroom	69 m <sup>2</sup> (741 ft <sup>2</sup> )	\$1,218/month	\$46,800 or less	31% (47 units)	100%
3-Bedroom	91 m <sup>2</sup> (980 ft <sup>2</sup> )	\$1,480/month	\$58,050 or less	23% (34 units)	100%
<b>Total</b>	<b>10,267.73 m<sup>2</sup></b>	<b>N/A</b>	<b>N/A</b>	<b>100% (150 units)</b>	<b>100%</b>

	(110,520.88 ft <sup>2</sup> )		10,432.83 m <sup>2</sup> (112,298.00 ft <sup>2</sup> )	
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- (1) Values adopted by Council on July 24, 2017. May be adjusted periodically, as provided for under City policy.
- (2) Project Targets may be revised through an approved Development Permit\* process provided that the total area comprises at least 10% of the subject development's total residential building area.

13.3. The affordable housing units shall be distributed /located on Lot 1 (South Lot) as determined to the satisfaction of the Director of Development and Director, Community Social Development through an approved Development Permit\*. Dispersed or clustered unit configurations may be considered; however, dispersed units are generally encouraged unless a non-profit operator (that requires a clustered unit arrangement) is involved with a development.

NOTE: The applicant has indicated to the City that it plans to pursue an agreement with a non-profit organization to manage the development's required LEMR units on Lot 1 (South Lot). To support this partnership, the City is willing to accept clustering of the required units and, in light of this, recommends clustering of other building features intended for the exclusive use of the affordable housing tenants (e.g., parking and Class 1 bike storage). Prior to Development Permit\* approval, the applicant is requested to submit, for consideration by the City, a memorandum of understanding with a non-profit operator(s) demonstrating, among other things, support for the developer's proposed clustered affordable housing unit arrangement on Lot 1 (South Lot).

13.4. Occupants of the affordable housing units shall, to the satisfaction of the City (as determined prior to Development Permit\* approval), enjoy full and unlimited access to and use of all on-site indoor amenity spaces provided for residents of the building and outdoor amenity spaces provided on the lot as per OCP, City Centre Area Plan, and Development Permit\* requirements, at no additional charge to the affordable housing tenants (i.e. no monthly rents or other fees shall apply for the casual, shared, or exclusive use of any amenities).

13.5. On-site parking, "Class 1" bike storage, and related electric vehicle (EV) charging stations shall be provided for the use of affordable housing occupants as per the OCP, Zoning Bylaw, and approved Development Permit\* at no additional charge to the affordable housing tenants (i.e. no monthly rents or other fees shall apply for the casual, shared, or exclusive use of the parking spaces, bike storage, EV charging stations, or related facilities by affordable housing tenants), which features may be secured via legal agreement(s) on title prior to Development Permit\* issuance on a lot-by-lot basis or as otherwise determined to the satisfaction of the City.

13.6. The affordable housing units, related uses (e.g., parking, garbage/recycling, hallways, amenities, lobbies), and associated landscaped areas shall be completed to a turnkey level of finish, at the sole cost of the developer, to the satisfaction of the Director, Community Social Development.

13.7. "No development" shall be permitted, restricting Development Permit\* issuance for any building on Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot), in whole or in part, until the developer, to the City's satisfaction:

- 13.7.1. Designs the lot to provide for the affordable housing units and ancillary spaces and uses;
- 13.7.2. If applicable, amends or replaces the Housing Covenant to accurately reflect the specifics of the affordable housing units and ancillary spaces and uses as per the approved Development Permit\*; and
- 13.7.3. As required, registers additional legal agreements on title to the lots to facilitate the detailed design, construction, operation, and/or management of the affordable housing units and/or ancillary spaces and uses (e.g., parking) as determined by the City via the Development Permit\* review and approval processes.

13.8. No Building Permit\* shall be issued for a building on Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), in whole or in part, until the developer provides for the required affordable housing units and ancillary spaces and uses to the satisfaction of the City.

13.9. "No occupancy" shall be permitted, restricting final Building Permit inspection granting occupancy for any building on Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), in whole or in part, until, on

a lot-by-lot basis, the required affordable housing units and ancillary spaces and uses are completed to the satisfaction of the City and have received final Building Permit inspection granting occupancy.

- 14. (**Market Rental Housing**) Entering into a Market Rental Agreement and registration of a Covenant for the provision of market rental housing in the first phase of development, on Lot 1 (South Lot) to the satisfaction of the City. The terms shall indicate that they apply in perpetuity and provide for, but will not be limited to, the following requirements.
  - 14.1. The required minimum floor area of the market rental housing building shall be equal to a combined habitable floor area of at least 5,312.57 m<sup>2</sup> (57,184 ft<sup>2</sup>), excluding standard Floor Area Ratio (FAR) exemptions, as determined based on 0.1 FAR permitted on the overall site for the purposes of FAR calculation as per the OCP Market Rental Policy under the ZMU47 zone.
  - 14.2. All market rental housing units shall be maintained under single ownership (within one airspace parcel or one strata lot).
  - 14.3. Occupants of the units subject to the market rental agreement shall enjoy full and unlimited access to and use of all on-site indoor amenity spaces provided for residents of the building and outdoor amenity spaces provided on the lot as per OCP, City Centre Area Plan, and Development Permit\* requirements.
  - 14.4. The terms of the market rental agreement shall indicate that they apply in perpetuity and provide for the following:
    - 14.4.1. Ensure that Basic Universal Housing features shall be provided in a minimum of 100% of the market rental housing units in accordance with the OCP Market Rental Policy.
    - 14.4.2. Achieve following the Unit Mix or as otherwise determined to the satisfaction of the Director of Development through an approved Development Permit\*.

TABLE 7

Unit Type	Unit Mix	
	% of Units	% of Units
Studio	-	-
1-Bedroom	18	28%
2- Bedroom	47	72%
3-Bedroom	-	-
<b>Total</b>	<b>65</b>	<b>100%</b>

- 14.5. “No development” shall be permitted, restricting Development Permit\* issuance for a building on Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot), in whole or in part, until the developer:
  - 14.4.1. Designs the lot to provide for the market rental housing units and ancillary spaces;
  - 14.4.2. If applicable, amends or replaces the Housing Covenant to accurately reflect the specifics of the market rental housing units and ancillary spaces as per the approved Development Permit\*.
- 14.6. No Building Permit\* shall be issued for a building on Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), in whole or in part, until the developer provides for the required market rental housing units and ancillary spaces.
- 14.7. “No occupancy” shall be permitted, restricting final Building Permit inspection granting occupancy for any building on Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), in whole or in part, until the required market rental housing units and ancillary spaces are completed and have received final Building Permit inspection granting occupancy.
- 15. (**Public Art**) City acceptance of the developer’s offer to voluntarily contribute towards Public Art, the terms of which voluntary developer contribution shall include:
  - 15.1. Prior to final adoption of the rezoning bylaw, the developer shall provide for the following:
    - 15.1.1. Submission of a Public Art Plan that:

- a) Includes the entirety of the subject site comprising Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot), together with related City park, public open space, and public road, as determined to the City’s satisfaction;
- b) Is prepared by an appropriate professional and based on the Richmond Public Art Program, City Centre Public Art Plan, and any relevant supplementary public art and heritage planning undertaken by the City for Capstan Village, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services (including review(s) by the Public Art Advisory Committee and presentation for endorsement by Council, as required by the Director, Arts, Culture, and Heritage Services); and
- c) Is based on the full value of the developer’s voluntary public art contribution (at least \$885,739.85), based on a minimum rate of \$0.89/ft<sup>2</sup> for residential uses and \$0.47/ft<sup>2</sup> for non-residential uses and the maximum buildable floor area permitted under the subject site’s proposed ZMU47 zone, excluding affordable housing and market rental housing, as indicated in the table below.

15.1.2. Registration of legal agreement(s) on title to facilitate the implementation of the Public Art Plan.

TABLE 8

	Maximum Permitted Floor Area as per ZMU47 Zone	Applicable Floor Area After Exemption (1)	Minimum Contribution Rates (1)	Minimum Voluntary Contribution
Residential	108,774.76 m <sup>2</sup> (1,170,841.77 ft <sup>2</sup> )	92,044.32 m <sup>2</sup> (990,756.81 ft <sup>2</sup> )	\$0.89 /ft <sup>2</sup>	\$881,773.56
Non-Residential	784 m <sup>2</sup> (8,438.91 ft <sup>2</sup> )	784 m <sup>2</sup> (8,438.91 ft <sup>2</sup> )	\$0.47 /ft <sup>2</sup>	\$3,966.29
<b>Total</b>	<b>109,558.76 m<sup>2</sup> (1,179,280.68 ft<sup>2</sup>)</b>	<b>92,828.32 m<sup>2</sup> (999,195.72 ft<sup>2</sup>)</b>	<b>Varies</b>	<b>\$885,739.85</b>

(1) As per City policy, floor area excludes the development's 11,417.88 m<sup>2</sup> (122,901 ft<sup>2</sup>) affordable housing building and 5,312.57 m<sup>2</sup> (57,184 ft<sup>2</sup>) market rental housing building.

(2) The Council-approved contribution rates in effect at the time of writing these Rezoning Considerations.

- 15.2. “No development” shall be permitted, restricting Development Permit\* with respect to Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), until the developer:
  - 15.2.1. Enters into any additional legal agreement(s) required to facilitate the implementation of the City-approved Public Art Plan, which may require that, prior to entering into any such additional agreement, a Detailed Public Art Plan is submitted by the developer and/or an artist(s) is engaged (as generally set out in the legal agreement entered into and the Public Art Plan submitted prior to final adoption of the rezoning bylaw), to the City’s satisfaction; and
  - 15.2.2. Submits a Letter of Credit and/or cash contribution (as determined at the sole discretion of the City) to secure the developer’s implementation of the Public Art Plan, the total value of which shall be at least \$885,739.85, including 5% as a cash contribution in the amount of \$44,286.99 towards Public Art administration, and a Public Art security Letter of Credit in the amount of \$841,452.86.
- 15.3. “No occupancy” shall be permitted, restricting final Building Permit inspection granting occupancy of a building on Lot 1 (South Lot), Lot 2 (East Lot) and/or Lot 3 (West Lot), in whole or in part for each lot to the City’s satisfaction, for which the City-approved Public Art Plan requires the developer’s implementation of a public artwork(s) until:
  - 15.3.1. The developer, at the developer’s sole expense, commissions an artist(s) to conceive, create, manufacture, design, and oversee or provide input about the manufacturing of the public artwork, and causes the public artwork to be installed on City property, if expressly permitted by the City, or within a statutory right-of-way on the developer’s lands (which right-of-way shall be to the satisfaction of the City for rights of public passage, public art, and related purposes, in accordance with the City-approved Public Art Plan);
  - 15.3.2. The developer, at the developer’s sole expense and within thirty (30) days of the date on which the public art is installed, executes and delivers to the City a transfer of all of the developer’s rights, title, and interest in the public artwork to the City if on City property or to the subsequent

Strata or property owner if on private property (including transfer of joint world-wide copyright) or as otherwise determined to be satisfactory by the City Solicitor and Director, Arts, Culture, and Heritage Services; and

NOTE: It is the understanding of the City that the artist’s rights, title, and interest in the public artwork will be transferred to the developer upon acceptance of the artwork based on an agreement solely between the developer and the artist. These rights will in turn be transferred to the City if on City property, subject to approval by Council to accept the transfer of ownership of the artwork.

15.3.3. The developer, at the developer’s sole expense, submits a final report to the City promptly after completion of the installation of the public art in respect to the City-approved Public Art Plan, which report shall, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services, include:

- a) Information regarding the siting of the public art, a brief biography of the artist(s), a statement from the artist(s) on the public art, and other such details as the Director of Development and Director, Arts, Culture, and Heritage Services may require;
- b) A statutory declaration, satisfactory to the City Solicitor, confirming that the developer’s financial obligation(s) to the artist(s) have been fully satisfied;
- c) The maintenance plan for the public art prepared by the artist(s); and
- d) Digital records (e.g., photographic images) of the public art, to the satisfaction of the Director of Development and Director, Arts, Culture, and Heritage Services.

- 16. (**Flood Construction**) Registration of a flood indemnity covenant(s) on title, as per Flood Plain Designation and Protection Bylaw No. 8204, Area “A” (i.e. as per bylaw 8204, minimum flood construction level of 2.9 m GSC, with exemptions permitting commercial use at sidewalk level and residential use at 0.3 m above highest adjacent crown of road).
- 17. (**Aircraft Noise**) Registration of the City’s standard aircraft noise sensitive use covenants on title to Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot), as applicable to sites with aircraft noise sensitive uses. The owner-developer shall notify all initial purchasers of the potential aircraft noise impacts. Furthermore, on a phase-by-phase basis, prior to each Development Permit\* and Building Permit\* issuance, the owner-developer shall submit a report(s) and/or letter(s) of assurance prepared by an appropriate registered professional, which demonstrates that the interior noise levels and thermal conditions comply with the City’s Official Community Plan and Noise Bylaw requirements. 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 dwelling units must achieve CMHC standards follows:

TABLE 9

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

- 18. (**Mixed-Use Noise**) Registration of a legal agreement on title that identifies the building as a mixed use building, and indicating that they are required to mitigate unwanted noise and demonstrate that the building envelope is designed to avoid noise generated by the internal non-residential use from penetrating into residential areas on-site and on neighbouring sites that exceed noise levels allowed in the City’s Noise Bylaw and noise generated from rooftop HVAC units will comply with the City’s Noise Bylaw.
- 19. (**View and Other Development Impacts**) Registration of a legal agreement on title to Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot), stipulating that the development is subject to potential impacts due to other development that may be approved within the City Centre including without limitation, loss of views in any direction, increased shading, increased overlook and reduced privacy, increased ambient noise and increased

levels of night-time ambient light, and requiring that the owner provide written notification of this through the disclosure statement to all initial purchasers, and erect signage in the initial sales centre advising purchasers of the potential for these impacts.

20. **(Tree Removal, Replacement & Relocation)** Removal and protection of on-site and off-site trees, providing tree replacement and tree survival securities entering into legal agreement(s) to the satisfaction of the City (as generally indicated on the Preliminary Tree Management Plan /Schedule E), including:
- 20.1. On-Site Tree Removal Bird and Wildlife Considerations: Provide to the City a Wildlife/Bird Inventory and an up to date Nesting Bird Survey prior to issuance of any T3 permit(s) to facilitate the proposed removal of remaining onsite trees. The QEP is to provide confirmation that the removal of the onsite trees specific to a T3 permit application will not impact wildlife, birds, or their nests. The inventory and nesting surveys should be timed such that there is as small of a time lag as possible between the date that they are completed and the date that the tree removal works are scheduled for. The City's Tree Protection, Planning and Environment groups should be provided copies of the surveys for review prior to tree permit issuance.
- 20.2. On-Site Tree Planting Security: Enter into a legal agreement and submission of Landscape Security (Letter of Credit) in the amount of \$252,000, to secure the developer's planting and maintenance (for a period of one year) of 336 replacement trees on the subject site (based on a 2:1 rate for the removal of 168 existing bylaw-size trees) and a value of \$750 per replacement tree. This security will be applied towards future tree replacement on Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot) as part of the landscape plans for the developer's Development Permit\* applications, which plans will be secured with the City's standard Development Permit\* landscape Letter of Credit.
- Execution of legal agreement regarding use and return of the Landscape Security, to the satisfaction of the City, including but not limited to the following:
- 20.2.1. Landscape Security returned to the developer, without interest, at Development Permit\* issuance, at a rate of \$750 for each of the required 336 replacement trees included in a Development Permit\* regarding Lot 1 (South Lot), Lot 2 (East Lot) and Lot 3 (West Lot); and
- 20.2.2. If the required 336 replacement trees cannot be accommodated on-site in the Development Permit\* applications, the City, in its sole discretion, cash the Landscape Security and utilize the funds as a cash-in-lieu contribution to the City's Tree Compensation Fund for off-site tree planting to the value of \$750 per replacement trees not accommodated on-site. If the developer fails to obtain all Development Permits\* for all phases of the development before the 10<sup>th</sup> anniversary of rezoning bylaw adoption, the outstanding replacement trees will be deemed to not have been accommodated.
- 20.3. Off-Site City and Neighbouring Trees:
- 20.3.1. Neighbouring Tree Survival Security: Enter into a legal agreement and submission of a tree survival security (Letter of Credit) in the amount of \$10,000, to secure the required protection of all trees on neighbouring properties, at the developer's sole cost, through the project's Development Permit\* processes. Subject to tree survival, the security is to be released 90% at completion of Development Permit works and the remaining 10% at the end of a one year maintenance period. In the event tree survival is not achieved, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

NOTE: As noted in the Preliminary Tree Management Plan (Schedule E), the arborist has identified potential root zone conflict areas between required roads and existing neighbouring trees, which must be resolved through either through the developer receiving the neighbouring property owners permission and tree removal permit issuance, or detail design through the required SA process to ensure the critical root zones of off-site trees are adequately protected in the interim until the required roads widened to ultimate width when neighbouring properties are redeveloped in the future.

20.3.2. City Tree Survival Security: Enter into a legal agreement and submission of a tree survival security (Letter of Credit) in the amount of \$165,000, to secure the required protection of 30 existing City trees along the subject site's Sexsmith Road and Cambie Road frontages (tag# 1, 3, 14, 15, 48, 49, 51-57, 59-65, 180, 181, 184, 185, 197-200, 330, 332), at the developer's sole cost, through the project's Development Permit\* processes. Subject to tree survival, the security is to be released 90% at completion of Development Permit works and the remaining 10% at the end of a one year maintenance period. In the event tree survival is not achieved, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

NOTE: As noted in the Preliminary Tree Management Plan (Schedule E), the arborist has identified potential root zone conflict areas between required road works and three existing City trees (tag# 197, 198, 199), which must be resolved through detail design as part of the required SA process.

NOTE: Submission of a separate tree survival security (Letter of Credit) in the amount of \$195,000, is required through the project's Servicing Agreement\* processes to secure the required protection of 34 existing City trees, including the relocation of 14 existing street trees along the south side of Capstan Way to facilitate required road widening (tag# 101-110, 113, 115, 119, 120), and the protection of 20 existing trees in the Garden City Road median (tag# 363-382), at the developer's sole cost, through the development's required Servicing Agreement (SA)\* review/approval processes (secured with the SA\* Letter of Credit), as determined to the sole satisfaction of the Director, Parks Services. In the event that the City determines that the fourteen (14) City street trees cannot be relocated, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

20.3.3. Tree Survival Security Agreements: Execution of legal agreements with respect to each tree survival security regarding use and return of each security, to the satisfaction of the City.

20.3.4. Arborist Contract: Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any work conducted within the tree protection zone of the Neighbouring and City trees to be protected. 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.

20.3.5. Tree Protection Fencing: 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.

20.3.6. City Tree Removal Compensation: The City's acceptance of the developer's voluntary contribution in the amount of \$43,250 towards the City's tree compensation fund for tree planting elsewhere in the City in compensation for the removal of 36 existing City trees (tag# 11, 47, 50, 58, 66, 96, 97, 98, 111, 112, 116, 121, 122, 182, 333, 341, 342, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362).

21. (**Development Permit\* - DP**) Submission and processing of a Development Permit\* for Lot 1 (South Lot) completed to a level deemed acceptable by the Director of Development.

22. (**Phasing Agreement**) Registration of a restrictive covenant(s) and/or alternative legal agreement(s) on title, to the satisfaction of the City, securing that "no development" will be permitted on Lot 1 (South Lot), Lot 2 (East Lot), or Lot 3 (West Lot) and restricting Development Permit\* issuance (together with various Building Permit\* and occupancy restrictions, as determined to the satisfaction of the City), unless the developer satisfies the following requirements:

22.1. Development Sequencing Requirements: Development must proceed on the following basis:

- 22.1.1. General: The development shall include a maximum of three (3) phases (i.e. Lot 1 (South Lot), Lot 2 (East Lot), and Lot 3 (West Lot)), the comprehensive design and development of which shall be approved through three (3) Development Permits\*, unless otherwise determined to the satisfaction of the Director of Development.
- 22.1.2. Development Permit\*: The order in which development of the phases proceeds shall be Lot 1 (South Lot) first, then Lot 2 (East Lot), and Lot 3 (West Lot); prior to adoption of the subject rezoning, a Development Permit\* application for Lot 1 (South Lot) must be submitted by the developer and completed to a level deemed acceptable by the Director of Development.
- 22.2. Servicing Agreement (SA) – Transportation, Engineering, and Park Requirements: The required works shall be undertaken via a maximum of five (5) Servicing Agreements\*. The City, at its discretion, may permit one or more of the Servicing Agreements\* to be broken into “parts” (i.e. smaller, topic-specific SAs) such that, for example, Park works are administered independently of transportation works, provided that the content and completion of all such “parts” complies with the requirements set out below, as determined to the satisfaction of the City. The sequencing of transportation works is generally indicated on the attached Preliminary SA Phasing Plan /Schedule F.
- 22.2.1. Servicing Agreement\* (SA) Sequencing:
- a) The “East Lot SA” and “West Lot SA” may proceed together or independently, but may not proceed ahead of the “Neighbourhood Park SA”, “Barn Owl Hunting Habitat Enhancement SA” and “Rezoning SA”.
  - b) The developer must enter into the “Barn Owl Hunting Habitat Enhancement SA”, “Neighbourhood Park SA” and “Rezoning SA” in advance of entering into either of the other two (2) Servicing Agreements and complete the “Barn Owl Hunting Habitat Enhancement SA”, “Neighbourhood Park SA” and “Rezoning SA” in advance of completing either of the other two (2) Servicing Agreements; however, the developer may proceed with one or both of the other two (2) Servicing Agreements, in whole or in part, concurrently with the “Barn Owl Hunting Habitat Enhancement SA”, “Neighbourhood Park SA” and “Rezoning SA”.
- 22.2.2. Barn Owl Hunting Habitat Enhancement Servicing Agreement\*: The rezoning bylaw with respect to RZ 18-836123 shall not be adopted until the developer enters into the “Barn Owl Hunting Habitat Enhancement SA” (secured with a Letter of Credit in the amount of \$205,000), to the City’s satisfaction.
- a) All required works must be completed prior to final Building Permit inspection granting occupancy of the first building on Lot 2 (East Lot) or Lot 3 (West Lot), in whole or in part.
  - b) Habitat Enhancement Works shall include:
    - i) Detailed assessment prepared by a Qualified Environmental Professional (QEP) of the extent of invasive species impacts on the three enhancement sites and detailed designs for the restoration of the impacted areas. Scope of invasive species management will target the removal of Himalayan Blackberry and Reed Canary Grass. Knotweed already identified on the no access property will be addressed separately through the City’s Knotweed management programs;
    - ii) Coordination with the City's Parks Operations on management of the invasive species identified in the required QEP detailed assessment. Developer is to cover 40% (up to a maximum of \$90,000) of the cost of invasive species removal with the remainder coming from Park's operational budgets for the three City owned sites.
    - iii) Restoration of the areas impacted by invasive species removal with the installation of grassland habitat with some shrub, boulder and log habitat features, as described in the detailed designs for the restoration developed by the QEP. The boulders and logs will be supplied by Parks. The developer is solely responsible for all the costs associated with the seed mix, planting, and the labour to install the new habitat, including boulders and logs; and

- iv) After initial invasive species management and successful habitat installation has been completed (inspection requested by developer) and accepted by the City, the developer is responsible for retaining a QEP and providing one year of monitoring and maintenance.

22.2.3. Rezoning Servicing Agreement\*: The rezoning bylaw with respect to RZ 18-836123 shall not be adopted until the developer enters into the “Rezoning SA” (secured with a Letter of Credit), to the City’s satisfaction.

- a) All required works must be completed prior to final Building Permit inspection granting occupancy of the first building on Lot 1 (South Lot), Lot 2 (East Lot), or Lot 3 (West Lot), in whole or in part.
- b) Open Space Works shall include:
  - i) “South Lot Open Space SRW” along the north side of Lot 1 (South Lot).
  - ii) “Mid-Block Trail SRW”: interim emergency vehicle access.

NOTE: Development Cost Charges (DCC) credits shall NOT apply.

NOTE: The developer shall be responsible for the design and construction, at the developer’s sole cost, of the network of park and public open space improvements for which design/construction shall be subject to “Parks SA Requirements” (generally indicated in the attached Park Concept Plan /Schedule G and the Park and Public Open Space Key Plan / Schedule C), as determined to the City’s satisfaction.

- c) Neighbourhood Park Works shall include: Management of any existing top soil in the farm soil recovery area on the subject site under the guidance of a Qualified Agrologist.
- c) Tree Management Works shall include: Protection and relocation of off-site City trees, providing tree survival securities, and entering into legal agreement(s) to the satisfaction of the City (as generally indicated on the Preliminary Tree Management Plan /Schedule E).
- d) Road Works shall include:
  - i) Cambie Road: ultimate standards to the new property line along Lot 1 (South Lot) frontage.
  - ii) Garden City Road:
    - Ultimate standards to the back of the sidewalk along Lot 1 (South Lot) frontage.
    - Full road widening (including curb and gutter) and interim 2 m wide off-road bike path and interim 2 m wide sidewalk along Lot 2 (East Lot) frontage.
  - iii) Capstan Way: full road widening (including curb and gutter) and ultimate standards to the back of the sidewalk along Lot 2 (East Lot) and Lot 3 (West Lot) frontages.
  - iv) Odlin Crescent extension: ultimate standards from Cambie Road to north property line of 8671 Cambie Road, except along the east side, construct up to and including curb and gutter and transition to the private property to the east, including a new raised median and right-in/right-out diverter on Cambie Road.
  - v) Ketcheson Road extension: full road widening (including curb and gutter on both sides of the road) from Capstan Way to North-South road, interim 2 m wide sidewalk on one side of the street along Lot 2 (East Lot) frontage.
  - vi) New North-South road: full road widening (including curb and gutter on both sides of the road), interim 2 m wide sidewalk on one side of the street along Lot 2 (East Lot) frontage.
  - vii) Garden City Road/Cambie Road: full intersection (traffic signal and road upgrades) improvements.

- viii) Garden City Road/Capstan Way: full intersection (traffic signal & road upgrades) improvements.
- ix) Ketcheson Road/Capstan Way: full intersection improvements.
- x) Sexsmith Road/Capstan Way: interim intersection (traffic signal and road upgrades) improvements to accommodate the noted road widening, as necessary.

NOTE: Development Cost Charges (DCC) credits may apply.

- e) Other Works shall include:
  - i) All underground City and private utilities;
  - ii) Above-grade City and private utilities where feasible; and
  - iii) Other off-site improvements, as determined at the sole discretion of the City.

22.2.4. Neighbourhood Park Servicing Agreement\*: No Building Permit\* shall be issued for a building on Lot 2 (East Lot), in whole or in part, until the developer enters into the “Neighbourhood Park SA” (secured with a Letter of Credit), to the City’s satisfaction.

- a) All required works must be completed prior to final Building Permit inspection granting occupancy of the first building on Lot 2 (East Lot), in whole or in part.
- b) Neighbourhood Park Works shall be limited to City-approved park improvements to the 4,748.3 m<sup>2</sup> (1.17 ac) area to be transferred to the City for park and related purposes, at the developer’s sole cost, to satisfy CCAP park requirements. The park will be designed and constructed consistent with a Park Concept approved by Council and may contain Public Art. This Park Concept includes areas having a combined total of 1,918 m<sup>2</sup> (0.47 ac) area which will be completed by others when development proceeds on neighbouring lots. Features to be included in the park when fully completed will include, but not limited to the park features shown in the Park Concept and may contain Public Art.

NOTE: The developer shall be responsible for the design and construction, at the developer’s sole cost, of the network of park and public open space improvements for which design/construction shall be subject to “Neighbourhood Park SA Requirements” (generally indicated in the attached Park Concept Plan /Schedule G and the Park and Public Open Space Key Plan / Schedule C), as determined to the City’s satisfaction.

NOTE: Development Cost Charges (DCC) credits shall NOT apply. For clarity, design/construction of park improvements undertaken by the developer on lands secured for park/public open space (City-owned or SRW) with respect to the Capstan Station Bonus and/or on land for which the developer is otherwise permitted to calculate density shall NOT be eligible for Development Cost Charge (DCC) credits. Likewise, temporary improvements (regardless of their location) and improvements on lands not owned by the City shall NOT be eligible for Development Cost Charge (DCC) credits.

NOTE: Street frontages are outside the scope of the park improvements and, therefore, are described under Transportation “Road Works” requirements. Street frontages must be designed and constructed in coordination with the park and public open space improvements and, as determined to the satisfaction of the City, elements identified along those frontages under the Transportation “Road Works” requirements may be varied via the SA detailed design processes to better achieve the inter-related objectives of the City’s parks, transportation, engineering, and related interests.

22.2.5. Lot 2 (East Lot) Servicing Agreement\*: No Building Permit\* shall be issued for a building on Lot 2 (East Lot), in whole or in part, until the developer enters into the “Lot 2 (East Lot) SA” (secured with a Letter of Credit), to the City’s satisfaction.

- a) All required works must be completed prior to final Building Permit inspection granting occupancy of the first building on Lot 2 (East Lot), in whole or in part.

- b) Open Space Works shall include:
- i) “Mid-Block Trail SRW”, which shall be limited to City-approved park improvements to the entire SRW area along the south property line of Lot 2 (East Lot), together with areas and/or features required to accommodate pedestrian and bicycle activity, park and frontage integration, and emergency vehicle access, as determined to the City’s satisfaction; and
  - ii) “Capstan Way Corner Plaza SRWs”, which shall be limited to City-approved park improvements to the entire corner SRW areas along Capstan Way along the north property line of Lot 2 (East Lot), together with areas and/or features required to accommodate pedestrian and bicycle activity, and frontage integration as determined to the City’s satisfaction.

NOTE: The developer shall be responsible for the design and construction, at the developer’s sole cost, of the network of park and public open space improvements for which design/construction shall be subject to “Parks SA Requirements” (generally indicated in the attached Park and Public Open Space Key Plan / Schedule C), as determined to the City’s satisfaction.

NOTE: Development Cost Charges (DCC) credits shall NOT apply.

- c) Road Works shall include:
- i) Garden City Road: ultimate standards to the back of the sidewalk along Lot 2 (East Lot) frontage.
  - ii) Sexsmith Road: full road widening (including curb and gutter) and interim 2 m wide off-road bike path and interim 2 m wide sidewalk along Lot 3 (West Lot) frontage.
  - iii) Ketcheson Road extension: full road widening (including curb and gutter on both sides of the road) from North-South road to Brown Road extension, ultimate standards to back of the sidewalk along park and Lot 2 (East Lot) frontages.
  - iv) Brown Road extension: full road widening (including curb and gutter on both sides of the road), interim 2 m wide sidewalk on one side of the street along Lot 3 (West Lot) frontage.
  - v) New North-South road: ultimate standards to back of the sidewalk along park, Lot 1 (South), and Lot 2 (East Lot) frontages.
  - vi) Sexsmith Road/Capstan Way: full intersection improvements.

NOTE: Development Cost Charges (DCC) credits may apply.

- d) Other Works shall include, as applicable, the relocation of above-grade City/private utilities.

22.2.6. Lot 3 (West Lot) Servicing Agreement\*: No Building Permit\* shall be issued for a building on Lot 3 (West Lot), in whole or in part, until the developer enters into the “Lot 3 (West Lot) SA” (secured with a Letter of Credit), to the City’s satisfaction.

