



Planning Committee

**Anderson Room, City Hall
6911 No. 3 Road**

**Tuesday, December 20, 2016
4:00 p.m.**

Pg. # ITEM

MINUTES

PLN-5 *Motion to adopt the **minutes** of the meeting of the Planning Committee held on December 6, 2016.*



NEXT COMMITTEE MEETING DATE

January 4, 2017, (tentative date) at 4:00 p.m. in the Anderson Room

COMMUNITY SERVICES DIVISION

1. **HOUSING AGREEMENT BYLAW NO. 9657 TO PERMIT THE CITY TO SECURE AFFORDABLE HOUSING UNITS LOCATED AT 3031, 3211, 3231, 3291, 3311, 3331, 3351 NO. 3 ROAD, 8151 CAPSTAN WAY, AND 8051 AND 8100 RIVER ROAD (YUANHENG SEASIDE DEVELOPMENTS LTD.)**

(File Ref. No. 08-4057-01) (REDMS No. 5243331 v. 9)

PLN-33

See Page PLN-33 for full report

Designated Speaker: Joyce Rautenberg

STAFF RECOMMENDATION

That Housing Agreement (Yuanheng Seaside Developments Ltd.) Bylaw No. 9657 be introduced and given first, second and third readings to permit the City to enter into a Housing Agreement substantially in the form hereto, in accordance with the requirements of section 483 of the Local Government Act, to secure the Affordable Housing Units required by Rezoning Application 12-603040.



PLANNING AND DEVELOPMENT DIVISION

2. **APPLICATION BY XU YANG FOR REZONING AT 7431 WILLIAMS ROAD FROM SINGLE DETACHED (RS1/E) TO COACH HOUSES (RCH1)**

(File Ref. No. 12-8060-20-009613; RZ 15-718064) (REDMS No. 5108940)

PLN-62

See Page PLN-62 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9613, for the rezoning of 7431 Williams Road from “Single Detached (RS1/E)” to “Coach Houses (RCH1)”, be introduced and given first reading.



3. **APPLICATION BY SIMON WONG FOR REZONING AT 4560 GARRY STREET FROM SINGLE DETACHED (RS1/E) TO SINGLE DETACHED (RS2/A)**

(File Ref. No. 12-8060-20-009645; RZ 16-736824) (REDMS No. 5228139)

PLN-82

See Page PLN-82 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9645, for the rezoning of 4560 Garry Street from “Single Detached (RS1/E)” to “Single Detached (RS2/A)”, be introduced and given first reading.



4. **APPLICATION BY 1015553 BC LTD. FOR REZONING AT 4271 FRANCIS ROAD FROM “SINGLE DETACHED (RS1/E)” TO “SINGLE DETACHED (RS2/C)”**

(File Ref. No. 12-8060-20-009660; RZ 14-659770) (REDMS No. 5235499)

PLN-97

See Page PLN-97 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9660, for the rezoning of 4271 Francis Road from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/C)” zone, be introduced and given first reading.



5. **AMENDMENTS TO RICHMOND ZONING BYLAW 8500 FOR 2016 AFFORDABLE HOUSING CONTRIBUTION RATES**

(File Ref. No. 08-4430-01) (REDMS No. 5209613 v. 2)

PLN-122

See Page PLN-122 for full report

Designated Speaker: Wayne Craig

STAFF RECOMMENDATION

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9641, to update affordable housing contribution rates for residential zones, be introduced and given first reading.



6. **RICHMOND RESPONSE: METRO VANCOUVER PROPOSED REGIONAL GROWTH STRATEGY (RGS) AMENDMENT BYLAW 1236, 2016, TO MAKE MINOR CHANGES TO THE RGS SEWERAGE EXTENSION POLICIES AND PROCEDURES**

(File Ref. No.) (REDMS No. 5258159)

PLN-133

See Page PLN-133 for full report

Designated Speaker: Terry Crowe

STAFF RECOMMENDATION

That Metro Vancouver Board be advised that the City of Richmond has no concerns with Metro Vancouver's proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, which proposes minor changes to the RGS sewerage extension policies and procedures, by clarifying the circumstances when regional sewerage service may be extended.

☐

7. **MANAGER'S REPORT**

ADJOURNMENT

☐



Planning Committee

Date: Tuesday, December 6, 2016

Place: Anderson Room
Richmond City Hall

Present: Councillor Linda McPhail, Chair
Councillor Bill McNulty
Councillor Chak Au
Councillor Carol Day
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the Planning Committee held on November 22, 2016, be adopted as circulated.

CARRIED

NEXT COMMITTEE MEETING DATE

December 20, 2016, (tentative date) at 4:00 p.m. in the Anderson Room

Planning Committee
Tuesday, December 6, 2016

COMMUNITY SERVICES DIVISION

1. RCSAC SOCIAL SERVICES FUNDING AND SPACE NEEDS

(File Ref. No. 08-4040-01) (REDMS No. 5042552 v. 3)

In reply to queries from Committee, Alex Nixon and Cathy Chiu, Co-Chairs of the Richmond Community Services Advisory Community (RCSAC), noted that (i) charitable organizations typically issue tax receipts for in-kind donations, (ii) charitable organizations consider all types of partnership models to acquire space, and (iii) the RCSAC has an action group on space needs and is preparing a report on the matter expected in the Spring of 2017.

Discussion ensued with regard to (i) partnerships with commercial property owners, (ii) potential short and long-term solutions to address space needs, and (iii) collaborating with other charitable organizations to pool resources and acquire a centralized facility.

Committee commended the RCSAC for their work in the community.

It was moved and seconded

That the 2014/15 Richmond Community Services Advisory Committee (RCSAC) Social Services and Space Needs Survey Results, identified in Attachment 2 of the staff report titled, "RCSAC Social Services Funding and Space Needs", dated November 17, 2016, from the General Manager, Community Services be received for information.

CARRIED

PLANNING AND DEVELOPMENT DIVISION

2. APPLICATION BY 0731649 BC LTD. FOR REZONING AT 9491, 9511, 9531, 9551, 9591 ALEXANDRA ROAD FROM "SINGLE DETACHED (RS1/F)" AND "TWO-UNIT DWELLINGS (RD1)" TO "LOW RISE APARTMENT (ZLR30) – ALEXANDRA NEIGHBOURHOOD (WEST CAMBIE)"

(File Ref. No. 12-8060-20-009638; RZ 16-734204) (REDMS No. 5195334 v. 3)

Wayne Craig, Director, Development, reviewed the application noting that the proposed development (i) is considered as a financial contributing site to the Kiwanis development and will provide approximately \$892,000 towards the City's Affordable Housing Reserve, (ii) will contribute six affordable housing units, (iii) will provide the standard Alexandra area amenity contribution, (iv) will be connected to the Alexandra District Energy Utility, and (v) will have a servicing agreement for frontage improvements on all three road frontages and construction of the West Cambie Greenway.

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In response to queries from Committee, Mr. Craig noted that contribution requirements for public art and West Cambie beautification are identified in the area plan amenity policy and those contributions cannot be reallocated towards affordable housing without amending the application. Also, Joe Erceg, General Manager, Planning and Development, added that staff are currently reviewing public art and affordable housing requirements.

Discussion ensued with regard to (i) Kiwanis affordable housing funding model, (ii) adding solar panels to the proposed development, (iii) encouraging developments to include solar energy, and (iv) advocating senior levels of government for subsidies on solar energy.

In reply to queries from Committee, Mr. Erceg noted that sustainability staff can provide more information on the Provincial solar energy policies.

It was moved and seconded

- (1) *That Richmond Zoning Bylaw 8500, Amendment Bylaw 9638 to create the "Low Rise Apartment (ZLR30) – Alexandra Neighbourhood (West Cambie)" zone, and to rezone 9491, 9511, 9531, 9551, 9591 Alexandra Road from "Single Detached (RS1/F) and Two-Unit Dwellings (RD1)" to "Low Rise Apartment (ZLR30) – Alexandra Neighbourhood (West Cambie)", be introduced and given first reading;*
- (2) *That 9491, 9511, 9531, 9551, 9591 Alexandra Road be approved as an Affordable Housing Special Development Circumstance "donor" site; and*
- (3) *That the entire cash-in-lieu affordable housing contribution of \$892,634 for the rezoning of 9491, 9511, 9531, 9551, 9591 Alexandra Road (RZ 16-734204) be allocated to the capital Affordable Housing Reserve Fund established by Reserve Fund Establishment Bylaw No. 7812.*

CARRIED

3. APPLICATION BY PETER HU FOR REZONING AT 6231 BLUNDELL ROAD FROM "SINGLE DETACHED (RS1/E)" TO "COACH HOUSES (RCH1)"

(File Ref. No. 12-8060-20-009644; RZ 16-731320) (REDMS No. 5209527)

It was moved and seconded

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9644, for the rezoning of 6231 Blundell Road from "Single Detached (RS1/E)" to "Coach Houses (RCH1)", be introduced and given first reading.

CARRIED

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4. AGRICULTURAL LAND RESERVE APPEAL APPLICATION BY GURDIAL S. BADH FOR SUBDIVISION AT 15240 AND 15260 WESTMINSTER HIGHWAY

(File Ref. No. AG 16-748982) (REDMS No. 5216005)

Mr. Craig reviewed the application, noting that (i) staff are recommending that the application, which would facilitate the subdivision of the subject site, be denied, (ii) staff are of the opinion that the application will not be consistent with the Richmond Agriculture Viability Strategy (RAVS) and will increase fragmentation of agricultural land, (iii) the Agricultural Advisory Committee reviewed the proposal and has not expressed support for the application, and (iv) the application has the potential to increase residential development on the subject site.

Discussion ensued regarding the historical policies permitting subdivision of agricultural land.

Gurdial Badh, owner of 15240 and 15260 Westminster Highway, referenced his submission (attached to and forming part of these minutes as Schedule 1), and reviewed his application for subdivision of the subject site.

Discussion then took place with regard to (i) the subject site being listed for sale, (ii) requirements for a farm access road on-site, and (iii) the diverse types of farming operations in the area.

It was moved and seconded

That authorization for Gurdial S. Badh to make a non-farm use application to the Agricultural Land Commission to allow a subdivision to adjust the lot lines at 15240 and 15260 Westminister Highway be denied.

CARRIED

5. UPDATE: POSSIBLE CASINO IN DELTA

(File Ref. No.) (REDMS No. 5233109)

Terry Crowe, Manager, Policy Planning, updated Committee on a possible Casino in Delta, noting that the Corporation of Delta has expressed interest in locating the proposed casino in the Town and Country Inn. Mr. Crowe added that the proposed recommendation would advise the British Columbia Lottery Corporation (BCLC) and the Corporation of Delta that, if there is a casino south of the Fraser River, it should be located away from Richmond so as not to negatively affect the City and the River Rock casino.

Discussion ensued regarding the potential impact of a new casino on the River Rock casino and the British Columbia Lottery Corporation's approval process.

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It was moved and seconded

That the British Columbia Lottery Corporation (BCLC) and the Corporation of Delta (Delta) be advised that:

- (1) the City of Richmond is opposed to any casino south of the Fraser River; and*
- (2) the City of Richmond should be fully consulted and given at least 90 days, to respond to any future Gaming Control Act and Local Government Act (e.g., for Official Community Plan amendment) notices regarding the proposed casino.*

CARRIED

6. MANAGER'S REPORT

(i) Maximum House Size on the Agricultural Land Reserve

Mr. Crowe advised that staff met with members of the Agricultural Land Commission (ALC) and the Ministry of Agriculture to discuss setting maximum size limits for houses on the Agricultural Land Reserve (ALR) on December 1, 2016. He added the Province will not consider initiatives to limit house size in the ALR, however has indicated that they are willing to provide information on the ALR house size standards of other municipalities. Also, Mr. Crowe further noted that the ALC has indicated that they have not recently received requests from other municipalities to limit house size within the ALR.

Discussion ensued with respect to encouraging the Province to address house size in the ALR and possibly submitting a resolution on the matter to the Lower Mainland Local Government Association.

(ii) Mylora Development

Mr. Craig updated Committee on the Mylora development, noting that the City has provided information on the trees that could be removed to the developer. He added that the City has requested that trees be kept along the front portion of the site until the rezoning application has been considered by Council and that trees within riparian management areas and areas associated with the Ministry of Transportation and Infrastructure Highway 99 widening remain in place. Mr. Craig further advised that the ALC has not yet approved the non-farm use application.

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ADJOURNMENT

It was moved and seconded

That the meeting adjourn (5:08 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Planning Committee of the Council of the City of Richmond held on Tuesday, December 6, 2016.

Councillor Linda McPhail
Chair

Evangel Biason
Legislative Services Coordinator

Schedule 1 to the Minutes of the
Planning Committee meeting of
Richmond City Council held on
Tuesday, December 6, 2016.

***Proposal Lot Alignment/Subdividing my property
located in ALR***

15240-15260 Westminster Hwy, Richmond, BC



Gurdial S. (Dale) Badh

Proposal for Lot Alignment/Subdividing 15240-15260 Westminster Hwy

Dear Council Members and Staff,

Thank you for taking the time to review my application.

I am requesting approval from the Council members to approve a Lot Alignment/subdivision of these 2 properties totaling 20 Acres located at 15240-15260 Westminster Hwy, into 2 equal lots of 10 acres each.

I have been in the Real Estate Business for 30 years with vast experience in Selling and farming Agricultural properties in the Lower Mainland and Fraser Valley. I know the importance of preserving Farmland for our future generations which I always emphasize to my clients who themselves do see the value as most of them come from a farming back ground from Punjab India.

My family has a long history of farming in India and now in Delta & Richmond:

Since 1993, my 2 brothers (both professionals an Accountant and Economic Professor) and I have owned and operate 2 successful blueberry farms in Ladner, The 2 farms in Ladner are a total of 90 acres combined. We bought these when none of my farming clients wanted to buy as they were in poor condition, We started these 2 farms from scratch as the farms were owned by oversea owners and were leased and were neglected by the tenants. We worked hard and it has been a labor of love and now it's one of the Best Blueberry farm producing fruits for the locals as well as being exported. This family farming venture was full of challenges and however with our commitment we able to bring land into production.

To give you a brief history of these 2 properties:

I have owned these 2 properties located on Westminster Hwy since March of 2012. I purchased these properties and plans were to build our new family home and farm the land, However I do not have any plans to build on the farm at the present time as we have built a family home in Terra Nova area and reside there as a joint family. The property 15240 Westminster is almost ¼ acre parcel with 2 bedroom home and 15260 Westminster is 19.8 acres of land and has a 3 bedroom home with blueberries, Prior to me purchasing, the farm was leased out by the previous Asian owners for years to a local blueberry contractor and the Lessee was not taking care of the berries as the whole farm was neglected as he was mainly concerned with making profit.(He was also leasing this and next door 20 acres). It took me few years to clean up the field of dead plants and replanting new plants where needed and we have spent close to \$500,000.00 dollars with new equipment and improvements to irrigation system. Now it's starting to produce to almost 50% of its full potential. You can see the next door farm which is owned by overseas owners and has been totally neglected with the berries almost finished due to lack of maintenance and care.

The reason for requesting lot alignment/subdivision is as follows:

My Family and I want to carry on farming but it has to make financial sense as at this rate. There is a financial burden as Blueberries are not giving the return a farmer needs to make end meets. With land prices the way it is here in Richmond it makes it very difficult for a Canadian family to own and operate a large farm but they can manage 5-10 acres unless you are a Pioneer families who have been farming for long time. I have many clients who operate successful 5-10 acres blueberry farms and are doing well as they have other primary source of income. To be able to operate successfully we need to make farming affordable by offering incentives.

I wish to do an alignment/subdivide and have my brother and parents take over the financial burden of 10 acres to look after and farm that portion for themselves and I will keep one 10 acres parcel for myself.

The West parcel that I wish to have my brother and parents take over will have 2 houses on it. The smaller home would be for the Farm worker/ caretaker who will be permanently residing there and will look after both of the farms. The second residence will be for my brother and parents use. In order to comply with the City zoning I am prepared to do an addition to make 2 homes into 1 with a 2 bedroom legal suite rather than tearing it down. However with that said, if the City wishes, the home can be torn down to comply with the zoning bylaw.