- a) All required works must be completed prior to final Building Permit inspection granting occupancy of the first building on Lot 3 (West Lot), in whole or in part.
- b) Open Space Works shall include: “Capstan Way and Sexsmith Road Corner Plaza SRWs”, which shall be limited to City-approved Parks improvements to the entire corner SRW areas along Capstan Way and Sexsmith Road along the north property line of Lot 3 (West Lot)), together with areas and/or features required to accommodate pedestrian and bicycle activity, and frontage integration as determined to the City’s satisfaction.

NOTE: The developer shall be responsible for the design and construction, at the developer’s sole cost, of the network of park and public open space improvements for which design/construction shall be subject to “Parks SA Requirements” (generally indicated in the

attached Park and Public Open Space Key Plan / Schedule C), as determined to the City's satisfaction.

NOTE: Development Cost Charges (DCC) credits shall NOT apply.

- c) Road Works shall include:
- i) Sexsmith Road: ultimate standards to the back of the sidewalk along Lot 3 (West Lot) frontage.
  - ii) Ketcheson Road extension: ultimate standards to back of the sidewalk along Lot 3 (West Lot) frontage.
  - iii) Brown Road extension: ultimate standards to back of the sidewalk along Lot 3 (West Lot) frontage.
  - iv) Sexsmith Road/Brown Road: full intersection (traffic signal & road upgrades) improvements.

NOTE: Development Cost Charges (DCC) credits may apply.

- d) Other Works shall include, as applicable, the relocation of above-grade City/private utilities.

22.2.7. Road Works: The developer shall be responsible for the design and construction of the road works, to the satisfaction of the City, subject to the review and approval of the detailed SA designs, which shall include, but may not limited to, the following. Final MOTI approval is required prior to rezoning adoption.

The following cross-sections are intended to be "typical". The approved design may be required to vary from the "typical" conditions to address site-specific conditions and/or requirements, as determined to the sole satisfaction of the City through the SA design/approval processes. While the list below provides a general description of the minimum frontage work requirements to the standards of which are schematically shown in the approved road functional plan prepared by Core Group, the exact details and scope of the frontage works to be completed by the developer will be confirmed through the detailed design (SA) process to the satisfaction of the City.

NOTE: In addition to the following, landscape features are required to the satisfaction of the City, as determined via the SA and Development Permit\* review and approval processes. Landscape improvements may include, but shall not be limited to, street trees, landscaped boulevards, hard- and soft-scape features, street furnishings, and decorative paving. Measures that enhance the viability of City street trees are encouraged (e.g., continuous soil trenches, silva cell system, etc.), taking into account necessary coordination with City/private utilities and other infrastructure, as determined to the City's satisfaction.

- a) Cambie Road: The developer is responsible for the design and construction of the following works across the subject site's entire Cambie Road frontage, to the satisfaction of the City.
  - i) Cross-Section: (described from south to north):
    - Existing curb on the north side of the street to be maintained;
    - 1.5 m wide landscaped boulevard; and
    - 3.0 m wide saw-cut concrete sidewalk.
- b) Garden City Road: The developer is responsible for the design and construction of the following works along the subject site's entire Garden City Road frontage to the satisfaction of the City.
  - i) Cross-Section: (described from east to west):
    - Maintain existing curb and gutter along the west edge of the centre median;
    - Maintain / widen to provide the two south traffic lanes at 3.6m each;
    - 0.15 m wide curb and gutter;
    - 2.0 m wide landscaped boulevard;

- 2.0 m wide bike path (asphalt with +/-0.15 m wide 200 mm thick concrete bands along each edge);
  - 1.5 m wide buffer strip, pedestrian lighting, decorative planting, and furnishings; and
  - 3.0 m wide saw-cut concrete sidewalk (at the future property line).
- c) Capstan Way: The developer is responsible for the design and construction of the following Interim Cross-Section works across the subject site's entire Capstan frontage, to the satisfaction of the City, taking into consideration the following Ultimate Cross-Section works in the design and construction of those road works.
- i) Interim Cross-Section (described from north to south) from Sexsmith Road to Ketcheson Road extension:
- Maintain the existing curb on the north side of the street;
  - 3.1 m (min.) widening to 5.2m wide westbound vehicle travel lane;
  - 3.1 m area for 1) 3.1m wide left-turn lane at Sexsmith Road intersection (west leg) and 3.1 m painted median at Ketcheson Road intersection (east leg);
  - 5.4 m reducing to 3.3m wide eastbound vehicle travel lane;
  - 3.3 m wide eastbound vehicle travel / parking lane;
  - 0.15 m wide curb and gutter;
  - 2.5 m wide landscaped boulevard;
  - 2.5 m wide bike path (asphalt with +/-0.2 m wide 200 mm thick concrete bands along each edge);
  - 0.7 m wide buffer strip, pedestrian lighting, decorative planting, and furnishings; and
  - 2.5 m wide saw-cut concrete sidewalk.
- ii) Interim Cross-Section (described from north to south) Ketcheson Road extension to Garden City Road:
- Maintain the existing curb on the north side of the street;
  - 5.1 m reducing to 5.0 m wide westbound vehicle travel lane;
  - 3.3 m wide left-turn lane at intersections;
  - 3.3 m wide eastbound vehicle travel lane;
  - 3.3 m wide eastbound right-turn lane;
  - 0.15 m wide curb and gutter;
  - 2.5 m wide landscaped boulevard;
  - 2.5 m wide bike path (asphalt with +/-0.2 m wide 200 mm thick concrete bands along each edge);
  - 0.7 m wide buffer strip, pedestrian lighting, decorative planting, and furnishings; and
  - 2.5 m wide saw-cut concrete sidewalk.
- iii) Ultimate Cross-Section: (described from north to south):
- Maintain the proposed curb on the south side (established as noted above);
  - 6.6 m (2 lanes @ 3.3 m) wide eastbound vehicle travel lanes;
  - 3.3 m wide left-turn lane / landscaped median;
  - 6.6 m (2 lanes @ 3.3 m) wide westbound vehicle travel lanes;
  - 0.15 m wide curb and gutter;
  - 2.5 m wide landscaped boulevard;
  - 2.5 m wide bike path (asphalt with +/-0.2 m wide 200 mm thick concrete bands along each edge);
  - 0.7 m wide buffer strip, pedestrian lighting, decorative planting, and furnishings; and
  - 2.5 m wide saw-cut concrete sidewalk.
- d) Sexsmith Road: The developer is responsible for the design and construction of the following Interim Cross-Section works across the subject site's entire Sexsmith Road frontage, to the satisfaction of the City, taking into consideration the following Ultimate Cross-Section works in the design and construction of those road works. Note: Interim cross-section is to be constructed along the frontage of 8388 Sexsmith Road and ultimate cross-section is to be constructed along the frontage of 3699 Sexsmith Road in coordinated with SA 17-791396.

- i) Interim Cross-Section (described from east to west) along the entire Sexsmith Road frontage:
- 2.0 m wide saw-cut concrete sidewalk (at the new property line);
  - 0.75 m wide buffer strip;
  - 1.8 m wide bike path (asphalt with +/-0.15 m wide 200 mm thick concrete bands along each edge);
  - 1.75 m wide landscaped boulevard;
  - 0.15 m wide curb and gutter; and
  - Road upgrade to widen/maintain existing 12.7 m pavement width between the proposed new curb and gutter along the east side and the existing curb and gutter along the west side of the road. The design should accommodate the following:
    - 3.3 m (min) northbound vehicle travel lane
    - 3.3 m (min) southbound vehicle travel lane
    - 2.5 m parking lane
    - 1.2 m wide buffer
    - 1.8 m wide bike lane
- ii) Ultimate Cross-Section (described from east to west):
- Maintain the proposed curb on the east side (established as noted above);
  - 2.5 m wide northbound parking lane;
  - 9.9 m (3 x 3.3 m lanes) wide vehicle travel lanes (note: 3.3 m wide left-turn lane and 3.3 m wide landscaped median where intersection turning lanes are not required);
  - 2.5m wide southbound parking lane;
  - 0.15 m wide curb and gutter;
  - 1.75 m wide landscaped boulevard;
  - 1.8 m wide bike path (asphalt with +/-0.15 m wide 200 mm thick concrete bands along each edge);
  - 0.75 m wide buffer strip; and
  - 2.0 m wide saw-cut concrete sidewalk (at the future property line).
- e) Odlin Crescent extension: The developer is responsible for the design and construction of the following Cross-Section works from Cambie Road to north property line of 8671 Cambie Road, to the satisfaction of the City. The developer is required to design and construct a new raised median and right-in/right-out diverter on Cambie Road and a transition between the improvements and the existing conditions west and east of the subject site to the satisfaction of the City.
- i) Cross-Section: (described from west to east):
- 2.0m wide saw-cut concrete sidewalk;
  - 1.35m wide landscaped boulevard;
  - 0.15m wide curb and gutter;
  - Road construction to provide a 10m wide pavement at Cambie Road, narrowing to 6.5m at the north property line of 8671 Cambie Road;
  - 0.15m wide curb and gutter; and
  - Transition to 8711 Cambie Road.
- f) Ketcheson Road extension: The developer is responsible for the design and construction of the following Cross-Section works along its entire length south of Capstan Way, to the satisfaction of the City.
- i) Cross-Section: (described from west to east):
- 2.0 m wide saw-cut concrete sidewalk on both sides;
  - 1.7 m wide landscaped boulevard on both sides;
  - 0.15 m wide curb and gutter on both sides (0.15 m wide 300 mm thick concrete band at areas with parking lane);

- 7 m wide driving surface for two-way traffic and a 2.5 m wide parking lane on each side, separated by mountable curbs; and
  - At Capstan Way intersection (south leg), 1.5 m landscaped boulevard on east side and 3.1 m wide northbound right-turn & left-turn lanes
- g) Brown Road extension: The developer is responsible for the design and construction of the following Interim Cross-Section works, taking into consideration the following ultimate cross-section in the design and construction of those road works.
- i) Interim Cross-Section (described from north to south) with a 15 m wide dedication, the road cross-section should include the following as the minimum elements:
- 2.0 m wide saw-cut concrete sidewalk;
  - 2.25 m wide landscaped boulevard;
  - 0.15 m wide curb and gutter;
  - 8.5 m wide driving surface for two-way traffic;
  - 1.0 m wide asphalt shoulder; and
  - Jersey barriers with retaining wall (where required) within 1.0 m asphalt shoulder.
- ii) Ultimate Cross-Section (described from north to south) with a 20 m wide dedication (additional 5 m wide strip of land as dedication along the entire south frontage of Brown Road extension):
- Maintain the proposed curb on the north side (established as noted above);
  - Widen 8.5 m wide driving surface to 11.2 m;
  - 0.15 m wide curb and gutter;
  - 2.25 m wide landscaped boulevard; and
  - 2.0 m wide saw-cut concrete sidewalk.

NOTES:

1. Brown Road extension at interim condition to be used for Emergency Access only; removal bollards required at both ends;
  2. Driveway required at Sexsmith Road; and
  3. Hammerhead turnaround required at the Ketcheson Road intersection (east leg).
- h) New North-South road: The developer is responsible for the design and construction of the following Cross-Section works along its entire length south of Ketcheson Road extension to the North property line of Lot 1 (South Lot), to the satisfaction of the City.
- i) Cross-Section: (described from west to east):
- 2.0 m wide saw-cut concrete sidewalk on both sides;
  - 1.7 m wide landscaped boulevard on both sides;
  - 0.15 m wide curb and gutter on both sides (0.15 m wide 300 mm thick concrete band at areas with parking lane); and
  - 7 m wide driving surface for two-way traffic and a 2.5 m wide parking lane on each side, separated by mountable curbs.

NOTE: Hammerhead required at south end along the east side.

- i) Garden City Road/Cambie Road: The developer is responsible for the design and construction of the following intersection improvements, to the satisfaction of the City:
- i) Intersection improvements:
- Road upgrade to include a 3.1 m (min) wide southbound to westbound right-turn lane with a minimum storage length of approximately 35 m;
  - 0.15 m wide curb and gutter;
  - 2.0 m wide landscaped boulevard;
  - 2.0 m wide bike path (asphalt with +/-0.15 m wide 200 mm thick concrete bands along each edge);
  - 1.5 m wide buffer strip, pedestrian lighting, decorative planting, and furnishings; and

- 3.0 m wide saw-cut concrete sidewalk (at the future property line).
- j) Garden City Road/Capstan Way: The developer is responsible for the design and construction of the following intersection improvements, to the satisfaction of the City.
- i) Intersection improvements:
- South leg - realign the pedestrian crosswalk to connect to the proposed road improvements;
  - West leg - widen pedestrian crosswalk to 4.5 m;
  - North leg - Road upgrade and widen to include a 3.1 m (min) wide southbound to westbound right-turn lane with a minimum storage length of approximately 35 m. Relocation of existing infrastructure required (i.e. sidewalk, curb and gutter, utility pole, bus stop, streetlight pole, etc.).
- k) Sexsmith Road/Capstan Way: The developer is responsible for the design and construction of the following Intersection Improvements, to the satisfaction of the City.
- i) Intersection improvements:
- East leg and South leg - realign the pedestrian crosswalks to connect to the proposed road improvements;
  - North leg - modify existing lane markings to accommodate a southbound right-turn lane and change in lane designation of existing southbound left-turn lane to left-turn/through lane; and
  - Install bike box with green surface treatment for southbound bike lane.
- l) Traffic Signals: Works include, but are not limited to, the following:
- i) Upgrade existing traffic signals: With the road and intersection improvements noted above, as well as the need to upgrade other existing traffic signals to accommodate enhanced traffic operations, applicant is to upgrade (as necessary) the following existing traffic signals:
- Sexsmith Road & Capstan Way;
  - Garden City Road & Capstan Way;
  - Brown Road & Sexsmith Road; and
  - Garden City Road & Cambie Road.
- NOTE: Signal upgrades to include but not limited to: upgrade and/or replace signal pole, controller, base and hardware, pole base, detection, conduits (electrical & communications), signal indications, communications cable, electrical wiring, service conductors, APS (Accessible Pedestrian Signals), traffic cameras, and illuminated street name sign(s), etc.
- ii) Install new Traffic Signal Device: With the road and intersection improvements noted in above, new traffic signal devices (i.e., intersection pre-ducting, special x-walk with downward lighting, pedestrian signals, or full traffic signals) will be necessary at the following locations, with the exact upgrade to be determined with a traffic signal warrant to the satisfaction of the City.
- Capstan Way & Ketcheson Road
- NOTE: New signal to include but not limited new signal pole, controller, base and hardware, pole base, detection, conduits (electrical & communications), signal indications, communications cable, electrical wiring, service conductors, APS (Accessible Pedestrian Signals), traffic cameras, and illuminated street name sign(s), etc.

23. (*Servicing Agreement\* - SA*): Enter into a Servicing Agreement(s)\* for the design and construction, at the developer's sole cost, of full upgrades across the subject site's street frontages, together with various engineering,

transportation, parks and sustainability works, to the satisfaction of the City, which include, but may not be limited to the following.

Except as expressly provided for and in compliance with the subject development's "Phasing Agreement", related legal agreement(s), and security, to the satisfaction of the Director of Development, Director of Engineering, Director of Transportation, Director, Parks Services, and Director, Sustainability and District Energy:

NOTE: Prior to final adoption of the rezoning bylaw, all Servicing Agreement (SA) works must be secured via a Letter(s) of Credit;

NOTE: All works shall be completed prior to final Building Permit inspection granting occupancy of the first building on the subject site (excluding parking intended as an ancillary use to non-parking uses), in whole or in part; and

NOTE: Development Cost Charge (DCC) credits may apply.

23.1. Barn Owl Hunting Habitat Enhancement Servicing Agreement\* Requirements: The developer shall be responsible for the design and construction, at the developer's sole cost, of works as described in the "Phasing Agreement" above.

23.2. RZ Servicing Agreement Parks Requirements: The developer shall be responsible for the design and construction, at the developer's sole cost, of the following, to the City's satisfaction.

23.2.1. Open Space Works shall include:

- a) "South Lot Open Space SRW", which shall be limited to City-approved park improvements to the entire open space SRW area along the lot's north property line where it abuts the neighbourhood park, together with areas and/or features required to accommodate park activity and integration, as determined to the City's satisfaction.
- b) "Mid-Block Trail SRW", which shall be limited to interim emergency vehicle access from the new North-South Road to Garden City Road with bollards at both ends within the SRW area along the south property line of Lot 2 (East Lot), as determined to the City's satisfaction.

NOTE: The developer shall be responsible for the design and construction, at the developer's sole cost, of the network of park and public open space improvements for which design/construction shall be subject to "Parks SA Requirements" (generally indicated in the attached Park and Public Open Space Key Plan / Schedule C), as determined to the City's satisfaction.

NOTE: Development Cost Charges (DCC) credits shall NOT apply.

23.2.2. Neighbourhood Park Works shall include: Any stockpiling of existing top soil in the farm soil recovery area on the subject site which is identified to be retained on-site for the purposes of constructing the proposed neighbourhood park shall be stockpiled in a manner such that the soil quality will be maintained to the greatest extent possible following best management practices and under the guidance of a Qualified Agriologist.

23.2.3. Tree Management Works shall include: Protection and relocation of off-site City trees, providing tree survival securities, and entering into legal agreement(s) to the satisfaction of the City (as generally indicated on the Preliminary Tree Management Plan /Schedule E), including:

- a) Submission of a tree survival security (Letter of Credit) in the amount of \$120,000, to secure the required protection of 20 existing trees in the Garden City Road median (tag# 363-382). Subject to tree survival, the security is to be released 90% at completion of adjacent SA works and the remaining 10% at the end of a one year maintenance period. In the event tree survival is not achieved, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

NOTE: Submission of a separate tree survival security (Letter of Credit) in the amount of \$165,000, is required through the project's Rezoning and Development Permit\* processes to

secure the required protection of 30 existing City-owned trees along the subject site's Sexsmith Road and Cambie Road frontages (tag# 1, 3, 14, 15, 48, 49, 51-57, 59-65, 180, 181, 184, 185, 197-200, 330, 332), at the developer's sole cost, through the project's Development Permit\* processes.

NOTE: As noted in the Preliminary Tree Management Plan (Schedule E), the arborist has identified potential root zone conflict areas between required road works and three existing City trees (tag# 197, 198, 199), which must be resolved through detail design as part of the required SA process.

- b) Relocation of fourteen (14) existing street trees located along the south side of Capstan Way to facilitate required road widening (tag# 101-110, 113, 115, 119, 120), at the developer's sole cost, to the satisfaction of the Director, Parks Services, including the submission of a tree survival security (Letter of Credit) in the amount of \$75,000. Subject to tree survival, the security is to be released 90% at completion of tree relocation works and the remaining 10% at the end of a one year maintenance period. In the event tree survival is not achieved, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

NOTE: In the event that the City determines that the fourteen (14) City street trees cannot be relocated, the developer shall be required to make a cash-in-lieu contribution for the planting of replacement trees elsewhere in Richmond (based on a rate of at least 2:1 for each tree removed and a cost per replacement tree determined to the sole satisfaction of the City).

- c) Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any work conducted within the tree protection zone of the City-owned trees to be protected. 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.
- d) Installation of appropriate tree protection fencing around all trees to be protected prior to any construction activities, including building demolition, occurring on-site.
- e) Execution of legal agreement for each tree survival security taken, in form and content satisfactory to the City.

23.3. RZ Servicing Agreement Transportation Requirements: The developer shall be responsible for the design and construction of the road works, to the satisfaction of the City, subject to the review and approval of the detailed SA designs, which shall include, but may not limited to, the "Road Works" as described in the "Phasing Agreement" for the "Rezoning SA".

23.4. RZ Servicing Agreement Engineering Requirements:

23.4.1. Water Works:

- a) Using the OCP Model, there is 197 L/s of water available at a 20 psi residual at the Sexsmith Road frontage, 120 L/s of water available at 20psi residual along the Garden City Road frontage, 416L/s at 20psi residual at Capstan Way and 642 L/s at 20psi residual at Cambie Road. Based on the proposed development, the subject site requires a minimum fire flow of 220 L/s. The available flows along Sexsmith Road and Garden City Road are NOT adequate and the existing watermains require upgrades.
- b) At the Developer's cost, the Developer is required to:
- i) Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection at the Building Permit\* stage. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit designs.

- ii) Provide the following since the available flows are not adequate to service the proposed development:
- Install approximately 274 m of 200 mm diameter water main along proposed development roads, proposed Ketcheson Road to Brown Road connecting to the mains at Sexsmith Road and Capstan Way.
  - Install approximately 175 m of 200 mm diameter water main along proposed North-South road to the north property line of proposed Lot 1 (South Lot) and along a utility SRW in the publicly accessible Mid-block Trail SRW connecting to new main at Garden City Road.
  - Upgrade approximately 190 m of the existing 150 mm diameter water main along Sexsmith Road to 200 mm diameter from proposed Brown Road extension to Capstan Way. Tie-in to the north shall be to the existing water main along Capstan Way and tie-in to the south shall be to the existing water main along Sexsmith Road.
  - Install approximately 348 m of 200 mm diameter water main along the west side of Garden City Road (development frontage). Tie-in to the north shall be to the existing water main along Capstan Way and tie-in to the south shall be to the existing water main at Cambie Road.
  - Provide fire hydrants on the north side of Cambie Road, along development's frontage as per City standards.
  - Provide fire hydrants along all new and upgraded water mains to achieve maximum 75 m spacing per City standards. Fire hydrants required on west side of Garden City Road, along new water main.
- iii) Provide a watermain complete with hydrants (to meet City standards) along the proposed Odlin Crescent extension road in 8671 Cambie Road. The watermain shall be from the north property line of 8671 Cambie Road to the tie-in point at the existing watermain in Cambie Road. Watermain sizing shall be determined via the SA design process.
- iv) Provide a utility SRW for water meter chamber. The exact dimensions and location of the SRW shall be finalized at the Servicing Agreement process.
- v) Provide a 6 m wide utility SRW extending from the southern extent of the proposed North-South road to Garden City Road. This may be shared with the required publicly accessible Mid-block Trail SRW.
- c) At the Developer's cost, the Developer is required to:
- i) Cut and cap at main the existing water service connections for 3480, 3500, 3540 and 3660 Sexsmith Road. As well as the connection at 8791 Cambie Road.
  - ii) Install new water service connection(s) for the proposed lots.
  - iii) Complete all required tie-ins to existing City water mains.

#### 23.4.2. Storm Sewer Works:

- a) At the Developer's cost, the Developer is required to:
- i) Upgrade the existing twin storm sewers at Sexsmith Road frontage, approximately 175 m in length, into a single 1200 mm diameter storm sewer system in the middle of Sexsmith Road. Tie-in to the north shall be via the existing Manhole (STMH 131076). Tie-in to the south shall be to the existing storm sewers along the east and west sides of Sexsmith Road. Tie-ins shall be via the use of new manholes. Developer is to remove existing 1050 mm storm sewer on east side of Sexsmith Road, along development frontage to the new manhole.

- ii) Install new storm service connections complete with an IC, utility SRW may be required to accommodate IC.
  - iii) Provide approximately 265 m of 600 mm diameter storm sewers along proposed internal roads from Capstan Way and proposed Ketcheson Road to proposed Brown Road, connecting to the new main at Sexsmith Road. Install a manhole at the high end of system, at future Capstan Way and proposed Ketcheson Road intersection.
  - iv) Provide approximately 110 m of 600 mm diameter storm sewer along proposed North-South road to the north property line of proposed Lot 1 (South Lot). Tie-in to the main along Ketcheson Road to the west.
  - v) Remove approximately 79 m existing 250 mm AC drainage line along north side of Cambie fronting lots 8791, 8771 and 8731 Cambie Road. Restore sidewalk and curb-and-gutter if required.
  - vi) Provide storm sewers complete with manholes (as per City standards) along the proposed Odlin Crescent extension in 8671 Cambie Road. The storm sewer shall be from the north property line of 8671 Cambie Road to the tie-in point at the existing box culvert in Cambie Road. Storm sewer sizing shall be determined via the SA design process.
  - vii) Install approximately 210 m of 600 mm storm sewer, from the intersection of Garden City road and Capstan way to STMH6589. Install new manholes at pipe bends and to connect to existing main at Capstan Way. Connect existing catch basins to the proposed drainage main.
  - viii) Cap and fill the old drainage main, north of STMH6589, with low density flowable concrete as per MMCD standards.
- b) At the Developer's cost, the City will:
- i) Cut and cap all existing storm sewer service connections at all frontages of the subject site.
  - ii) Complete all required tie-ins to the existing City drainage system.

#### 23.4.3. Sanitary Sewer Works:

- a) At the Developer's cost, the Developer is required to:
- i) Provide approximately 100 m of 300 mm diameter sanitary sewer within the roadway along Sexsmith Road from existing manhole SMH56774 located at the intersection of Sexsmith Road and Capstan Way southward to a new manhole.
  - ii) Provide approximately 85 m of 250 mm diameter sanitary sewer from the new manhole at Sexsmith Road southward to the future Brown Road extension and Sexsmith Road intersection.
  - iii) Provide approximately 90 m of 250 mm diameter sanitary sewer from the intersection of Sexsmith Road and future Brown Road, east along Brown Road.
  - iv) Provide approximately 135 m of 300 mm diameter sanitary sewer within the roadway along Capstan Way from the intersection at proposed Sexsmith Road and Capstan Way east towards future Ketcheson Road intersection. Tie-in to the west via manhole SMH56774.
  - v) Provide approximately 100 m of 250 mm diameter sanitary sewer along future Ketcheson Road to the intersection with future North-South Road.
  - vi) Provide approximately 120 m of 250 mm diameter sanitary sewer along the proposed North-South road to the north property line of proposed Lot 1 (South Lot). Tie-in to future Ketcheson Road via a manhole and provide a manhole at the high end of the system.

- b) At the Developer’s cost, the City will:
  - i) Install new sanitary service laterals to proposed development.
  - ii) Complete all required tie-ins to the existing City sanitary system (at Capstan Way).

23.4.4. Frontage Improvements:

- a) At the Developer’s cost, the Developer is required to:
  - i) Provide other frontage improvements (including 8671 Cambie Road) as per the city’s Transportation Department requirements. Improvements shall be built to the ultimate condition wherever possible.
  - ii) Coordinate with BC Hydro to put underground the existing overhead lines and remove the poles that conflict with the curb lane along the east side of the ultimate Sexsmith Road.
  - iii) Pre-duct for future hydro, telephone and cable utilities along all road frontages.
  - iv) Coordinate with BC Hydro regarding the required relocation of transmission poles along Garden City Road frontage such that the poles and anchors do not conflict with future cycle path or side walk.
  - v) Provide private utility services (e.g., BC Hydro, Telus, Shaw and gas main) in the future road within 8671 Cambie Road. The new BC Hydro, Telus, Shaw and gas lines shall be from the north property line of 8671 Cambie Road to the tie-in point at the existing systems in Cambie Road.
  - vi) Locate all above ground utility cabinets and kiosks required to service the proposed development within the developments site (see list below for examples). A functional plan showing conceptual locations for such infrastructure shall be included in the Rezoning staff report and the development process design review. Please coordinate with the respective private utility companies and the project’s lighting and traffic signal consultants to confirm the requirements and the locations for the aboveground structures. If a private utility company does not require an aboveground structure, that company shall confirm this via a letter to be submitted to the City. The following are examples of SRWs that shall be shown in the functional plan and registered prior to SA design approval:

	(Width x Depth)	Street light kiosk	1.5m x 1.5m
BC Hydro LPT	3.5m x 3.5m	Telus FDH Cabinet*	1.1m x 1m
BC Hydro PMT	4m x 5m	Traffic signal kiosk	1m x 1m
Shaw cable kiosk*	1m x 1m	Traffic signal UPS	2m x 1.5m
*show possible location in functional plan			

23.4.5. Street Lighting Improvements:

- a) At the Developer’s cost, the Developer is required to:
  - i) Provide street lighting along both the existing public street frontages (Cambie Road, Garden City Road, Capstan Way, and Sexsmith Road) and along proposed new development roads (Odlin Crescent extension, Ketcheson Road extension, Brown Road extension, and proposed North-South road). General requirements for street lighting are as follows, to be confirmed through the SA process:
    - Capstan Way (South side of street), Sexsmith Road (East side of street) and Cambie Road (North side of street): Pole colour: Grey; Roadway lighting at back of curb: Type 7 (LED), including 1 street luminaire and 1 duplex receptacle, but excluding any pedestrian luminaires, banner arms, flower basket holders, or irrigation; and pedestrian lighting between sidewalk & bike path: Type 8 (LED) including 2

pedestrian luminaires set perpendicular to the roadway and 1 duplex receptacle and 2 flower basket holders along Cambie road only (none elsewhere), but excluding any irrigation.

NOTE: Requirements may change if it is decided that there will be no bike path/lane or and an on-street bike lane.

- Garden City Road (West side of street): Existing roadway lighting at median to remain (no change); Pole colour: Grey; Pedestrian lighting between sidewalk & bike path: Type 8 (LED) including 2 pedestrian luminaires set perpendicular to the roadway and duplex receptacles, but excluding any banner arms, flower basket holders, or irrigation. NOTE: Requirements may change if it is decided that there will be no bike path/lane or and an on-street bike lane.
- Odlin Crescent extension in 8671 Cambie Road: To be determined via the SA process.
- Ketcheson Road Extension (both sides of street) and Brown Road Extension (North side of street): Pole colour: Grey; Roadway lighting at back of curb: Type 7 (LED) including 1 street luminaire, but excluding any pedestrian luminaires, banner arms, flower basket holders, irrigation, or duplex receptacles.
- New North-South road (both sides of street): Pole colour: Grey; Roadway lighting at back of curb: Type 8/Custom 6.0 m Height (LED) including 1 street luminaire, flower basket holders, and 1 duplex receptacle, but excluding any banner arms or irrigation. (For reference: Drawing #615759-12-09)
- Vehicle turnaround SRW on Lot 1 (South Lot): To match new North-South road street lighting, to be confirmed via SA process.
- Mid-Block Trail SRW: Pole colour: Grey; Pedestrian lighting: Type 8 (LED) including 1 or 2 pedestrian luminaires, but excluding any banner arms, flower basket holders, irrigation, or duplex receptacles.

#### 23.4.6. General Items:

- a) The Developer is required to, at the developer's cost:
  - i) Provide, prior to first SA design submission, a geotechnical assessment of preload and soil preparation impacts on the existing utilities fronting or within the development site, proposed utility installations.
  - ii) 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.
  - iii) Not encroach in to City Rights-of-Ways with any proposed trees, permanent retaining wall or other non-removable structures.
- b) All infrastructure designed and constructed as part of the required Servicing Agreement shall be coordinated with adjacent developments, both existing and future. The Developer's civil engineer shall submit a signed and sealed letter with each submission confirming that they have coordinated with the civil engineer(s) of the adjacent project(s) and that the Servicing Agreement designs are consistent. The City will not accept the first SA design submission without the letter indicating coordination with the adjacent developments.
  - i) The coordination should cover, but not be limited to, the following:

- Corridors for City utilities (existing and proposed water, storm sewer, sanitary and DEU) and private utilities.
- Pipe sizes, material and slopes.
- Location of manholes and fire hydrants.
- Road grades, high points and low points.
- Alignment of ultimate and interim curbs.
- Proposed street lights design.

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

1. (**Legal Agreements**) Satisfy the terms of legal agreements secured through the rezoning application (RZ 18-836123) with respect to the development's Development Permit.
2. (**Additional Requirements**) Discharge and registration of additional right-of-way(s) and/or legal agreements, as determined to the satisfaction of the Director of Development, Director of Transportation, Director of Engineering, Manager of Real Estate Services, and Senior Manager of Parks.
3. (**Waste Management Plan**) As part of the permit drawings, submit a plan (i.e. drawings and related specifications) to the City's satisfaction, indicating the nature of all waste management-related facilities proposed on the subject site and their compliance with City bylaws and policies, including, but not limited to, carts/bins (e.g., uses, types, and numbers), waste/holding rooms (e.g., uses, locations, sizes and clear heights), loading facilities (e.g., locations, sizes, and clear heights), pedestrian/vehicle access (e.g., routes and vehicle turning templates), and related features, as required (e.g., signage, janitor sinks, floor drains, lighting, ventilation, safety measures, and door/gate operations).

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

1. (**Legal Agreements**) Satisfy the terms of legal agreements registered on title prior to final adoption of the rezoning bylaw (RZ 18-836123) and/or Development Permit issuance with respect to the development's Building Permit.
2. (**Rezoning and Development Permit Features**) Incorporation of urban design, accessibility and sustainability measures in Building Permit (BP) plans as determined via the Rezoning and/or Development Permit processes.
3. (**Construction Parking and Traffic Management Plan**) 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.
4. (**Latecomer Agreements**) If applicable, payment of latecomer agreement charges, plus applicable interest associated with eligible latecomer works.
5. (**Construction Hoarding**) 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.

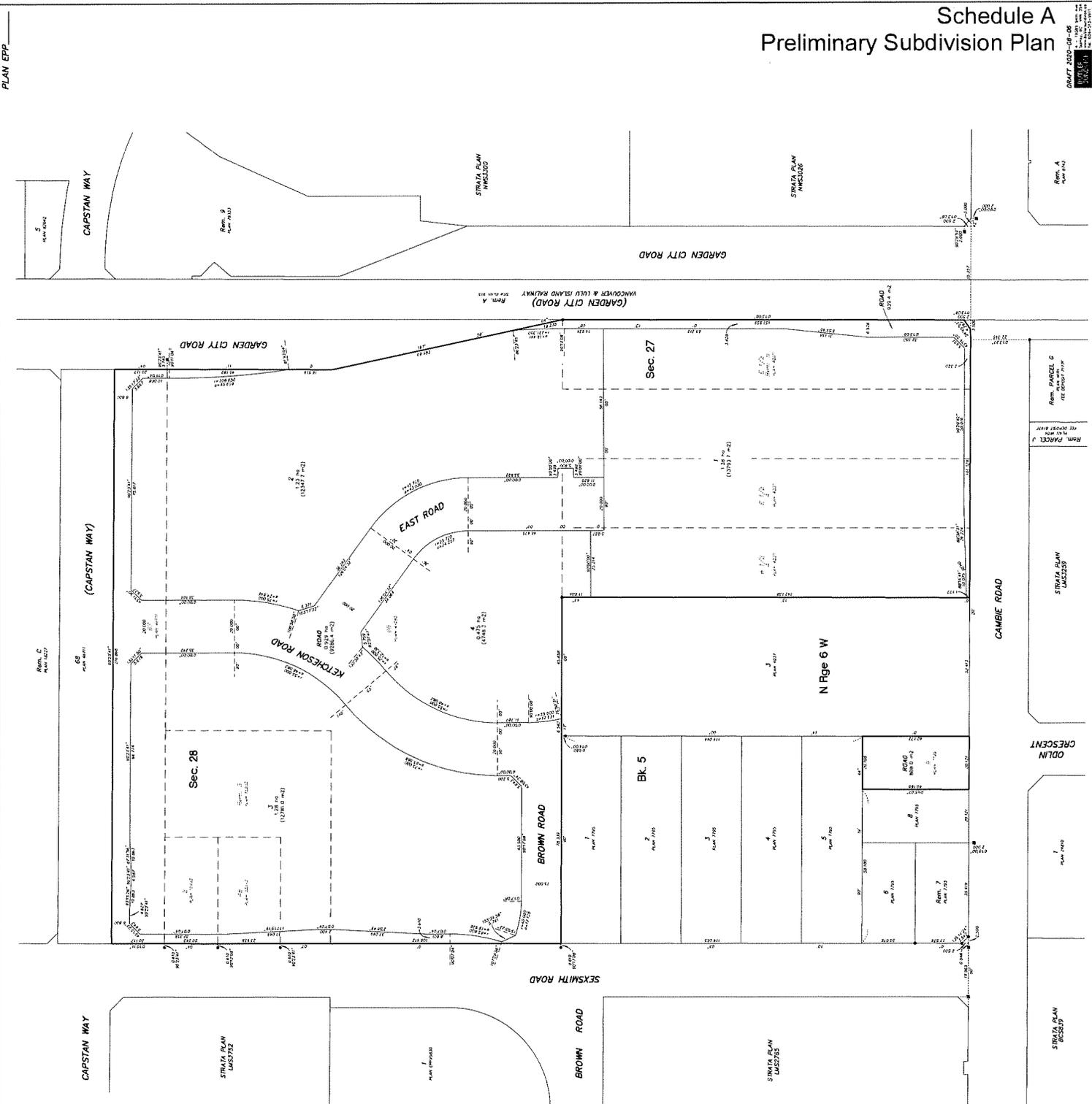
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, 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 copy onfile]

Signed	Date
Schedule A: Preliminary Subdivision Plan	(August 6, 2020)
Schedule B: Preliminary Road Functional Plan	(June 18, 2020)
Schedule C: Park & Open Space Key Plan	(August 3, 2020)
Schedule D: Farm soil Recovery Area Diagram	(June 22, 2020)
Schedule E: Preliminary Tree Management Plan	(July 9, 2020)
Schedule F: Preliminary SA Phasing Plan	(July 10, 2020)
Schedule G: Park Concept Plan	(August 4, 2020)

# Schedule A Preliminary Subdivision Plan

DATE: 2020-04-06  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO: [Number]



**SUBDIVISION PLAN OF**  
 LOT 2 PLAN 15930 SECTION 28,  
 LOT 3 PLAN 15930 SECTION 28 EXCEPT:  
 FIRSTLY PARCEL 'A' (REFERENCE PLAN 29821)  
 SECONDLY PART SUBDIVIDED BY PLAN 30573 AND  
 THIRDLY PART SUBDIVIDED BY PLAN 30573 AND  
 WEST HALF LOT 5 PLAN 4037 EAST HALF LOT 4 PLAN 4037  
 EAST HALF LOT 5 PLAN 4037 SECTION 28,  
 EXCEPT: PART ON BYLAW PLAN 57403,  
 LOT 9 PLAN 7749 SECTION 28,  
 LOT 48 PLAN 30573 SECTION 28,  
 AND LOT 65N PLAN 47690 SECTION 27 AND 28,  
 ALL OF BLOCK 5 NORTH RANGE 6 WEST  
 NEW WESTMINSTER DISTRICT  
 6033 930.015



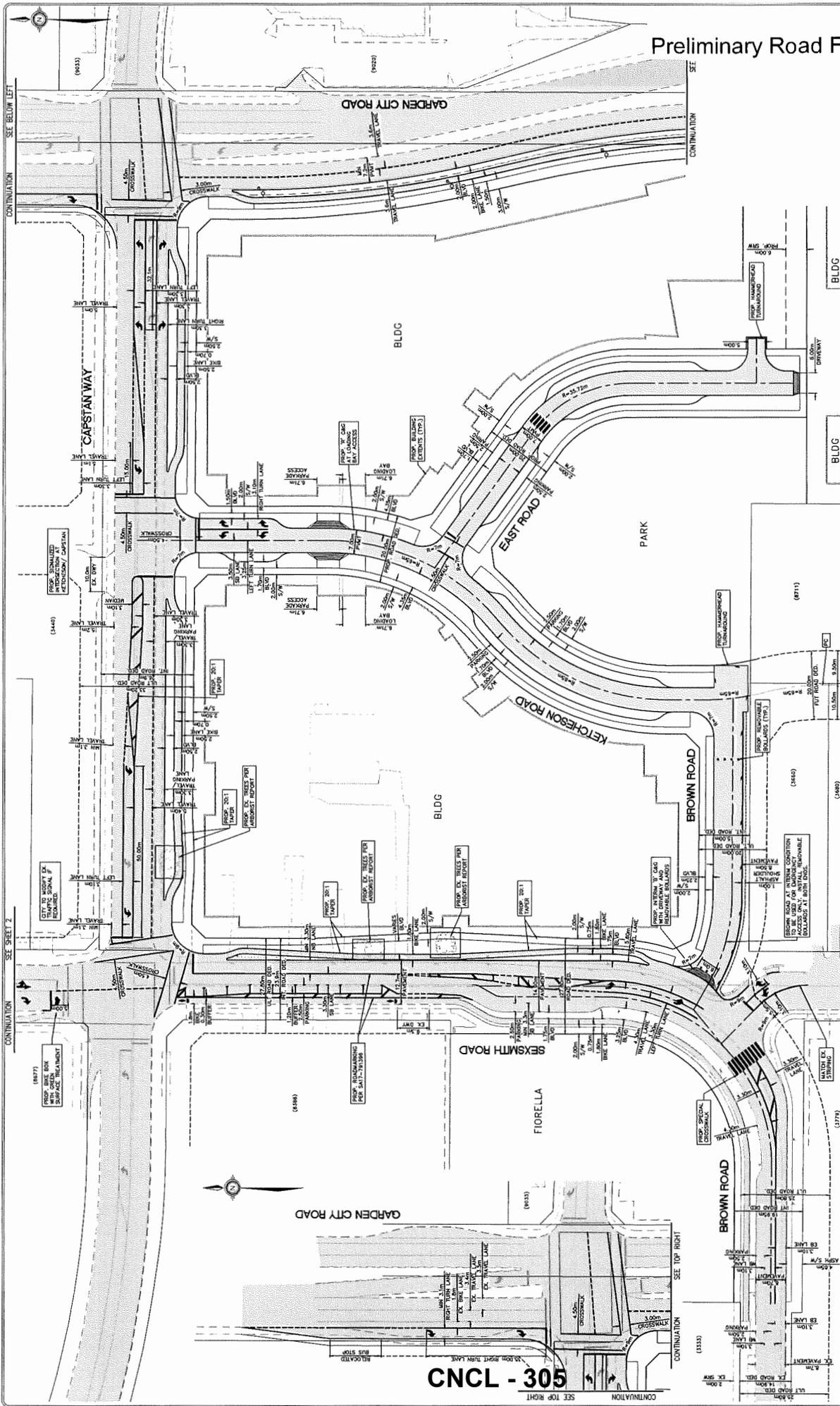
**BOOK OF REFERENCE**

PLAN	DESCRIPTION
15930-27	LOT 2 OF BLOCK 5 NORTH RANGE 6 WEST
15930-28	LOT 3 OF BLOCK 5 NORTH RANGE 6 WEST
29821	LOT 2 SECTION 27 AND 28 BLOCK 5 NORTH RANGE 6 WEST
30573	LOT 4 PLAN 30573 AND LOT 5 PLAN 30573 SECTION 28
4037	LOT 4 PLAN 4037 AND LOT 5 PLAN 4037 SECTION 28
57403	PART SUBDIVISION CAPSTAN WAY, GARDEN CITY ROAD AND SPICE ROAD SECTION 28
7749	PART SUBDIVISION GARDEN CITY ROAD AND GARDEN CITY ROAD SECTION 28
30573	PART SUBDIVISION GARDEN CITY ROAD AND GARDEN CITY ROAD SECTION 28
47690	PART SUBDIVISION GARDEN CITY ROAD AND GARDEN CITY ROAD SECTION 27 AND 28
<b>TOTAL</b>	<b>34774</b>

**CNCL 304**

THIS PLAN USES WITHIN THE METRO VANCOUVER REGIONAL DISTRICT

# Schedule B Preliminary Road Functional Plan



**City of Richmond**  
9111, 901, 3, ROAD, RICHMOND, B.C.

**TALISMAN PARK**  
INTERIM ROAD FUNCTIONAL PLAN

CITY FILE: -  
DESIGN: C.A.  
DRAWN: D.B.  
CHECKED: C.A.  
DATE: 1800  
SCALE: 1:500  
SHEET: 01-0-0  
SIT. NO.:

REVISIONS

NO.	DATE	BY	CON.	DESCRIPTION
G	06/18/2019	D.E.	C.N.	SOUPERY SUBMISSION
F	06/17/2019	D.B.	C.N.	4TH SUBMISSION
E	06/17/2019	D.B.	C.N.	3RD SUBMISSION
D	06/11/2019	D.B.	C.N.	FOURTH SUBMISSION
C	06/12/2019	D.B.	C.N.	THIRD SUBMISSION
B	06/17/2019	D.B.	C.N.	SECOND SUBMISSION
A	06/17/2019	D.B.	C.N.	FUNCTIONAL PLAN

REVISIONS

DESIGNER: POLYOON TALISMAN PARK HOMES LTD.  
900-1133 WEST BROADWAY STREET  
VANCOUVER, B.C. V6C 2E1  
M. (604) 671-4818

ENGINEER: COREGROUP  
1000-1000 WEST BROADWAY STREET  
VANCOUVER, B.C. V6C 2E1  
M. (604) 671-4818

ALL CHANGES ARE TO BE MADE IN ACCORDANCE WITH THE TERMS OF THE CONTRACT. CHANGES ARE BEING MADE TO THE DRAWINGS FOR THE LOCATION OF BROWN ROAD AND BROWN DATE. ELEVATION = 1.735m (BASED ON 1985).

DATE: 1.735m

CITY WORK ORDER NO. \_\_\_\_\_

CONTRACT NO. \_\_\_\_\_

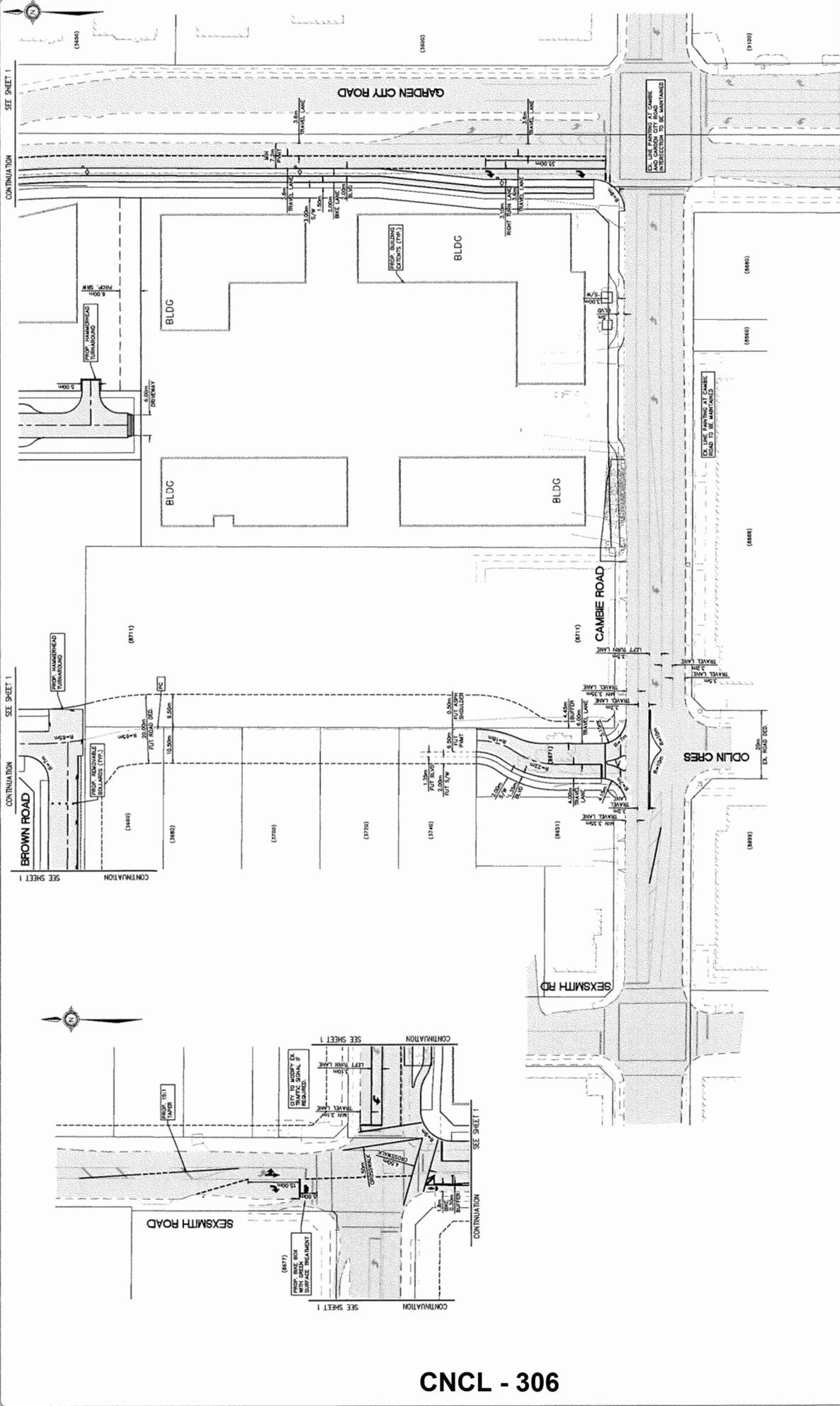
ACCOUNT NO. \_\_\_\_\_

RESUBMITTALS

DATE: 1.735m

CONTRACT NO. \_\_\_\_\_

ACCOUNT NO. \_\_\_\_\_



City of Richmond  
 8111, 3, ROAD, RICHMOND, B.C., V6Y 5E1

TITLE: INTERIM ROAD FUNCTIONAL PLAN  
 TALISMAN PARK

CITY FILE: -

DESIGN: C.N.  
 DRAWN: D.B.  
 CHECKED: C.N.  
 APPROVED: C.N.

DATE: 06/18/2020  
 SHEET: 2 OF 3

NOTES:  
 PROGRAMS AND LEGS SHOWN PROVIDED BY CLIENT AS THE PROPERTY OF Core Group Of Companies Ltd. AND NOT BE USED FOR ANY OTHER PROJECT WITHOUT THE RESPONSIBILITY OF THE CONSULTANT.

GRAPHIC SCALE  
 0 5 10 20  
 SCALE: 1:500

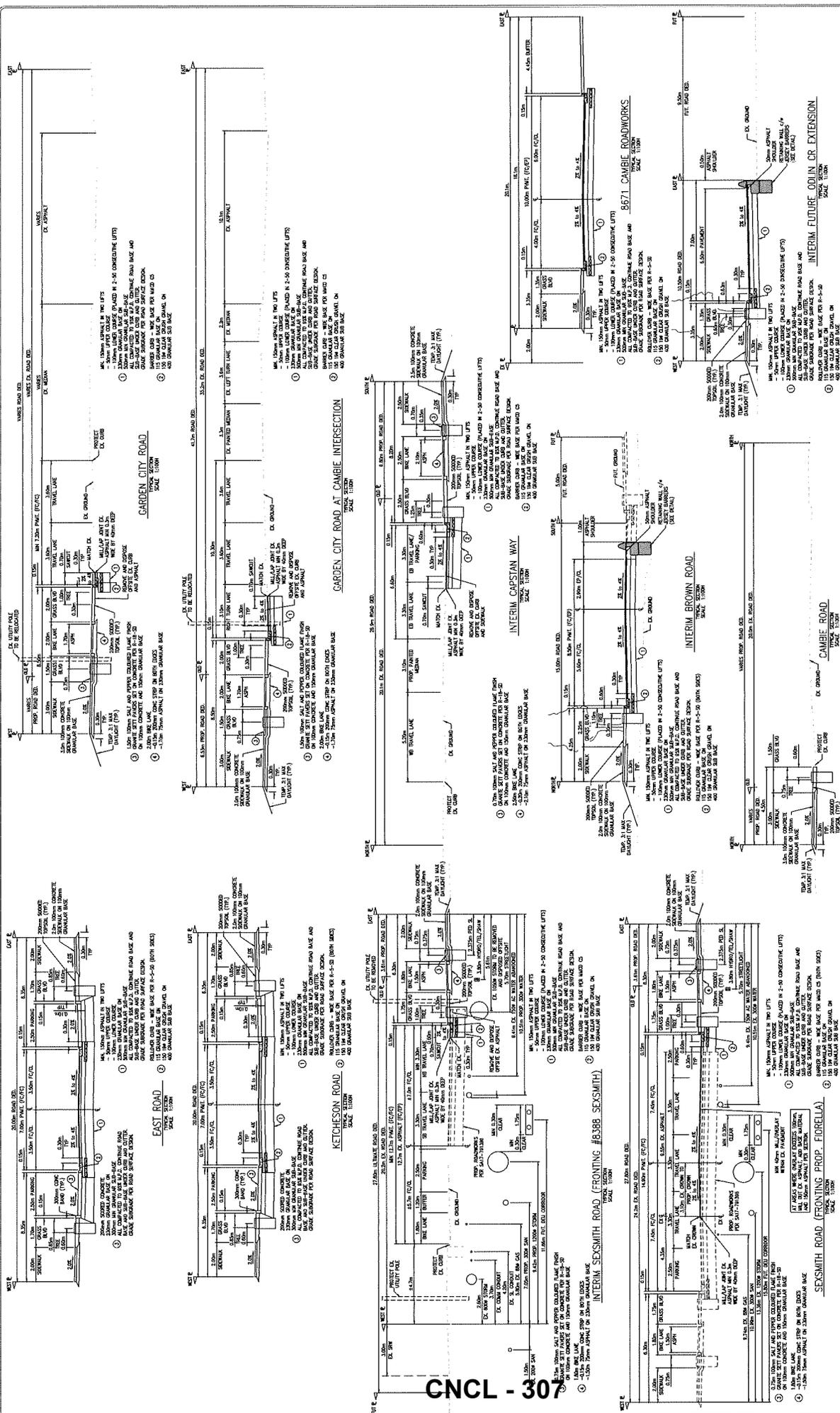
NO.	DATE	BY	CHK.	DESCRIPTION	REVISIONS
G	06/18/2020	D.B.	C.N.	SIXTH SUBMISSION	
F	06/02/2020	D.B.	C.N.	SEVENTH SUBMISSION	
E	12/12/2019	D.B.	C.N.	FIFTH SUBMISSION	
D	06/20/2019	D.B.	C.N.	FOURTH SUBMISSION	
C	06/17/2019	D.B.	C.N.	THIRD SUBMISSION	
B	06/17/2019	D.B.	C.N.	SECOND SUBMISSION	
A	06/18/2018	D.B.	C.N.	FUNCTIONAL PLAN	
1					
2					

DESIGNER: POLYCOON TALISMAN PARK HOMES LTD.  
 900-1332 WEST BROADWAY STREET  
 VANCOUVER, BC V6H 4C2  
 (604) 681-1111  
 WWW.POLYCOON.COM

ENGINEER: CoreGroup CONSULTANTS  
 LAND SURVEYING CONSULTANTS  
 1175 CUMBERLAND STREET  
 VANCOUVER, BC V6B 1T6  
 (604) 681-1111

DISCLAIMER:  
 ALL ELEMENTS ARE TO BE OBTAINED BY THE USER IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE LICENSE AGREEMENT.  
 ELEMENTS ARE LICENSED FROM THE BROWNSHAW (118) LOCATED AT BROWN ROAD AND BROWN AVE.  
 ELEMENTS = 1.75km (1.09mi) (SEEZ LINE DATA)

ELONGATION: 1.75km  
 FIELD BOOK NO: \_\_\_\_\_  
 TYPICAL / ANGLES IN: \_\_\_\_\_  
 CHECKED FOR: \_\_\_\_\_  
 ACCOUNT NO: \_\_\_\_\_



**City of Richmond**  
 8511 15<sup>th</sup> S. ROAD RICHMOND, B.C. V6Y 2E1

**TALISMAN PARK**

**INTERIM ROAD FUNCTIONAL PLAN**

CITY FILE: -

PERSON: C.A.L. DATE: 06/16/2020  
 DRAWN: C.A.L. SCALE: 1:500  
 CHECKED: C.A.L. SEC. NO: 0-C-0  
 DESIGNER: C.A.L. SHEET: 3 OF 3

**REVISIONS**

NO.	DATE	BY	CHK.	DESCRIPTION
1	07/19/2020	D.B.	C.N.	SEVENTH SUBMISSION
2	08/11/2020	D.B.	C.N.	EIGHTH SUBMISSION
3	09/17/2020	D.B.	C.N.	NINTH SUBMISSION
4	09/17/2020	D.B.	C.N.	TENTH SUBMISSION
5	09/17/2020	D.B.	C.N.	ELEVENTH SUBMISSION
6	09/17/2020	D.B.	C.N.	SECOND SUBMISSION
7	09/17/2020	D.B.	C.N.	FUNCTIONAL PLAN
8	09/17/2020	D.B.	C.N.	REVISIONS

**CLIENT:** POLYGON TALISMAN PARK HOMES LTD.  
 900-1333 WEST BROADWAY STREET  
 VANCOUVER, BC V6C 4E6

**ENGINEER:** CoreGroup  
 1000-1000 WEST BROADWAY STREET  
 VANCOUVER, BC V6C 4E6

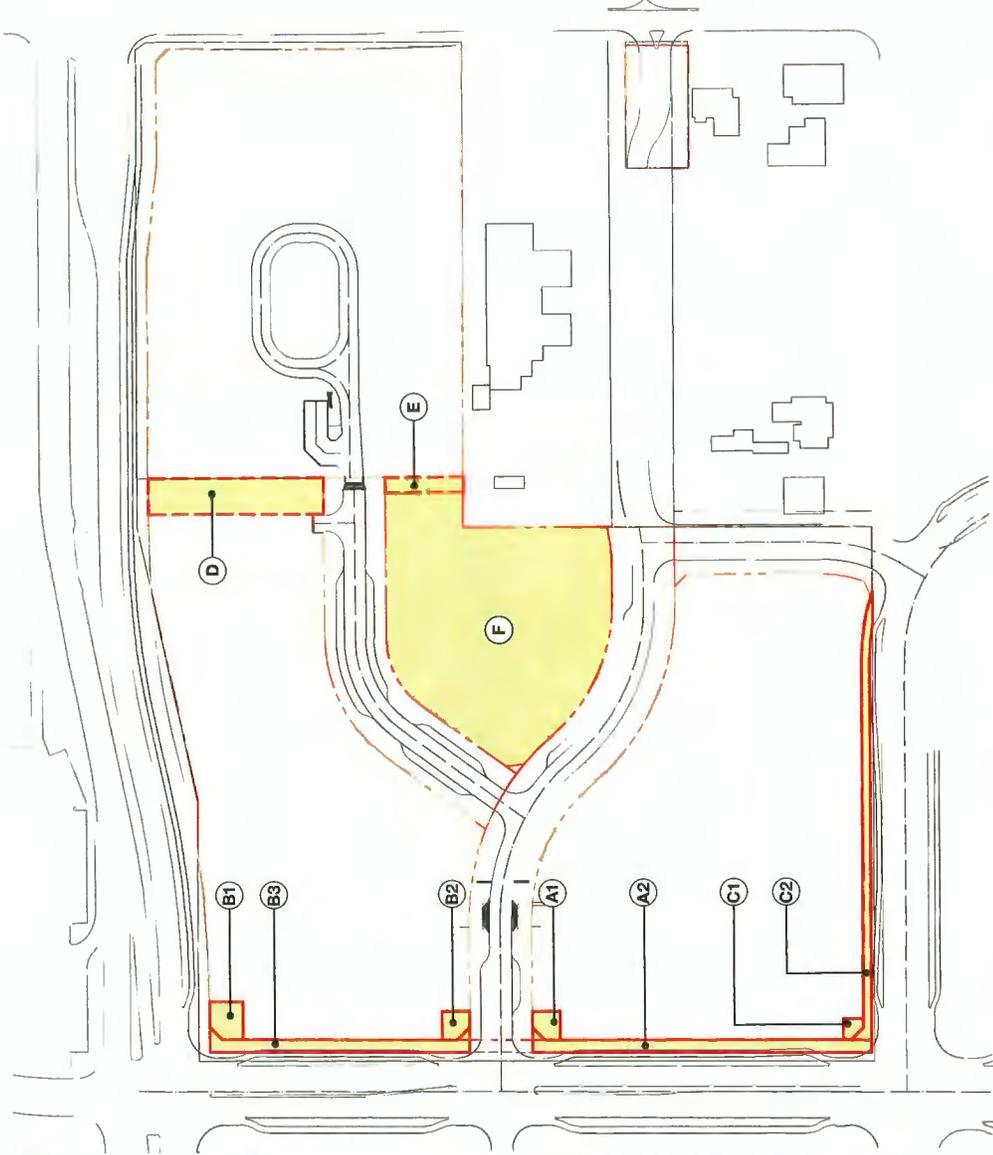
**DESIGNER:** POLYGON TALISMAN PARK HOMES LTD.  
 900-1333 WEST BROADWAY STREET  
 VANCOUVER, BC V6C 4E6

**NOTES:**

1. THIS PLAN IS A DESIGN AND SHALL BE USED IN CONJUNCTION WITH THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S.
2. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
3. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
4. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
5. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
6. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
7. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
8. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
9. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.
10. THE INTERIM ROAD FUNCTIONAL PLAN AND THE INTERIM ROAD B&S SHALL BE USED TO DETERMINE THE LOCATION AND WIDTH OF THE INTERIM ROAD.