In conclusion I have done everything possible to bring the Farm into Active Blueberry producing farm and by doing the alignment of 2 equal parcels it makes it more affordable for me and my family to manage as it would be a lesser financial burden on me by farming the 20 acres by myself. Otherwise I would have no choice but to sell because in today's blueberry prices the farmer is getting \$1/pound and cost of production is almost close to it. By doing the Alignment I am not taking the Agricultural component away from the properties but rather enhancing as smaller parcels are easy to manage keep producing blueberries. I hope the council will see the value in my proposal and allow for the alignment.

I thank you all once again for your time and consideration and am here to answer any questions the panel may have.

Sincere Regards,

Gurdial S. (Dale) Badh

October 28, 2016
PGL File: 4965-01.01

Via E-mail: dalebadh@gmail.com

Gurdial Badh Group
#410N – 650 West 41st Avenue
Vancouver, BC
V5Z 2M9

Attention: Dale Badh

**RE: ASSESSMENT OF POTENTIAL IMPACTS – 15240 AND 15260 WESTMINSTER
HIGHWAY, RICHMOND, BC**

Gurdial Badh Group retained PGL Environmental Consultants (PGL) to prepare an objective, professional assessment of potential impacts of the proposed subdivision and realignment of the property line for 15240 and 15260 Westminster Highway, Richmond, BC (the Site) to create two 4.06ha parcels. PGL's assessment is intended to identify any potential impacts as well as how the subdivision may or may not affect the properties farmability and future potential for farming on the property.

Our assessment includes a description of the Site and environmental features, a desktop review of the Site soils' agricultural capability, and a review of crop suitability.

Site Description

The subject properties are currently improved with single family dwellings and sheds, are actively farmed for blueberries (Photographs in Appendix 1), and have been in blueberry production for the last 20 years. Both properties are zoned AG1 by the City of Richmond and are located within the Agricultural Land Reserve. AG1 zoned land includes traditional sites zoned for agricultural purposes and provides for a wide range of farming and compatible uses consistent with the provisions of the Agricultural Land Reserve.

The southern portion of 15260 Westminster Highway is undeveloped and classified as an Environmentally Sensitive Area (ESA) by the City of Richmond. The ESA is intended to protect significant natural features, including native vegetation, fish and wildlife habitat, and important geological or physiographic features. ESAs generally do not limit agricultural practices.

The legal descriptions of the parcels are provided below:

Parcel Size	893m ²
Civic Address	15240 Westminster Highway, Richmond, BC
Legal Description	Lot 28 Section 10 Block 4 North Range 5 West New Westminster District, Plan 37432
Property Identifier	PID # 007-619-031
Registered Owner	Gurdial Sing Badh

Parcel Size	80,256m ²
Civic Address	15260 Westminster Highway, Richmond, BC
Legal Description	Lot 25 Except: Part Subdivided by plan 37432, Section 10 Block 4 North Range 5 West New Westminster District, Plan 34237
Property Identifier	PID # 007-000-766
Registered Owner	Gurdial Sing Badh

Site Soils and Crop Suitability

The soils on the subject property and the surrounding area consist primarily of six complexes of similar aerial extent. Soils occur in distinct bands that run across the Site in a west to east orientation. These soils were classified and originally mapped by Luttmerring¹ (1980) and include Delta, Blundell, Annis, Lulu, Richmond, and Triggs soils.

While soils vary across the site, suitable crops identified for each soil series are consistent across the site and include a very wide range of crops². Climatically adapted crops have been placed into one of three groups depending on the level of management required to achieve an acceptable level of production, which include:

- **Well Suited Crops** – a low to moderate level of management inputs are required to achieve an acceptable level of production;
- **Suited Crops** – a moderate to high level of management inputs are required to achieve an acceptable level of production; and
- **Unsuited Crops** – the crops are not suited to the particular soil management group.

No well-suited crops are associated with any of the site soils. Well suited, suited, and unsuited crops for each soil series are summarized below.

Soil Series	Well Suited Crops	Suited Crops	Unsuited Crops
Blundell, Annis	None	Annual legumes, blueberries, cereals, cole crops, corn, perennial forage crops, root crops and shallow rooted annual vegetables	Nursery and Christmas trees, raspberries, strawberries and tree fruits
Richmond, Lulu	None	Annual legumes, blueberries, cereals, cole crops, corn, perennial forage crops, root crops and shallow rooted annual vegetables	Nursery and Christmas trees, raspberries, strawberries and tree fruits
Delta	None	Annual legumes, blueberries, cereals, cole crops, corn, perennial forage crops, root crops (except carrots), shallow rooted annual vegetables (except celery) and strawberries.	Carrots, celery, nursery and Christmas trees, raspberries and tree fruits.

¹ Luttmerring, H.A. Soils of the Langley-Vancouver map area. BC Ministry of Environment. 1980.

² Bertrand, R.A., Hughes-Games, G.A. and Nikkel, D.C. 1991. Soil Management Handbook for the Lower Fraser Valley. BC Ministry of Agriculture, Fisheries and Food.

The Triggs soil group consists of deep fibric peat deposits. These soils have a reduced range of suitable crops and where cultivated are planted with blueberries and/or cranberries. Where these crops are not being cultivated, the peat soils have either been mined or used for industrial or construction landfill.

Agricultural Capability

Land capability for agriculture in BC rates the capability of the land and climate to grow a wide range of crops. The scientifically based process assesses limitations to agricultural production in relation to crop growth and management, and assigns a rating from 1 to 7 based on the number of limitations - with class 1 soils having no limitations and class 7 soils having many limitations and no capability for agriculture. An explanation for agricultural capability classes is attached in Appendix 1.

The agricultural capability usually provides both an: unimproved and improved rating. Unimproved ratings describe the land in its native condition without any improvements to the site or soil, such as drainage and irrigation. Improved ratings indicate soil capability with appropriate management practices. Not all agricultural lands are similar and not all agricultural land are capable or suitable for producing all agricultural products, regardless of the level of management applied.

Typically, the Agricultural Land Commission considers soils with class 1 to 4 ratings as sites being capable of agricultural production, although even soils that are not suitable for most crops may be highly suitable for a single crop such blueberries.

Historical surveys indicate the main agricultural limitation of the soils in the area is excess water, undesirable structure, and salinity. The existing, less-detailed historical survey had mapped the Site with:

- An improved agricultural capability classification of 70% 2WDN³ and 30% 3WN and an unimproved rating of 100% 4W in the northern portion of the Site⁴;
- An improved agricultural capability classification of 60% 3WN and 40% 2WDT⁵ an unimproved rating of 100% 4W in the northern part of the central portion of the Site;
- An improved agricultural capability classification of 60% 3DW and 40% 3WN and an unimproved rating of 60% 4WD and 40% 4W in the southern part of the central portion of the Site; and
- An improved agricultural capability classification of 100% Ø3LW⁶ and an unimproved rating of 100% Ø4W in the south eastern part of the Site

Analysis

Realignment of the property line will not adversely affect the agricultural capability, suitability or ability to farm the properties located at 15240 or 15260 Westminster Highway following realignment

³ Excess water (W), Nutrient deficiency (N) and Undesirable soil structure (D)

⁴ Interpretation of the mapping for soils in the northern part of the Site (an improved agricultural capability classification of 70% 2WDN and 30% 3WN and an unimproved rating of 100% 4W) is as follows:

- 70% of the polygon has an improved agricultural capability of Class 2 with limitations of excess water (W) undesirable structure (D) and nutrient deficiency (N).
- The remaining 30% of the polygon has an improved agricultural capability of Class 3 with a limitation of excess water and nutrient deficiency.
- When considering the unimproved agricultural capability, the entire polygon (100%) has an agricultural capability of Class 4 with excess water limitations.

⁵ Topography (T)

⁶ Organic soil (Ø) and Soil structure (L)

of the property line. In the current configuration, the property at 15240 Westminster Highway, which has a parcel size of 893m² does not have enough land to afford any farming opportunities and does not meet the intention of the AG1 zoning or Agricultural Land Reserve. Realignment of the property boundaries will result in the formation of two parcels that will continue to have the ability to be farmed for their current crop (blueberries) or for a variety of other suited crops in the future, whether they are farmed as a single unit or by different land owners.

Subdivision of land in the Agricultural Land Reserve within the City of Richmond is 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 required by the City of Richmond is 2.0ha. The proposed realignment will result in two properties, each 4.06ha in size.

Realignment of the property line will result in the two existing residences being located on a single property, which will be out of compliance with current zoning requirements. The property owner and City of Richmond will be required to resolve the issue.

While subdivision will result in a reduction of size for 15260 Westminster Highway, the proposed lot sizes will still be larger than some similarly AG1 zoned properties located in the vicinity of the Site including:

- Properties east of the sites on Westminster Highway (lots 6051 through 6531) which have an average lot size of 0.58 ha, and
- Properties on the west side of No. 7 Road (lots 6051 through 6531) which have an average size between 0.31- 0.87ha.

CONCLUSION

Realignment of the existing property line will result in formation of two 4.06 ha parcels with improved agricultural capability ratings between Class 2 and 3, with a wide selection of suited crops. Based on PGL's assessment of the capability and suitability of the sites and the range of crops that can be grown on site, we conclude that realignment will not affect the current agricultural suitability of the properties, nor their future potential.

CLOSING

We trust that this meets your needs. If you have any questions or require clarification, please contact Stewart Brown or Ned Pottinger at 604-895-7612 and 604-895-7600, respectively.

PGL ENVIRONMENTAL CONSULTANTS

Per:



Stewart Brown, M.Sc. P.Ag., R.P.Bio.
Lead Consultant



E.L. (Ned) Pottinger, M.Sc., P.Geo., P.Ag.
Chairman

CSB/ELP/slr

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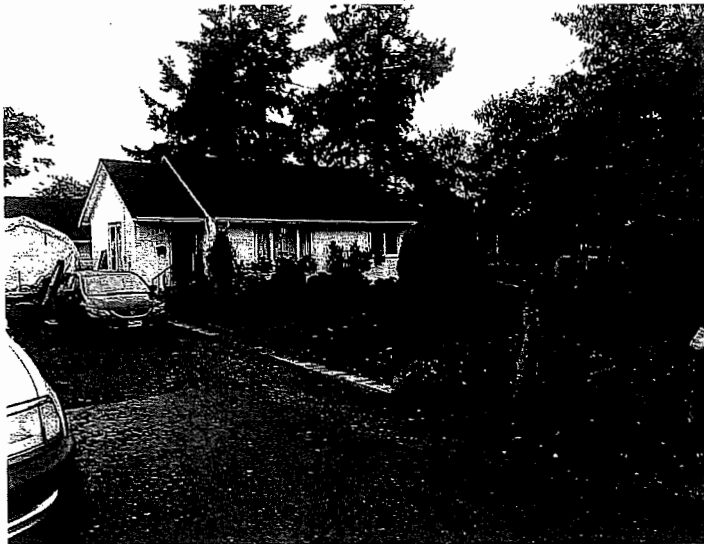
Attachments:	Appendix 1	Site Photographs
	Appendix 2	Agricultural Capability Classes
	Appendix 3	Land Survey

Appendix 1
Site Photographs



Photograph 1:

**Residence located at
15260 Westminster Highway**



Photograph 2:

**Residence located at
15240 Westminster Highway**



Photograph 3:

**Existing blueberry operations
looking south**



Photograph 4:

**Existing blueberry operations
looking north**



Photograph 5:

**Blueberry production
extending south towards the
ESA (forested area)**

Appendix 3
Land Survey

NOTE: ALL DIMENSIONS ARE SHOWN IN METERS.



DENOTES CREST
DENOTES THE
DENOTES EDGE OF ASPHALT
DENOTES EDGE OF CONCRETE SLAB
DENOTES PROPOSED PROPERTY LIMIT
DENOTES LIMIT OF STAT. R/W OR EASEMENT
DENOTES CENTERLINE PAVED ROAD
DENOTES UNDERGROUND UTILITY

PCL. "B"

754.02

PROPOSED LOT 1
(UNDER CULTIVATION - BLUEBERRIES)
4.06 ha.

800.16

PROPOSED LOT 2
(UNDER CULTIVATION - BLUEBERRIES)
4.06 ha.

(SOUTHERLY 75% NATIVE WOODS)
(MOSTLY BIRCH TREES : 0.1-0.5)

GRANVILLE AVENUE (UNCONSTRUCTED)

PLN - 25

REMAINDER LOT 25
(8.031 ha.)

LOT 26

WESTMINSTER HIGHWAY

- " THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE BY THE SIGNATORY OR ANY OTHER PARTY.
- " THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SHOWNED STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF THE PARCELS DESCRIBED HEREIN. IT IS NOT TO BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.
- " ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN CONSENT OF THE SIGNATORY.
- " THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSES AND WITHOUT THE CONSENT OF THE SIGNATORY.

THIS PLAN MAY BE AFFECTED BY THE FOLLOWING REGISTERED DOCUMENTS:
ZONING REGULATIONS UNDER THE AGRICULTURAL ACT (RICHMOND 170584 PLAN #1216)
MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT (SEE AGRICULTURAL LAND RESERVE PLAN NO. 1, DEPOSITED JULY 30, 1974).

B. C. LAND SURVEYOR'S - LOCATION CERTIFICATE ON
SHOWING BUILDINGS, TREES AND PROPOSED SUBDIVISION OF
LOT 28, PLAN 37432 AND LOT 25, PLAN 34237 EXCEPT: PART
SUBDIVIDED BY PLAN 37432 BOTH OF SECTION 10,
BLOCK 4 NORTH, RANGE 5 WEST, N.W.D. PIDS: 007-619-031
007-000-766

THIS...4TH DAY OF...OCTOBER... 2016

ELEVATIONS ARE GEODETIC, SHOWN IN METRES, DERIVED FROM
RICHMOND MPM NETWORK : 193 : 7848318 : 1.453m, AND ARE
TAKEN TO LOCATIONS SHOWN.

© S. D. MILNER, B.C.L.S. 2016
THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

SCALE: 1:500

CIVIC ADDRESS: 15240/15260 - WESTMINSTER HIGHWAY, RICHMOND, B. C.

STEPHEN D. MILNER
B. C. LAND SURVEYOR
15240/15260
DELTA, B. C. V4X 1T9
TEL: (604) 946-1788
FAX: (604) 946-1789

CLIENT REFERENCE:
G. BMD.

FILE: 11639

Richmond Key: 899 (Property) 15240 Westminster HwyPrintable Report**Property Details**

Richmond Key 899
Property Type Property
Address 15240 Westminster Hwy
Zoning AG1
Roll 019664000
PID 007-619-031
Lot 28
SEC 10 - 4 - 5
Plan 37432
Parcel Area 893 sq.m
0.22 acres
0.09 hectares

Area Plan 13 EAST RICHMOND
FCL 3.0m GSC
Rights of Way
Sewer Area EAST
Recycling Pick up Day THURSDAY
Heritage No
HAP Required No
OCP SCH
OCP Land Use AGR
ALR Yes
ALR DP No
Zoning DP No
ESA DP No
ESA Type
RMA NA
NEF Yes

PL Assessments

1 Gross Land \$480,000.00
2 Gross Improvement \$23,500.00
Gross Total \$503,500.00
Gross Taxes \$1,954.57

Net Land \$480,000.00
Net Improvement \$23,500.00
Net Total \$503,500.00

Legal

28 SEC 10 BLK4N RG5W PL 37432

City of Richmond Interactive Map

15391

401.67

WESTMINSTER HWY

20 12

15240

82.73

15260

45 72

45 72

20 12

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

© City of Richmond

Richmond Key: 900 (Property) 15260 Westminster Hwy**Printable Report****Property Details**

Richmond Key	900	Area Plan	13 EAST RICHMOND
Property Type	Property	FCL	3.0m GSC
Address	15260 Westminster Hwy	Rights of Way	
Zoning	AG1	Sewer Area	EAST
Roll	019665723	Recycling Pick up Day	THURSDAY
PID	007-000-766	Heritage	No
Lot	25	HAP Required	No
SEC	10 - 4 - 5	OCPSCH	
Plan	34237	OCPLand Use	AGR
Parcel Area	80256 sq.m	ALR	Yes
	19.83 acres	ALR DP	No
	8.03 hectares	Zoning DP	No
		ESA DP	Yes
		ESA Type	QLSH
		RMA	15m
		NEF	Yes

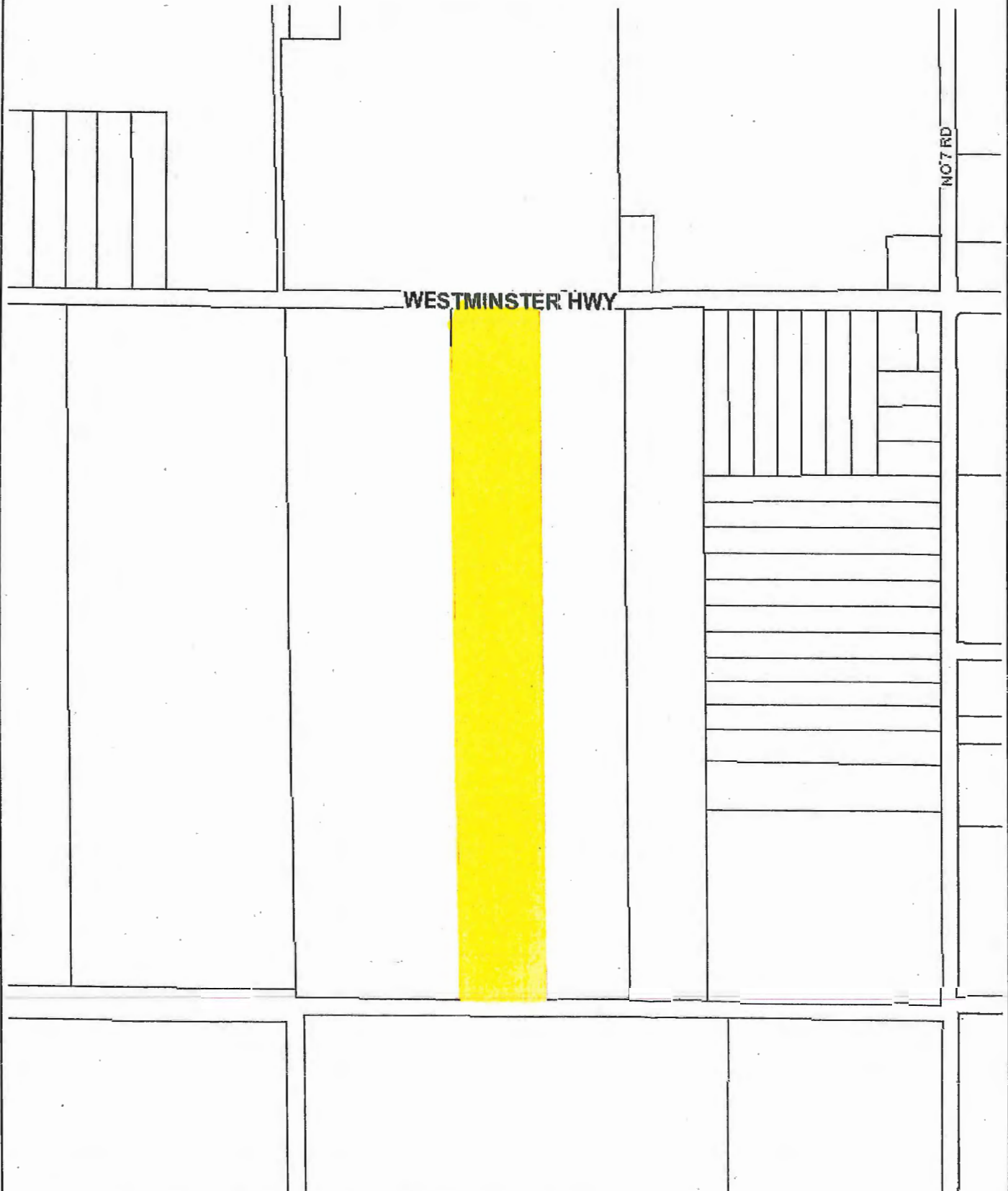
PL**Assessments**

Gross Land	\$82,596.00	Net Land	\$82,596.00
Gross Improvement	\$71,200.00	Net Improvement	\$71,200.00
Gross Total	\$153,796.00	Net Total	\$153,796.00
Gross Taxes	\$1,499.09		

Legal

25 SEC 10 BLK4N RGSW PL 34237 Except Plan 37432.

City of Richmond Interactive Map



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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City of Richmond

Report to Committee

To: Planning Committee **Date:** November 29, 2016
From: Cathryn Volkering Carlile **File:** 08-4057-01/2014-Vol
General Manager, Community Services 01
Re: **Housing Agreement Bylaw No. 9657 to Permit the City to Secure Affordable Housing Units located at 3031, 3211, 3231, 3291, 3311, 3331, 3351 No. 3 Road, 8151 Capstan Way, and 8051 and 8100 River Road (Yuanheng Seaside Developments Ltd.)**

Staff Recommendation

That Housing Agreement (Yuanheng Seaside Developments Ltd.) Bylaw No. 9657 be introduced and given first, second and third readings to permit the City to enter into a Housing Agreement substantially in the form hereto, in accordance with the requirements of section 483 of the *Local Government Act*, to secure the Affordable Housing Units required by Rezoning Application 12-603040.

Cathryn Volkering Carlile
General Manager, Community Services
(604-276-4068)

Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Law Development Applications	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

The purpose of this report is to recommend Council's adoption of Housing Agreement Bylaw No. 9657 (Attachment 1) to secure 4,441.8 m² (47,811.1 ft²) of affordable housing in the form of approximately 59 affordable housing units in the first two phases of a three phase development located at 3031, 3211, 3231, 3291, 3311, 3331, 3351 No. 3 Road, 8151 Capstan Way, and 8051 and 8100 River Road.

This report and bylaw supports Council's 2014-2018 Term Goal #2 A Vibrant, Active and Connected City:

Continue the development and implementation of an excellent and accessible system of programs, services, and public spaces that reflect Richmond's demographics, rich heritage, diverse needs, and unique opportunities, and that facilitate active, caring, and connected communities.

This report and bylaw also supports Council's 2014-2018 Term Goal #3 A Well-Planned Community:

Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.

This report and bylaw are also consistent with the Richmond Affordable Housing Strategy, adopted on May 28, 2007, which specifies the creation of affordable low-end market rental units as a key housing priority for the City.

Yuanheng Seaview Developments Ltd. and Yuanheng Seaside Developments Ltd. have applied to the City of Richmond for permission to rezone (RZ 12-603040) lands at 3031, 3211, 3231, 3291, 3311, 3331, 3351 No. 3 Road, 8151 Capstan Way, and 8051 and 8100 River Road from "Auto-Oriented Commercial (CA), Marina (MA2), and Hotel Commercial (ZC16 – Capstan Village (City Centre))" to "Residential/Limited Commercial and Community Amenity (ZMU30) – Capstan Village (City Centre) (ZMU30)" and "School & Institutional Use (SI)" to permit the construction of a three phase, high-rise, high density, mixed use development, including a community centre and City park in the City Centre's Capstan Village area.

At its October 17, 2016 Public Hearing, Council gave second and third readings to the Rezoning Application RZ 12-603040 for the redevelopment of 3031, 3211, 3231, 3291, 3311, 3331, 3351 No. 3 Road, 8151 Capstan Way, and 8051 and 8100 River Road. The registration of a Housing Agreement and Housing Covenant are conditions of the Rezoning Application, which secures fifty-nine (59) affordable housing units with maximum rental rates and tenant income as established by the City's Affordable Housing Strategy.

The proposed three phase development will contain a maximum of 88,836.0 m² (956,222.4 ft²) of residential floor area (approximately 850 dwelling units), of which 4,441.8 m² (47,811.1 ft²) shall be constructed as affordable (low-end market rental) housing (approximately 59 units), to

be provided throughout the first and second phases.

Analysis

The 59 affordable housing units proposed in the subject development represent 5% of the maximum combined total residential floor area permitted in the development's three phases, as per the Affordable Housing Strategy. The rezoning considerations require that a minimum of 25% of the affordable housing habitable floor area is provided in Phase 1, followed by 75% in Phase 2, and nothing in Phase 3. Through the Development Permit process, the applicant has proposed that 69% of the affordable housing habitable floor area will be provided in Phase 1 (including 31% prior to occupancy of Phase 1's first two towers, an additional 16% prior to occupancy of its next two towers, and 22% prior to occupancy of its final two towers), resulting in an increase in the up-front delivery of affordable housing units. The comparison is as follows:

Figure 1

Phase	Lot	Distribution of Affordable Housing Habitable Floor Area Required by Rezoning Considerations	Proposed Distribution of Affordable Housing Habitable Floor Area
1	A	1,110.5 m ² (minimum 25%)	3,075.2 m ² (69%)
2	B	3,331.3 m ² (maximum 75%)	1,366.6 m ² (31%)
Total		4,441.8 m ² (100%)	4,441.8 m ² (100%)

For Phase 1 of the development, 41 affordable housing units are anticipated to be delivered as follows:

Figure 2

Unit Type	# of Units	Minimum Unit Area	Maximum Rent	Total Household Income
Bachelor	5	37 m ²	\$850	\$34,000 or less
1 bedroom	8	50 m ²	\$950	\$38,000 or less
2 bedroom	22	80 m ²	\$1,162	\$46,500 or less
3 bedroom	6	91 m ²	\$1,437	\$57,500 or less
Total	41	-	-	-

The Housing Agreement restricts the annual household incomes for eligible occupants and specifies that the units must be made available at low-end market rent rates in perpetuity. The Agreement includes provisions for annual adjustment of the maximum annual housing incomes and rental rates in accordance with City requirements. The Agreement also specifies that occupants of the affordable housing units shall have unlimited access to all on-site indoor and outdoor amenity spaces. The applicant has agreed to the terms and conditions of the attached Housing Agreement, and to register notice of the Housing Agreement on title to secure the 59 affordable rental housing units.

As per the standard approach for multi-phase developments, through RZ 12-603040, the developer has agreed to register legal agreements on title restricting final Building Permit inspection grant occupancy for Phase 1 and Phase 2 on a lot-by-lot basis until the affordable housing units and ancillary spaces are constructed. The details of the affordable housing units in

Phase 2 will be finalized through this Phase's Development Permit process to the satisfaction of the City.

Financial Impact

None.

Conclusion

In accordance with the *Local Government Act* (Section 483), adoption of Bylaw No. 9657 is required to permit the City to enter into a Housing Agreement which together with the housing covenant will act to secure fifty-nine (59) affordable rental units that are proposed in association with Rezoning Application 12-603040.

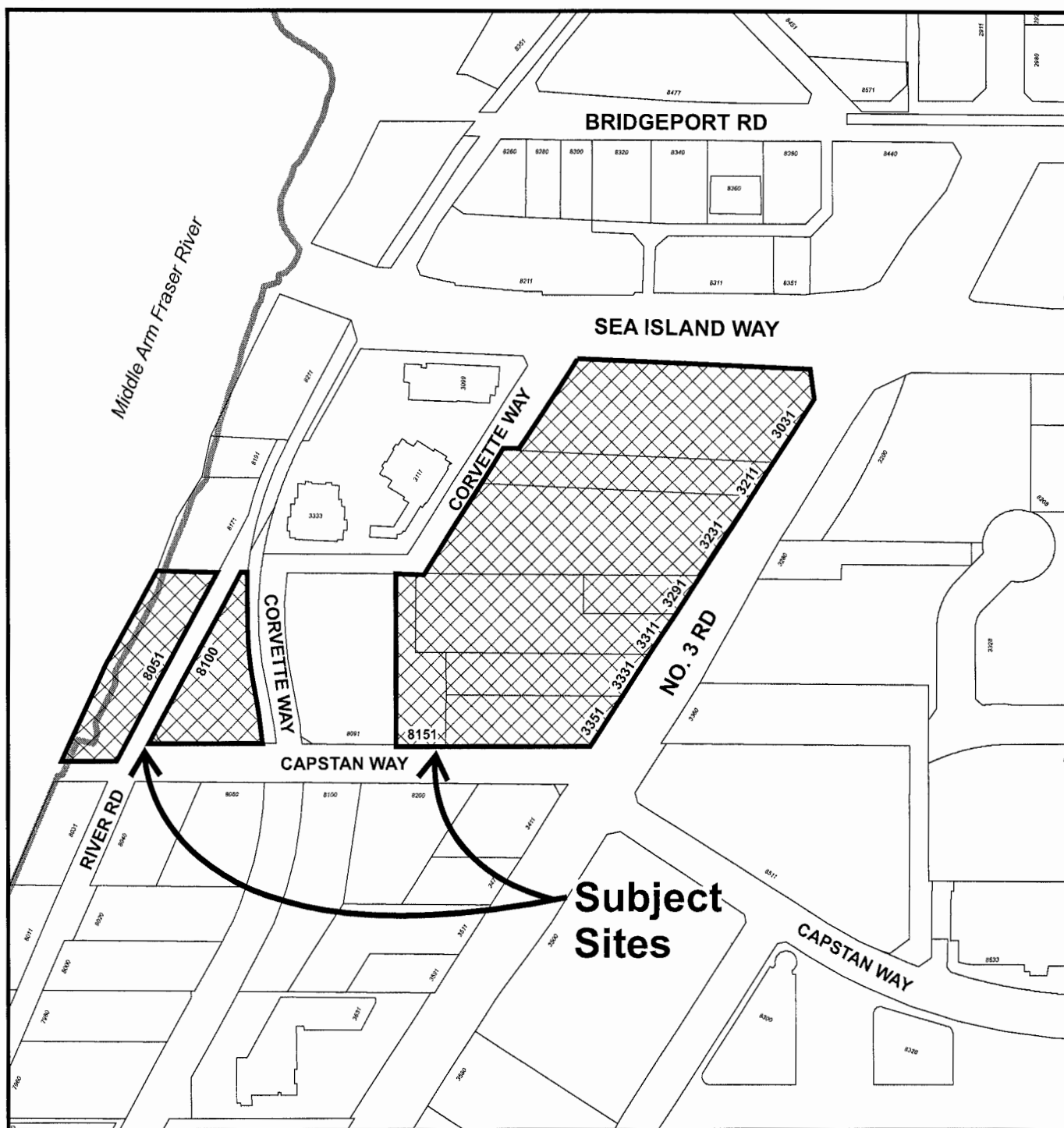
A handwritten signature in black ink, appearing to read 'JR', with a long horizontal flourish extending to the right.