# City Park & CSB Calculations

Capstan Station Bonus Open Space Required			
1 CCAP required: 5m2 per unit			5 m <sup>2</sup>
2 Total proposed units			1,226 units
3 Total CSB required			6,130 m <sup>2</sup>
Provided			
	Dedication (Road)	Dedication (Park)	SRW
A1 - Capstan Way corner plaza			73.4 m <sup>2</sup>
A2 - Capstan Way additional widening	445.0 m <sup>2</sup>		
B1 - Capstan Way corner plazas			121.4 m <sup>2</sup>
B2 - Capstan Way additional widening	353.3 m <sup>2</sup>		
B3 - Sexsmith Road corner plaza			35.8 m <sup>2</sup>
C1 - Sexsmith Road additional widening	368.5 m <sup>2</sup>		
C2 - Mid-block Trail SRW			646.4 m <sup>2</sup>
D - South Lot Open Space			127.1 m <sup>2</sup>
E - Park		4,748.0 m <sup>2</sup>	
F - Park	1,166.8 m <sup>2</sup>	4,748.0 m <sup>2</sup>	
<b>Sub-total</b>	<b>1,166.8 m<sup>2</sup></b>	<b>4,748.0 m<sup>2</sup></b>	<b>1,077.4 m<sup>2</sup></b>
<b>Total</b>		<b>6,992.2 m<sup>2</sup></b>	
<b>Surplus</b>		862 m <sup>2</sup>	





# City of Richmond



Farm Soil Recovery Area  
RZ 18-836123

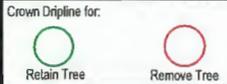
Original Date: 04/07/20  
Revision Date: 06/22/20  
Note: Dimensions are in METRES



**Pacific Sun Tree Services**  
 andermatt.forest@shaw.ca  
 pacificsuntree.com  
 Suite #460  
 130 - 1959 152 Street  
 Surrey, B.C.  
 V4A 0C4  
 604-323-4270

**Tree Management Plan:  
 Amendment #2  
 OVERVIEW**

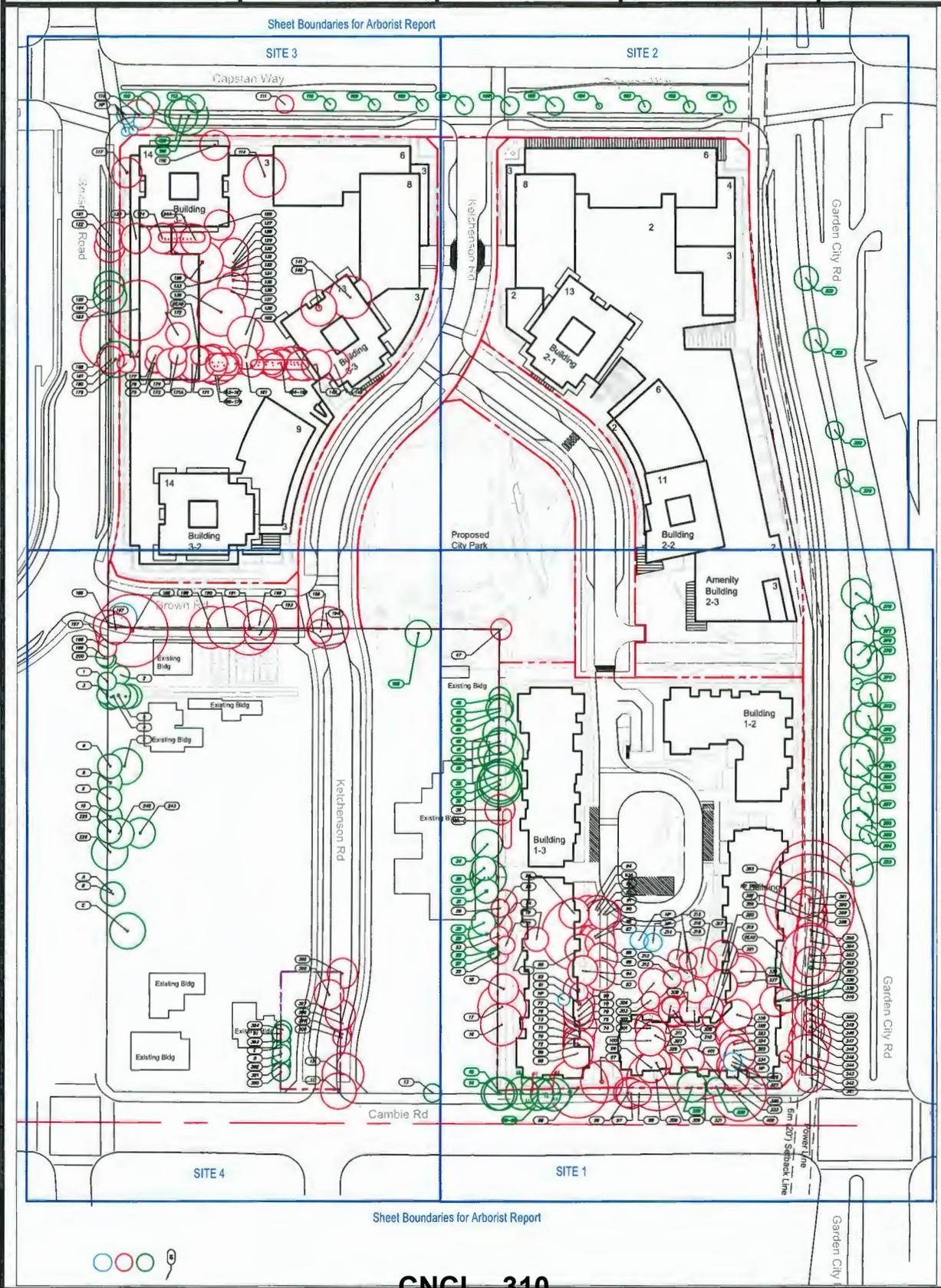
Date: July 8, 2020  
 Client: Polygon Talisman Park Ltd.  
 Project: Talisman Park  
 Project Address: Cambie - Sexsmith  
 Capstan - Garden City  
 Richmond, B.C.



Tree Recommended for Retention:  
 Tree Recommended for Removal:  
 Undersize Tree:  
 Tree Protection Barrier:  
 (Outlines Tree Protection Zone)  
 Critical Root Zone:



Notes:  
 1. Where trees are densely clustered the crown dripline may not be shown for some trees to provide legibility.  
 2. Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).  
 3. Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.





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V4A 0C4

604-323-4270

### Tree Management Plan: Amendment #2 Site 1 Bldg 3 - North Tree Retention & Protection Plan

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.

Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Dripline for:



Remove Tree

Tree Recommended  
for Retention:



Tree Recommended  
for Removal:



Undersize Tree:



Tree Protection Barrier:  
(Outlines Tree Protection Zone)



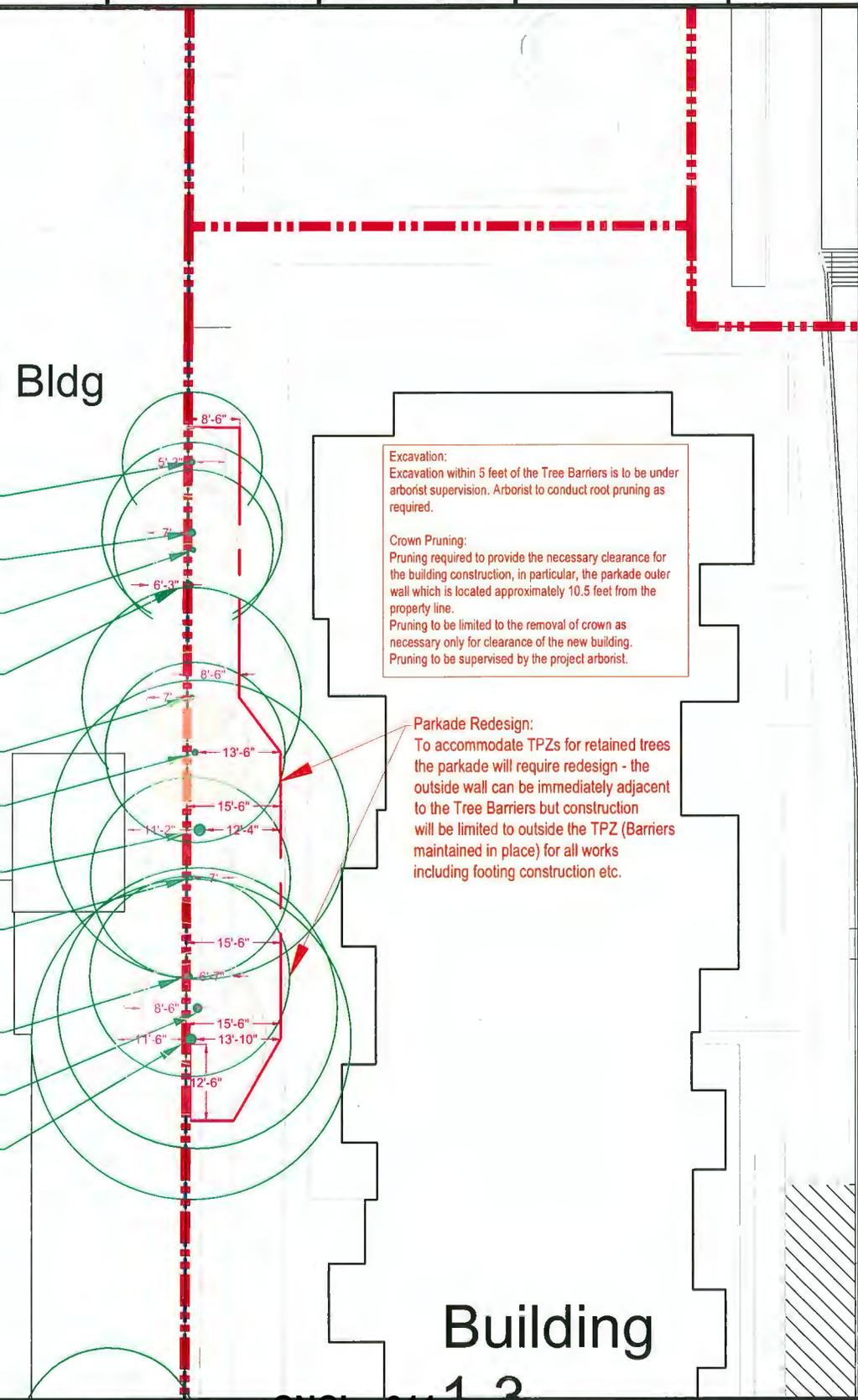
Critical Root Zone:



Notes:  
1. Where trees are densely clustered the crown dripline may not be shown for some trees to provide legibility.  
2. Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).  
3. Calculators and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.

Existing Bldg

- 46
- 45
- 44
- 43
- 42
- 41
- 40
- 39
- 38
- 37
- 36



**Excavation:**  
Excavation within 5 feet of the Tree Barriers is to be under arborist supervision. Arborist to conduct root pruning as required.

**Crown Pruning:**  
Pruning required to provide the necessary clearance for the building construction, in particular, the parkade outer wall which is located approximately 10.5 feet from the property line.  
Pruning to be limited to the removal of crown as necessary only for clearance of the new building.  
Pruning to be supervised by the project arborist.

**Parkade Redesign:**  
To accommodate TPZs for retained trees the parkade will require redesign - the outside wall can be immediately adjacent to the Tree Barriers but construction will be limited to outside the TPZ (Barriers maintained in place) for all works including footing construction etc.

Bldg

Building

1 2



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V4A 0C4

604-323-4270

**Tree Management  
Plan:  
Amendment #2  
Site 1 Bldg 3 - South  
Tree Retention &  
Protection Plan**

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.  
Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Deline for:



Remove Tree

Tree Recommended  
for Retention:



Tree Recommended  
for Removal:



Undersize Tree:



Tree Protection Barrier:  
(Outlines Tree Protection Zone)

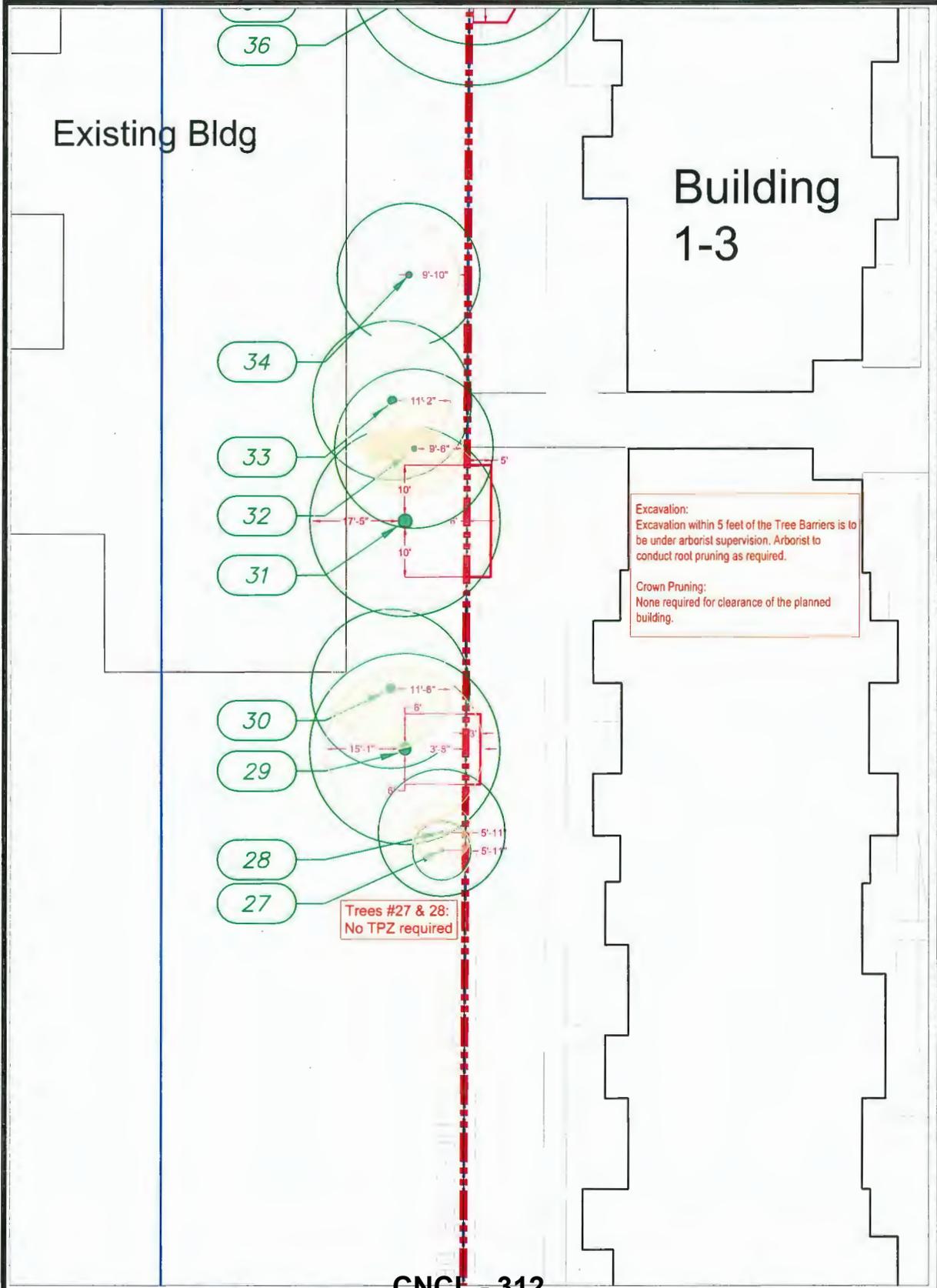


Critical Root Zone:



Notes:

- Where trees are densely clustered the crown outline may not be shown for some trees to provide legibility.
- Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).
- Calculators and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.



**Excavation:**  
Excavation within 5 feet of the Tree Barriers is to be under arborist supervision. Arborist to conduct root pruning as required.

**Crown Pruning:**  
None required for clearance of the planned building.

Trees #27 & 28:  
No TPZ required



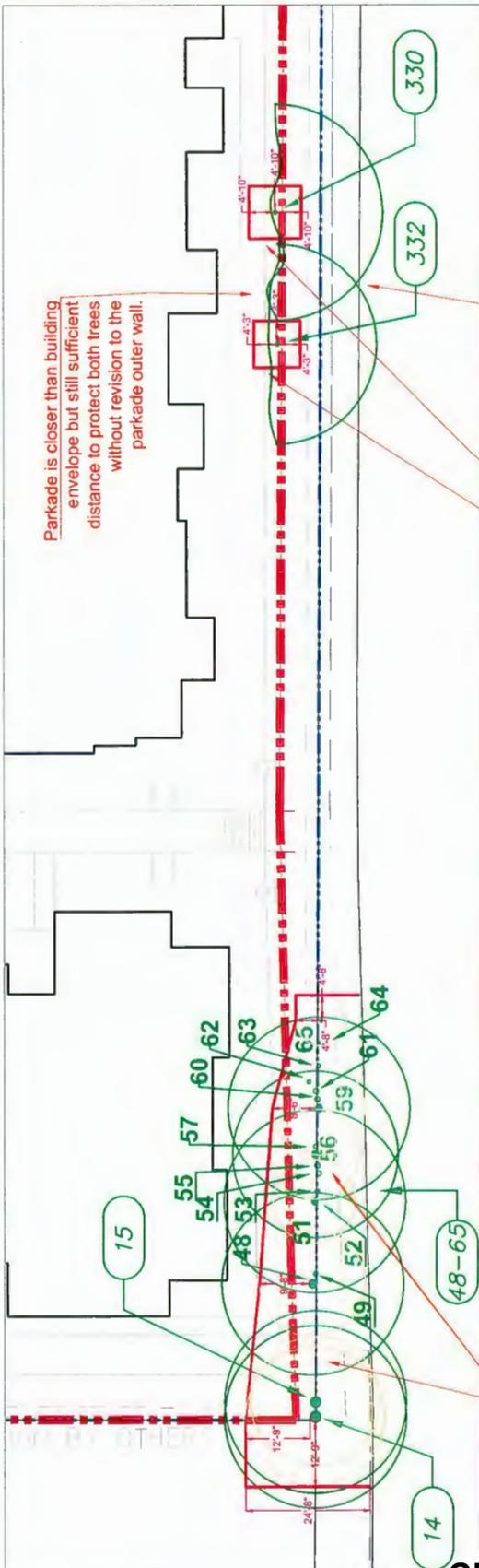
**Pacific Sun Tree Services**  
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 andermat.fores@shaw.ca  
 pacificsuntree.com  
 Suite 460  
 130 - 159 152 Street  
 Surrey, B.C.  
 V4A 0C4

**Tree Management #2**  
**Plan: Amendment #2**  
**Site 1 Cambie Rd**  
**Tree Retention & Protection Plan**

Date: July 8, 2020  
 Client: Polygon Tallman Park Ltd.  
 Project: Tallman Park  
 Project Address: Cambie - Sarsenah - Capstan - Garden City Richmond, B.C.

Tree Recommended for Retention: ●  
 Tree Recommended for Removal: ○  
 Undersized Tree: UT ●  
 Crown Dipside for: ○  
 Retain Tree: ○  
 Remove Tree: ○

Tree Protection Barrier (Cables Tree Protection Zone)  
 Critical Road Zone:  
 Notes:  
 1. Where trees are densely clustered the crown dipside may not be shown for some trees to provide legibility.  
 2. Tree Protection Barrier locations are illustrated with DBH to scale (except for trees with numerous small stems).  
 3. Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.



Crowns of both trees are very asymmetrical with entirety of each crown on the south side of the trunk location at ground level - therefore no building conflict or pruning required on the development side.

**SIDEWALK REDESIGN**  
 Retention of Trees in this section will require relocation of the planned sidewalk to be 18 inches south of the trunks (outside edge) of the trees. This keeps the sidewalk essentially in its existing location for this section. Any reconstruction of the sidewalk or complete rebuild if required should not be a problem as the subgrade could be maintained and is thereby not impacting the underlying critical root zone.

**ARBORIST SUPERVISION**  
 Within TPZs, Arborist supervision of demolition of existing sidewalk and for new construction.

**SIDEWALK REDESIGN & NEW RETAINING WALL**  
 Sidewalk to require realignment from planned location. Given applicable grade changes, the sidewalk should be located outside of the TPZ as much as possible and at a minimum, any excavation required for the new sidewalk should be 3.5 feet south of the trunks (outside edge). A retaining wall will be required around part (at least the south side of CRZ where sidewalk grade is significantly higher than the natural grade of the CRZ) or all of the CRZ depending on landscaping plans and any other infrastructure planned for this area.



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V4A 0C4

604-323-4270

## Tree Management Plan: Amendment #2 Site 1 Tree Retention & Removal Plan

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.

Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Dripline for:



Tree Recommended for Retention:



Tree Recommended for Removal:



Undersize Tree:



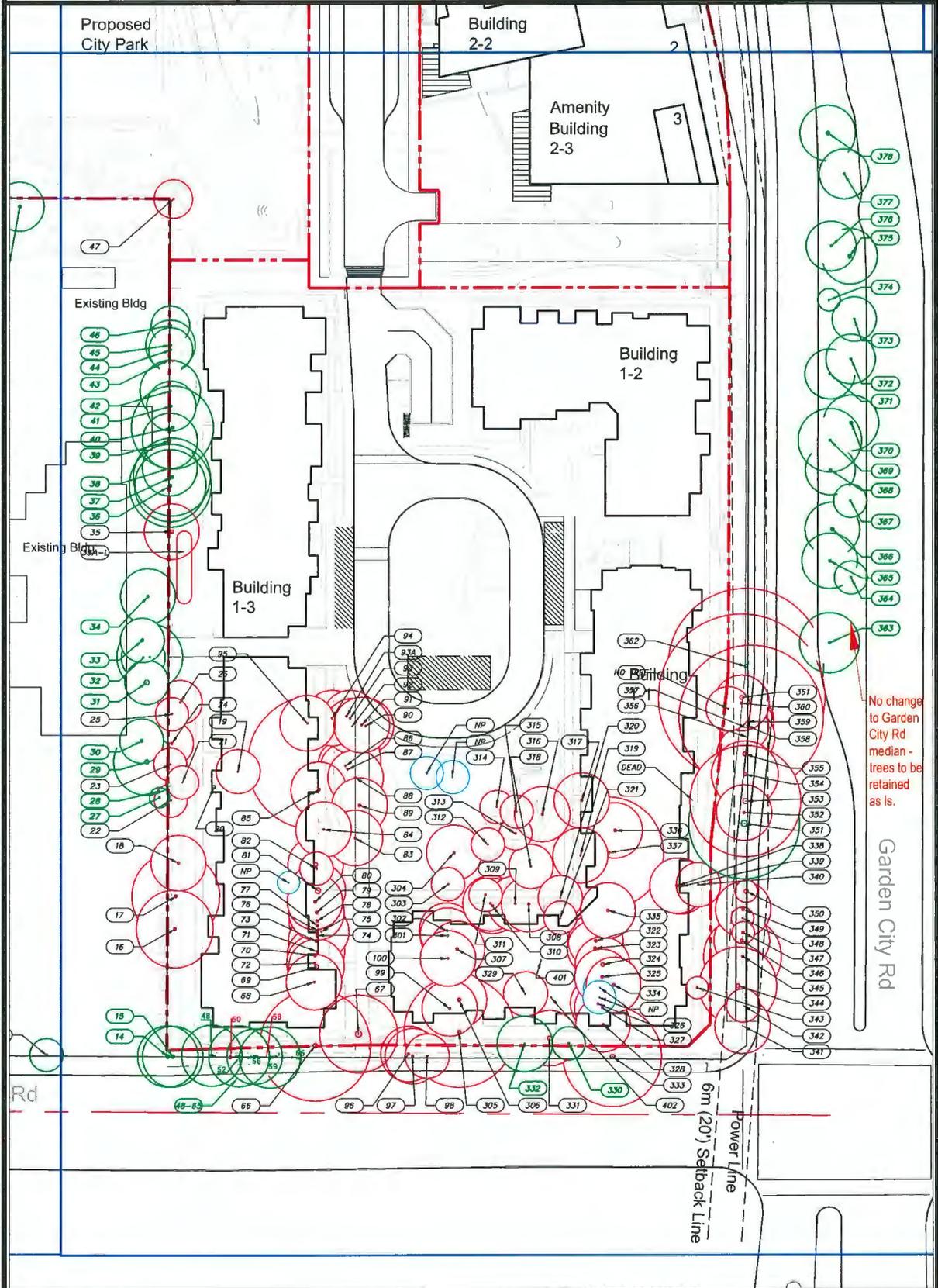
Tree Protection Barrier:  
(Outlines Tree Protection Zone)



Critical Root Zone:



- Notes:
- Where trees are densely clustered the crown dripline may not be shown for some trees to provide legibility.
  - Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).
  - Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.





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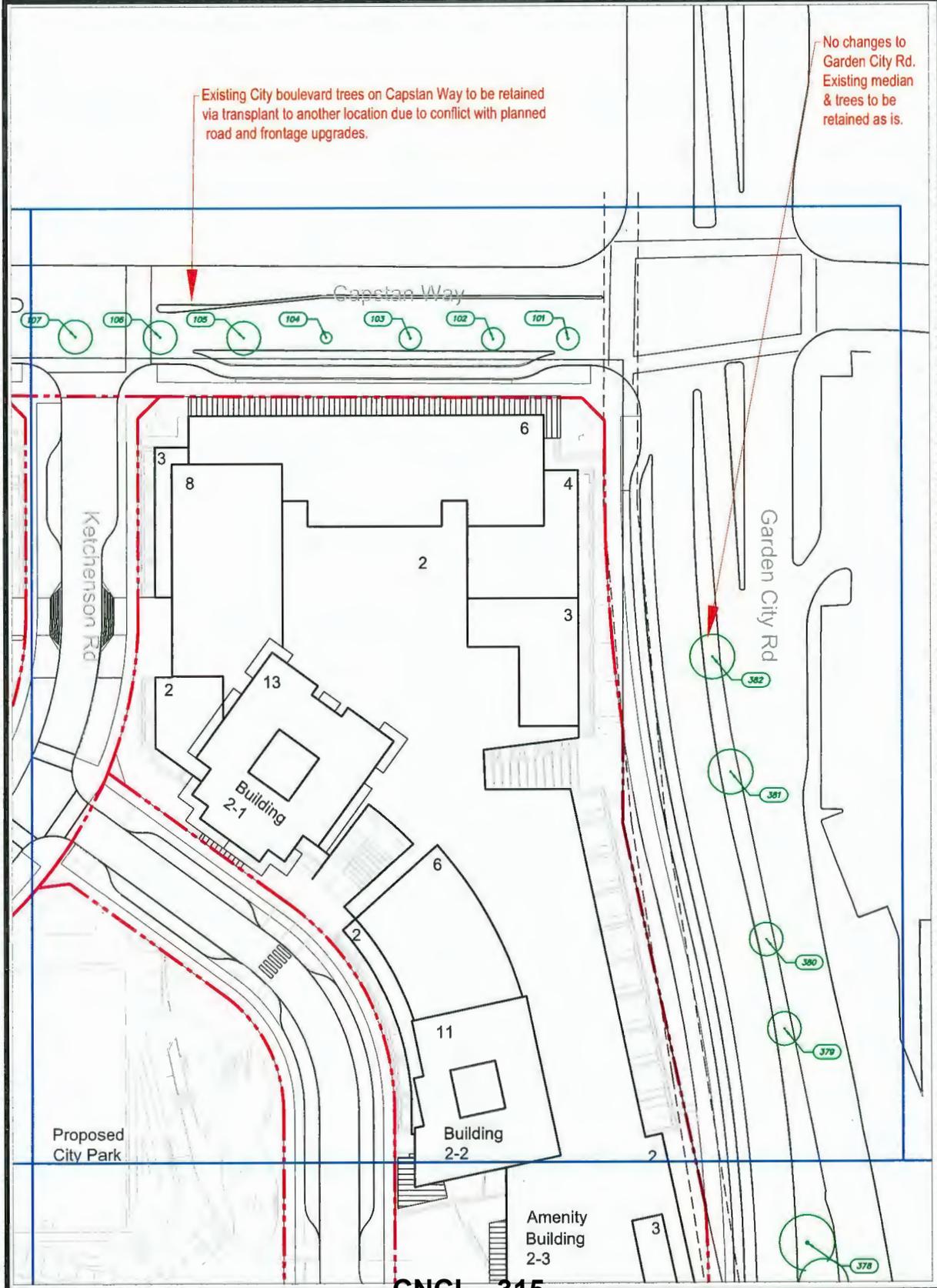
**Tree Management  
Plan:  
Amendment #2  
Site 2  
Tree Retention  
& Removal Plan**

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.  
Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Dripline for:  
 Retain Tree  
 Remove Tree

Tree Recommended for Retention:   
 Tree Recommended for Removal:   
 Undersize Tree: UT   
 Tree Protection Barrier: (Quiknes Tree Protection Zone)   
 Critical Root Zone: 

Notes:  
 1. Where trees are densely clustered the crown dripline may not be shown for some trees to provide legibility.  
 2. Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).  
 3. Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.

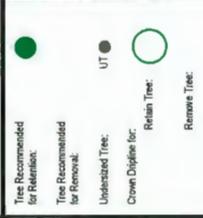




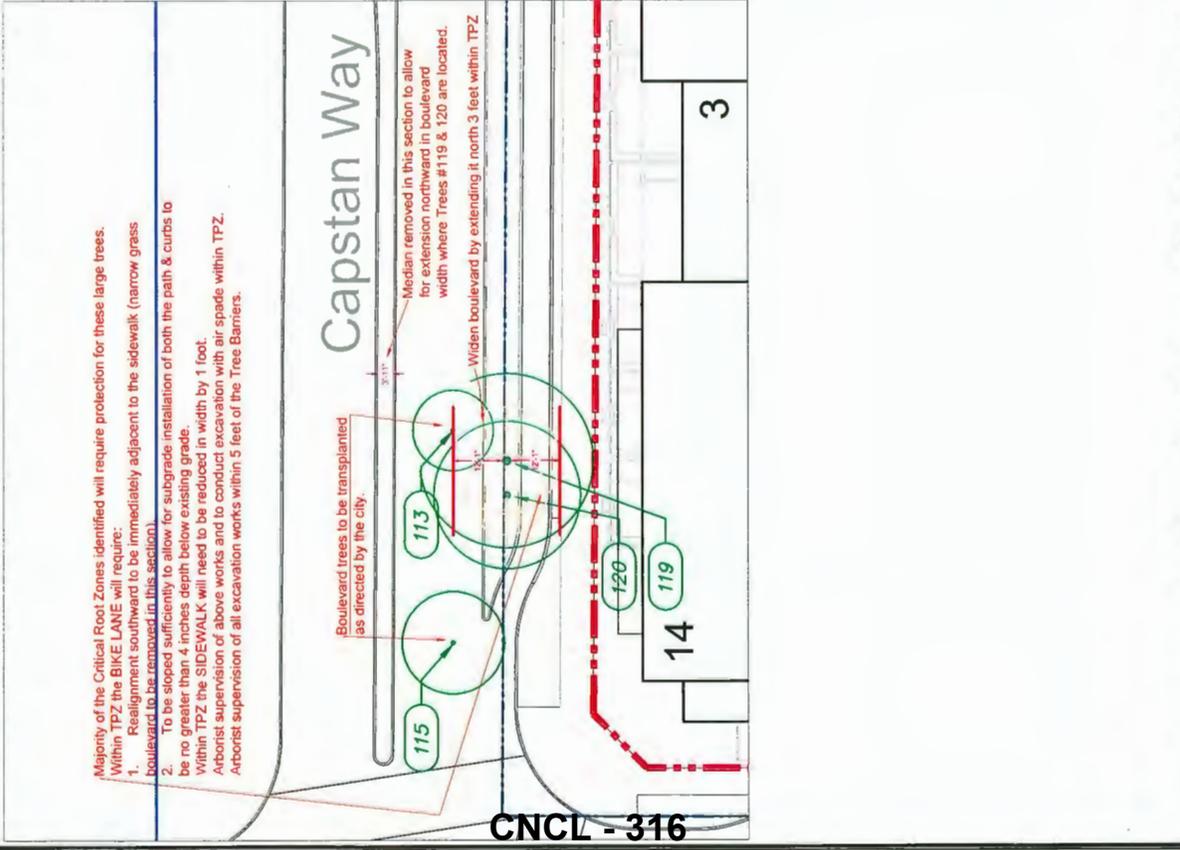
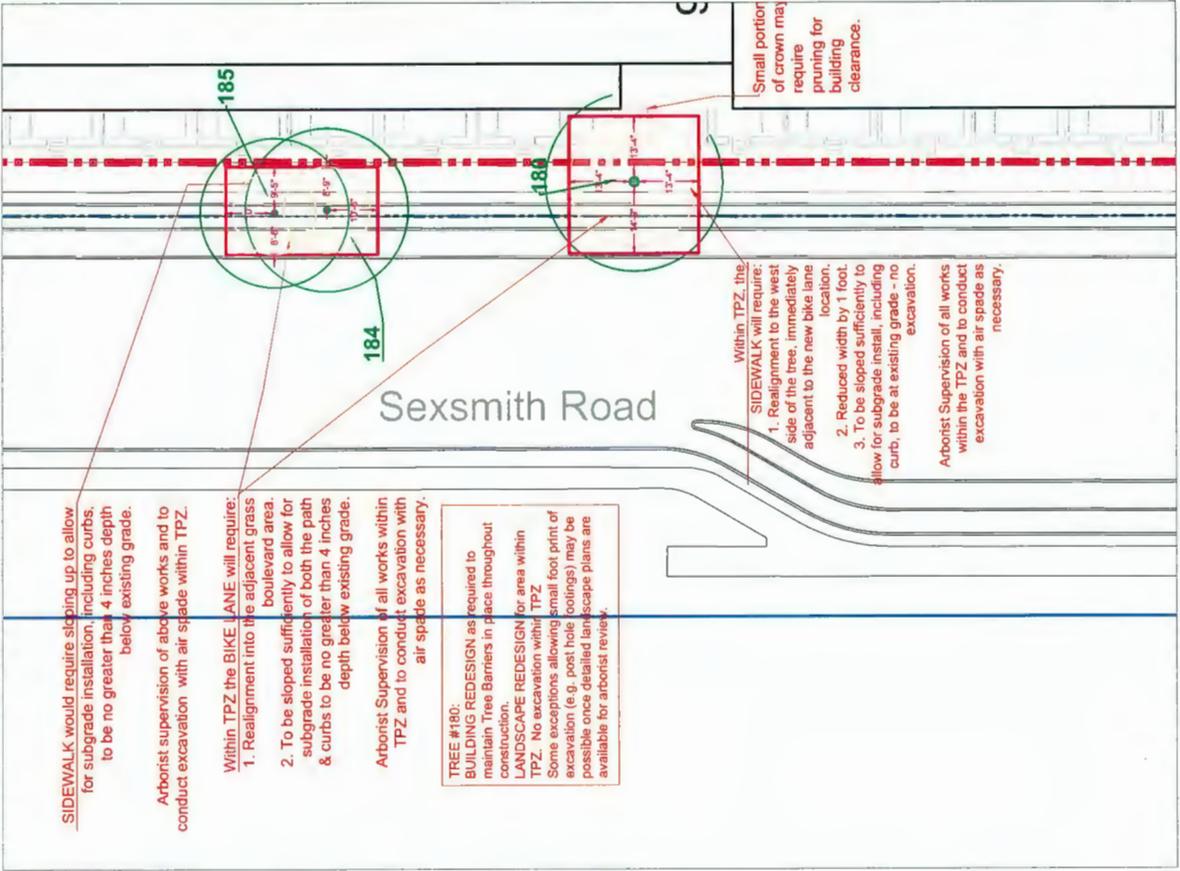
**Pacific Sun Tree Services**  
 604-323-4270  
 andermat.lorest@shaw.ca  
 pacificsuntree.com  
 Suite #460  
 130 - 1959 152 Street  
 Surrey, B.C.  
 V4A 0C4

**Tree Management Plan: Amendment #2 Site 3**  
**Tree Retention & Protection Plan**

Date: July 6, 2020  
 Client: Polygon Talmann Park Ltd.  
 Project: Talmann Park  
 Project Address: Cambie - Sexsmith - Capstan - Garden City Richmond, B.C.