Joyce Rautenberg
Affordable Housing Coordinator
(604-247-4916)

- Att. 1: Map of Subject Site
2: Bylaw No. 9657, Schedule A



City of
Richmond



3031, 3211, 3231, 3291, 3311, 3331,
3351 No. 3 Road; 8151 Capstan Way
8051 and 8100 River Road

Original Date: 11/30/16

Revision Date:

Note: Dimensions are in METRES



**City of
Richmond**

Bylaw 9657

**Housing Agreement (YuanHeng Seaside Developments Ltd.) Bylaw
No. 9657**

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: 024-818-941	Lot K Sections 28 Block 5 North Range 6 West New Westminster District Plan LMP46583;
PID: 009-521-577	Lot 3 Section 28 Block 5 North Range 6 West New Westminster District Plan 11446
PID: 002-450-810	Lot 4 Except: Parcel "A" (Reference Plan 32485); Section 28 Block 5 North Range 6 West New Westminster District Plan 11446
PID: 002-136-988	Parcel "A" (Reference Plan 15236) Except: Part Subdivided By Plan 41592; Of Lots 9 And 18 Section 28 Block 5 North Range 6 West New Westminster District Plan 3404
PID: 004-207-467	Lot 63 Section 28 Block 5 North Range 6 West New Westminster District Plan 41592
PID: 004-266-340	Lot 1 Section 28 Block 5 North Range 6 West New Westminster District Plan 18949
PID: 003-554-899	Parcel 3 (Reference Plan 21968) Lot 8 Except: Parcel C (Bylaw Plan 73014) Section 28 Block 5 North Range 6 West New Westminster District Plan 3404
PID: 003-422-232	Lot 40 Section 28 Block 5 North Range 6 West New Westminster District Plan 27115

2. This Bylaw is cited as **"Housing Agreement (YuanHeng Seaside Developments Ltd.) Bylaw No. 9657"**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept. <i>MB</i>
APPROVED for legality by Solicitor <i>JA</i>

MAYOR

CORPORATE OFFICER

Schedule A

To Housing Agreement (YuanHeng Seaside Developments Ltd.) Bylaw No. 9657

HOUSING AGREEMENT BETWEEN YUANHENG SEASIDE DEVELOPMENTS LTD.
AND THE CITY OF RICHMOND

HOUSING AGREEMENT
(Section 483 *Local Government Act*)

THIS AGREEMENT is dated for reference the 1st day of December, 2016

BETWEEN:

YUANHENG SEASIDE DEVELOPMENTS LTD. (INC. NO. BC0911549), a company duly incorporated under the laws of the Province of British Columbia and having its registered office at 1236 West Broadway, Vancouver, British Columbia, V6H 1G6

(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;
- B. The Owner is the owner of the Lands (as hereinafter defined); and
- C. The Owner and the City wish to enter into this Agreement (as herein defined) 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 May 28, 2007, and containing a number of recommendations, policies, directions, priorities, definitions and annual targets for affordable housing, as may be 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 Unit charged by this Agreement;
- (c) **“Agreement”** means this agreement together with all schedules, attachments and priority agreements attached hereto;
- (d) **“Building Permit Lot A”** means the building permit authorizing construction on Lot A, or any portion(s) thereof;
- (e) **“Building Permit Lot B”** means the building permit authorizing construction on Lot B, or any portion(s) thereof;
- (f) **“City”** means the City of Richmond;
- (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, 2009 adjusted annually thereafter by adding thereto an amount calculated by multiplying \$100.00 by the percentage change in the CPI since January 1, 2009, 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 shall be final and conclusive;
- (i) **“Development”** means a three-phase, high-rise, high-density, mixed use development and City park to be constructed on Lot A, Lot B and Lot C;

- (j) **“Development Permit Lot A”** means the development permit authorizing development on Lot A, or any portion(s) thereof;
- (k) **“Development Permit Lot B”** means the development permit authorizing development on Lot B, or any portion(s) thereof;
- (l) **“Director of Development”** means the individual appointed to be the chief administrator from time to time of the Development Applications Division of the City and his or her designate;
- (m) **“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 and includes, where the context permits, an Affordable Housing Unit;
- (n) **“Eligible Tenant”** means a Family having a cumulative annual income of:
 - (i) in respect to a bachelor unit, \$34,000 or less;
 - (ii) in respect to a one bedroom unit, \$38,000 or less;
 - (iii) in respect to a two bedroom unit, \$46,500 or less; or
 - (iv) in respect to a three or more bedroom unit, \$57,500 or less

provided that, commencing July 1, 2017, the annual incomes set-out above shall, in each year thereafter, be adjusted, plus or minus, by adding or subtracting therefrom, as the case may be, an amount calculated that is equal to the Core Need Income Threshold data and/or other applicable data produced by Canada Mortgage Housing Corporation in the years when such data is released. In the absence of obvious error or mistake, any calculation by the City of an Eligible Tenant’s permitted income in any particular year shall be final and conclusive;

- (o) **“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
- (p) **“Housing Covenant Lot A”** 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 Lot A dated for reference ____ day of January

2017, and registered under number CA _____, as it may be amended or replaced from time to time;

- (q) **“Housing Covenant Lot B”** 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 Lot B dated for reference ____ day of January 2017, and registered under number CA _____, as it may be amended or replaced from time to time;
- (r) **“Housing Covenants”** means, collectively, Housing Covenant Lot A and Housing Covenant Lot B;
- (s) **“Interpretation Act”** means the *Interpretation Act*, R.S.B.C. 1996, Chapter 238, together with all amendments thereto and replacements thereof;
- (t) **“Land Title Act”** means the *Land Title Act*, R.S.B.C. 1996, Chapter 250, together with all amendments thereto and replacements thereof;
- (u) **“Lands”** means, collectively, Lot A and Lot B;
- (v) **“Local Government Act”** means the *Local Government Act*, R.S.B.C. 2015, Chapter 1, together with all amendments thereto and replacements thereof;
- (w) **“Lot A”** means Lot A, Section 28, Block 5 North, Range 6 West, NWD Plan EPP ____, and including a building or a portion of a building, into which said land(s) is or are Subdivided;
- (x) **“Lot B”** means Lot B, Section 28, Block 5 North, Range 6 West, NWD Plan EPP ____, and including a building or a portion of a building, into which said land(s) is or are Subdivided;
- (y) **“Lot C”** means Lot C, Section 28, Block 5 North, Range 6 West, NWD Plan EPP ____ and including a building or a portion of a building, into which said land(s) is or are Subdivided;
- (z) **“LTO”** means the New Westminster Land Title Office or its successor;
- (aa) **“Manager, Community Social Development”** means the individual appointed to be the Manager, Community Social Development from time to time of the Community Services Department of the City and his or her designate;
- (bb) **“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;

(cc) **“Permitted Rent”** means no greater than:

- (i) \$850.00 a month for a bachelor unit;
- (ii) \$950.00 a month for a one bedroom unit;
- (iii) \$1,162.00 a month for a two bedroom unit; and
- (iv) \$1,437.00 a month for a three (or more) bedroom unit,

provided that, commencing July 1, 2017, the rents set-out above shall, in each year thereafter, be adjusted, plus or minus, by adding or subtracting therefrom, as the case may be, an amount calculated that is equal to the Core Need Income Threshold data and/or other applicable data produced by Canada Mortgage Housing Corporation in the years when such data is released. 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*. In the absence of obvious error or mistake, any calculation by the City of the Permitted Rent in any particular year shall be final and conclusive;

- (dd) **“Phase 1”** means the first phase (of a maximum of three phases) of construction on the Lands, which phase will comprise of that part of the Development to be constructed on Lot A;
- (ee) **“Phase 2”** means the second phase (of a maximum of three phases) of construction on the Lands, which phase will comprise of that part of the Development to be constructed on Lot B;
- (ff) **“Phase 1 Affordable Housing Units”** means those Affordable Housing Units to be constructed within the Development’s residential towers on Lot A during Phase 1, comprising at least 1,110.5 m² (11,953.3 ft²) or 25% of the required affordable housing habitable floor area for the Development, whichever is greater, in accordance with Development Permit Lot A, Building Permit Lot A and Housing Covenant Lot A;
- (gg) **“Phase 2 Affordable Housing Units”** means those Affordable Housing Units to be constructed within the Development’s residential towers on Lot B during Phase 2, comprising 3,331.3 m² (35,857.8 ft²) or 75% of the required affordable housing habitable floor area for the Development, whichever is lesser, in accordance with the Development Permit Lot B, Building Permit Lot B and Housing Covenant Lot B;
- (hh) **“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;

- (ii) **“Residential Tenancy Act”** means the *Residential Tenancy Act*, S.B.C. 2002, Chapter 78, together with all amendments thereto and replacements thereof;
- (jj) **“Rezoning Bylaw”** means Richmond Rezoning Bylaw 8500, Amendment Bylaw 9593;
- (kk) **“Strata Property Act”** means the *Strata Property Act* S.B.C. 1998, Chapter 43, together with all amendments thereto and replacements thereof;
- (ll) **“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*;
- (mm) **“Tenancy Agreement”** means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit; and
- (nn) **“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. 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. 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 must, 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 Appendix A, sworn by 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 shall provide to the City such further statutory declarations as requested by the City in respect to an Affordable Housing Unit if, in the City's absolute determination, the City 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 [Intentionally deleted]

ARTICLE 3
DISPOSITION AND ACQUISITION OF AFFORDABLE HOUSING UNITS

- 3.1 The Owner will not permit an Affordable Housing Unit Tenancy Agreement to be subleased or assigned.
- 3.2 If this Housing Agreement encumbers more than one Affordable Housing Unit, then the Owner may not, on a lot-by-lot basis, without the prior written consent of the City Solicitor, sell or transfer less than five (5) Affordable Housing Units on a lot 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 five (5) Affordable Housing Units on a lot.
- 3.3 If the Owner sells or transfers one (1) or more Affordable Housing Units, the Owner will notify the City Solicitor of the sale or transfer within 3 days of the effective date of sale or transfer.
- 3.4 The Owner must 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;
 - (d) the Owner will not require the Tenant or any permitted occupant to pay any strata fees, strata property contingency reserve fees or any extra charges or fees for use of any common property, limited common property, or other common areas, facilities or amenities, including without limitation parking, bicycle storage, electric vehicle charging stations or related facilities, or for sanitary sewer, storm sewer, water, other utilities, property or similar tax; provided, however, if the Affordable Housing Unit is a strata unit and the following costs are not part of strata or similar fees, an Owner may charge the Tenant the Owner's cost, if any, of providing cablevision, telephone, other telecommunications, gas, or electricity fees, charges or rates;

- (e) the Owner will attach a copy of this Agreement to every Tenancy Agreement;
- (f) 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;
- (g) 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(n) 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; and/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, the Owner hereby agrees with the City to forthwith provide to the Tenant a notice of termination. Except for section 3.4(g)(ii) of this Agreement [*Termination of Tenancy Agreement if Annual Income of Tenant rises above amount prescribed in section 1.1(n) of this Agreement*], the notice of termination shall provide that the termination of the tenancy shall be effective 30 days following the date of the notice of termination. In respect to section 3.4(g)(ii) of this Agreement, termination shall be effective on the day that is six (6) months following the date that the Owner provided the notice of termination to the Tenant;

- (h) 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
- (i) the Owner will forthwith deliver a certified true copy of the Tenancy Agreement to the City upon demand.

- 3.5 If the Owner has terminated the Tenancy Agreement, then the Owner shall use best efforts to cause the Tenant and all other persons that may be in occupation of the Affordable Housing Unit 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 Affordable Housing Unit is damaged or destroyed, to the extent of 40% or more of its value above its foundations, as determined by the City in its sole discretion,

and, in each case, a demolition permit for the Affordable Housing Unit has been issued by the City and the Affordable Housing Unit 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 Covenants 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 rental accommodation will have no force and effect.
- 5.3 No strata corporation shall pass any bylaws preventing, restricting or abridging the use of the Affordable Housing Units as rental accommodation.
- 5.4 No strata corporation shall 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.

- 5.5 No strata corporation shall 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 charging stations or related facilities, notwithstanding that the Strata Corporation may levy such parking, bicycle storage, electric vehicle 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; provided, however, that the electricity fees, charges or rates for use of electric vehicle charging stations are excluded from this provision.
- 5.6 The strata corporation shall 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 charging stations or related facilities, except, subject to section 5.5 of this Agreement, on the same basis that governs the use and enjoyment of any common property, limited common property and other common areas, facilities or amenities of the strata corporation, including parking, bicycle storage, electric vehicle charging stations and related facilities, by 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.

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 Covenants or at law or in equity, if 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 the Owner is otherwise in breach of any of its obligations under this Agreement or the Housing Covenants, the Owner will pay the Daily Amount to the City for every day that the breach continues after forty-five (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 (5) 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 Covenants shall 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 common property sheet; and
- (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. If this Agreement is filed in the LTO as a notice under section 483 of the *Local Government Act* prior to the Lands having been Subdivided, and it is the intention that this Agreement is, once separate legal parcels are created and/or the Lands are subdivided, to charge and secure only the legal parcels or Subdivided Lands which contain the Affordable Housing Units, then the City Solicitor shall be entitled, without further City Council approval, authorization or bylaw, to partially discharge this Agreement accordingly. The Owner acknowledges and agrees that notwithstanding a partial discharge of this Agreement, this Agreement shall be and remain in full force and effect and, but for the partial discharge, otherwise unamended. Further, the Owner acknowledges and agrees that in the event that the Affordable Housing Unit is in a strata corporation, this Agreement shall remain noted on the strata corporation's common property sheet.

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

Subject to section 7.1 of this Agreement, 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 covenants and agrees that it 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. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to 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 Covenants), 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 Covenants, this Agreement shall, 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 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 shall be joint and several.

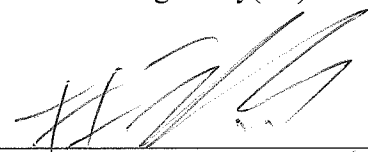
7.23 Limitation on Owner's Obligations

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.

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

YUANHENG SEASIDE DEVELOPMENTS LTD. (INC. NO. BC0911549)

by its authorized signatory(ies):

Per: 
Name: Guang Chang Lin

Per: _____
Name: _____

CITY OF RICHMOND

by its authorized signatory(ies):

Per: _____
Malcolm D. Brodie, Mayor

Per: _____
David Weber, Corporate Officer

City of Richmond APPROVED for content by originating dept <i>[Signature]</i>
Legal Advice <i>[Signature]</i>
DATE OF COUNCIL APPROVED (if applicable)

Appendix A to Housing Agreement

STATUTORY DECLARATION

CANADA)	IN THE MATTER OF A
)	HOUSING AGREEMENT WITH
PROVINCE OF BRITISH COLUMBIA)	THE CITY OF RICHMOND
)	("Housing Agreement")

TO WIT:

I, _____ of _____, British Columbia, do solemnly declare that:

1. I am the owner or authorized signatory of the owner of _____ (the "Affordable Housing Unit"), and make this declaration to the best of my personal knowledge.
2. This declaration is made pursuant to the Housing Agreement in respect of the Affordable Housing Unit.
3. For the period from _____ to _____, the Affordable Housing Unit was occupied only by the Eligible Tenants (as defined in the Housing Agreement) whose names and current addresses and whose employer's names and current addresses appear below:

[Names, addresses and phone numbers of Eligible Tenants and their employer(s)]

4. The rent charged each month for the Affordable Housing Unit is as follows:
 - (a) the monthly rent on the date 365 days before this date of this statutory declaration: \$ _____ per month;
 - (b) the rent on the date of this statutory declaration: \$ _____; and
 - (c) the proposed or actual rent that will be payable on the date that is 90 days after the date of this statutory declaration: \$ _____.
5. I acknowledge and agree to comply with the Owner's obligations under the Housing Agreement, and other charges in favour of the City noted or registered in the Land Title Office against the land on which the Affordable Housing Unit is situated and confirm that the Owner has complied with the Owner's obligations under the Housing Agreement.

6. 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 pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at the City of _____
_____, in the Province of British
Columbia, this _____ day of
_____, 20____.

A Commissioner for Taking Affidavits in the
Province of British Columbia

DECLARANT

PRIORITY AGREEMENT

FIRST COMMERCIAL BANK (the "**Chargeholder**") is the holder of the following Mortgages and Assignments of Rents (and any related extensions thereof):

As to Lot A:

- (i) Mortgage no. CA3770734 and Assignment of Rents CA3770735;
- (ii) Mortgage no. CA2114498 and Assignment of Rents CA2114499;
- (iii) Mortgage no. CA2253689 and Assignment of Rents CA2253690;
- (iv) Mortgage no. CA2279785 and Assignment of Rents CA2279786;
- (v) Mortgage no. CA2403693 and Assignment of Rents CA2403694;
- (vi) Mortgage no. CA2858293 and Assignment of Rents CA2858294;

As to Lot B:

- (vii) Mortgage no. CA3211610 and Assignment of Rents CA3211611;
- (viii) Mortgage no. CA3770734 and Assignment of Rents CA3770735;
- (ix) Mortgage no. CA2114498 and Assignment of Rents CA2114499;
- ~~(x) Mortgage no. CA2253689 and Assignment of Rents CA2253690;~~ ly

all registered in the Land Title Office (collectively, the "**Bank Charges**") against title to Lot A and Lot B (each as further defined and legally described in the agreement to which this priority agreement is attached), as applicable.

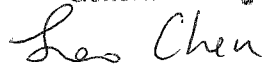
The Chargeholder, being the holder of the Bank Charges, by signing the Form C General Instrument attached hereto as Part I, in consideration of the payment of Ten Dollars (\$10.00) and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged and agreed to by the Chargeholder) hereby consents to the granting of this Housing Agreement and hereby covenants that this Housing Agreement shall bind the Bank Charges in Lot A and Lot B, as applicable, and shall rank in priority upon Lot A and Lot B, as applicable, over the Bank Charges as if the Housing Agreement had been registered prior to the Bank Charges and prior to the advance of any monies pursuant to the Bank Charges. The grant of priority is irrevocable, unqualified and without reservation or limitation.

FIRST COMMERCIAL BANK

by its authorized signatory(ies):

Per: 

Name: Bob Yeh
General Manager

Per: 

Name: Leo Chen
Manager



City of Richmond

Report to Committee Planning and Development Division

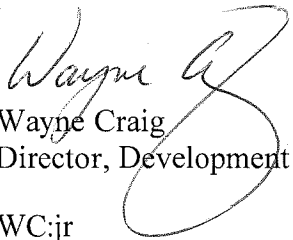
To: Planning Committee
From: Wayne Craig
Director, Development

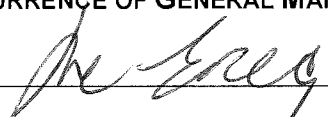
Date: December 7, 2016
File: RZ 15-718064

Re: Application by Xu Yang for Rezoning at 7431 Williams Road from Single Detached (RS1/E) to Coach Houses (RCH1)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9613, for the rezoning of 7431 Williams Road from "Single Detached (RS1/E)" to "Coach Houses (RCH1)", be introduced and given first reading.


Wayne Craig
Director, Development
WC:jr
Att. 8

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

Staff Report

Origin

Xu Yang has applied to the City of Richmond for permission to rezone 7431 Williams Road from the “Single Detached (RS1/E)” zone to the “Coach Houses (RCH1)” zone, to permit the property to be subdivided into two (2) lots, each with a single detached home and an accessory coach house above a detached garage, with vehicle access from the rear lane (Attachment 1). The proposed subdivision plan is shown in Attachment 2. The single-family dwelling that formerly occupied the property has been demolished, and the site is currently vacant.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North, across the lane: a lot zoned “Single Detached (RS1/E),” containing a single-family dwelling with vehicle access from Bates Road and the rear lane.
- To the South, across Williams Road: lots zoned “Coach House (ZS12) – Broadmoor,” each with a single-family dwelling and coach house above an attached garage with vehicle access from Williams Road.
- To the East and West: lots zoned “Single Detached (RS1/E),” each with a single-family dwelling with vehicle access from Williams Road.

Related Policies & Studies

Official Community Plan/Broadmoor Area Plan

The subject property is located in the Broadmoor planning area (Attachment 4). The Official Community Plan (OCP) designation for the subject property is “Neighbourhood Residential.” The proposed rezoning is consistent with this designation.

The subject property is located within the area governed by the Central West Sub-Area Plan, contained in the OCP (Attachment 5). The Sub-Area Plan contains policies that direct new development to the perimeter of the neighbourhood along the arterial roads with vehicle access from rear lanes where possible. The land-use designation in the Sub-Area Plan for the subject property is “Low Density Residential.” The proposed rezoning is consistent with the Central West Sub-Area Plan.

Arterial Road Policy

The Arterial Road Policy identifies the subject site for redevelopment to compact lots or coach houses, with rear lane access. This proposal is consistent with the Arterial Road Policy designation.

Floodplain Management Implementation Strategy

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

Public Consultation

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

Should the Planning Committee endorse this application and Council grant 1st 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*.

Analysis**Site Planning and Architectural Character**

The preliminary conceptual plans proposed for redevelopment of the subject site have satisfactorily addressed the staff comments identified as part of the rezoning application review process (Attachment 6).

The proposed site plan involves a principal dwelling on the south of each proposed lot oriented to Williams Road, and an accessory coach house above a detached garage on the north of each lot, with vehicle access from the rear lane. Separate private open spaces are proposed on-site for both the principal dwelling and for the exclusive use of the coach house. The required private outdoor space for the coach house is proposed to be provided as a small balcony off the main living area of the coach house, facing the rear lane. The proposed balconies are oriented closer to the common property line, to limit potential overlook to the neighbouring properties. The proposed building siting and open space are consistent with the requirements of the RCH1 zone.

For each lot, on-site parking is proposed in a garage and parking pad in accordance with the Zoning Bylaw. Parking for the principal dwelling consists of two (2) parking spaces provided in a tandem arrangement, one (1) within the garage and one (1) on an exterior parking pad. Tandem parking arrangements are permitted in the RCH1 zone for the principal dwelling only. One (1) parking space for the coach house is provided in the garage. Prior to final adoption of the rezoning bylaw, the applicant must register a restrictive covenant on title prohibiting the conversion of the garage into habitable space.

The proposed site plan and architectural elevations show that the second storey of each coach house building is to be set back along the east and west elevations to break up the building mass and to provide for visual interest.

On-site garbage and recycling storage is proposed to be set back a minimum of 1.5 m from the rear property line; a 1.82 m (6 ft) wooden fence is proposed at the rear property line to screen this storage area, consistent with the requirements of the RCH1 zone.

Prior to final adoption of the rezoning bylaw, the applicant is required to submit:

- A Landscape Plan, prepared by a Registered Landscape Architect, for the site that is consistent with both the proposed zoning and with the landscaping guidelines in the Arterial Road Policy. The Landscape Plan must be accompanied by a cost estimate prepared by the Landscape Architect for the works (including all trees, soft and hard materials proposed, fencing, installation costs, and a 10% contingency).
- A Landscaping Security based on 100% of the cost estimate by the Landscape Architect.

Prior to final adoption of the rezoning bylaw, minor revisions to enhance the coach house design can be made to the preliminary conceptual plans included in Attachment 6.

Furthermore, the applicant must register legal agreements on title to ensure that:

- The coach house cannot be stratified;
- The area used for parking cannot be converted to habitable space;
- The Building Permit application and ensuing development at the site is generally consistent with the proposed conceptual plans included in Attachment 6.

The Building Permit application process includes coordination between Building Approvals and Planning Department staff to ensure that the covenant is adhered to. The final plans submitted at Building Permit stage must comply with all City regulations, including Zoning.

Transportation and Site Access

Vehicle access to the proposed lots is to be from the existing rear lane only. No access is permitted from Williams Road, in accordance with Residential Lot (Vehicular) Access Regulation Bylaw No. 7222. The developer is required to remove the existing driveway access from Williams Road.

Pedestrian access to the site and coach house is proposed via a permeable pathway from both Williams Road and the rear lane, in accordance with the requirements of the RCH1 zone.

Prior to the issuance of a Building Permit, the applicant is required to submit a Construction Parking and Traffic Management Plan to the City's Transportation Department for review.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses nine (9) bylaw-sized trees on the subject property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and has the following comments:

- Three (3) trees (tag # 115, 117 & 119) located on the development site, ranging in size from 24.8 cm dbh to 30 cm dbh, are in moderate condition but in direct conflict with the proposed development and will suffer negative impacts from significant grade change required to meet the required flood construction level. Remove and replace.
- Six (6) trees (tag # 111, 112, 113, 114, 116 & 118) located on the development site, ranging in size from 23 cm dbh to 40 cm dbh, all exhibit poor form and are in poor condition. Remove and replace.
- Replacement trees should be specified at 2:1 ratio as per the OCP.

Tree Replacement

The applicant wishes to remove all nine (9) on-site trees. The 2:1 replacement ratio would require a total of eighteen (18) replacement trees. The applicant has agreed to plant three (3) trees on each proposed lot, for a total of six (6) trees. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

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

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$6,000 to the City's Tree Compensation Fund in lieu of the remaining twelve (12) trees that cannot be accommodated on the subject property after redevelopment.

Affordable Housing Strategy

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

This proposal conforms to the Affordable Housing Strategy as it involves the creation of two (2) lots, each with a principal single detached dwelling and accessory coach house above a detached garage.

Site Servicing and Frontage Improvements

At Subdivision stage, the applicant is required to complete the following:

- Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing works and frontage improvements as described in Attachment 8.
- Payment to the City, in accordance with the Subdivision and Development Bylaw No. 8751, a \$43,660.40 cash-in-lieu contribution for the design and construction of frontage improvements and lane upgrades. Upgrades to the Williams Road frontage include a grass and tree boulevard at the curb and relocation of the sidewalk to the property line.

At Building Permit stage, the applicant is required to complete the following:

- Removal of the existing driveway crossing to Williams Road, and replacement with concrete curb, gutter, and sidewalk to match existing conditions.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this application is to rezone 7431 Williams Road from the "Single Detached (RS1/E)" zone to the "Coach House (RCH1)" zone, to permit the property to be subdivided to create (2) lots, each with a single-family home and a coach house above a detached garage.

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

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9613 be introduced and given first reading.



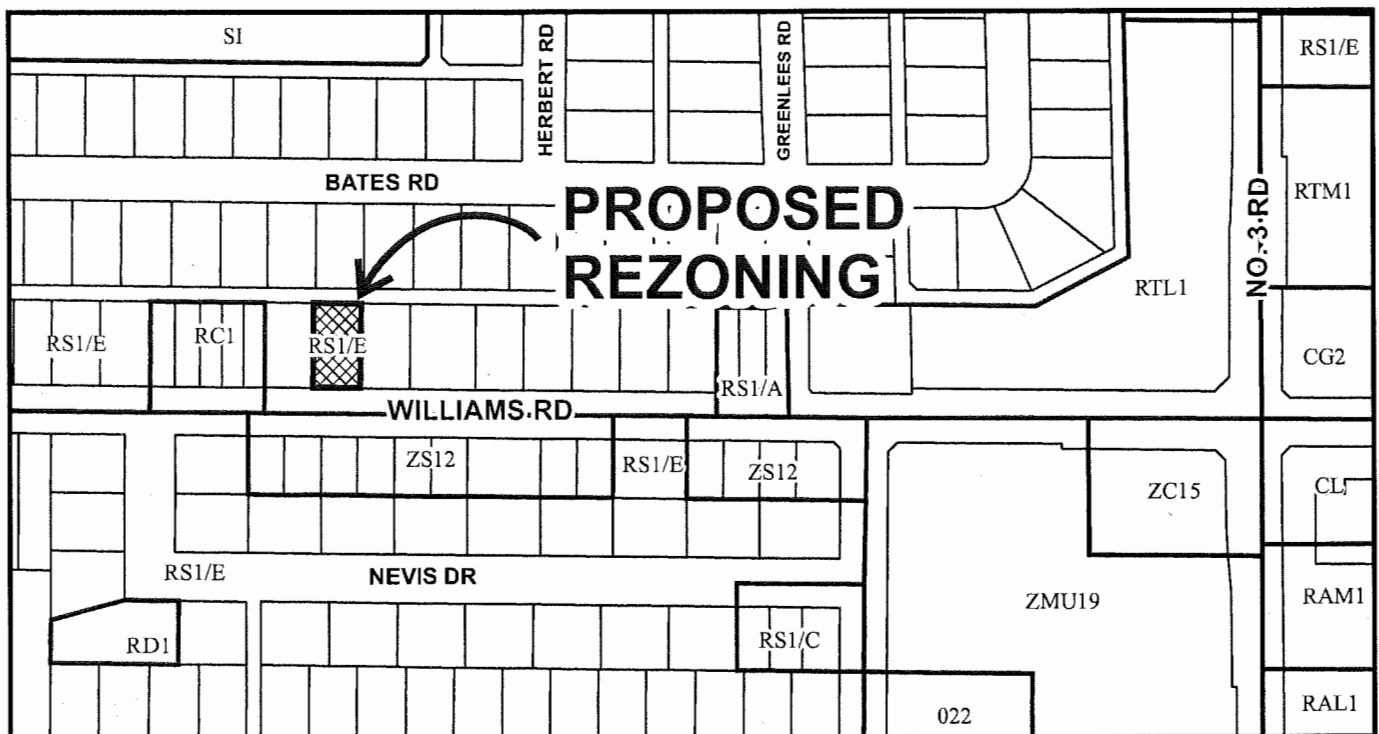
Jordan Rockerbie
Planning Technician

JR:rg

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Broadmoor Area Land Use Map
- Attachment 5: Central West Sub-Area Land Use Map
- Attachment 6: Conceptual Development Plans
- Attachment 7: Tree Management Drawing
- Attachment 8: Rezoning Considerations



City of
Richmond



20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	20.12	
0.06	9.14	9.14	9.14	20.12	20.12	27.43	20.12	20.12	20.12	
35.37	35.37	35.37	35.37	35.36	35.36	35.36	35.36	35.36	35.36	
7359	7371	7391	7393	7411	7431	7451	7471	7511	7531	7551
0.06	9.14	9.14	9.14	20.12	20.12	20.12	27.43	20.12	20.12	20.12
WILLIAMS RD										
30.48	15.24	15.24	15.24	15.24	15.24	15.24	30.48	15.24	15.24	
7360	7380	7382	7386	7388	7420	7428	7440	7460	7468	
4.23	24.23	4.23	24.23	4.23	24.23	4.23	24.23	4.23	24.23	



RZ 15-718064

Original Date: 01/20/16

Revision Date:

Note: Dimensions are in METRES



City of
Richmond



RZ 15-718064

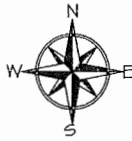
Original Date: 01/20/16

Revision Date:

Note: Dimensions are in METRES

TOPOGRAPHIC SURVEY AND PROPOSED SUBDIVISION OF LOT 6 SECTION 29 BLOCK 4 NORTH RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 17789

#7431 WILLIAMS ROAD,
RICHMOND, B.C.
P.I.D 010-320-903



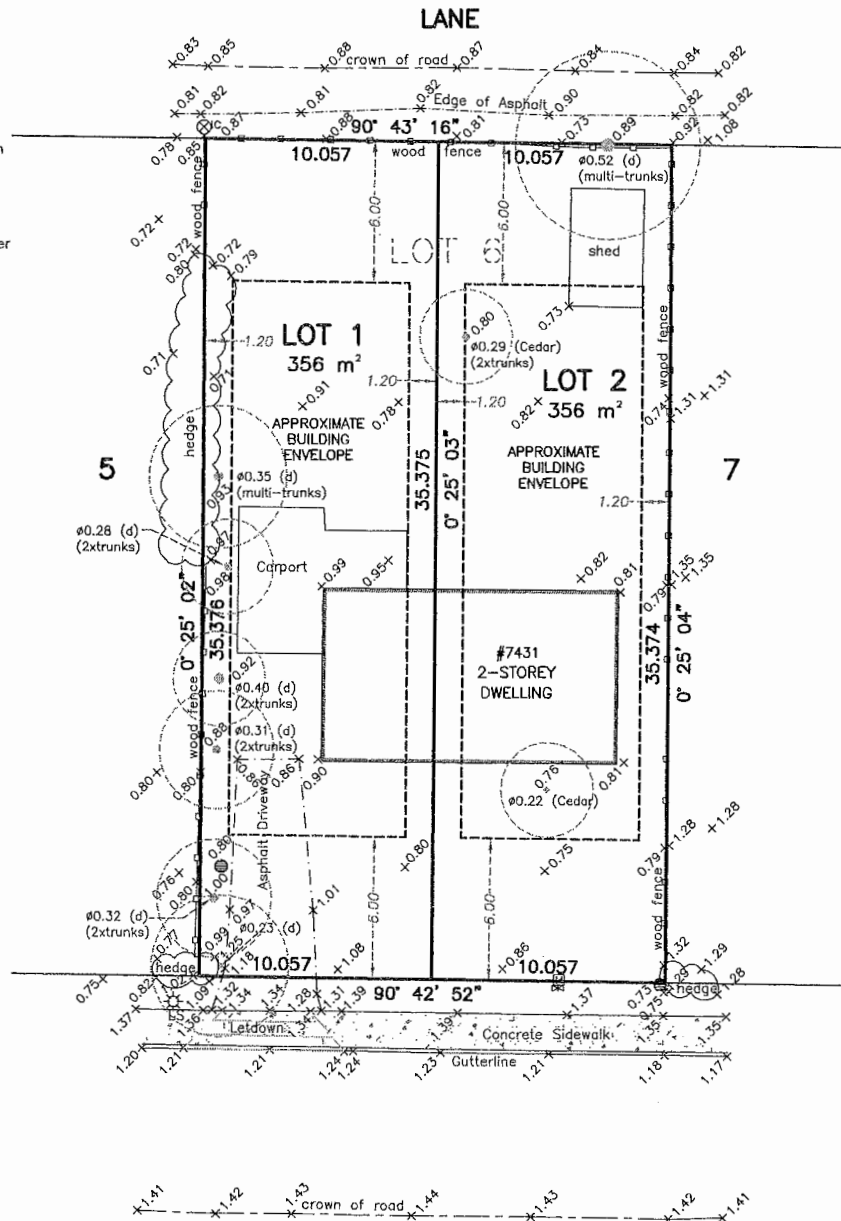
SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED

LEGEND:

- (d) denotes deciduous
- ⊙ denotes round catch basin
- ⊕ denotes water valve
- ⊗ denotes water meter
- LS⊙ denotes lamp standard
- ⊙ denotes inspection chamber



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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. 6241
FB-265 P58-60
Drawn By: MY/IO

NOTE:
Elevations shown are based on
City of Richmond HPN Benchmark
network.
Benchmark: HPN #204, Control
Monument 02H2452
In grassy area @ SW crn No. 3
Rd & Steveston Hwy
Elevation = 1.559 metres

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

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

October 22nd, 2015.