**Notes:**  
 1. Where trees are densely clustered the crown diameter may not be shown for some trees.  
 2. Trees recommended for retention are illustrated with DSH to scale (except for trees with numerous small stems).  
 3. Calculations and measurements for Tree Barrier, CRZ & TPZ are from the outside limits of the subject site.





### Pacific Sun Tree Services

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pacificsuntree.com

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130 - 1959 152 Street  
Surrey, B.C.  
V4A 0C4

604-323-4270

## Tree Management Plan: Amendment #2 Site 3 Tree Retention & Removal Plan

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.

Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Dripline for:



Tree Recommended for Retention:



Tree Recommended for Removal:



Undersize Tree:



Tree Protection Barrier:  
(Outlines Tree Protection Zone)

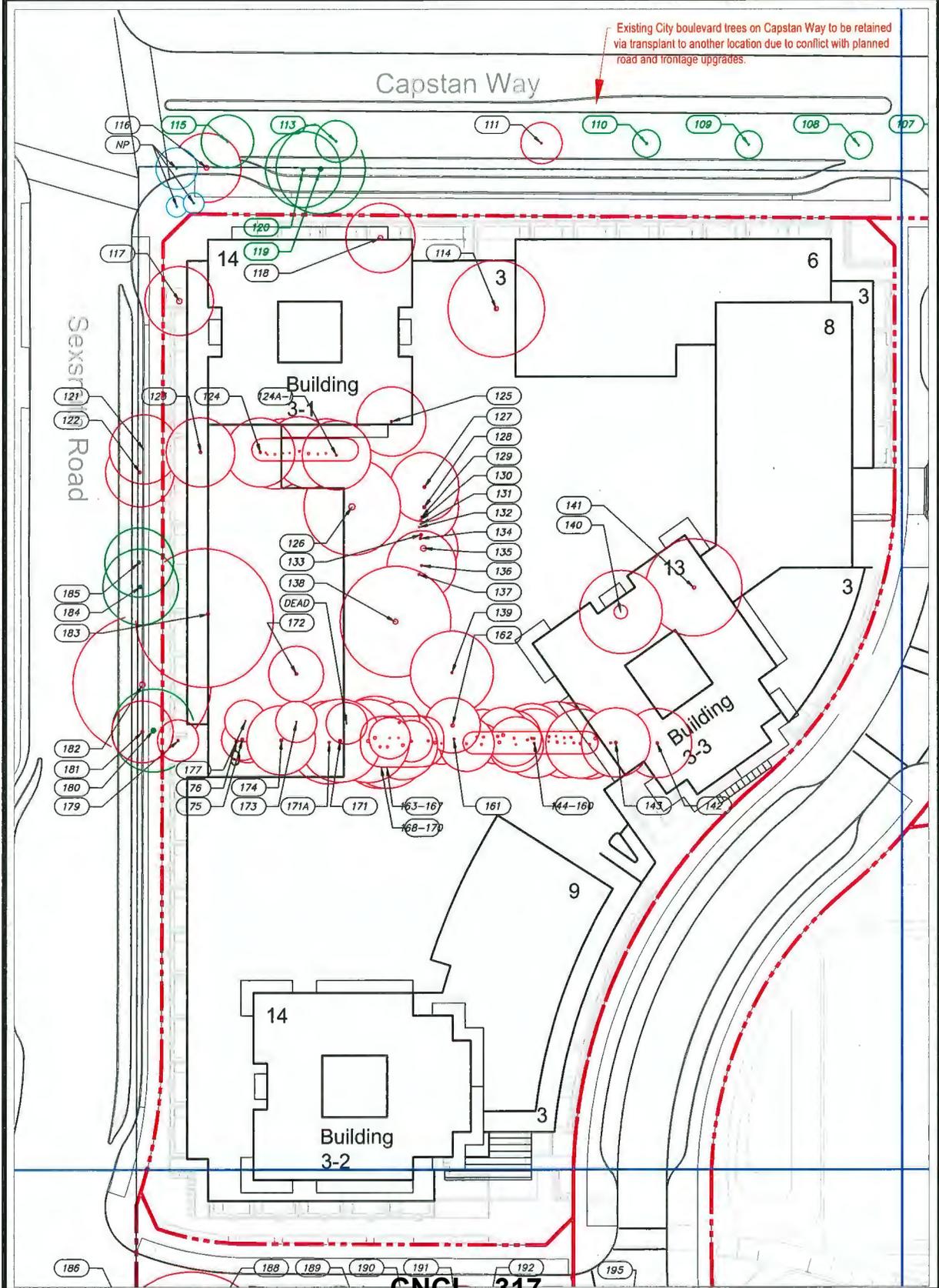


Critical Root Zone:



Notes:

- Where trees are densely clustered the crown dripline may not be shown for some trees to provide legibility.
- Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).
- Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.





**Pacific Sun Tree Services**

andermall.forest@shaw.ca  
pacificsuntree.com

Suite #460  
130 - 1959 152 Street  
Surrey, B.C.  
V4A 0C4

604-323-4270

**Tree Management Plan:  
Amendment #2  
Site 4  
Tree Retention & Protection Plan**

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.  
Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Drip-line for:



Remove Tree

Tree Recommended for Retention:



Tree Recommended for Removal:



Undersize Tree:

UT

Tree Protection Barrier:  
(Outlines Tree Protection Zone)



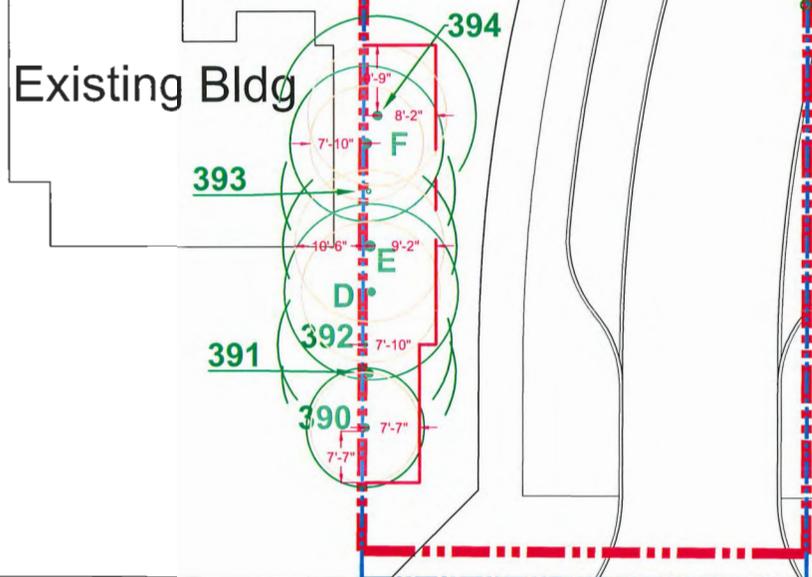
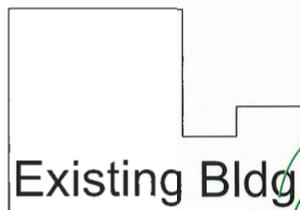
Critical Root Zone:



Notes:

- Where trees are densely clustered the crown drip-line may not be shown for some trees to provide legibility.
- Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).
- Calculations and measurements for Tree Barriers, CRZ & TPZ are from the outside trunk of the subject tree.

**EXCAVATION:**  
Excavation within 5 feet of the Tree Barriers is to be under arborist supervision. Arborist to conduct root pruning as required.





# Pacific Sun Tree Services

andermt.forest@shaw.ca  
pacificsuntree.com

Suite #460  
130 - 1959 152 Street  
Surrey, B.C.  
V4A 0C4

604-323-4270

## Tree Management Plan: Amendment #2 Site 4 Tree Retention & Removal Plan

Date: July 8, 2020  
Client: Polygon Talisman Park Ltd.

Project: Talisman Park  
Project Address: Cambie - Sexsmith  
Capstan - Garden City  
Richmond, B.C.

Crown Dipline for:



Tree Recommended for Retention:



Tree Recommended for Removal:



Undersize Tree:



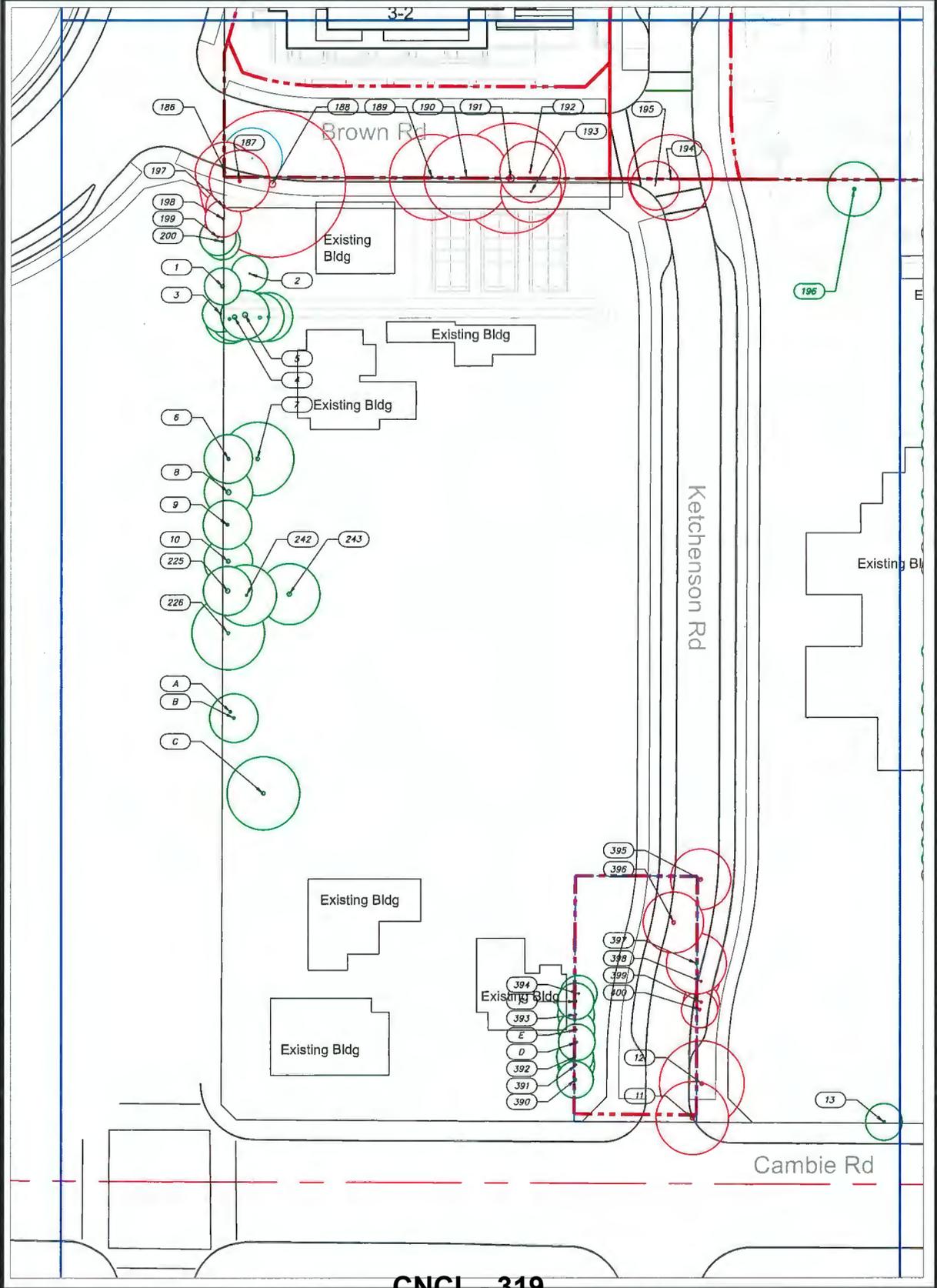
Tree Protection Barrier:  
(Outlines Tree Protection Zone)



Critical Root Zone:



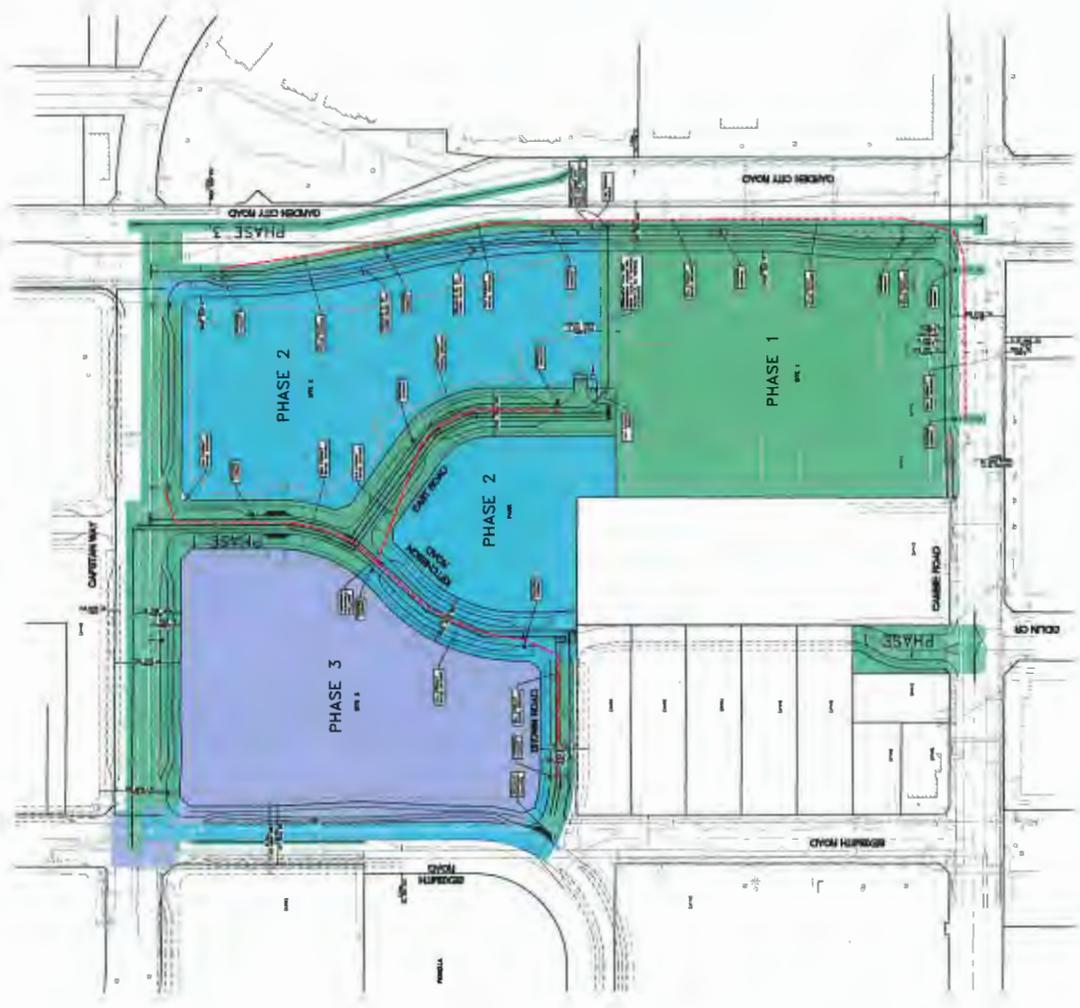
Notes:  
1. Where trees are densely clustered the crown dipline may not be shown for some trees to provide legibility.  
2. Trees recommended for retention are illustrated with DBH to scale (except for trees with numerous small stems).  
3. Calculations and measurements for Tree Barriers, CHZ & TPZ see from the outside trunk of the subject tree.



# Schedule F Preliminary SA Phasing Plan



ALL PHASES



**PHASE LEGEND**

- PHASE 1
- PHASE 2
- PHASE 3

8511 No. 3 ROAD RICHMOND, B.C.

**PHASING KEYPLAN  
ALL PHASES**

CITY FILE: .

DWG. NO: .

SCALE: .

DATE: .

DESIGNER: .

CHECKED: .

IN CHARGE: .

TITLE: .

The copyright in all drawings and documents (as defined in the Copyright Act) shall remain the property of the author. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the author.



NO.	DATE	BY	CHK.	DESCRIPTION	REVISIONS
C	2020/07/10	D.B.	C.A.	REVISED PHASING PLAN PER CITY COMMENTS	
B	2019/09/24	D.B.	C.A.	SECOND SUBMISSION	
A	2019/07/18	D.B.	C.A.	FUNCTIONAL PLAN	
M					

LOCAL DESCRIPTION: .

LEGAL DESCRIPTION: .

OWNER: .

ENGINEER: .

**CoreGroup**

LAND DEVELOPMENT CONSULTANTS

10000 100th St. (604)298-0282

**POLYON CAPSTAN VILLAGE HOMES LTD.**

900-1113 WEST BROADWAY STREET  
VANCOUVER, B.C. V6C 2E4  
TEL: (604)271-4318

ENGINEER: .

**BENCHMARK**

ALL ELEVATIONS ARE TO BENCHMARK UNLESS OTHERWISE NOTED.

ELEVATIONS ARE BENCHMARKED FROM THE BENCHMARK (PINE LOCATED AT BROWN ROAD AND BROWN CREEK).

ELEVATION = 1.753m (CHECK OVER DATA)

DATE: .

CITY WORK ORDER NO: .

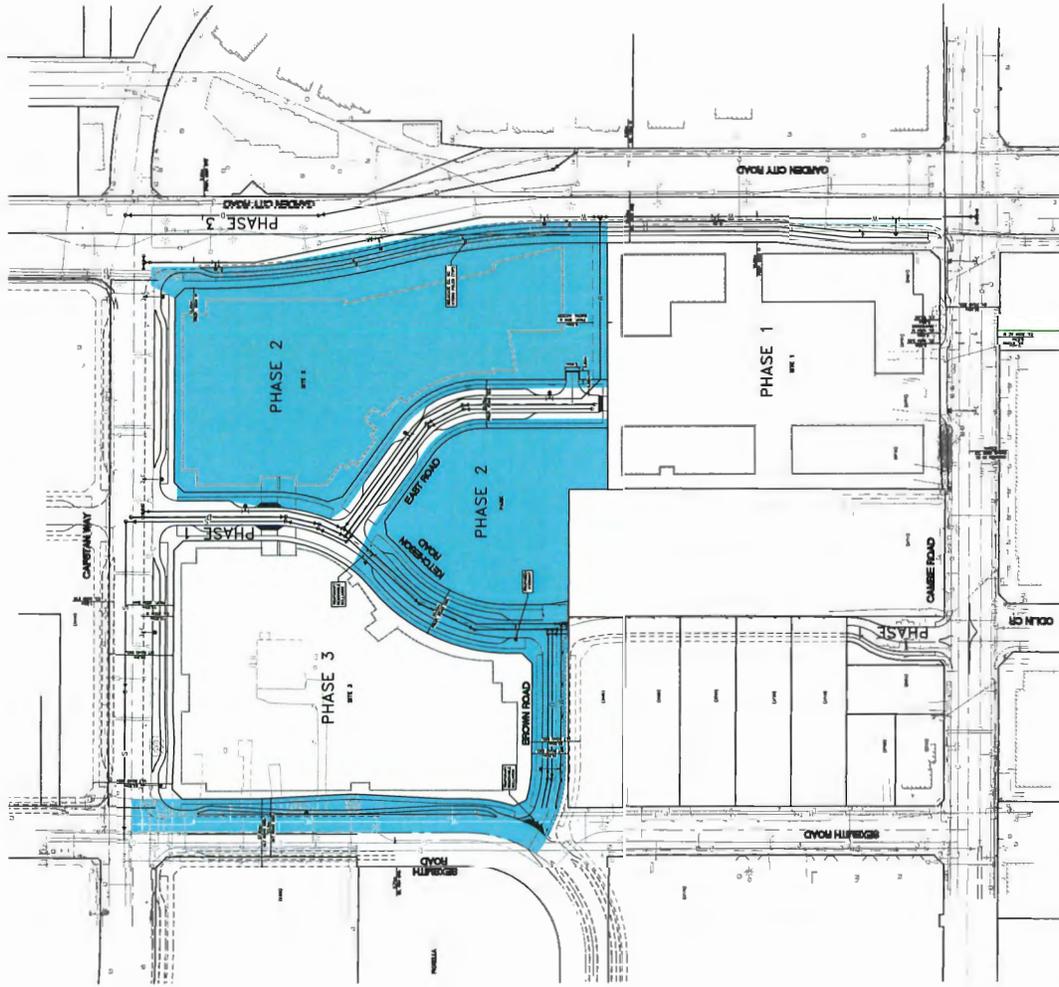
CONTRACTOR WORK ORDER NO: .

CHECKED: .

CONTRACTOR SHALL REFER TO BENCHMARK FOR ALL ELEVATIONS, SPACING, LOCATIONS, AND BE SURE THE EXACT LOCATION OF THE BENCHMARK SHALL BE ACCURATELY MARKED TO CONSTRUCTION CONTRACTORS SHALL OBTAIN PERMISSION OF THE ENGINEER BEFORE ANY WORK IS DONE AT THE BENCHMARK.



PHASE 2



GENERAL NOTES:  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF RICHMOND SPECIFICATIONS AND STANDARDS.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND.  
 3. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION.  
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 5. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE CITY OF RICHMOND PRIOR TO CONSTRUCTION.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND.  
 7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 8. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 9. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE CITY OF RICHMOND PRIOR TO CONSTRUCTION.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND.



CONTRACTOR SHALL REFER TO DRAWINGS FOR ALL OTHER UTILITY SERVICE RECORDS IN THE FIELD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE CITY OF RICHMOND PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF RICHMOND.

ALL DRAWINGS ARE TO GENERAL DATA AND REFER TO REVISIONS INDICATED THEREIN. REVISIONS ARE LISTED FROM TOP REVISION NUMBER [1] TO BOTTOM REVISION NUMBER [2]. ELEVATION = 173.5m (GROUND DATA). CITY WORK ORDER NO. ACCOUNT NO. 173.5m

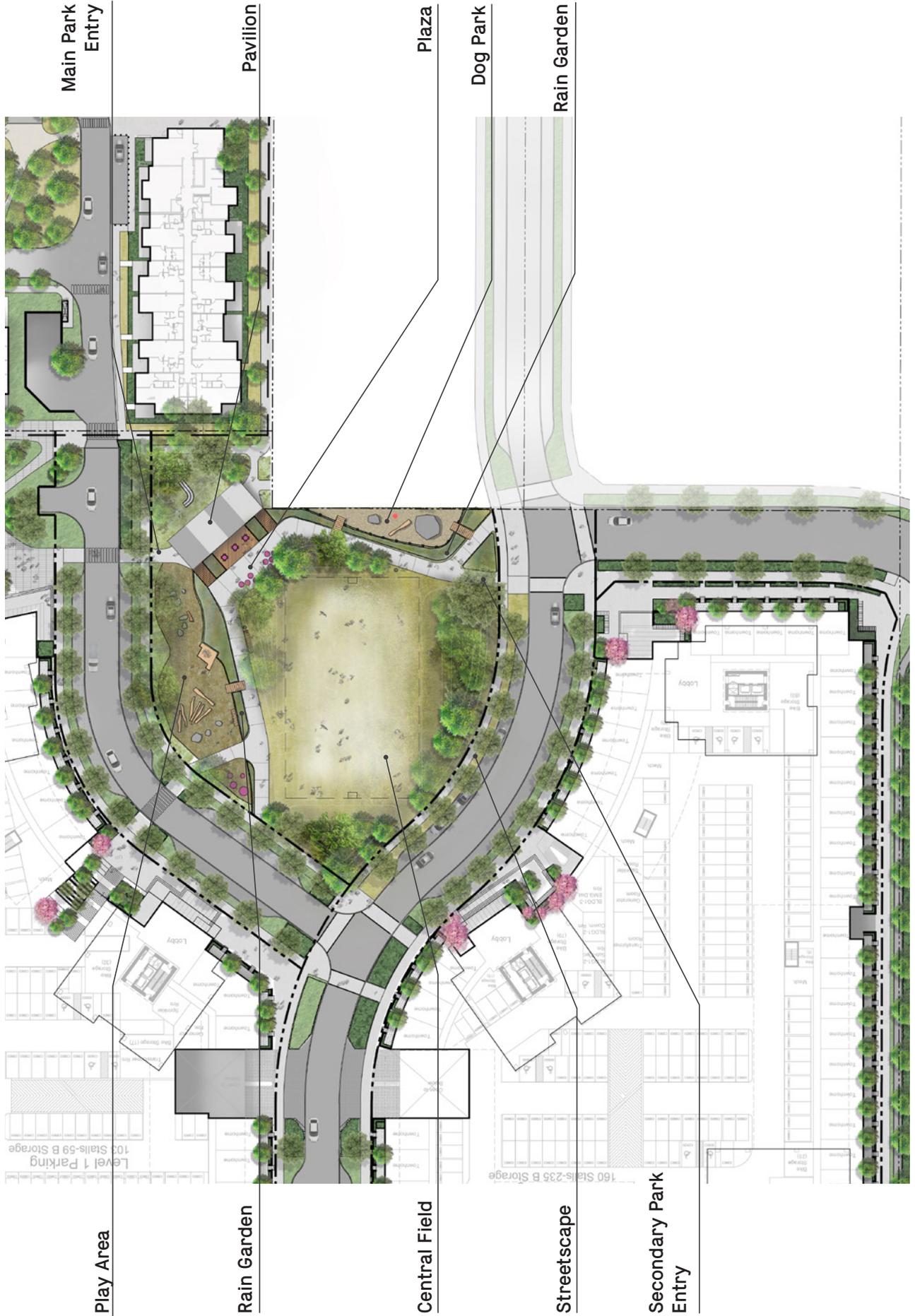
DESIGNER: POLYGON CAPSTAN VILLAGE HOMES LTD. 300-113 WEST BROADWAY STREET, RICHMOND, B.C. V6V 1K6  
 ENGINEER: CoreGroup CONSULTANTS INC. 1400 EAST 10TH AVENUE, VANCOUVER, B.C. V6L 1A5  
 DATE: 2019/07/10  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 REVISIONS:

DATE: 2019/07/10  
 D.R. C.A. REVISION PHASE PLAN PER CITY COMMENTS  
 B 2019/07/24 D.E. C.A. SECOND SUBMISSION  
 M 2019/07/10 M.C. FURTHERING PLAN  
 REVISIONS

PHASING KEYPLAN PHASE 2  
 CITY FILE: [Number]  
 Dwg. No.: [Number]  
 SCALE: [Scale]  
 DATE: [Date]  
 SHEET NO.: [Number] OF [Total]  
 8811 No. 3 ROAD RICHMOND B.C. V6V 2G1



# Talisman Park Conceptual Site Plan



Main Park Entry

Pavilion

Plaza

Dog Park

Rain Garden

Play Area

Rain Garden

Central Field

Streetscape

Secondary Park Entry



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 10198 (RZ 18-836123)  
8671, 8731, 8771, 8831/8851 Cambie Road,  
8791 Cambie Road/3600 Sexsmith Road, and 3480, 3500, 3520, and  
3540/3560 Sexsmith Road**

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

1. Richmond Zoning Bylaw 8500 is amended by inserting the following into Section 20 (Site Specific Mixed Use Zones), in numerical order:

**“20.47 Residential / Limited Commercial (ZMU47) – Capstan Village (City Centre)**

**20.47.1 Purpose**

The **zone** accommodates low rise and high-rise apartments within the **City Centre**, plus a limited amount of **commercial use** and compatible **secondary uses** and additional **uses**. Additional **density** is provided to achieve, among other things, **City** objectives in respect to **affordable housing units, market rental units, child care, amenity, commercial use,** and the Capstan Canada Line station.

**20.47.2 Permitted Uses**

- child care
- congregate housing
- housing, apartment
- housing, town

**20.47.3 Secondary Uses**

- boarding and lodging
- community care facility, minor
- district energy utility
- home business
- home-based business
- park

**20.47.4 Additional Uses**

- amenity space, community
- animal grooming
- broadcast studio
- cultural and education uses
- education, commercial
- government service
- health service, minor
- library and exhibit
- manufacturing, custom indoor
- office
- recreation, indoor
- religious assembly
- restaurant
- retail, convenience
- retail, general
- retail, second hand
- service, business support

- **service, financial**
- **service, household repair**
- **service, personal**
- **studio**
- **vehicle rental, convenience**
- **veterinary service**

#### 20.47.5 Permitted Density

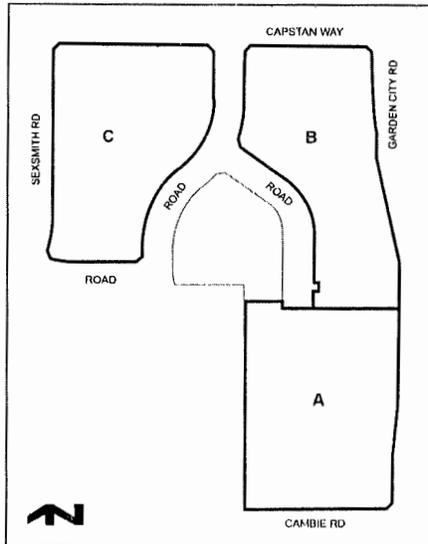
1. The maximum **floor area ratio** is:
  - a) 0.6 within the areas indicated as "A" and "B" in Section 20.47.4, Diagram 1; and
  - b) 1.2 within the area indicated as "C" in Section 20.47.4, Diagram 1;together with up to an additional 0.1 **floor area ratio** provided that this additional **floor area ratio** is used entirely to accommodate indoor **amenity space**.
2. For the areas within the City Centre indicated as "A", "B", and "C" in Section 20.47.4, Diagram 1, notwithstanding Section 20.47.5.1:
  - a) Together with land dedicated to the City for road and park purposes that is eligible for FAR calculation purposes: 2.10. Specifically, the referenced maximum **floor area ratio** is increased:
    - i) for "A": from "0.6" to "2.10";
    - ii) for "B": from "0.6" to "2.61"; and
    - iii) for "C": from "1.2" to "3.91";

Provided that:

- b) the **site** is located in the Capstan Station Bonus Map area designated by the **City Centre Area Plan**;
- c) the **owner** pays a sum into the **Capstan station reserve** as specified in Section 5.19 of this bylaw;
- d) the **owner** grants to the **City**, via a statutory **right-of-way**, **air space parcel**, or fee simple **lot**, as determined at the sole discretion of the **City**, rights of public use over a suitably landscaped area of the **site** for **park** and related purposes at a rate of 5.0 m<sup>2</sup> per **dwelling unit** based on the combined total number of **dwelling units** within the areas indicated as "A", "B", and "C" in Section 20.47.4, Diagram 1, or 6,992 m<sup>2</sup>, whichever is greater;
- e) the **owner** dedicates not less than 11,033 m<sup>2</sup> of land within the **site** to the **City** as **road**, including not less than 783.86 m<sup>2</sup> of land located in the Village Centre Bonus Area designated by the **City Centre Area Plan**;

- f) the **owner** provides within the area indicated as “B” in Section 20.47.4, Diagram 1, one contiguous interior **building** space, situated at **grade** and fronting Capstan Way, and comprising at least 783.86 m<sup>2</sup>, for non-residential purposes, including **convenience retail uses** (e.g. large format grocery store; drug store), **minor health services uses**, pedestrian-oriented **general retail uses**, or other uses important to the viability of the Village Centre as determined to the satisfaction of the **City**;
- g) for the 783.86 m<sup>2</sup> area resulting from the additional 1.0 **density bonus floor area ratio** for non-residential purposes indicated in Section 20.47.5.2(f), the **owner** pays a sum to the **City** in lieu of granting 5% of the additional 1.0 **density bonus floor area ratio** (i.e. the **gross floor area** of the additional **building** area) to the **City** as **community amenity space** based on 5% of the **density bonus floor area**:
  - i) multiplied by the “equivalent to construction value” rate of \$8,992.14 per square meter, if the payment is made within one year of third reading of the zoning amendment bylaw; or
  - ii) thereafter, multiplied by the “equivalent to construction value” rate of \$8,992.14 per square meter adjusted by the cumulative applicable annual changes to the Statistics Canada “Non-Residential Building Construction Price Index” for Vancouver, where such change is positive;
- h) the **owner** provides within the area indicated as “A” in Section 20.47.4, Diagram 1, not less than 150 **affordable housing units** and the combined **habitable space** of the total number of **affordable housing units** would comprise at least 10% of the total residential **building** area within the areas indicated as “A”, “B” and “C” in Section 20.47.4, Diagram 1, excluding the **building** area of **market rental units**;
- i) the **owner** enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against title to the **lot**, and files a notice in the Land Title Office;
- j) the **owner** provides within the area indicated as “A” in Section 20.47.4, Diagram 1, no less than 65 **market rental units** having a combined **floor area** of at least 5,312 m<sup>2</sup>;
- k) the **owner** enters into a **market rental agreement** with the **City** for the **market rental units** and registers it against title to the **lot**; and
- l) the **owner** transfers ownership of not less than a 4,748 m<sup>2</sup> of land within the **site** to the **City** for **park** and related purposes; which shall be included in the suitably landscaped area of the site transferred by the **owner** to the **City** in compliance with Section 20.47.5.2(d), provided that such 4,748 m<sup>2</sup> area is provided to the **City** as a fee simple **lot**.

Diagram 1



#### 20.47.6 Permitted Lot Coverage

1. The maximum **lot coverage** for **buildings** is:
  - a) 60% within the area indicated as "A" in Section 20.47.4, Diagram 1; and
  - b) 90% within the areas indicated as "B" and "C" in Section 20.47.4, Diagram, including landscaped roofs over **parking spaces**.

#### 20.47.7 Yards & Setbacks

1. Minimum **setbacks** shall be:
  - b) for **road** and **park setbacks**, measured to a **lot line** or the boundary of an area granted to the **City** for **road** or **park** purposes: 6.0 m, but may be reduced to 3.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**;
  - c) for interior **side yard setbacks**, measured to a **lot line** or the boundary of an area granted to the **City** for **road** or **park** purposes: 6.0 m, but may be reduced to 0.0 m if a proper interface is provided as specified in a Development Permit approved by the **City**; and
  - d) for parts of a **building** situated below finished **grade**, measured to a **lot line**: 0.0 m.
2. Architectural features such as cornices, leaders, pilasters, and sills may project into a required **setback** but may not project more than a distance of 0.75 m if a proper interface is provided as specified in a Development Permit approved by the **City**.

#### 20.47.8 Permitted Heights

1. The maximum **building height** for the areas indicated as "A", "B", and "C" in Section 20.47.4, Diagram 1, shall be:
  - a) for "A": 25.0 m;
  - b) for "B": 35.0 m, but may be increased to 45.0 m if a proper interface is provided with adjacent **buildings** and areas secured by the **City** for **park** purposes, as specified in a Development Permit approved by the **City**; and
  - c) for "C": 45.0 m.
2. The maximum **height** for **accessory buildings** is 5.0 m.
3. The maximum **height** for **accessory structures** is 12.0 m.

#### 20.47.9 Subdivision Provisions

1. The minimum **lot** area for the areas indicated as "A", "B", and "C" in Section 20.47.4, Diagram 1, shall be:
  - a) for "A": 13,700 m<sup>2</sup>;
  - b) for "B": 12,300 m<sup>2</sup>; and
  - c) for "C": 12,700 m<sup>2</sup>.

#### 20.47.10 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

#### 20.47.11 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the provisions of Section 7.0, EXCEPT that:
  - a) **City Centre** Parking Zone 1 rates shall apply for the purpose of minimum number of **parking spaces**; and
  - b) large size **loading spaces** shall not be required.

#### 20.47.12 Residential Rental Tenure

1. For the purposes of this zone, **residential rental tenure** means, in relation to a **dwelling unit** in a multi-family residential **building**, occupancy of a **dwelling unit** that includes an **affordable housing unit** in accordance with a **housing agreement** registered on title or a **market rental unit** in accordance with a **market rental agreement** registered on title, and governed by a tenancy agreement that is subject to the *Residential Tenancy Act* (BC), as may be amended or replaced from time to time.

2. A minimum of 215 **dwelling units** shall be **residential rental tenure**.

#### **20.47.13 Other Regulations**

1. **Additional uses** listed in Section 20.47.4 are only permitted within the area indicated as "B" in Section 20.47.4, Diagram 1 and shall be located on the **first storey** of any **building**.
  2. **Telecommunication antenna** must be located a minimum 20.0 m above the ground (i.e., on a roof of a **building**).
  3. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply."
2. 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:

##### **2.1. RESIDENTIAL / LIMITED COMMERCIAL (ZMU47) – CAPSTAN VILLAGE (CITY CENTRE).**

Those areas shown cross-hatched and indicated as "A", "B", and "C" on "Schedule "A" attached to and forming part of Bylaw 10198".

##### **2.2. SCHOOL & INSTITUTIONAL USE (SI).**

That area shown cross-hatched and indicated as "D" on "Schedule "A" attached to and forming part of Bylaw 10198".

3. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 10198".

FIRST READING

\_\_\_\_\_

PUBLIC HEARING

\_\_\_\_\_

SECOND READING

\_\_\_\_\_

THIRD READING

\_\_\_\_\_

OTHER CONDITIONS SATISFIED

\_\_\_\_\_

MINISTRY OF TRANSPORTATION AND  
INFRASTRUCTURE APROVAL

\_\_\_\_\_

LEGAL REQUIREMENTS SATISFIED

\_\_\_\_\_

ADOPTED

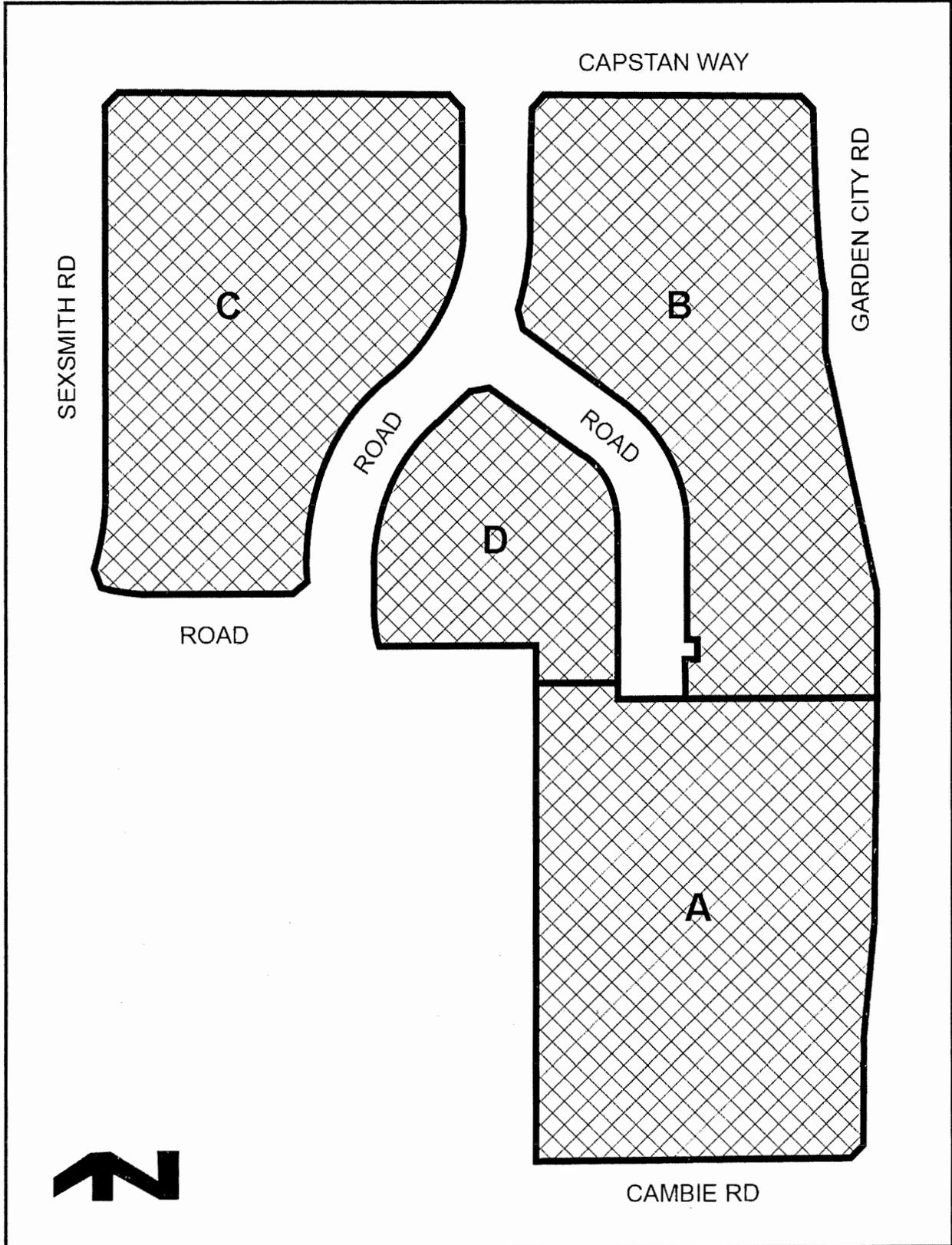
\_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



Schedule "A" attached to and forming part of Bylaw 10198





**Road Closure and Removal of Road Dedication Bylaw No. 10038  
(Road Adjacent to 8671, 8691, 8711 and 8731 Spires Road)**

The Council of the City of Richmond enacts as follows:

1. The lands legally described as that part of Spires Road and Cook Crescent dedicated by Plan 21489 Sections 9 and 10, Block 4 North, Range 6 West, New Westminster District, shown outlined in bold on the Reference Plan EPP92505 prepared by LNLS Metro Vancouver Land Surveyors, with a control number of 155-934-0989, attached as Schedule A, shall be stopped up and closed to traffic, cease to be a public road and the road dedication shall be removed; and
2. This Bylaw is cited as **“Road Closure and Removal of Road Dedication Bylaw No. 10038”**.

FIRST READING

JUL 22 2019

SECOND READING

JUL 22 2019

THIRD READING

JUL 22 2019

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

# SCHEDULE A

## SURVEY PLAN CERTIFICATION PROVINCE OF BRITISH COLUMBIA

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you

(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and

(b) certify the matters set out in section 168.73 (4) of the Land Title Act, Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

Ivan Ngan 7UDYEJ	Digitally signed by Ivan Ngan 7UDYEJ DN: c=CA, cn=Ivan Ngan 7UDYEJ, o=BC Land Surveyor, ou=Verify ID at www.juricert.com/LKUP.cfm? id=7UDYEJ Date: 2019.05.31 15:16:23 -07'00'
---------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1. BC LAND SURVEYOR: (Name, address, phone number)

Ivan Ngan, BCLS  
LNLS - Metro Vancouver Land Surveyors  
1528 Kingsway  
Vancouver BC V5N 2R9

Surveyor General Certification [For Surveyor General Use Only]

File: 17359\_10REF  
Tel: 604-327-1535  
Email: ivan@LNLS.ca

2. PLAN IDENTIFICATION:

Control Number: **155-934-0989**

Plan Number: **EPP92505**  
This original plan number assignment was done under Commission #: **849**

3. CERTIFICATION:

Form 9     Explanatory Plan     Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on:	2019	May	06	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2019	May	12	(YYYY/Month/DD)	224507

None     Strata Form S

None     Strata Form UI     Strata Form UI/U2

Arterial Highway

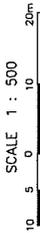
Remainder Parcel (Airspace)

4. ALTERATION:

REFERENCE PLAN TO ACCOMPANY THE CITY OF RICHMOND  
 ROAD CLOSING AND REMOVAL OF ROAD DEDICATION BYLAW NO. 10038  
 OF A PORTION OF ROAD DEDICATED ON PLAN 21489  
 SECTIONS 9 AND 10, BLOCK 4 NORTH, RANGE 6 WEST, NEW WESTMINSTER DISTRICT

Pursuant to Section 120, Land Title Act and Section 40, Community Charter

BCGS 92G-015



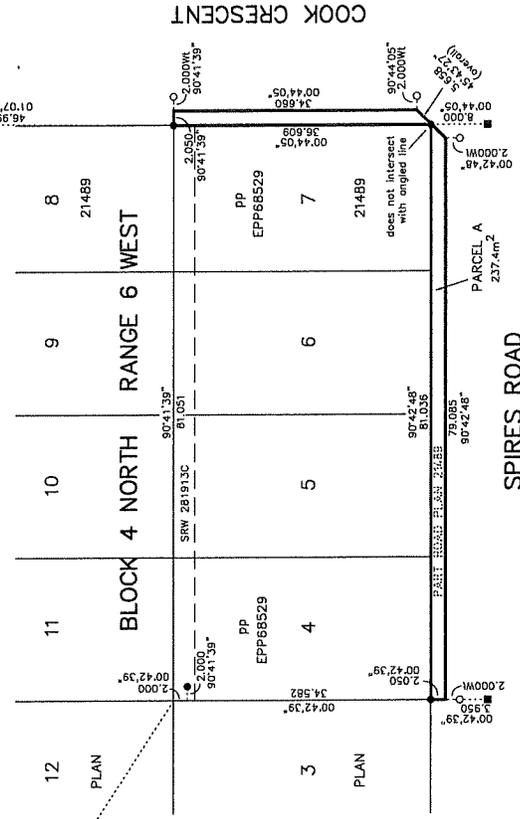
All distances are in metres.

The intended plot size of this plan is 560mm in width by 432mm in height (C size) when plotted at a scale of 1 : 500.

Datum: MADRS(CSRS)4.0.0.BC.1.GVRD  
 UTM Zone 10  
 UTM Northing: 4875461  
 UTM Easting: 48075461  
 Point combined factor: 0.9996040  
 Estimated absolute accuracy: 0.01m

Datum: MADRS(CSRS)4.0.0.BC.1.GVRD  
 UTM Zone 10  
 UTM Northing: 4875461  
 UTM Easting: 48075461  
 Point combined factor: 0.9996041  
 Estimated absolute accuracy: 0.01m

77H4699  
 (GCM#493775)



LEGEND:

- Survey area No. 18, Richmond, MADRS(CSRS)4.0.0.BC.1.GVRD
- Control monuments 77H4683 and 77H4699.
- The UTM coordinates and estimated horizontal positional accuracy achieved are derived from the MASCO published coordinates for geodetic control monuments 77H4683 and 77H4699.
- This plan shows horizontal ground-level distances unless otherwise indicated. Distances are ground-level distances by the combined factor of 0.9996040 which has been derived from geodetic control monument 77H4683.
- denotes control monument found.
- denotes standard iron post found.
- denotes standard iron post placed.
- pp denotes posting plan.

Note:  
 This plan shows one or more witness posts which are not set on the true corner(s) due to obstruction or unsuitability of corner. Unless otherwise shown, witness posts are on the production of the property lines.

This plan lies within the jurisdiction of the Approving Officer for City of Richmond.

The field survey represented by this plan was completed on the 6th day of May, 2019.  
 IVAN NGAN, BCLS #849

This plan lies within  
 the Metro Vancouver Regional District

**L N L S**  
 METRO VANCOUVER  
 LAND SURVEYORS

1528 KINGSWAY, VANCOUVER, BC, V5N 2R9  
 T 604.327.1535 WEB WWW.LNLS.CA



Richmond Zoning Bylaw 8500  
Amendment Bylaw 9764 (RZ 16-754305)  
23200 Gilley Road

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

1. Richmond Zoning Bylaw 8500 is amended by:

a. Inserting the following into Section 20 (Site Specific Mixed Use Zones), in numerical order:

“20.35 Residential / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)

**20.35.1 PURPOSE**

This **zone** provides for a mixed-use **development** consisting of **apartment housing** and **commercial uses** with a maximum **floor area ratio** of 0.40 that may be increased to 1.5 with a **density bonus** that would be used for rezoning applications in order to help achieve the City’s affordable housing and **community amenity space** objectives.

**20.35.2 PERMITTED USES**

- animal grooming
- child care
- education, commercial
- government service
- health service, minor
- housing, apartment
- library and exhibit
- neighbourhood public house
- office
- restaurant
- retail, convenience
- service, business support
- service, financial
- recreation, indoor
- recycling drop-off
- retail, general
- service, business support
- service, financial
- service, household repair
- service, personal

- **studio**
- **veterinary service**

### 20.35.3 SECONDARY USES

- **boarding and lodging**
- **community care facility, minor**
- **home business**

### 20.35.4 PERMITTED DENSITY

1. The maximum **floor area ratio** is 0.40 with a maximum additional 0.10 **floor area ratio** permitted provided that it is entirely used to accommodate **amenity space**.
2. Notwithstanding Section 20.35.4.1, the reference to “0.40” is increased to a higher **density** of “1.5”, if at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZMU35 zone**, the **owner**:
  - a) pays \$49.50 per square meter of total residential **floor area** into the **Hamilton Area Plan community amenity capital reserve**; and
  - b) by the owner:
    - i) agrees to construct on the **lot**, to the satisfaction of the City, **affordable housing units** with a combined **habitable space** of at least five (5%) percent of the total residential **floor area**; and
    - ii) has entered into a **housing agreement** with respect to the **affordable housing units** and registered the **housing agreement against** the title to the **lot**, and files a notice in the Land Title Office.

### 20.35.5 MAXIMUM LOT COVERAGE

1. The maximum **lot coverage** is 55% for **buildings**.

### 20.35.6 Yards & Setbacks

1. The minimum **setbacks** are:
  - a) 1.5 m from Gilley Road (north);
  - b) 3.0 m from Smith Drive (east);
  - c) 6.0 m from the west **property line**; and
  - d) 6.0 m from the south **property line**.

2. Common entry features, staircases and unenclosed **balconies** may project into any **setback**, except that for Gilley Road, for a maximum distance of 1.5 m.
3. Notwithstanding the above **setbacks**, enclosed parking **structures** may project into the **setbacks** provided that the **structure** includes transparent glazing, or is not visible from the exterior of the **building**, or is landscaped or screened by a combination of trees, shrubs, ornamental plants or lawn as specified by a Development Permit approved by the **City**.

#### 20.35.7 MAXIMUM HEIGHTS

1. The maximum **height** for **principal buildings** is 17.0 m, except for localized architectural raised roof elements that may extend to a maximum **height** of 20.0 m if included in a Development Permit approved by the **City**.
2. The maximum **height** for **accessory buildings** and **accessory structures** is 6.0 m.

#### 20.35.8 SUBDIVISION PROVISIONS/MINIMUM LOT SIZE

1. The minimum **lot width** is 80.0 m and minimum **lot depth** is 80.0 m.
2. The minimum **lot area** is 12,000 m<sup>2</sup>.

#### 20.35.9 LANDSCAPING AND SCREENING

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

#### 20.35.10 ON-SITE PARKING AND LOADING

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.

#### 20.35.11 OTHER REGULATIONS

1. With the exception of **housing, apartment**, the **uses** specified in Section 20.35.2 must be located on the **first storey** of the **building**.
2. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.”

- 2. 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 / Limited Commercial (ZMU35) – Neighbourhood Village Centre (Hamilton)**”:

P.I.D. 006-722-911

Lot 1 Section 1 Block 4 North Range 4 West New Westminster District Plan 73888

- 3. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9764**”.

FIRST READING

MAY 14 2018

A PUBLIC HEARING WAS HELD ON

JUN 18 2018

SECOND READING

JUN 18 2018

THIRD READING

JUN 18 2018

OTHER CONDITIONS SATISFIED

SEP 03 2020

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE APPROVAL

SEP 26 2019

ADOPTED

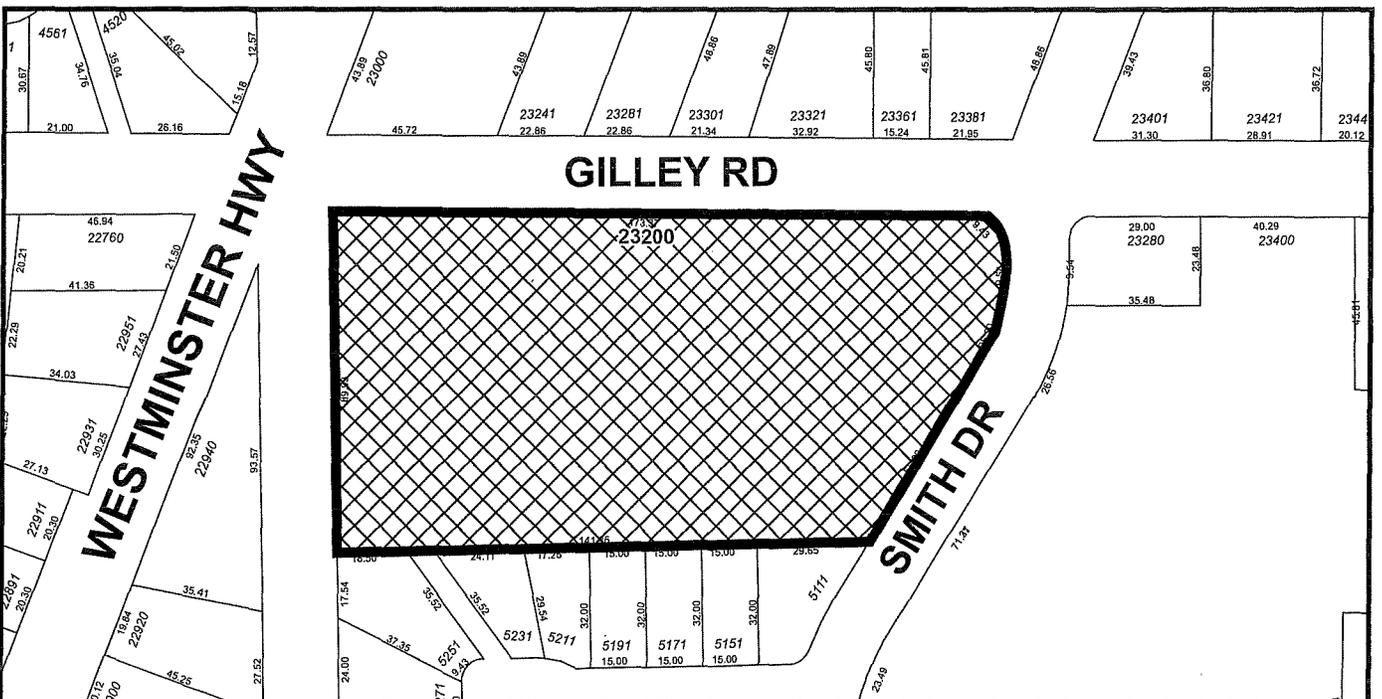
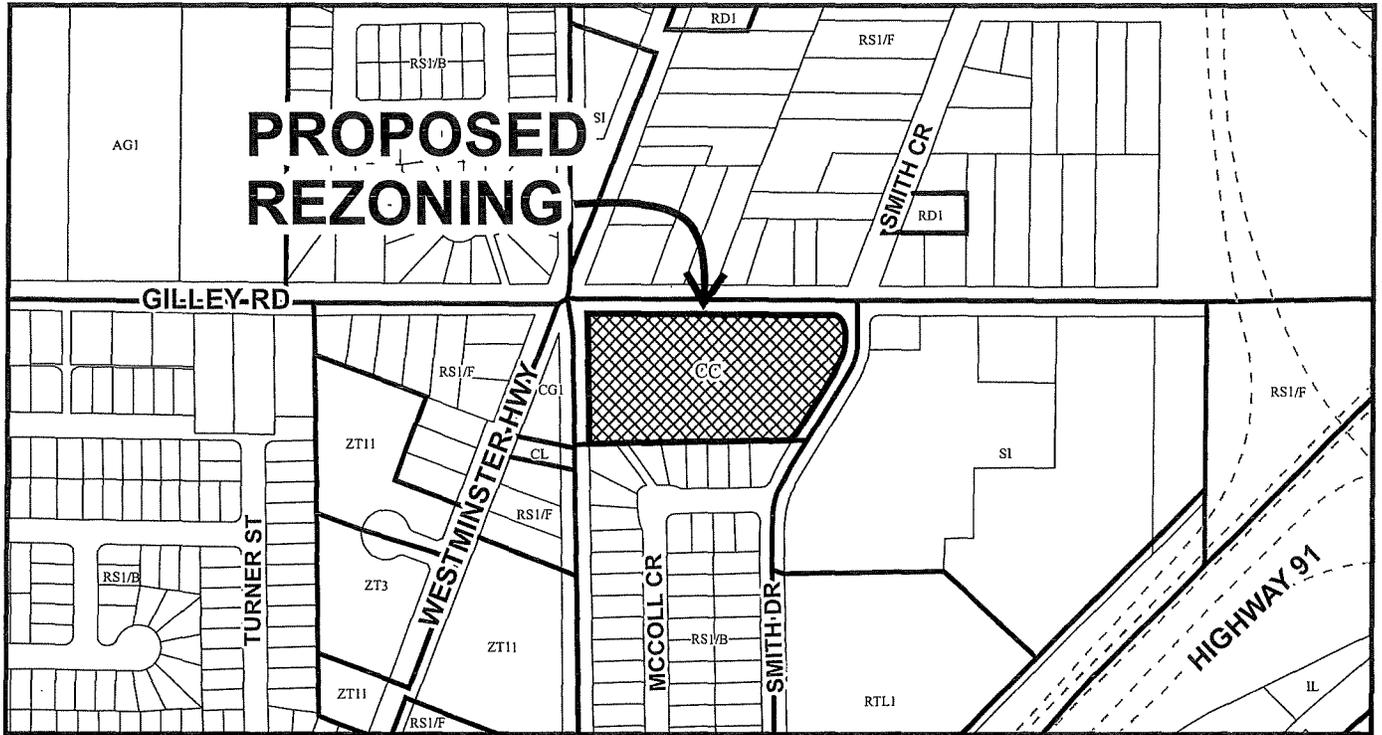
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER





# City of Richmond



## RZ 16-754305

Original Date: 01/05/17

Revision Date: 05/30/18

Note: Dimensions are in METRES



**Development Permit Panel  
Wednesday, July 29, 2020**

Time: 3:30 p.m.  
Place: Council Chambers  
Richmond City Hall  
Present: Joe Erceg, Chair  
Cecilia Achiam, General Manager, Community Safety  
Milton Chan, Director, Engineering

The meeting was called to order at 3:30 p.m.

**Minutes**

It was moved and seconded

*That the minutes of the meeting of the Development Permit Panel held on July 15, 2020 be adopted.*

**CARRIED**

**1. DEVELOPMENT PERMIT 18-829083**  
(REDMS No. 6474952)

APPLICANT: Konic Development Ltd.

PROPERTY LOCATION: 8291 and 8311 Williams Road

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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INTENT OF PERMIT:

1. Permit the construction of 10 townhouse units at 8291 and 8311 Williams Road on a site zoned “Low Density Townhouses (RTL4)”; and
2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
  - (a) reduce the front yard setback along Williams Road from 6.0 m to 4.5 m; and
  - (b) allow one small car parking space in each of the side-by-side garages (eight small car parking spaces in total).

**Applicant's Comments**

Jiang Zhu, Imperial Architecture, with the aid of a visual presentation (copy on file, City Clerk's Office), provided background information on the proposed development, highlighting the following:

- the proposed development is an infill project;
- the two three-storey buildings fronting along Williams Road have been stepped down to two storeys along the side property lines to provide an appropriate interface with adjacent single-family homes;
- the two-storey duplex units at the rear address the adjacent single-family homes to the north of the subject site;
- the centrally located shared outdoor amenity area at the rear of the site will receive maximum sun exposure and provide convenient access to all residents;
- a Tudor architectural style is proposed and is consistent with the existing character of the neighbourhood;
- different architectural treatments are proposed for the roofs of the two three-storey buildings along Williams to differentiate the two buildings along the streetscape;
- the shadow analysis indicates that the rear two-storey duplex buildings will not impact the adjacent single-family homes to the north in terms of shadowing;
- the sight line analysis demonstrates that neighbouring properties to the north will not be visible from the windows of the three-storey buildings; and
- the project includes one secondary suite and one convertible unit.

## **Development Permit Panel**

### **Wednesday, July 29, 2020**

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Denitsa Dimitrova, PMG Landscape Architects, briefed the Panel on the main landscape features of the project, noting that (i) four existing trees along the north property line and two significant hedges along the east property line are proposed to be retained and protected, (ii) a six-foot high wood fence along the west, east and north property lines is proposed to provide privacy from adjacent developments, (iii) the common outdoor amenity area has been designed to provide as much play opportunities as possible, (iv) a small playhouse and natural play elements are proposed for the children's play area, (v) a wooden deck is proposed under the existing cherry tree on the outdoor amenity area, (vi) permeable paving treatment is proposed for the driveway, internal drive aisle and visitor parking spaces, and (vii) a pedestrian pathway is provided along the driveway and internal drive aisle.

In reply to a query from the Panel, Wayne Craig, Director, Development, confirmed that there is a statutory right-of-way registered on title over the driveway and internal drive aisle to facilitate access to/from adjacent future developments through the subject site.

In reply to queries from the Panel, Ms. Dimitrova noted that (i) the small size of the children's play area limits the choice for play equipment due to required safety zones, and (ii) the applicant is proposing a small play house to develop the children's social and imagination skills and natural play elements such as balance logs to provide active play opportunities.