DWG No. 6241-TOP0

PLN - 70



RZ 15-718064

Attachment 3

Address: 7431 Williams Road

Applicant: Xu Yang

Planning Area(s): Broadmoor / Central West Sub-Area

	Existing	Proposed
Owner:	Yu Ai Xi and Kedong Xi	To be determined
Site Size (m²):	712 m ²	Lot 1: 356 m ² Lot 2: 356 m ²
Land Uses:	One (1) single-family home	Two (2) single-family homes and two (2) coach houses
OCP Designation:	Neighbourhood Residential	No change
Sub-Area Plan Designation:	Low density residential	No change
Arterial Road Policy:	Compact Single Detached or Coach House	No change
Zoning:	Single Detached (RS1/E)	Coach Houses (RCH1)

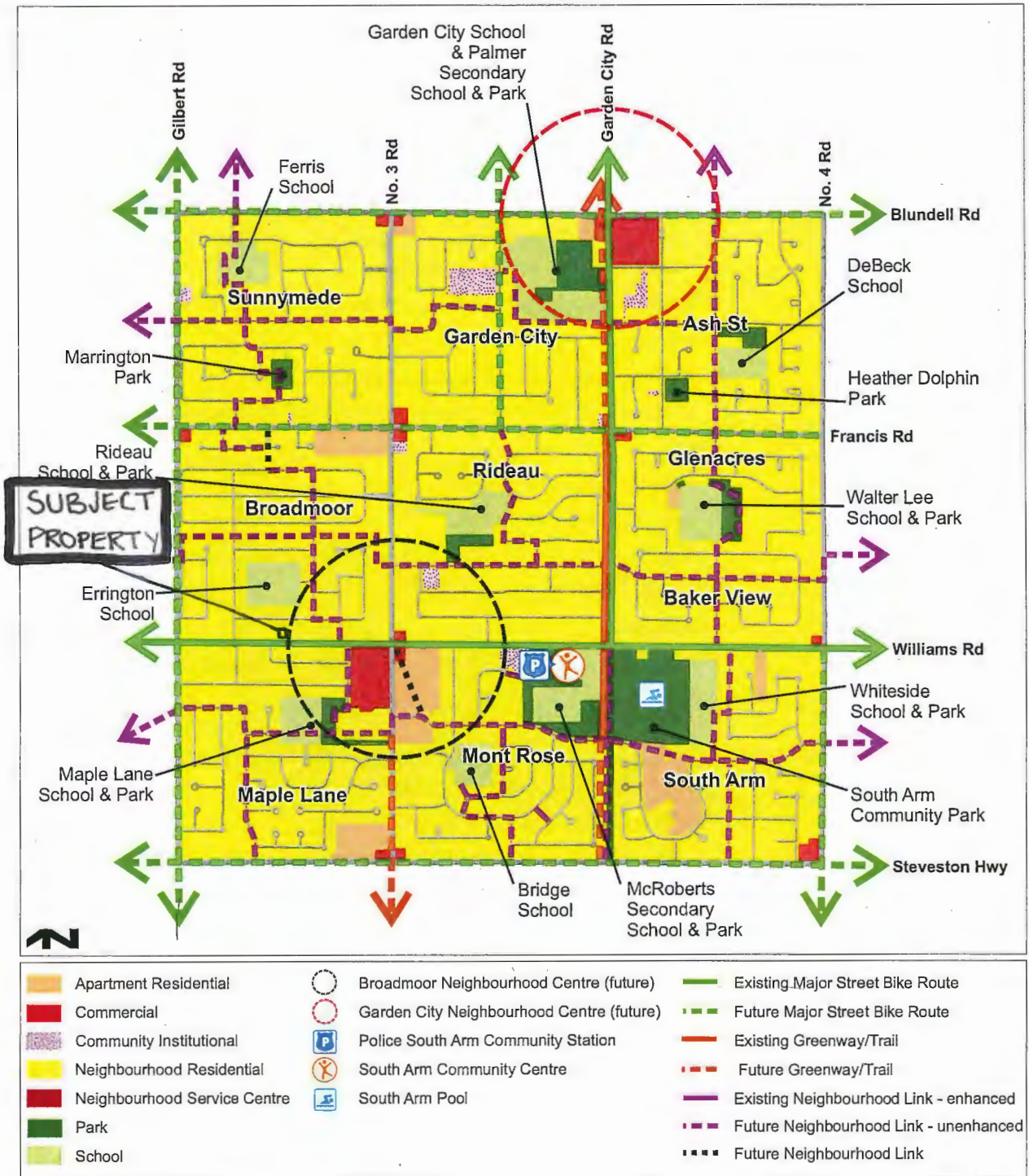
On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Principal Dwelling Floor Area*	Max. 186.3 m ² (2,005 ft ²)	Max. 171.43 m ² (1,845.25 ft ²)	none
Coach House Floor Area*	Min. 33.0 m ² (355 ft ²) Max. 60.0 m ² (645 ft ²)	42.17 m ² (454 ft ²)	none
Total Buildable Floor Area*	Max. 213.6 m ² (2,299 ft ²)	Max. 213.6 m ² (2,299 ft ²)	none permitted
Lot Coverage:	Building: Max. 45% Non-porous Surfaces: Max. 70%	Building: Max. 45% Non-porous Surfaces: Max. 70%	none
Lot Size:	Min. 315.0 m ²	356.0 m ²	none
Lot Dimensions (m):	Width: 9.0 m Depth: 35.0 m	Width: 10.057 m Depth: 35.375 m	none
Principal Dwelling Setbacks (m):	Front: Min. 6.0 m Rear: Min. 6.0 m Interior Side: Min. 1.2 m	Front: Min. 6.0 m Rear: Min. 6.0 m Interior Side: Min. 1.2 m	none

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Coach House Dwelling Setbacks:	Front: Min. 15 m Rear: Min. 1.2 m Interior Side (Ground) Min. 0.6 m Interior Side (Upper): Min 1.2 m Opposite Interior Side: Min. 1.8 m	Front: 22.45 m Rear: 1.2 m Interior Side (Lower): 0.9 m Interior Side (Upper): Min 1.4 m Opposite Interior Side: 2.9 m	none
Principal Dwelling Height:	Max. 9.0 m	Max. 9.0 m	none
Coach House height:	Max. 6.5 m, measured from the crown of the lane	6.41 m, measured from the crown of the lane	none
On-Site Parking Spaces:	Principal Dwelling: 2 Coach House: 1	Principal Dwelling: 2 Coach House: 1	none
Tandem Parking Spaces:	Permitted for Principal Dwelling	Principal Dwelling: 2	none
Outdoor Amenity Space:	Principal Dwelling: Min. 30 m ² Coach House: No minimum	Principal Dwelling: 30 m ² Coach House: 3.25 m ² balcony	none
Coach House Balcony:	Max. 8.0 m ²	3.94 m ²	none

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

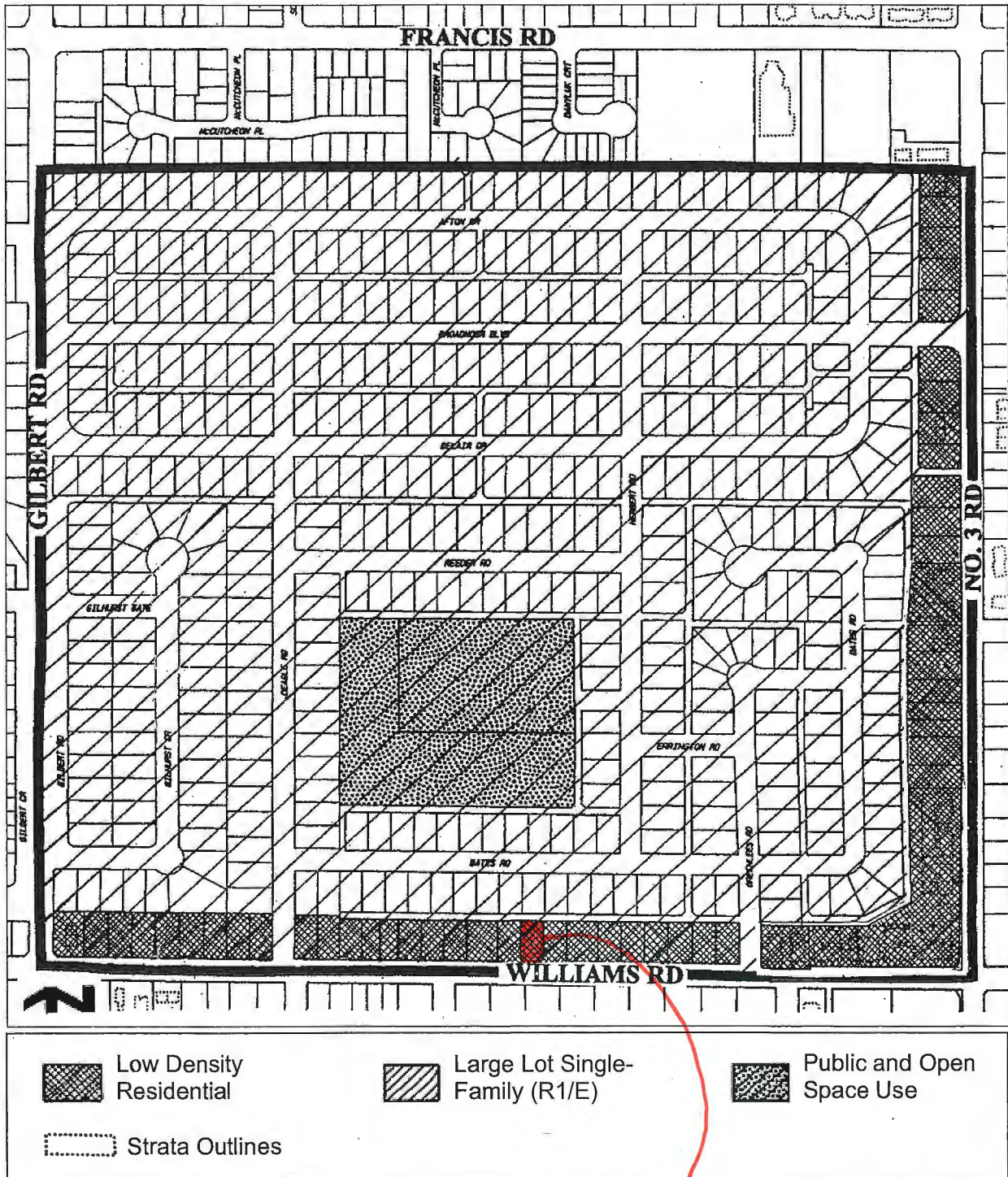
* Preliminary estimate; not inclusive of garage; exact building size to be determined through zoning bylaw compliance review at Building Permit stage.

6. Broadmoor



City of Richmond

Land Use Map

 Bylaw 7624
 2003/12/15

 SUBJECT
 PROPERTY

PLN - 74

 Original Adoption: March 18, 1996 / Plan Adoption: February 19, 2001
 1195062 / 8060-20-7100

Central West Sub-Area Plan 8

7431 WILLIAMS RD, RICHMOND

LEGAL DESCRIPTION

LEGAL ADDRESS:

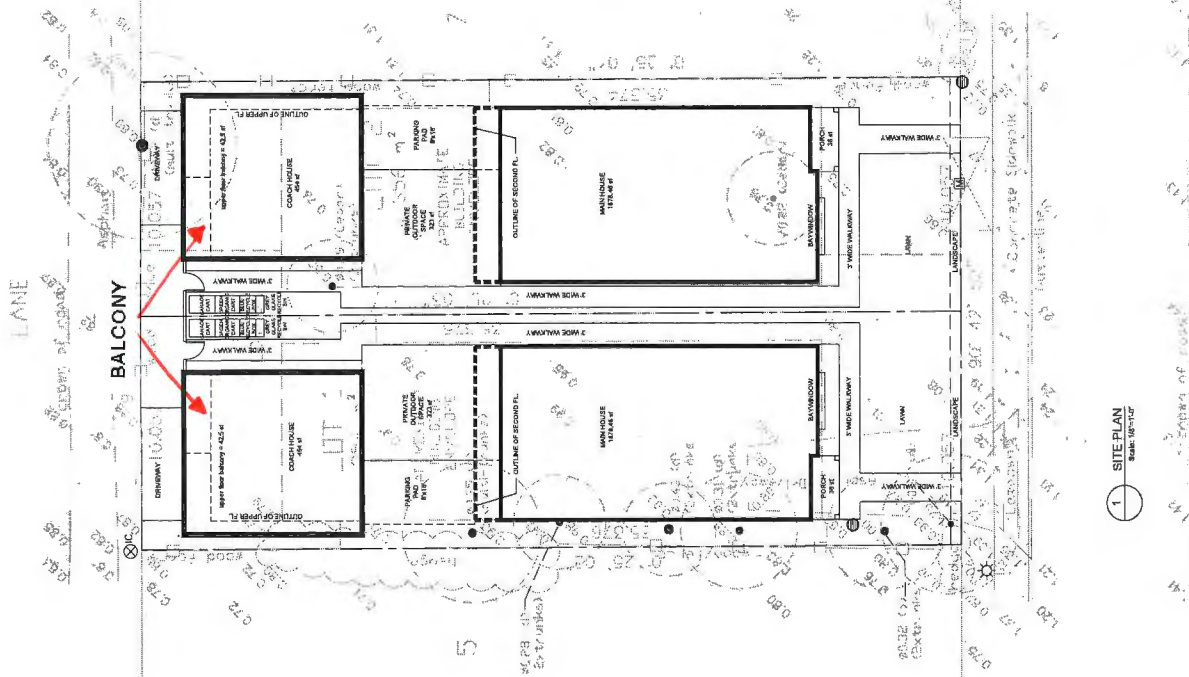
LOT 6 SECTION 29 BLOCK 4 NORTH RANGE 6 WEST
NEW WESTMINSTER DISTRICT. PLAN 17789

ZONING SUMMARY

ZONE: RCH1
LOT SIZE:
LOT1: 116.06' (35.376m) x 33.00' (10.057m)
LOT2: 116.06' (35.374m) x 33.00' (10.057m)
SITE AREA:
LOT1: 3831.95 SQ.FT. (356 m2)
LOT2: 3831.95 SQ.FT. (356 m2)
SITE COVERAGE:
MAIN HOUSE: 1724.38 SF
COACH HOUSE: 1091.46 SF
TOTAL: 631.56 SF
COACH HOUSE: 1723.02 SF
MAIN HOUSE: 454.00 SF
FAR: 1845.17 SF
2299.17 SF
MAIN FLOOR: 1091.46 SF
SECOND FLOOR: 1179.88 SF
OPEN TO BELOW: -426.17 SF
TOTAL: 1845.17 SF
PORCH: 36 SF

LANE

BALCONY



1 SITE PLAN
SCALE: 1/4" = 1'-0"

WILLIAMS ROAD

PWA
pacific
west
architecture
1000 West 2nd Ave (Alford Square)
Suite 1120
Vancouver, B.C. V6P 4G6
Office: 604.267.7072
Mobile: 604.267.7073
Email: info@pacificwestarch.com
www.pacificwestarch.com

REVISIONS

1

REVISED

DATE

4

7

6

5

4

3

2

1

ISSUED FOR RECORD

DATE

APR 14, 2014

PROJECT NUMBER

100

DESIGNED BY

DK

CHECKED BY

PK

DATE CHECKED

PK

COMMENTS

PROJECT

7431 WILLIAMS RD.

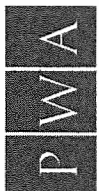
RICHMOND BC

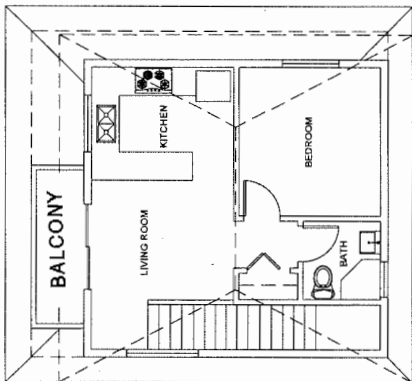
DRAWING TITLE

SITE PLAN

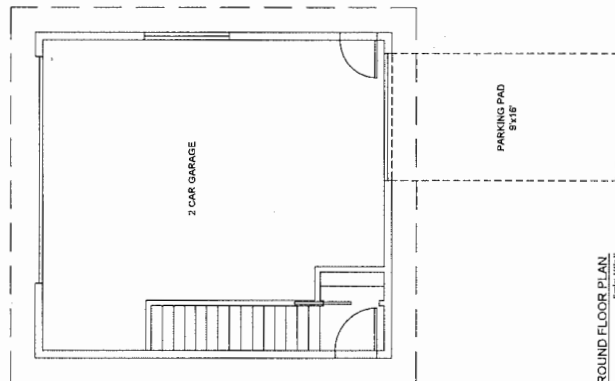
DRAWING NO.

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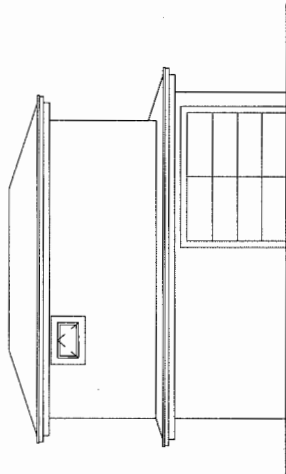
 <p>pacific west architecture</p> <p>1305 West 7th Ave (Airport Square) Vancouver B.C. V6P 6G5 Office: 604.367.7072 Fax: 604.367.7055 www.pacificwestarch.com</p>		<p>REVISIONS</p> <p>1</p>		<p>DATE</p>		<p>ISSUED FOR RECORDS</p> <p>1</p>		<p>DATE</p> <p>July 14, 2014</p>	
<p>PROJECT</p> <p>7431 WILLIAMS RD.</p> <p>BOJANGIC DC</p>		<p>PROJECT NUMBER</p> <p>AMT</p>		<p>DATE CHECKED BY</p> <p>OS</p>		<p>DATE CHECKED BY</p> <p>PT</p>		<p>CONSULTANT</p>	
<p>DRAWING TITLE</p> <p>COACH HOUSE ELEVATIONS (WEST)</p>		<p>DRAWING NO.</p> <p>A1.02</p>							



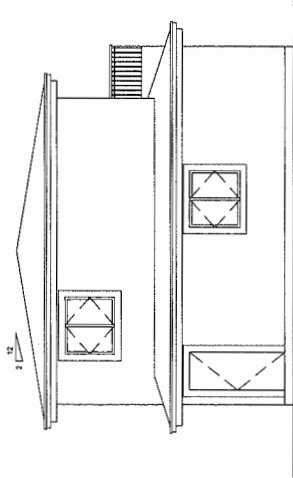
1 UPPER FLOOR PLAN
Scale: 1/8"=1'-0"



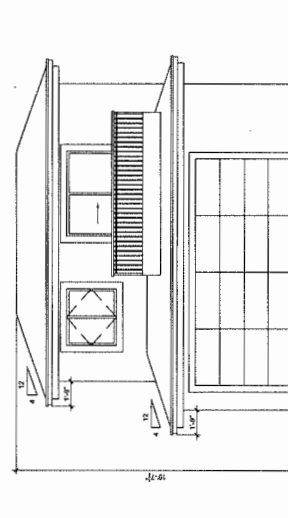
2 GROUND FLOOR PLAN
Scale: 1/8"=1'-0"



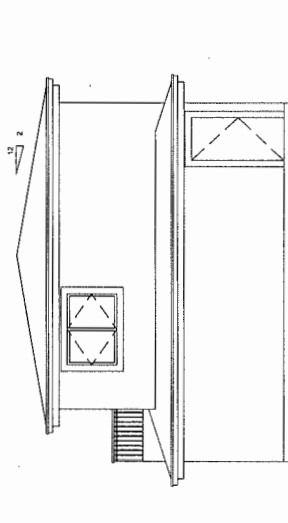
3 SOUTH ELEVATION
Scale: 1/8"=1'-0"



6 EAST ELEVATION
Scale: 1/8"=1'-0"

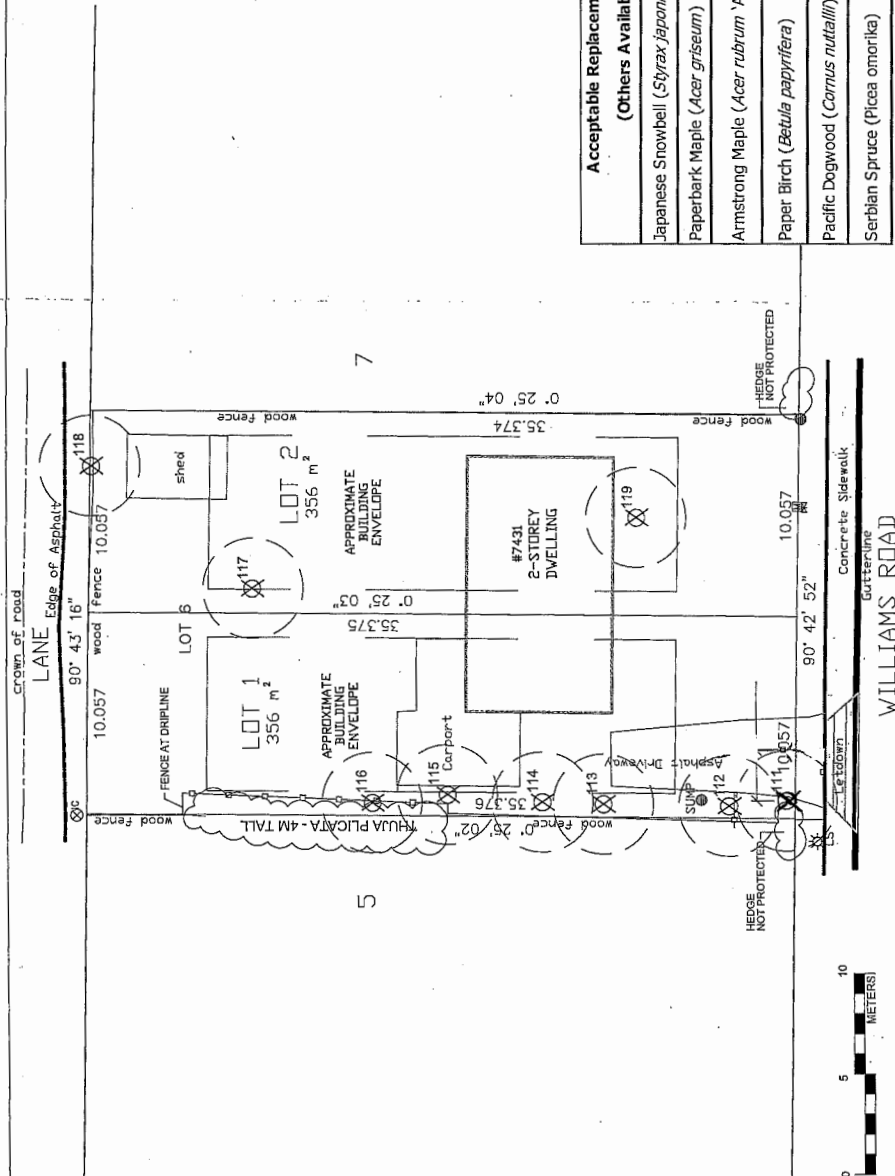


5 NORTH ELEVATION
Scale: 1/8"=1'-0"



4 WEST ELEVATION
Scale: 1/8"=1'-0"

LANE ELEVATION



PLN - 77

LEGEND

TREE TO BE RETAINED

TREE TO BE REMOVED

MINIMUM NO DISTURBANCE ZONE



Tree #	Type	DBH (cm)	Approximate Dripline (m) (From Survey)
111	Mountain Ash (<i>Sorbus americana</i>)	23	3.0
112	Mountain Ash (<i>Sorbus americana</i>)	18/22	2.5
113	Mountain Ash (<i>Sorbus americana</i>)	19/22	2.5
114	Mountain Ash (<i>Sorbus americana</i>)	20/28	2.0
115	Holly (<i>Ilex sp.</i>)	21/10	2.0
116	Mountain Ash (<i>Sorbus americana</i>)	8/8/20	3.0
117	Threadleaf Falsecypress (<i>Chamaecyparis pisifera Filifera</i>)	~20/8	2.0
118	Mountain Ash (<i>Sorbus americana</i>)	~5-16 X5	4.0
119	Threadleaf Falsecypress (<i>Chamaecyparis pisifera Filifera</i>)	30	2.0

Acceptable Replacement Trees
(Others Available)

Japanese Snowbell (*Styrax japonica*)
 Paperbark Maple (*Acer griseum*)
 Armstrong Maple (*Acer rubrum 'Armstrong'*)
 Paper Birch (*Betula papyrifera*)
 Pacific Dogwood (*Cornus nuttallii*)
 Serbian Spruce (*Picea omorika*)



MIKE FADUM AND ASSOCIATES LTD.
 VEGETATION CONSULTANTS

#106, 6077 129 St.
 Surrey, British Columbia
 V3W 0A6
 Ph: (778) 593-0300
 Fax: (778) 593-0300
 Mobile: (604) 240-0309
 Email: m.fadum@mfadum.ca

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PROJECT TITLE
 7431 WILLIAMS
 ROAD
 RICHMOND, B.C.

SHEET TITLE
 T1 - TREE REMOVAL AND
 PRESERVATION PLAN
 CLIENT

DATE
 DECEMBER 13, 2016

T-1
 SHEET OF 2



Address: 7431 Williams Road

File No.: RZ 15-718064

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9613, the developer is required to complete the following:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs and the \$3,000 Landscape Security for the six (6) required replacement trees to be planted. The Landscape Plan should:
 - comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line;
 - include a mix of coniferous and deciduous trees; and
 - include the three (3) required replacement trees per lot with the following minimum sizes:

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

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

2. City acceptance of the developer's offer to voluntarily contribute \$6,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Registration of a flood indemnity covenant on title.
4. Registration of a legal agreement on title ensuring that the coach house cannot be stratified.
5. Registration of a legal agreement on title prohibiting the conversion of the parking area into habitable space.
6. Registration of a legal agreement on title to ensure that the Building Permit application and ensuing development at the site is generally consistent with the preliminary conceptual plans included in Attachment 6 to this staff report.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. 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.

At Subdivision* or Building Permit* stage, the developer must complete the following requirements:

1. Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
2. Complete the following servicing works and off-site improvements. These may be completed through either a Servicing Agreement* or a City work order:

Water Works:

- Using the OCP Model, there is 442 L/s of water available at a 20 psi residual at the Williams Road frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.

- The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs.
- At the Developers cost, the City is to:
 - Cut & cap the existing water service connection along the Williams Road frontage.
 - Install two new water service connections with meter and meter box.

Storm Sewer Works:

- The Developer is required to:
 - Retain existing storm service connections at both the southeast and the southwest corners of the lot and upgrade inspection chamber as required.
 - Pay cash-in-lieu for lane drainage upgrades, see "Frontage Improvements".
- At the Developers cost, the City is to:
 - Install a new inspection chamber to tie-in to the existing service connection at the southwest corner of 7431 Williams Road. The inspection chamber shall be located within the road right-of-way and will be used to facilitate future development by 7411 Williams Road.

Sanitary Sewer Works:

- At the Developers cost, the City is to:
 - Cut & cap the existing sanitary service connection at the northwest corner of the lot.
 - Install a new sanitary inspection chamber complete with dual service connection along the north common property of the development site.
 - All sanitary works to be completed prior to any onsite building construction.

Frontage Improvements:

- The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers:
 - To underground Hydro service lines.
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc).
 - Remove the existing driveway crossing to Williams Road, and replace with concrete curb, gutter, and sidewalk.
 - Pay, in keeping with the Subdivision and Development Bylaw No. 8751, a \$43,660.40 cash-in-lieu contribution for the design and construction of frontage improvements and lane upgrades as set out below:

• Concrete Sidewalk (EP. 0640)	\$5,834.80
• Boulevard Landscape/Trees (EP. 0647)	\$5,834.80
• Lane Asphalt/Pavement (EP. 0636)	\$10,864.80
• Lane Drainage (EP. 0637)	\$10,462.40
• Lane Concrete Curb & Gutter (EP. 0638)	\$5,432.40
• Lane Lighting (EP. 0639)	\$5,231.20

General Items:

- The Developer is required to:
 - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9613 (RZ 15-718064)
7431 Williams Road**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"COACH HOUSES (RCH1)"**.

P.I.D. 010-320-903

Lot 6 Section 29 Block 4 North Range 6 West New Westminster District Plan 17789

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9613"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

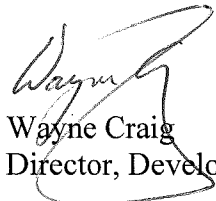
To: Planning Committee
From: Wayne Craig
Director, Development

Date: December 12, 2016
File: RZ 16-736824

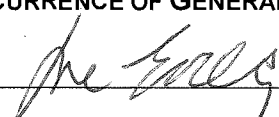
Re: Application by Simon Wong for Rezoning at 4560 Garry Street from Single Detached (RS1/E) to Single Detached (RS2/A)

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9645, for the rezoning of 4560 Garry Street from "Single Detached (RS1/E)" to "Single Detached (RS2/A)", be introduced and given first reading.


Wayne Craig
Director, Development

SDS:blg
Att. 5

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

Staff Report

Origin

Simon Wong has applied to the City of Richmond for permission to rezone the property at 4560 Garry Street from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/A)” zone, to permit the property to be subdivided to create two (2) single-family lots, with vehicle access from Garry Street (Attachment 1). The site is currently occupied by a single-family dwelling, which will be demolished. A site survey showing the proposed subdivision plan is included in Attachment 2.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

To the North: Single-family dwellings on lots zoned “Single Detached (RS1/A)” and “Single Detached (RS1/C)” fronting Garry Street.

To the South: Single-family dwellings on lots zoned “Single Detached (RS1/A)” fronting Dunfell Road.

To the East: Single-family dwellings on lots zoned “Single Detached (RS1/B)” fronting Garry Street.

To the West: Single-family dwellings on lots zoned “Single Detached (RS1/A)” fronting Garry Street.

Related Policies & Studies

Official Community Plan/Steveston Area Plan

The Official Community Plan (OCP) land use designation for the subject property is “Neighbourhood Residential” (NRES). The Steveston Area Plan land use designation for the subject property is “Single-Family”. The proposed rezoning and subdivision would comply with these designations.

Single-Family Lot Size Policy 5471/Zoning Bylaw 8500

The subject property is located within the area governed by Single-Family Lot Size Policy 5471 (adopted by Council July 29, 2002) (Attachment 4). The Lot Size Policy permits the property to be rezoned and subdivided in accordance with the provisions of the “Single Detached (RS1/A)” zone. The proposed rezoning and subdivision would comply with the requirements of the “Single Detached (RS2/A)” zone and Single-Family Lot Size Policy 5471.

Floodplain Management Implementation Strategy

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

Public Consultation

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

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis**Existing Legal Encumbrances**

There is an existing 3.0 m wide statutory right-of-way (SRW) registered on Title for utilities (sanitary sewer) along the south property line, which will not be impacted by the proposed development. The applicant is aware that encroachment into the SRW is not permitted.

Site Access

Vehicle access to the proposed lots is to be from Garry Street via separate driveway crossings.

Tree Retention and Replacement

A Certified Arborist's Report was submitted by the applicant; which identifies tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The report assesses one (1) City-owned tree.

The City's Parks Arborist has reviewed the Arborist's Report and has the following comments:

- Remove one (1) City-owned Plum tree located in front of the subject property due to poor condition and conflict with the proposed driveway letdown (16 cm dbh). The applicant has received approval from the Parks Department and must contact the department four days prior to removal. Compensation of \$1,300 is required in order for the Parks Department to plant two (2) trees at or near the subject property.

Tree Planting

Council Policy #5032 for Tree Planting (Universal) (adopted by Council on July 10, 1995 and amended in 2015) encourages a minimum of two (2) trees to be planted and maintained on every lot. The applicant has proposed to plant and maintain a minimum of two (2) trees on each lot

(one (1) in the front yard and one (1) in the rear yard); for a total of four (4) trees. Trees shall be the following minimum sizes:

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

To ensure that four (4) trees are planted on-site at development stage, the applicant is required to submit a Landscaping Security in the amount of \$2,000 (\$500/tree) prior to final adoption of the rezoning bylaw. Securities will not be released until a landscaping inspection has been passed by City staff after construction and landscaping has been completed. The City may retain a portion of the security for a one year maintenance period from the date of the landscape inspection.