Discussion ensued regarding the limited active play opportunities in the children's play area and it was noted that the proposed play equipment may not meet expectations for the project to provide adequate active play equipment.

#### **Staff Comments**

Mr. Craig noted that (i) there is a Servicing Agreement associated with the project for frontage improvements and site utility connections, (ii) the proposed front yard setback variance is a function of a one meter wide road dedication on Williams Road and increased rear yard to allow the retention of existing trees along the rear property line, (iii) the small car parking variance for side-by-side garages is a technical variance and is consistent with other applications, and (iv) a lock-off suite is included in one of the 10 townhouse units.

#### **Gallery Comments**

None.

#### **Correspondence**

None.

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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**Panel Discussion**

It was noted that the proposed play equipment for the common outdoor amenity area does not meet expectations for active play opportunities.

In reply to a query from the Panel, Mr. Craig noted that the space requirement for tree preservation in the outdoor amenity area poses a constraint on the size of the outdoor amenity area.

In reply to queries from the Panel, the owner of the subject property commented on the constraints to the size of the shared outdoor amenity area and the difficulty of providing a play equipment larger than the one currently proposed.

In reply to a query from the Panel, Mr. Craig confirmed that the side yard setbacks on the proposed development are currently slightly beyond the minimum requirement.

As a result of the discussion, direction was given to staff to work with the applicant to review the proposed play equipment in order to provide more active play opportunities for children in the shared outdoor amenity area prior to the application moving forward to Council.

**Panel Decision**

It was moved and seconded

*That a Development Permit be issued which would:*

1. *permit the construction of 10 townhouse units at 8291 and 8311 Williams Road on a site zoned "Low Density Townhouses (RTL4)"; and*
2. *vary the provisions of Richmond Zoning Bylaw 8500 to:*
  - (a) *reduce the front yard setback along Williams Road from 6.0 m to 4.5 m; and*
  - (b) *allow one small car parking space in each of the side-by-side garages (eight small car parking spaces in total).*

**CARRIED**

**2. DEVELOPMENT PERMIT 20-890821**  
(REDMS No. 6489448 v. 2A)

APPLICANT: Vivid Green Architecture Inc.

PROPERTY LOCATION: 5500 Williams Road

INTENT OF PERMIT:

Permit the construction of two duplexes at 5500 Williams Road on a site zoned "Arterial Road Two-Unit Dwellings (RDA)".

## **Development Permit Panel**

### **Wednesday, July 29, 2020**

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#### **Applicant's Comments**

Rosa Salcido, Vivid Green Architecture, with the aid of a visual presentation (copy on file, City Clerk's Office) provided background on the proposed development, noting that (i) the subject property will be subdivided to create two properties each containing a duplex, (ii) the two duplexes share a common driveway and drive aisle, (iii) there is an existing right-of-way along the back of the property, (iv) individuality of each duplex unit is achieved through the individual unit entrances and use of materials and colours, (v) the proposed height of the duplex buildings is consistent with neighbouring single-family homes, (vi) existing trees on-site will be retained as much as possible; however, trees which conflict with the site layout will be removed, (vii) each duplex unit is provided with a two-car garage, and (viii) one shared visitor parking space is provided for the two duplex buildings.

In addition, Ms. Salcido reviewed the site plan, the floor plans for the duplex units, proposed accessibility features, the layout for the convertible unit, and the elevations of the duplex buildings, including the location and design of windows on the side elevations to address privacy concerns of neighbours. Also, she reviewed the project's sustainability features and proposed materials palette, which include materials that are easy to maintain.

Denitsa Dimitrova, PMG Landscape Architects, briefed the Panel on the main landscape features of the project, noting that (i) five existing trees on-site will be retained, (ii) each duplex unit will be provided with a private yard, patio, shade tree, and lawn area, (iii) a combination of solid and transparent perimeter fencing is proposed to provide separation from adjacent residential developments, (iv) low aluminum fencing is proposed along the streetscape, (v) permeable paving is proposed for the drive aisle and auto court consistent with Advisory Design Panel recommendations, and (vi) the large hedge on the neighbouring property to the south will be retained.

In reply to a query from the Panel, Mr. Craig confirmed that (i) three on-site trees in poor condition and one on-site tree in conflict with the driveway will be removed, and (ii) the City street tree which is being removed is in conflict with frontage improvements.

#### **Staff Comments**

Mr. Craig noted that (i) there is a Servicing Agreement associated with the subject development for frontage improvements and site services, and (ii) the applicant's presentation was comprehensive.

#### **Gallery Comments**

None.

#### **Correspondence**

None.

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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**Panel Discussion**

The Panel expressed support for the project, noting its attention to detail and provision for a significant amount of permeable pavers on the shared drive aisle.

**Panel Decision**

It was moved and seconded

*That a Development Permit be issued which would permit the construction of two duplexes at 5500 Williams Road on a site zoned "Arterial Road Two-Unit Dwellings (RDA)".*

**CARRIED**

**3. DEVELOPMENT PERMIT 20-893127**

(REDMS No. 6489448 v. 2A)

APPLICANT: Design Work Group Ltd.

PROPERTY LOCATION: 11480 and 11500 Railway Avenue

**INTENT OF PERMIT:**

1. Permit the construction of three duplexes at 11480 and 11500 Railway Avenue on a site zoned "Arterial Road Two-Unit Dwellings (RDA)"; and
2. Vary the provisions of Richmond Zoning Bylaw 8500 to reduce the front yard setback to Railway Avenue from 6.0 m to 5.0 m for Proposed Lot 3.

**Applicant's Comments**

Michael Lu, Design Work Group, Ltd., with the aid of a visual presentation (copy on file, City Clerk's Office) provided background information on the proposed development, highlighting the following:

- two single-family lots will be subdivided to create three properties, each containing a duplex;
- each duplex will have a front and rear unit;
- Lots 1 and 2 will have a shared driveway and auto court and Lot 3 will have its own driveway and auto court;
- each duplex unit is three-storeys and consists of three bedrooms;
- the floor plan for each duplex unit is similar; however, each duplex has a unique architectural style to provide variety in the streetscape;
- two convertible units are proposed and all duplex units incorporate aging-in-place features; and

## Development Permit Panel

### Wednesday, July 29, 2020

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- the duplex units are suitable for young and aging families and for those who are downsizing.

Larry Fiddler, Landscape Designer, reviewed the main landscape features of the project, noting that (i) layered planting is proposed along the front property line which includes an evergreen cedar hedge, a mix of seasonal flowering shrubs, and large caliper trees underplanted with perennials and ornamental grass, (ii) permeable paving treatment is proposed for the drive aisles, (iii) a private outdoor space is provided for each unit, (iv) a six-foot high wood fencing is proposed along the perimeter of the subject site, (v) shrub border planting is proposed in front of the rear perimeter fence, and (vi) the proposed planting materials are low maintenance.

#### **Staff Comments**

Mr. Craig noted that (i) there is a Servicing Agreement associated with the project for frontage improvements and site services, (ii) the proposed front yard setback variance is specific for the southernmost duplex (Lot 3) only, (iii) the setback variance was identified at rezoning stage and no concerns were noted at the Public Hearing, and (iv) the setback from the building face to the back of the curb will be approximately 12 meters due to the width of the boulevard on Railway Avenue.

In reply to query from the Panel, Mr. Craig acknowledged that Lot 3 has been redesigned through the rezoning process to accommodate the visitor parking space which required a setback variance.

#### **Gallery Comments**

None.

#### **Correspondence**

None.

#### **Panel Decision**

It was moved and seconded

*That a Development Permit be issued which would:*

1. *permit the construction of three duplexes at 11480 and 11500 Railway Avenue on a site zoned "Arterial Road Two-Unit Dwellings (RDA)"; and*
2. *vary the provisions of Richmond Zoning Bylaw 8500 to reduce the front yard setback to Railway Avenue from 6.0 m to 5.0 m for Proposed Lot 3.*

**CARRIED**

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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**4. DEVELOPMENT PERMIT 18-837117**  
(REDMS No. 6492174 v. 2)

APPLICANT: W. T. Leung Architects Inc.

PROPERTY LOCATION: 6333 Mah Bing Street

INTENT OF PERMIT:

1. Permit the construction of a multiple-family residential development with two 15-storey high-rise buildings and a nine-storey mid-rise building, consisting of approximately 232 dwelling units and 364 parking spaces at 6333 Mah Bing Street on a site zoned “High Rise Apartment (ZHR4) – Brighthouse Village (City Centre)”; and
2. Vary the provisions of Richmond Zoning Bylaw 8500 to reduce the minimum lot area from 13,000 m<sup>2</sup> (139,930 ft<sup>2</sup>) to 8,227 m<sup>2</sup> (88,554 ft<sup>2</sup>).

**Applicant's Comments**

Wing Leung, W.T. Leung Architects, Inc., with the aid of a visual presentation (copy on file, City Clerk's Office) provided background information on the proposed development, including (i) the history of the overall project's (Phase 1 and Phase 2) rezoning and development permit application, (ii) the project's site context and site plan, (iii) siting of towers within the proposed development and relative to existing towers on adjacent residential developments, (iv) the project's architectural form and character, and (v) the proposed materials palette, and highlighted the following:

- the subject development permit application is for Phase 2 of the Parks Residences development, which consists of two 15-storey towers and one nine-storey building designated as Towers C, D, and E;
- the rezoning application for the overall project started in 2004 prior to the adoption of the City Centre Area Plan (CCAP);
- the development permit for Phase 1 was issued in 2013 and construction was completed in 2016 due to the financial crisis in prior years;
- Council required a 1:1 replacement for existing rental units on-site to be provided in Phase 1;
- 132 rental units were provided in Tower A of Phase 1 for the 128 existing rental units on-site in two three-story rental buildings;
- a central public greenway will be constructed through the middle of the subject site which will be aligned with Murdoch Avenue to provide connection between Minoru Park and Minoru Boulevard;
- the five buildings in Phases 1 and 2 have been sited to maximize the distance between towers;

## **Development Permit Panel**

### **Wednesday, July 29, 2020**

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- massing and orientation of towers on the subject site will provide view corridors towards the park for future developments to the east of the subject site;
- truck access and a three-point turn are provided to maintain garbage and recycling collection for the adjacent residential development to the south;
- the proposed public art piece for the project has gone through the City's public art process and has been approved by the Richmond Public Art Advisory Committee;
- separate indoor amenity spaces are provided for each tower; and
- pedestrian entrances to Towers C and D are located off the public greenway.

Richard O'Connor, Durante Kreuk Landscape Architects, provided background information on the main landscape features of the proposed development, noting that (i) the intent of the landscape design is to ensure that current views from Minoru Boulevard all the way through Minoru Park are kept clear, (ii) the public art piece on the public plaza located on the greenway is the focal point of the landscape design, (iii) lawn areas along the greenway help provide connection to the park, (iv) a variety of planting materials are proposed and balanced on either side of the proposed development, (v) pedestrian walkways will be installed along both sides of the greenway, (vi) the western walkway will connect to the existing walkway on the adjacent development to the north, and (vii) the outdoor amenity spaces on the podium roofs are landscaped and have been programmed for active and passive uses.

In reply to a query from the Panel, the project design team noted that the proposed treatment for the subject development's south wall consists of brick cladding and vertical vine planting systems.

#### **Staff Comments**

Mr. Craig noted that (i) there is a significant Servicing Agreement associated with the proposal, including improvements to Mah Bing Street, construction of a central greenway between the two buildings, site services, and a greenway along the Minoru Park frontage, (ii) the subject development has been designed to achieve the City's Aircraft Noise Sensitive design requirements, connect to the City's District Energy Utility (DEU), and meet Step 2 of the Energy Step Code and LEED Silver equivalency, (iii) the proposed lot size variance is a technical variance as at the time of rezoning the lot was part of a larger lot which included Phase 1, (iv) the applicant is required to provide a geotechnical analysis and a Construction Traffic and Management Plan prior to Building Permit issuance should the application move forward, (v) a detailed traffic impact assessment was provided by the applicant and was reviewed and approved by the City's Transportation Department, and (vi) the traffic study indicated that parking is sufficient on the subject property and existing road networks and proposed road improvements are able to accommodate additional traffic generated by the proposed development.

## **Development Permit Panel**

### **Wednesday, July 29, 2020**

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In reply to queries from the Panel, Mr. Craig further noted that (i) the Public Hearing on the rezoning application for the subject property was held in 2006, (ii) the proposed development meets the City's current energy and sustainability requirements, (iii) the City's Affordable Housing Strategy came in after the project's rezoning application was approved, (iv) Phase 1 of the project at the time of rezoning provided a 1:1 replacement for rental units which included market rental and seniors housing units, (v) the project complies with the City's current Tenant Relocation Plan requirements, and (vi) the Servicing Agreement includes significant infrastructure works in Minoru Park.

#### **Gallery Comments**

Ricardo Vong, 7399 Murdoch Avenue, expressed concern regarding increased traffic and noise levels in the area during and after construction of the new building.

In reply to Mr. Vong's concerns, Mr. Craig noted that the City's Noise Regulation Bylaw regulates when construction hours can take place, which are between 7 a.m. and 8 p.m. Monday through Friday, between 10 a.m. and 8 p.m. Saturday, and no construction is permitted during Sundays and statutory holidays. In addition, he stated that the applicant is required to submit a Construction Traffic and Parking Management Plan prior to issuance of Building Permit.

In reply to a query from the Panel, Mr. Craig confirmed that a traffic study was provided by the applicant at rezoning and an updated version was submitted for the subject development permit application.

Peter Demchuk, 6611 Minoru Boulevard, Unit 1614, expressed concern regarding (i) the potential increase in noise and traffic that will be generated by construction activities in the subject site which would particularly impact seniors living in the area, (ii) the capacity of the existing Mah Bing Street to accommodate increased traffic, (iii) the potential impact of the proposed development on existing vehicle access to 6611 Minoru Boulevard including access to the property's buildings and parking and loading areas, and (iv) the potential removal of two parking stalls on the property.

In reply to Mr. Demchuk's concern regarding construction noise and traffic, the Chair noted that the City's Noise Regulation Bylaw will be enforced during construction and the applicant is required to provide a Construction Traffic and Management Plan to address potential traffic congestion and maintain access to existing residential developments in the area.

In reply to Mr. Demchuk's concerns regarding increased traffic in the area and vehicle access to 6611 Minoru Boulevard, Mr. Craig noted that (i) the existing lane fronting the subject site will be expanded into a city street to be called Mah Bing Street, which is similar to the street north of Murdoch Avenue, (ii) the proposed street improvement will run from the Murdoch Avenue intersection until the south property line of the subject development, and (iii) the proposed development will not impact vehicle access to buildings as well as loading and parking areas on the property at 6611 Minoru Boulevard.

**Development Permit Panel**  
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With regard to the potential removal of two parking stalls at 6611 Minoru Boulevard, Mr. Craig clarified that their removal was proposed as one of the two options being investigated to maintain access to the property's garbage and recycling loading area; however, there was no agreement on this proposal, therefore an alternative arrangement was proposed that would provide a statutory right-of-way on the southwest corner of the proposed development adjacent to Minoru Park to allow the garbage and recycling truck to turn around and exit.

In reply to a query from the Panel, Mr. Craig confirmed that the garbage and recycling truck servicing 6611 Minoru Boulevard is currently accessing the site by driving across the subject development without a formal easement.

Bill Sorenson, 6611 Minoru Boulevard, spoke against the proposed alternate truck route to access the property's garbage and recycling loading area, noting that it is circuitous and would impact vehicular traffic as well as pedestrian safety, particularly of seniors, on the lane fronting the northern building at 6611 Minoru Boulevard. He added that he would prefer the installation of a dedicated lane for truck access which provides a more direct route to the property's garbage and recycling loading area through the two parking stalls on the property. In closing, Mr. Sorenson noted that he does not agree with the strata management and Council of 6611 Minoru Boulevard not responding to the applicant's communications regarding garbage and recycling truck access to the property.

In reply to Mr. Sorenson's concern, Mr. Leung stated that he had communicated several times with the strata management of 6611 Minoru Boulevard through the property manager regarding the applicant's first option for truck access into the property which provides a more direct route through the two parking stalls. He added that he offered to pay compensation for the two parking stalls; however, the strata management did not respond and as a result, the applicant is proposing an alternate truck route to access and exit the property's garbage and recycling loading area.

Nuno Porto, 6611 Minoru Boulevard, expressed concern regarding (i) the siting of buildings on the proposed development which impact pedestrian experience on Minoru Park, and (ii) the proposed development's interface with adjacent residential developments, particularly with the property at 6611 Minoru Boulevard. He noted that the towers and townhouses on the proposed development are sited closer to the park than the existing two three-storey buildings on-site. Also, he suggested that the treatment for the three-storey podium wall along the south side of the subject development facing the existing tower to the south be reviewed in order to improve its interface with the park and the adjacent development to the south.

Meena Bangash, 6491 Minoru Boulevard, spoke about the situation of low-income tenants in the existing rental buildings on-site who are going to be displaced when the buildings are demolished. She noted that their situation is made more difficult by the pandemic as some tenants are experiencing job loss and will have difficulty finding rental units that they can afford.

**Development Permit Panel**  
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Juliet Mendoza, 6491 Minoru Boulevard stated that she has lived in the rental building for 13 years and queried about (i) the age requirement for seniors who are existing tenants in order to qualify for accommodation in the Phase 1 of the development, and (ii) the assistance offered under the applicant's Tenant Relocation Plan.

In reply to Ms. Mendoza's query regarding the age requirement for seniors, Mr. Leung noted that seniors in existing rental buildings on-site should be 65 years or older to qualify for accommodation in affordable rental units in Phase 1; however, all rental units are currently occupied.

In reply to Ms. Mendoza's query regarding the Tenant Relocation Plan, Mr. Craig reviewed the various components of the Tenant Relocation Plan which include notification, right of first refusal, relocation assistance, compensation and communication with tenants. In addition, he noted that with regard to relocation assistance, the developer is required to hire a Tenant Relocation Coordinator to assist tenants free of charge in finding similar accommodations within the City or in another location at the tenant's discretion.

In reply to queries from the Panel, Mr. Craig advised that (i) the minimum four month's notice to end tenancy would be served upon issuance of demolition permit for the subject development, (ii) issuance of the demolition permit is subject to the developer meeting certain conditions prior to the application proceeding to Council, and is not anticipated to occur prior to the beginning of 2021, (iii) a Tenant Relocation Coordinator has been hired by the developer to provide relocation assistance to tenants, and (iv) the minimum compensation for existing tenants is three months free rent or lump sum equivalent and is increased depending on the number of years the tenant has resided in the building.

In reply to queries from the Panel, Mr. Leung noted that (i) the developer was required to demolish the existing rental buildings on-site two years after Phase 1 was constructed; however, the developer had agreed to delay its implementation to minimize displacement of existing rental tenants, (ii) approximately 118 tenants are currently living in the two rental buildings and five tenants are moving out at the end of the month, (iii) information regarding preferences of tenants in terms of relocation assistance is not currently available; however, letters have been sent out to existing tenants regarding the relocation process, (iv) the applicant will conduct open house sessions with tenants should conditions allow or will personally reach out to them, (v) in 2016, existing tenants were given the right of first refusal for rental units in the Phase 1 development and 19 tenants were accommodated in Phase 1, (vi) beginning in 2018, month-to-month rentals were introduced for new tenants in anticipation of the demolition of existing rental buildings, and (vii) the Tenant Relocation Coordinator is ready to assist in the relocation of tenants and the developer has offered a compensation package as part of the Tenant Relocation Plan.

**Correspondence**

Yuewen Gong, resident of Carrera Building 2 ([Schedule 1](#))

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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In reply to Mr. Gong's concerns, Mr. Craig noted that (i) the proposed development complies with the City's building separation guidelines, and (ii) the development's outdoor amenity areas comply with the City's requirements.

Jessy (no last name provided), a resident of 7333 Murdoch Avenue (Schedule 2)

In reply to geotechnical concerns, among other concerns mentioned in the above correspondence, Mr. Craig advised that a geotechnical report by a certified engineer will be required prior to Building Permit issuance should the application move forward.

Ho Siu M. and Leung Ching M., 6611 Minoru Boulevard (Schedule 3)

Mr. Craig noted that the concerns expressed in the above correspondence regarding potential geotechnical issues as well as noise and dust during construction have been previously discussed.

Shao He He, 803-7368 Gollner Avenue (Schedule 4)

In reply to concerns cited in the above correspondence, Mr. Craig noted that (i) there is a shadow analysis provided by the applicant included in the meeting's agenda package, and (ii) the proposal complies with the City's tower separation guidelines.

Charing Chong, 1306-7333 Murdoch Avenue (Schedule 5)

Mr. Craig noted that the above correspondence expressed concerns related to potential traffic generated from the proposed development, potential implications to wildlife and vegetation in the park, and construction noise related to the proposed development.

Lexy Clayburn, resident of Minoru Gardens (Schedule 6)

Mr. Craig noted that the above correspondence expressed concern regarding (i) tenant displacement during a pandemic, (ii) ability of tenants to find alternative accommodations, particularly affordable housing units in the City of Richmond, (iii) access to information from the Tenant Relocation Coordinator regarding relocation assistance, and (iv) the proposed variance sought in relation to the proposed development. In addition, Mr. Craig further noted that the proposed variance to reduce the minimum lot area is a technical variance associated with the subdivision of Phase 1.

Kamran Bangash, 6491 Minoru Blvd. (Schedule 7)

Mr. Craig noted that the above correspondence expressed concern regarding tenant displacement and the ability of existing tenants to find alternative accommodations and requested that the property owner conduct a Tenant Needs Survey for all tenants to get more information about their situation.

Rao Zeeshan, 6491 Minoru Blvd. (Schedule 8)

Mr. Craig noted that Mr. Zeeshan expressed concern regarding tenant displacement and ability to find alternative accommodations within the city.

Ramakanth Gade, 6391 Minoru Blvd. (Schedule 9)

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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Mr. Craig noted that the above correspondence expressed concern regarding tenant displacement and challenges in finding potential alternative accommodations within the city.

Meena Bangash, 6491 Minoru Boulevard) ([Schedule 10](#))

Meena Irshad, 6491 Minoru Blvd. ([Schedule 11](#))

Mr. Craig noted that the above two pieces of correspondence expressed concern regarding the displacement of existing tenants of apartment rental buildings on-site and their ability to find alternative housing within the city.

April Denosta, 6491 Minoru Blvd. ([Schedule 12](#))

Mr. Craig noted that Ms. Denosta is asking for information regarding the timeline for demolition of the existing rental buildings on-site.

Andrea Roca, 6611 Minoru Blvd. ([Schedule 13](#))

Nuno Porto, 6611 Minoru Blvd. ([Schedule 14](#))

Mr. Craig noted that the above two pieces of correspondence share the same concerns which include (i) proximity of the proposed development to Minoru Park, (ii) proximity to the adjacent development to the south, (iii) potential impacts related to construction of the proposed development, and (iv) treatment of the south wall of the subject development.

In reply to queries from the Panel, Mr. Craig confirmed that (i) the proposed development is set back six meters from the park to the townhouse units while the western edge of the parkade in the adjacent development to the south is along the west property line, (ii) the proposed development will provide a right-of-way on their property for the installation of the north-south walkway fronting the townhouse units in the proposed development.

Mirene Raphael, (no complete address indicated) ([Schedule 15](#))

The abovementioned correspondent expressed regret for not being able to attend the July 29, 2020 Panel meeting.

Shelvin Chandra, 301-6491 Minoru Blvd. ([Schedule 16](#))

Mr. Craig noted that staff had responded to the above mentioned correspondent's query regarding the availability of and access to the minutes for the July 29, 2020 Development Permit Panel meeting.

## Development Permit Panel

### Wednesday, July 29, 2020

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#### Panel Discussion

A suggestion was made to defer the subject development permit application to a future meeting of the Panel due to Panel concerns regarding (i) the proposed truck access for the collection of garbage and recycling at the adjacent residential development to the south, (ii) the applicant's Tenant Relocation Plan, including how it is communicated to tenants of existing rental buildings, and potential displacement of existing tenants, and (iii) the proposed treatment for the south wall of the Tower D/E podium in the subject site adjacent to the existing tower to the south.

#### Panel Decision

It was moved and seconded

*That DP 18-837117 be deferred to the Development Permit Panel meeting scheduled for Wednesday, September 30, 2020, at 3:30 p.m. at the Council Chambers, Richmond City Hall, for the purpose of the applicant working with staff to address the following issues:*

1. *review the proposed truck access to allow garbage and recycling collection for 6611 Minoru Boulevard (adjacent development to the south of the subject site) and investigate opportunities for a more direct route;*
2. *review the proposed treatment to the south wall of Tower D/E podium to improve the project's interface with the side of the existing tower to the south; and*
3. *ensure the attendance of the project's Tenant Relocation Coordinator at the Panel's September 30, 2020 meeting to provide a report on the following:*
  - (i) *the project's Tenant Relocation Plan and the Coordinator's communication with tenants of existing rental buildings on-site (6391 and 6491 Minoru Road) regarding the Plan;*
  - (ii) *the tenants' preferences in terms of types of needed relocation assistance; and*
  - (iii) *information regarding the number of tenants needing relocation assistance and proposed measures to assist in relocating the tenants.*

**CARRIED**

#### 5. New Business

It was moved and seconded

*That the Development Permit Panel meetings tentatively scheduled on Wednesday, August 12, 2020 and Wednesday, August 26, 2020 be cancelled as there are no agenda items scheduled for the two meetings.*

**Development Permit Panel**  
**Wednesday, July 29, 2020**

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**6. Adjournment**

It was moved and seconded

*That the meeting be adjourned at 6:12 p.m.*

**CARRIED**

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, July 29, 2020.

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Joe Erceg  
Chair

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Rustico Agawin  
Committee Clerk

Schedule 1 to the Minutes of the  
Development Permit Panel  
meeting held on Wednesday  
July 29, 2020.

**From:** Yuewen Gong <ywgong@live.ca>  
**Sent:** July 16, 2020 4:45 PM  
**To:** CityClerk  
**Subject:** Application of DP 18-837117

<b>To Development Permit Panel</b>
Date: July 29, 2020
Item # 4
Re: DP 18-837117 (6333 Mah Bing St.)

Hello

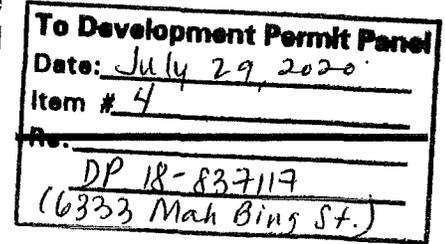
I received the notice recently and feel that there are some concerns may need to be addressed before permitting the application. 1. When they design the building, it needs to consider not too close to near-by building such as the Carrera building, 2. The building should not close the Mah Bing street, 3. It needs to consider not to affect current green space, and the building need to have some green space also.

Thanks  
Yuewen Gong  
Residence of Carreras building

Sent from my iPad



Schedule 2 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.



**From:** JINGWEI SONG <jingwei\_song@yahoo.com>  
**Sent:** July 16, 2020 6:19 PM  
**To:** CityClerk  
**Subject:** Please do not permit the development application - DP 18-837117

Dear Sir or Madam,

I am one of the owners of Park Residences Tower B - 7333 Murdoch Ave., Richmond. I am writing to comment on the application of DP 18-837117.

I got a Notice of Development Permit for File: DP 18-837117 by mail today.

After having carefully read the notice, I and my family, we would like to suggest you do not permit this application.

The proposed construction of a multiple-family residential development with two 15-storey high-rise buildings and a nine-storey mid-rise building is not a good idea because at this location, there have already been already two high-rise buildings with more than 200 units next to the proposed construction, which are Park Residences tower A & B on Murdoch Ave. The proposed construction is too close to these two buildings, therefore will cause the following effects and dangers to all the residents in these two buildings, especially our building B - it is right located at the corner of Murdoch Ave and Mah Bing Street.

1. What will happen to the settlement in the soil at this area when there are going to be three more buildings constructing? I can't imagine, it could be dangerous as Richmond has really been considered as a high risk city for earthquakes! As a resident, I am highly worried that this project will increase the possibility of instability and danger  $\Delta$  of staying at my home.
2. Construction Noises and Dusts. During the construction, I am sure we will be bearing noises and dusts. We could not even open our building! And of course we cannot enjoy our balconies either.
3. More crowded Traffic. The coming 232 units will definitely bring more traffics. I can't imagine what will happen at the rush hour every morning, too many cars are going out at the same time, and there are only two way out. It would be a disaster!
4. Increasing Maintenance Costs and Lower Rents for owners who rent their homes out. If the application is permitted, there will be more buildings, this means the supply of rental apartments at this area is increasing. As a result, rents could be lowered. This is such a bad news for owners of Park Residences Tower Buildings who rent out their homes. And the property insurance might also be increased due to a higher risk of earthquake.

So, as a owner and resident, I highly suggest that you do not permit this application!

Thank you!

Sincerely,  
Jessy

CNCL - 358  
1



Schedule 3 to the Minutes of the  
Development Permit Panel  
meeting held on Wednesday, July  
29, 2020.

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**From:** Simon Ho <go@simonho.net>  
**Sent:** July 17, 2020 9:26 PM  
**To:** CityClerk  
**Cc:** Gladys Leung  
**Subject:** Notice Of Development Permit Panel Meeting

<b>To Development Permit Panel</b>
<b>Date:</b> July 29, 2020
<b>Item #</b> 4
<b>Re:</b> DP 18-837117 (6333 Mah Bing St.)

To: Planning & Development Division

File: DP 18-837117  
Site: 6333 Mah Bing Street

I would not permit the construction of a multiple-family residential development at 6333 Mah Bing Street.

The reason is I am living 6611 Minoru Blvd, Richmond. That construction will happen very close to our building. It will produce lots of noise and dust to break and rebuild a new building. And I worry it will affect our building's foundation or infrastructure. If so, its dangerous to me, my family, and my neighbors.

In fact, Richmond still has a lot of empty space. Why that development selects the land which has existing buildings!?

HO SIU M  
LEUNG CHING M



Schedule 4 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

<b>To Development Permit Panel</b>
Date: <u>JULY 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18 - 837117</u>

**From:** Khris Liang <cliang1997@hotmail.com>  
**Sent:** July 29, 2020 11:06 AM  
**To:** Lee, Edwin  
**Subject:** Re: Correspondence related to DP 18-837117 - 6333 Mah Bing Street

Dear Mr. Lee

Thank you for your reply regarding DP18-837117. Although you have noted some procedures regarding my concerns, I still do not agree to this construction. I have already experienced similar situation when 7399 Murdoch Ave was constructing. The amount of dust had me suffering during the construction. The noise produced from construction was also affecting me heavily. Moreover, there are many elderlies that live in this neighbourhood, I believe that another construction in this area will create the same problems. Furthermore, a high-rise building will block much of my vision from seeing the greens at Minoru park, and the residents will not be able to enjoy fireworks during special events as well. Therefore, construction on 6333 Mah Bing Street should not be approved.

Best regards,  
Shao He He

On Jul 28, 2020, at 3:48 PM, Lee, Edwin <ELee@richmond.ca> wrote:

Dear Shao He He,

Thank you for your email of July 24, 2020 regarding the Development Permit application for 6333 Mah Bing Street (DP 18-837117). Your email will be presented to the Development Permit Panel at tomorrow's meeting.

For your information, please note that:

1. The applicant advised that appropriate procedures will be put in place to minimize dust during preloading and construction. The preload will be hosed down when high wind events is anticipated to minimize the dust. The site will have a central vehicular entry/exit point with a wheel-wash station integrated on-site during the excavation phase to clean vehicles prior to their exiting onto the street.
2. The minimum tower separation between the proposed buildings and the "Carrera" towers is 38.1 m (125 ft.), which exceeds the guidelines of 35.0 m (115 ft.).

Should you have further questions regarding the proposed development, please feel free to contact me at 604-276-4121.

Regards,  
Edwin

-----Original Message-----

From: Khris Liang <cliang1997@hotmail.com>  
Sent: July 24, 2020 7:01 PM

CNCL - 360  
1



To: CityClerk <CityClerk@richmond.ca>  
Subject: Regarding 6333 Mah Bing Street construction

Hello Richmond City Council,

My name is Shao He He, a resident on 803-7368 Gollner Avenue, beside building 6333 Mah Bing street. I am emailing in regards to 6333 Mah Bing street rezoning, file: DP 18-837117. I do not wish Richmond City Hall to permit the construction of multi-family residential. There are a few reasons why I do not agree:

1. Dust is too heavy during construction. Concern: breathing problem
2. Limited visual distance once the buildings are built.
3. Limited sunlight in the house.
4. Distance between buildings are too close. Concern: limited privacy. People from across can see everything in my apartment.

Best regards,  
Shao He He

Schedule 5 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

<b>To Development Permit Panel</b>	
Date:	JULY 29, 2020
Item #:	4
Re:	DP 18-837117

**From:** Charing Chong <shcharing@gmail.com>  
**Sent:** July 28, 2020 9:19 PM  
**To:** Lee, Edwin  
**Subject:** Re: Correspondence related to DP 18-837117 - 6333 Mah Bing Street

Dear Edwin,

Thanks for your reply.

I must apologise for my ignorance that the subject land use was approved long time ago. I am not the first owner of my present unit and therefore am not aware that there will be five buildings totally.

That said, I still hope that the Panel will do everything you can to minimise the total floors and dwelling units of the three buildings; so that the construction time will be shortened and future traffic flow at a minimal level.

Regards,

Charing  
Sent from my iPhone

On 28 Jul 2020, at 3:45 PM, Lee, Edwin <ELee@richmond.ca> wrote:



Dear Charing,

Thank you for your email of July 26, 2020 regarding the Development Permit application for 6333 Mah Bing Street (DP 18-837117). Your email will be presented to the Development Permit Panel at tomorrow's meeting.

For your information, please note that:

1. The proposed development is Phase 2 of the "Park Residences" development; the land use has been approved by Council since 2008. The Development Permit Panel does not deal with land use (zoning) issues but will hear delegations on the Development Permit application, which consider the form and character of the proposed multiple family development.
2. Murdoch Avenue and Mah Bing Street are new roads created as part of the overall "Park Residences" development (5 towers) to address transportation demands.
3. Construction noise, including demolition is regulated by Noise Regulation Bylaw 8856. Provided the day is not a Sunday or Statutory holiday, construction noise not exceeding 85 decibels "dBA" is permitted Monday to Friday from 7am to 8pm and Saturdays from 10am to 8pm.
4. The applicant advised that appropriate procedures will be put in place to minimize dust during preloading and construction. The preload will be hosed down when high wind events is anticipated to minimize the dust. The site will have a central vehicular entry/exit point with a wheel-wash station integrated on-site during the excavation phase to clean vehicles prior to their exiting onto the street.

Should you have further questions regarding the proposed development, please feel free to contact me at 604-276-4121.

Regards,  
Edwin

-----Original Message-----

From: Charing Chong <shcharing@gmail.com>  
Sent: July 26, 2020 7:41 PM  
To: CityClerk <CityClerk@richmond.ca>  
Subject: 6333 Mah Bing Street Development Permit

Dear Permit Panel:

I am a resident at 7333 Murdoch Ave and wish I could attend the hearing on July 29 to voice out my opinion. However, due to COVID-19, I think the best way is through this email.

1) Location: This development site is on Mah Bing Street which is a small street with dead end. The enormous increase in dwelling units (232) with over 350 parking spaces is certainly overwhelming to the existing residents in the area. The traffic will undoubtedly be extremely heavy on this Mah Bing Street and the Murdoch Avenue and hence create possible hazards.

We have already a significant re-development in the nearby Richmond Centre which comprise commercial and residential units; therefore the last thing we need is another project of high-rise building just across Minoru Boulevard.

2) Environment: As a resident at 7333 Murdoch, we are gratefully enjoying the beauty and calmness of the Richmond park from the first day we moved in. The proposed three high-rise buildings will definitely block the lovely view from our units. More important, the noise and air pollution during the construction time would harm the trees and the wildlife around the park such as owls, mallards and geese etc.

Richmond is a garden city and we should try every effort to preserve this beautiful image. I am not against city development but we should be extremely careful with respect to the choice of location. If City of Vancouver could preserve Stanley Park in such a beautiful way, why City of Richmond could not preserve our Richmond Park likewise?

Regards,

Charing C Chong  
1306-7333 Murdoch Ave

Sent from my iPhone

**From:** Lexy Clayburn <lexyclayburn@yahoo.ca>  
**Sent:** July 27, 2020 2:11 PM  
**To:** CityClerk  
**Subject:** 6333 Mah Bing Road Development

**Categories:** Rustico (DPP & ADP)

Planning and Development Committee

Minoru Gardens Demolition

Edwin Lee

<b>To Development Permit Panel</b>
<b>Date:</b> <u>JULY 29, 2020</u>
<b>Item #</b> <u>4</u>
<b>Re:</b> <u>DP 18-837117</u>



Dear Mr. Lee,

One hundred and thirty families live at Minoru Gardens. Some have lived here for over twenty years. I am writing to you because I am concerned about the permit application for demolition of our homes.

Safety

Is it safe to ask families to move during a pandemic? We will have a four months for seventy families in each building to use one elevator. There have been reports of people contracting Covid through elevator buttons. It will also be difficult to physical distance, something the Provincial Health Officer has stressed we are supposed to do to prevent outbreaks. Also, our neighbours who are not moving, may be at risk too since there is limited parking space for several large moving vans between the buildings.

Relocation

The vacancy rate for apartments is very low in Richmond, especially for affordable units that can house families. The new units will be much smaller so even if we could afford them, we couldn't house our families in them. We are essential workers (retail, hospital, schools). For a city to function, essential workers need to live in that city. If we cannot afford to live in Richmond we will have to leave. The loss of one hundred and thirty families who contribute to Richmond's economic well-being will affect the quality of life of Richmond residents.

Communication

I read that we are being informed of what is happening. We are not. When the residential tower opened up, we were supposed to have priority. We did not. While we received mail about the opening of the tower, when it was ready for occupancy we were not informed. I found out from a neighbor that an open house was held and people from off the street who saw the open house got priority.

Varying the Bylaw

I see that the minimum lot area is being reduced almost by a half. I would like to see some explanation of this as it may impact future developments. Are they saying that green space in the current towers will count as green space in the future towers? Then would that mean a developer could trade green space between neighborhoods? That seems like a dangerous precedent to set. Will the residents in the new tower have access to the green space in the older tower? Please explain why the staff have decided to let this happen.

I am not an expert in public relations but a council that votes to replace affordable housing with unaffordable luxury condos during a pandemic may be seen as heartless.

Thank you for your time.

Lexy

Schedule 7 to the Minutes of the  
Development Permit Panel  
meeting held on Wednesday  
July 29, 2020.

**From:** KAMRAN BANGASH <kamranbangash@hotmail.com>  
**Sent:** July 28, 2020 2:16 AM  
**To:** CityClerk  
**Subject:** Proposed Re-development Minoru Blvd.  
**Categories:** Rustico (DPP & ADP)

<b>To Development Permit Panel</b>
Date: <u>JULY 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18-037117</u>

Dear Sir / Madam,

Today I have received a letter about Proposed Re-Development of 6391/6491 Minoru Blvd, I have been residing at the said place since last 2 years. You must be aware of the fact that these apartments are old and rents are affordable for low income families. The letter has caused me a great deal of anxiety as current uncertainty arising from COVID19 has yet to subside. We have no idea when we will be able to go to PreCovid life. I used to work @AirCanada as Station Attendant and currently on EI, with family of four and no possible return to work in sight. The mere thought of moving out gives me goosebumps, how will we survive. Any 2 bedroom rental available right now ranges from 1900-2500 in our area, how can a person on EI would be able to afford it? plus added stress of moving with kids and possible school changes! I would request of postponing the plan until emergency is lifted and economy revives. Nearly all the tenants at our building have limited resources, low incomes and are vulnerable to such harsh conditions.

I also request the owner to provide "Tenants Needs Survey" to all current tenants so we can explain our situation, for example Loss of Income, Child with Disabilities and Financial Crisis.

Covid19 has impacted our lives and we request to please consider our plight as tenants in crisis.

Regards.

Kamran Bangash  
604 551 4274



Schedule 8 to the Minutes of the  
Development Permit Panel  
meeting held on Wednesday  
July 29, 2020.

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**From:** Rao Zeeshan <zeeshan.rao@gmail.com>  
**Sent:** July 28, 2020 1:42 PM  
**To:** CityClerk  
**Cc:** minoru.office@telus.net  
**Subject:** Meeting regarding Proposed redevelopment 6391/6491 Minoru Blvd

**Categories:** Rustico (DPP & ADP)

Hello & Good Day

This email is regarding tomorrow's meeting at city hall in connection with 6491 Minoru Blvd.

Please keep this email as a record to share our deep concern against demolition of buildings and request authorities to delay / postpone it as much as possible because of the prevailing economic crisis due to COVID. Due to job losses we are having tough times and its very challenging to move to other places where we can find reasonable rents like Minoru Court.

Thanks  
RAO  
6491 Minoru Blvd.

<b>To Development Permit Panel</b>
Date: <u>JULY 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18-837117</u>
_____

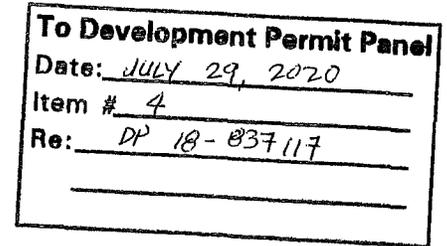


Schedule 9 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

**From:** Ramakanth Gade <ramakanthgade@gmail.com>  
**Sent:** July 28, 2020 2:04 PM  
**To:** CityClerk  
**Cc:** minoru.office@telus.net  
**Subject:** Request to postpone demolition

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Rustico (DPP & ADP)



Dear Ms. Jesson,

My name is Ramakanth and I am a resident at 6391 Minoru Blvd, Richmond, BC V6Y 1Y7.

I received a notice yesterday from RHOME Property Management that they are having a meeting tomorrow with the City of Richmond Development Permit Panel to evaluate the proposed redevelopment of 6391/6491 Minoru Blvd. And they also mentioned that if the proposal gets approved, they would be demolishing this building.

As you already know, because of COVID 19 and downturn in a lot of businesses, we are facing some unprecedented times with respect to job losses and crisis in many industries. Our jobs are not secure anymore and it would be really tough to find other rental places with equivalent rents as Minoru Court.

Like me, a lot of other residents also have similar concerns regarding the demolition of buildings. So, keeping our concerns in view if you could postpone the demolition by 18-24 months (till the COVID and economic situation improves) it would be of great help to all of us.

Thanks a lot for your consideration.

Regards,

**Ramakanth Gade**



Schedule 10 to the Minutes of the Development Permit Panel meeting held on Wednesday July 29, 2020.

**From:** Meena Irshad <meenairshad\_us@hotmail.com>  
**Sent:** July 28, 2020 2:32 PM  
**To:** CityClerk  
**Subject:** Proposed redevelopment 6491/6391 Minoru Blvd

**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Categories:** Rustico (DPP & ADP)

<b>To Development Permit Panel</b>
<b>Date:</b> JULY 29, 2020
<b>Item #</b> 4
<b>Re:</b> DP 18-037117

Good Day,

Through this email I would like to express my concerns regarding destruction of our building. I do acknowledge that the owner has the right to redevelop their property, but given the current circumstances, we are compelled to write in a bid to save ourselves from sinking into more troubles

COVID19 has wreaked havoc on our financial situation, and the eviction in the near future might push us into more poverty. Our small savings have been drained, overwhelming credit card payments and loss of income are added burdens to deal with.

The rental units we are currently residing in have rents ranging from \$800-1400. But the proposed rents have prices ranging from \$927-1880. As indicated, the rents of new buildings in the area for 2 bedrooms are \$1800 plus, so where are we going to go? We have been living in these old buildings to survive economically. If these buildings continue to redevelop, where will the low-income families go? Are the affordable units as much in abundance? Do we know when the emergency will be lifted? Do we know when we will be rehired? Do we know when the CERB ends? How we will meet both ends?

In times of uncertainty we expect our community to come together and support each other rather than being exposed to vulnerable situations. We sincerely wish this pandemic would end so we will be able to work and contribute to our society, but now we are not in a position to be left alone!

Please consider us, the current residents of these buildings. Please provide us a survey that can indicate our loss of income, our children and any disabilities we may have. Please postpone the destruction until we have jobs again and are able to afford a roof on our heads and food on the table all at once.

Regards,  
Meena Bangash



Schedule 11 to the Minutes of the Development Permit Panel meeting held on Wednesday July 29, 2020.

**From:** Meena Irshad <meenairshad\_us@hotmail.com>  
**Sent:** July 28, 2020 1:28 AM  
**To:** MayorandCouncillors  
**Subject:** Redevelopment of rental building

<b>To Development Permit Panel</b>
<b>Date:</b> <u>JULY 29, 2020</u>
<b>Item #</b> <u>4</u>
<b>Re:</b> <u>DP 18-037117</u>

Respected sir,

I am a resident of Richmond BC and resides at Minoru blvd, we the tenants have received a letter saying that if City of Richmond development permit panel approves the landlord would go ahead with the redevelopment plan. The plan will b approved Wednesday, July 29 @3:30 pm City Hall Had it been normal circumstance we would have been able to withstand the hardship but due to Covid19 our situation has drastically changed and we are too vulnerable at this point Our family of 4, relies on my husband to earn, he lost his job @Aircanada and now on EI Cerb would end by September, how can we survive on 55% EI support and no return to job in sight?

My son has ASD and changes affect his routine, we have managed to plan a school return with Speech therapist, OT, Social worker and school staff, by relocating means wasting all our efforts and sending him to another school?

Sir, I request you to please extend this proposed redevelopment until we achieve pre covid normalcies, please don't make us go to the point where we either can afford roof on our head or food on our tables!

Help us please

Tenants at 6491/6391 Minoru blvd

Meena

Sent from my iPad



Schedule 12 to the Minutes of the  
Development Permit Panel  
meeting held on Wednesday, Jul  
29, 2020.

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**From:** aprildenosta <aprildenosta@gmail.com>  
**Sent:** July 28, 2020 7:37 PM  
**To:** CityClerk  
**Subject:** Re: Redevelopment of 6391/6491 Minoru blvd.

<b>To Development Permit Panel</b>
Date: <u>JULY 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18-837117</u>

Hello,  
I'm one of the tenants who lives in 6491 building. I'm just wondering if you could send me information about what will be discussed in the meeting regarding the building demolition.

Please feel free to contact me on my email address [aprildenosta@gmail.com](mailto:aprildenosta@gmail.com) or call me at my cell 604-767-1909.

Thanks,  
April

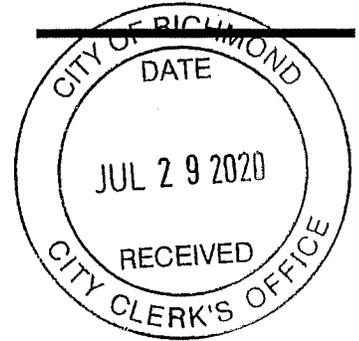
Sent from my Samsung Galaxy smartphone.



Schedule 13 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

**From:** Andrea Roca <andreamroca@gmail.com>  
**Sent:** July 28, 2020 8:34 PM  
**To:** CityClerk  
**Subject:** Ref: DP 18-837117 of **To Development Permit Panel**

<b>Date:</b> JULY 29, 2020
<b>Party #:</b> 2020 4
<b>Re:</b> OP 18-837117



To whom it may concern,

I am hereby submitting my comments regarding the above referenced application, hoping these may be taken into account and contribute to better serve the city of Richmond. Not being an expert I am expressing this opinion as a citizen that routinely enjoys the park, and a neighbour from the building to the South, on 6611 Minoru Boulevard.

**The proposal presents a number of innuendos that should either be proved or removed, at the risk of – if the proposal is moved forward as it is – establishing as truthful something that possibly is not.**

At first impression this part two of the Park Residences offers a closure to the project already executed and contributes to the harmony of the neighbourhood. In particular, it projects a very welcome green area between part one and the projected plan, that seems to promise continuity between both phases (the existing and the projected) and between the city and the park.

On a more detailed analysis, however, the proposed plan does raise concerns on a number of points, as I will try to cover below.

### **1. The phase two doesn't seem to be site sensitive.**

I mean by this that instead of adopting an inclusive and dialoguing relation with the pre-existing built environment, the park included, it tends to operate in what could be qualified as a predatory mode. In the proposed development, phase one and two will be very well integrated, but this would be so at expenses of the neighbouring areas, park included. Examples of this are:

- a) the proposed 15 store high tower at the north, literally bordering the park;
- b) the advancement (in relationship to what is built there now) of about 12 metres towards the park, leaving a distance of 3,5 metres between the park and the proposed construction of a row of townhouses, similar to the existing in the already built phase of the complex.
- c) the reduction of the space between the existing first building of the complex designed by Arthur Erickson and Gilbert Massey, from the seventies, 6611 Minoru, and a proposed

wall of concrete 3 storey plus high that runs from Mah Bing road to 5 metres from the park.

**2. For a number of reasons** it would seem preferable to project the greenway at the South limit of the project adding a buffer between the Ericson–Massey complex and this project. The proposed greenway that connects the park with Murdoch Road – which, again, might not be such a good idea -- seems to act as a strategy to approach towards the park (and it should be added, towards an area of the park with a couple of centennial trees) the two buildings and the townhouses row to the south of the projected greenway. From the blue prints it is noticeable that these are much more closer to the park than the townhouse rows on the former phase of this development.

a) the consequence of this is that the buffer of space and, in the case of 6611 Minoru, of tree lining between the park and construction, vanishes. It could be noted, for the sake of the argument, that the Erickson - Massey building, besides this gardened buffer, distances 18 metres from the park, and not, as is being proposed here 3,25 metres. The developers suggest that this is an urban strategy as it puts 'eyes on the street'. But the point is that the park is not the street, and experiencing the park in the walkway of phase one, what the park goer is saluted with is not and 'urban environment' but the clutter of stuff that the residents of townhouses accumulate in their entryways, transforming what used to be a pleasant fruition experience into a memory of trajectories that should now be avoided.

b) in sum, it seems highly doubtful that this semi privatisation of a public park may serve public interest.

c) finally, since the Erickson – Massey project establishes the 18 metres distance from the park, why not work with that reference and demand solutions that work towards both the protection of the park (establishing a buffer distance) and the value of the already existing built city?

**3. The projected wall to the south** of the proposal seems to advance about 1,50 towards the south limit in relation to the existing construction, that is, reducing the already limited space between buildings, with the added drawback of creating a barrier in concrete throughout the whole limit of the building (very similar to the effect created by the existing south limit of phase one). Besides unpredicted wind and weather related effects caused by another East-West barrier (of 3 storeys plus height) at 5,2 meters from the existing building, it is unclear which, if any, measures were considered to diminish possible weather related effects as well as the predictably disturbing acoustic effects.

These are 3 issues: 1) excessive proximity to the park of one high rise, 2) excessive proximity to the park of a row of townhouses, and 3) construction of a 3 storeys plus continuous wall from Mah Bing road to 5,1 meters from the park that should be given further consideration, given the foreseeable drawbacks that they will bring to the area, the park and the city.

Best regards,  
Andrea Roca

**From:** Nuno Porto <nunoaporto@gmail.com>  
**Sent:** July 28, 2020 8:55 PM  
**To:** CityClerk  
**Subject:** DP 18-837117

<b>To Development Permit Panel</b>
Date: <u>July 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18-837117</u>



Development Permit Panel

To whom it may concern.

I am hereby submitting my comments regarding the above referenced application, hoping these may be taken into account and contribute to better serve the city of Richmond. Not being an expert, I am expressing this opinion as a citizen that routinely enjoys the park, and a neighbour from the building to the South, on 6611 Minoru Boulevard.

At first impression this part two of the Park Residences offers a closure to the project already executed and contributes to the harmony of the neighbourhood. In particular, it projects a very welcome green area between part one and the projected plan, that seems to promise continuity between both phases (the existing and the projected) and between the city and the park.

On a more detailed analysis, however, the proposed plan does raise concerns on a number of points, as I will try to cover below.

1. This phase two doesn't seem to be site sensitive.

I mean by this that instead of adopting an inclusive and dialoguing relation with the pre-existing built environment, the park included, it tends to operate in what could be qualified as a predatory mode. In the proposed development, phase one and two would be very well integrated, but this would be so at expenses of the neighbouring areas, park included. Examples of this are:

a) the proposed 15 store high tower at the north, literally bordering the park;

b) the advancement (in relationship to what is built there now) of about 12 metres towards the park, leaving a distance of 3,5 metres between the park and the proposed construction of a row of townhouses, similar to the existing in the already built phase of the complex.

c) the reduction of the space between the existing first building of the complex designed by Arthur Erickson and Gilbert Massey, from the seventies, 6611 Minoru, and a proposed wall of concrete 3 storey plus high that runs from Mah Bing road to 5 metres from the park.

2. For a number of reasons it would seem preferable to project the greenway at the South limit of the project adding a buffer between the Ericson–Massey complex and this project. The proposed

greenway that connects the park with Murdoch Road – which, again, might not be such a good idea -- seems to act as a strategy to approach towards the park (and it should be added, towards an area of the park with a couple of centennial trees) the two buildings and the townhouses row to the south of the projected greenway. From the blue prints it is noticeable that these are much more closer to the park than the townhouse rows on the former phase of this development.

a) the consequence of this is that the buffer of space and, in the case of 6611 Minoru, of tree lining between the park and construction, vanishes. It could be noted, for the sake of the argument, that the Erickson - Massey building, besides this gardened buffer, distances 18 metres from the park, and not, as is being proposed here, 3,25 metres. The developers suggest that this is an urban strategy as it puts 'eyes on the street'. But the point is that the park is not the street, and while experiencing the park in the walkway of phase one, what the park goer is saluted with is not an 'urban environment' but the clutter of stuff that the residents of townhouses accumulate in their entryways, transforming what used to be a pleasant fruition experience into a memory of trajectories that should now be avoided.

b) in sum, it seems highly doubtful that this semi privatisation of a public park may serve public interest.

c) finally, since the Erickson – Massey project establishes the 18 metres distance from the park, why not work with that reference and demand solutions that work towards both the protection of the park (establishing a buffer distance) and the value of the already existing built city?

3. The projected wall to the south of the proposal seems to advance about 1,50m towards the south limit in relation to the existing construction, that is, reducing the already limited space between buildings, with the added drawback of creating a barrier in concrete throughout the whole limit of the building (very similar to the effect created by the existing south limit of phase one). Besides unpredicted wind and weather related effects caused by another East-West barrier (of 3 storeys plus height) at a mere 5,2 meters from the existing building, it is unclear which, if any, measures were considered to diminish possible weather related effects as well as the predictably disturbing acoustic effects.

These are 3 issues 1- excessive proximity to the park of one high rise, 2 - excessive proximity to the park of a row of townhouses and 3 -construction of a 3 storeys plus continuous wall from Mah Bing road to 5,1 meters from the park that should be given further consideration, given the foreseeable drawbacks that they will bring to the area, the park and the city.

Last but not least, the proposal presents a number of innuendos that should either be proved or removed, at the risk of – if the proposal is moved forward as it is – establishing as truthful something that possibly is not.

With regards,

Nuno Porto

Schedule 15 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

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**From:** Esther JKh <joliedebora21@gmail.com>  
**Sent:** July 28, 2020 9:24 PM  
**To:** CityClerk  
**Subject:** Meeting

<b>To Development Permit Panel</b>	
Date:	JULY 29, 2020
Item #	4
Re:	DP 18-837117

Hello my name is Mirene Raphael

I'm at unity #E221 I won't be able to be at the meeting tomorrow Wednesday July 29th 2020 at 3:30pm sorry I will be at work but I would love too

Thank you for understanding

Mirene

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Sent from Gmail Mobile



Schedule 16 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 29, 2020.

<b>To Development Permit Panel</b>
Date: <u>JULY 29, 2020</u>
Item # <u>4</u>
Re: <u>DP 18-837117</u>

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**From:** Lee, Edwin  
**Sent:** July 29, 2020 11:49 AM  
**To:** 'Shelvin Chandra'; CityClerk  
**Subject:** Correspondence related to DP 18-837117 - 6333 Mah Bing Street

**Categories:** Rustico (DPP & ADP)

Dear Shelvin,

Thank you for your email of July 29, 2020 regarding the Development Permit application for 6333 Mah Bing Street (DP 18-837117).

Please note that minutes of the Development Permit Panel meeting will be available on the city's website approximately two weeks after the meeting.

Here is a link to the DPP meeting agenda and minute page:

<https://www.richmond.ca/cityhall/council/meeting/WebAgendaMinutesList.aspx?Category=8&Year=2020>

Should you have further questions regarding the proposed development, please feel free to contact me at 604-276-4121.

Regards,  
Edwin



**From:** Shelvin Chandra <schandra93@hotmail.com>  
**Sent:** July 29, 2020 10:16 AM  
**To:** CityClerk <CityClerk@richmond.ca>  
**Subject:** Proposed Redevelopment of 6391/6491 Minoru Blvd

Hi,

I am a tenant at #301 - 6491 Minoru Blvd but will not be able to attend the meeting at 3:30 pm today due to work commitments.

Can I please be forwarded the meeting minutes and any other notes deemed important?

Thanks in advance!!

Sincerely,  
Shelvin Chandra.



# City of Richmond

## Report to Council

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**To:** Richmond City Council  
**From:** Joe Erceg  
Chair, Development Permit Panel  
**Date:** September 1, 2020  
**File:** DP 19-876647  
**Re:** **Development Permit Panel Meetings Held on May 27, 2020 and June 10, 2020**

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### Staff Recommendation

That the recommendation of the Panel to authorize the issuance of a Development Permit (DP 19-876647) for the property at 17720 River Road be endorsed, and the Permit so issued.

For/Joe Erceg  
Chair, Development Permit Panel  
(604-276-4083)

SB:blg

### Panel Report

The Development Permit Panel considered the following item at its meetings held on May 27, 2020 and June 10, 2020.

DP 19-876647 – EASTERBROOK MILLING CO. LTD. – 17720 RIVER ROAD  
(May 27, 2020 and June 10, 2020)

The Panel considered a Development Permit (DP) application to permit the construction of a single detached house on a site zoned “Agriculture (AG1)” and designated as an Environmentally Sensitive Area (ESA). A variance is included in the proposal for increased maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers.

The application was considered at both the May 27, 2020 and June 10, 2020 Development Permit Panel meetings. At the time of the meeting held on May 27, 2020, the application included variances for increased maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers and increased maximum building height.

At the May 27, 2020 meeting, the applicant, Stephen Easterbrook, provided a brief presentation, including:

- The applicant has been engaged in farming operation in the area for a significant period of time, including, among others, an organic egg farm and multiple organic crop farming.
- The proposed single detached family house will replace the existing single-family dwelling on the subject site and is intended for the use of the applicant and his family and existing farm workers who will be accommodated in the proposed secondary suite.
- A farm house footprint variance is requested to accommodate the proposed secondary suite for farm workers; however, the proposed development still complies with the maximum floor area and farm home plate area in the “Agriculture (AG1)” zone.
- The proposal would help address farm security and biosecurity concerns in the area.
- The organic farm operation on the subject site could mitigate the loss of on-site Environmentally Sensitive Area (ESA) as a result of constructing the proposed residential development.

In response to Panel queries, Stephen Easterbrook acknowledged that: (i) farm workers are currently living in the existing single-family dwelling and will be accommodated in the secondary suite of the proposed residential development; and (ii) the location of the secondary suite on the ground floor will provide adequate living space for the farm workers and privacy to the applicant’s family.

In response to Panel queries, staff confirmed that: (i) the proposed residential development will be located on an ESA; (ii) the City’s Food Security and Agricultural Advisory Committee considered and supported the proposal, including the farm home plate orientation; and (iii) the building height is measured to the top of the chimney.

Staff noted that: (i) approximately 80 percent of the subject site is designated as an ESA, (ii) the City's Official Community Plan (OCP) exempts agricultural activities from ESA compensation requirement; (iii) staff reviewed the proposed ESA compensation for the residential development portion of the subject site; (iv) the proposed ESA compensation scheme includes native planting within the Riparian Management Area (RMA) along the front of the subject property and installing a linear hedgerow along the east property line; (v) the proposed ESA compensation planting plan was prepared by a Qualified Environmental Professional (QEP) and reviewed by staff; (vi) there is a legal agreement to ensure a three-year annual monitoring of the ESA planting by a QEP, (vii) appropriate securities are required to ensure the planting and retention of the new ESA through the development permit process, (viii) the maximum farm house footprint or the ground floor area will be increased by approximately 12 percent to accommodate the secondary suite; (ix) the proposed building height variance includes the top of the chimney; and (x) neighbours have expressed support for the proposed design of the residential development.

Discussion ensued regarding potential design options for the residential development including an alternate location for the secondary suite that would not require any variance. It was also noted that: (i) Council's decision limiting home sizes on agricultural lands should inform the consideration of the proposed variances; (ii) there appears to be no compelling argument to support the proposed variance to the maximum house footprint in order to accommodate a secondary suite; (iii) there is a lack of guarantee for the continued use of the secondary suite by farm workers in the future; and (iv) redesigning the proposed residential development could eliminate the need for a height variance.

The Panel referred the application back to staff and to the following Development Permit Panel meeting, in order for staff to work with the applicant to consider: (i) negotiating a restrictive covenant limiting the use of the proposed secondary suite on the ground floor exclusively for farm workers; and (ii) redesigning the proposed single detached housing in order to comply with the Richmond Zoning Bylaw's maximum height requirement and not require a height variance.

At the June 10, 2020 Development Permit Panel meeting, a revised house design was considered. The revised design retained the proposed variance to increase the maximum farm house footprint to accommodate a secondary suite on the ground floor for farm workers, however, the variance to increase the maximum building height was no longer proposed.

John Roston, of 12262 Ewen Avenue, submitted correspondence regarding the Development Permit application. Staff noted that Mr. Roston provided background information on previous Council decisions regarding house size on Agricultural Land Reserve (ALR) areas and expressed his general support for the proposed variances in the applicant's original submission.

Richmond Farm Watch submitted correspondence regarding the Development Permit application. Staff noted the organization included: (i) acknowledgement of the applicant as a long-term bona fide farmer in Richmond; (ii) their expression of support for the proposed variances in the applicant's original submission; and (iii) concern regarding the legal agreement that would restrict occupancy of the secondary suite to foreign farm workers. In response to this concern, staff confirmed that the legal agreement that would be secured as a condition for approval of the subject application does not deal whatsoever with the immigration status of farm workers.

September 1, 2020

- 4 -

In response to a Panel query, staff confirmed that staff is recommending that the legal agreement allow occupancy of the secondary suite to either farm labourers working on a farm operation associated with the subject site or the immediate family of the property owner.

The Panel expressed support for the proposed changes to the applicant's original submission, noting that: (i) there have been extensive discussions and debates in the community regarding farm house size where different views were expressed; and (ii) the application will move forward for Council consideration.

The Panel recommends the Permit be issued.