Affordable Housing Strategy

The City's current Affordable Housing Strategy (adopted by Council September 14, 2015) for single-family rezoning applications requires a secondary suite on 100% of new lots, or a secondary suite on 50% of new lots, plus a cash-in-lieu contribution of \$2.00/ft² of total buildable area towards the City's Affordable Housing Reserve Fund for the remaining 50% of new lots, or a 100% cash-in-lieu contribution.

The applicant proposes to provide a voluntary contribution to the Affordable Housing Reserve Fund based on \$2.00/ft² of total buildable area (i.e. \$9,590.64) in-lieu of providing secondary suites; consistent with the Affordable Housing Strategy. The applicant has indicated that due to the relatively small size of the proposed lots, accommodating a secondary suite on the main floor would not be preferred. The cash-in-lieu contribution must be submitted prior to final adoption of the rezoning bylaw.

Site Servicing and Frontage Improvements

Prior to final adoption of the rezoning bylaw, the applicant must provide a new 3 m wide utility statutory right-of-way extending from the north property line to 1 m past the existing inspection chamber for storm sewer utility service. The applicant is aware that encroachment into the statutory right-of-way is not permitted.

At future subdivision and Building Permit stage, the applicant is required to complete the following:

- Construction of driveway crossings to City design standards and associated works; such as restoration of existing sidewalk and boulevard.
- Payment of current year's taxes, Development Cost Charges (City and GVS & DD), Address Assignment Fees, School Site Acquisition Charge, and the cost associated with the completion of the required servicing works and frontage improvements as described in Attachment 5.

Financial Impact or Economic Impact

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

Conclusion

The purpose of this rezoning application is to rezone the property at 4560 Garry Street from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/A)" zone, to permit the property to be subdivided to create two (2) single-family lots

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

The list of rezoning considerations is included in Attachment 5; which has been agreed to by the applicant (signed concurrence on file).

On this basis, it is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9645 be introduced and given first reading.



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

SDS:blg

- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Single-Family Lot Size Policy 5471
- Attachment 5: Rezoning Considerations

GARRY ST

[illegible]

Note: Dimensions are in METRES



City of
Richmond



RZ 16-736824

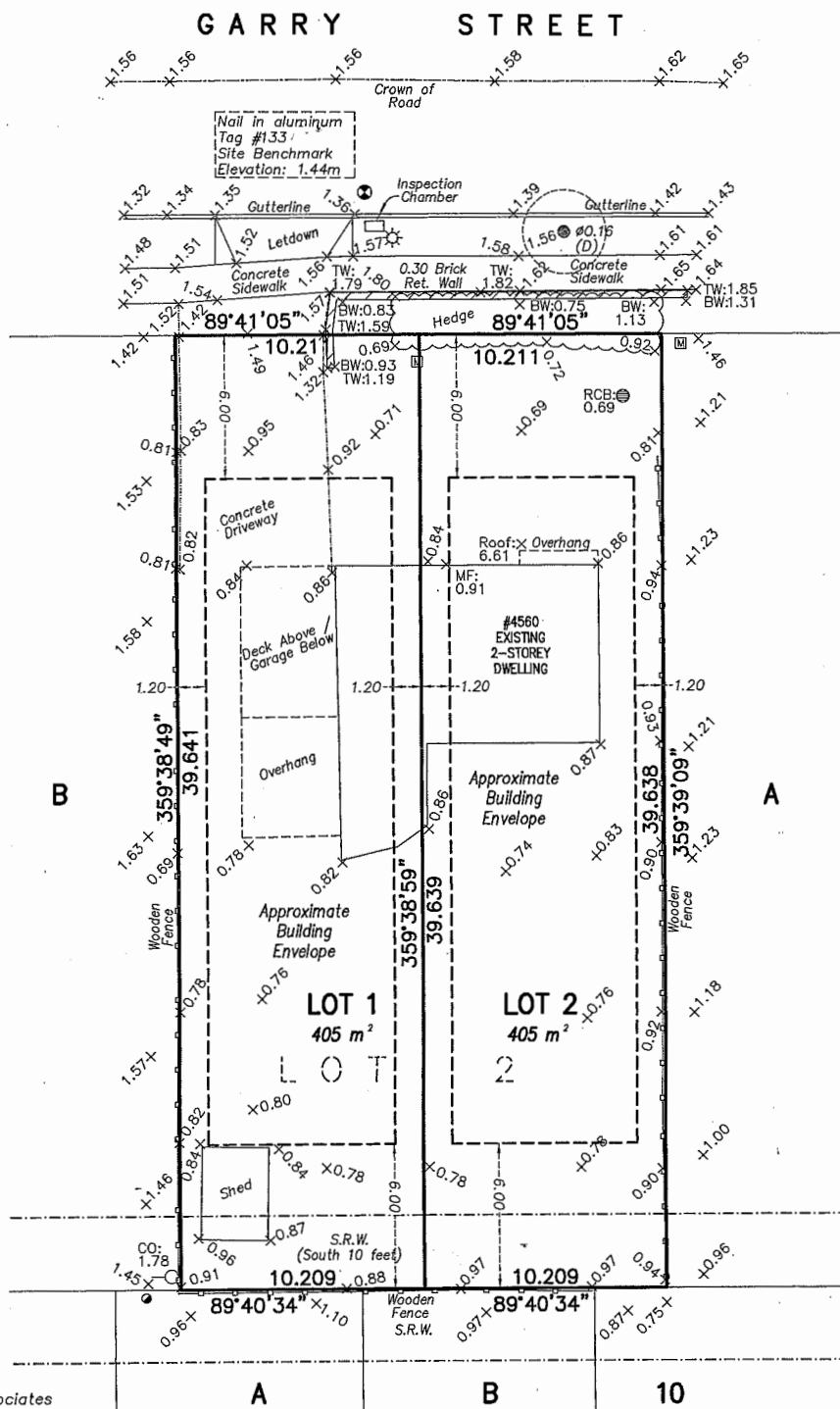
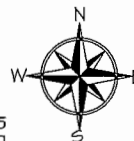
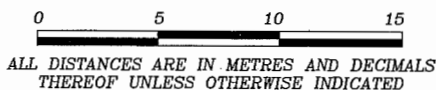
Original Date: 07/14/16

Revision Date:

Note: Dimensions are in METRES

ATTACHMENT 2

SCALE: 1:200



NOTE:

LEGEND:

- (D) denotes deciduous
 ● denotes round catch basin
 □ denotes water meter
 ○ denotes cleanout
 ☼ denotes lamp standard
 ● denotes power post
 MF denotes main floor
 BW. denotes bottom retaining wall
 TW. denotes top of retaining wall

NOTE:

Use site Benchmark Tag #133 for construction elevation control.

CERTIFIED CORRECT:
LOT DIMENSION ACCORDING TO
FIELD SURVEY.

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

JUNE 7th, 2016.

DWG No. 6593—Topo



RZ 16-736824

Attachment 3

Address: 4560 Garry Street

Applicant: Simon Wong

Planning Area(s): Steveston

	Existing	Proposed
Owner:	E. G & M Wong	To be determined
Site Size:	810 m ² (8,718 ft ²)	Lot 1: 405 m ² (4,359 ft ²) Lot 2: 405 m ² (4,359 ft ²)
Land Uses:	Single-family residential	No change
OCP Designation:	Neighbourhood Residential	Complies
Area Plan Designation:	Single-Family	Complies
Lot Size Policy Designation:	Single Detached (RS2/A)	Single Detached (RS2/A)
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/A)
Number of Units:	1	2

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55	Max. 0.55	None Permitted
Buildable Floor Area:*	Lot 1: Max. 222.7 m ² (2,397 ft ²) Lot 2: Max. 222.7 m ² (2,397 ft ²)	Lot 1: Max. 222.7 m ² (2,397 ft ²) Lot 2: Max. 222.7 m ² (2,397 ft ²)	None Permitted
Lot Coverage:	Building: Max. 45% Non-porous: Max. 70% Landscaping: Max. 20%	Building: Max. 45% Non-porous: Max. 70% Landscaping: Max. 20%	None
Lot Size:	Min. 270.0 m ²	Lot 1: 405 m ² Lot 2: 405 m ²	None
Lot Dimensions:	Width: Min. 9.0 m Depth: Min. 24.0 m	Width: 10.2 m Depth: 39.6 m	None
Setbacks:	Front: Min. 6 m Rear: Min. 6 m Interior Side: Min. 1.2 m	Front: Min. 6 m Rear: Min. 6 m Interior Side: Min. 1.2 m	None
Height:	Max. 2 ½ storeys	Max. 2 ½ storeys	None

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

**City of Richmond****Policy Manual**

Page 1 of 2

Adopted by Council – July 29, 2002

POLICY 5471

File Ref: 4045-00

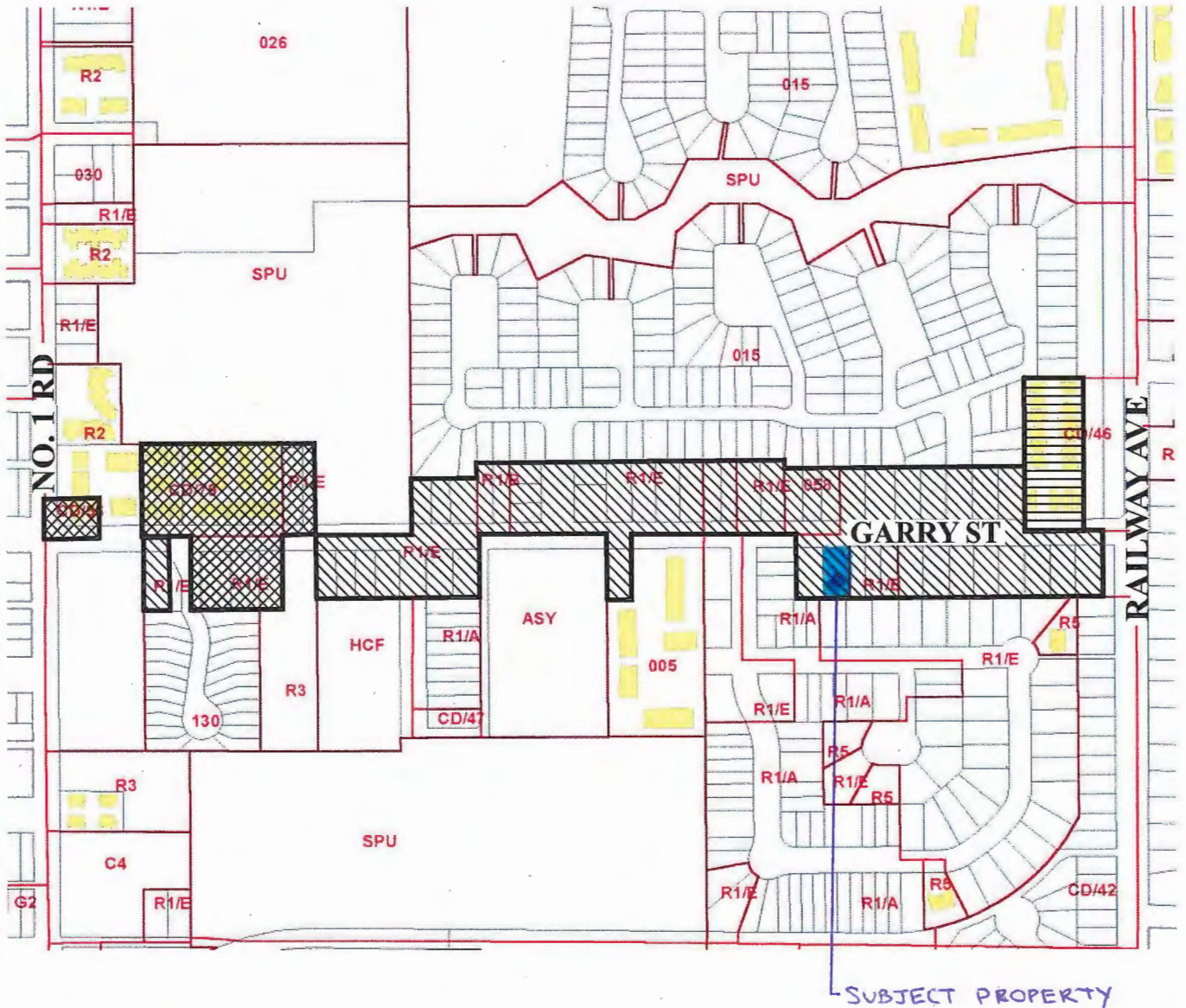
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 2-3-7**POLICY 5471:**

The following policy establishes lot sizes for properties along **Garry Street, between No. 1 Road and Railway Avenue** (in a portion of Section 2-3-7):

That properties located along Garry Street between No. 1 Road and Railway Avenue, in a portion of Section 2-3-7, be permitted to subdivide in accordance with the provisions of Single-Family Housing District Subdivision Area A (R1/A) in Zoning and Development Bylaw 5300 provided that no new accesses are created onto Railway Avenue and No. 1 Road; and

That properties located at 4771, 4109, 4111, 4211, 4160, 4180, 4011 Garry Street and the north-westerly portion of 4200 Garry Street be deemed eligible for townhouse development; and

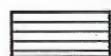
That this policy be used to determine the disposition of future single-family and townhouse rezoning applications in this area for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.



Rezoning would be permitted to R1/A.
(9 m or 29.527 ft. Wide lots)



Townhouse or single-family lots.



16 detached townhouse units that
resemble single-family homes.



Policy 5471 Section 02-3-7 PLN - 92

Original Date: 07/29/02

Revision Date:

Note: Dimensions are in METRES



City of Richmond

Rezoning Considerations

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

Address: 4560 Garry Street

File No.: RZ 16-736824

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9645, the developer is required to complete the following:

1. Submission of a Landscaping Security in the amount of \$2,000 (\$500/tree) to ensure that a total of four (4) trees (one (1) in the front yard and one (1) in the rear yard of each lot) are planted and maintained on the proposed lots with the following minimum sizes:

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

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

2. City's acceptance of the applicant's voluntary contribution of \$1,300 for the removal of the one (1) City-owned tree, in order for the City to plant two (2) trees at or near the development site.
3. The registration of a 3 m wide statutory right-of-way extending from the north property line to 1 m past the existing inspection chamber for storm sewer utility service.
4. Registration of a flood indemnity covenant on Title.
5. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments (i.e. \$9,590.64) to the City's Affordable Housing Reserve Fund.

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

1. Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), Address Assignment Fees, School Site Acquisition Charge, and the cost associated with the completion of the required servicing works and frontage improvements.
2. The following servicing works and off-site improvements may be completed through either a) a Servicing Agreement* entered into by the applicant to design and construct the works to the satisfaction of the Director of Engineering; or b) a cash contribution (based on the City's cost estimate for the works) for the City to undertake the works at development stage:

Water Works:

- Using the OCP Model, there is 350 L/s of water available at a 20 psi residual at the Garry Street frontage. Based on your proposed development, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for on-site fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage Building designs.
 - Retain existing 25 mm water service connection at north end of lot.
- At Developer's cost, the City is to:
 - Install a new water service connection parallel to the existing service connection at the adjoining property line of the two (2) newly subdivided lots, complete with meter and meter box.

Storm Sewer Works:

- The Developer is required to:

- Check the existing storm service connection at the northeast corner and confirm the material and condition of the inspection chamber and pipe. If deemed acceptable by the City, the existing service connection may be retained. In the case that the service connection is not in a condition to be re-used, the service connection shall be replaced by the City, at the Developer's cost, as described below. In either case, a 3.0 m wide utility service right-of-way extending from the property line to 1.0 m past the inspection chamber must be added.
- At Developer's cost, the City is to:
 - Replace existing storm service connection as required, retaining existing inspection chamber.
 - Cut and cap, at the property line of the adjacent lot, the existing storm service connection at the northwest corner.
 - Install a new storm service connection at the northwest corner of the subject site, complete with inspection chamber.

Sanitary Sewer Works:

- The Developer is required to:
 - Not start on-site foundation construction prior to completion of rear yard sanitary works by City crews.
- At Developer's cost, the City is to:
 - Install new sanitary service connection at the adjoining property line of the two (2) newly created lots, complete with inspection chamber and service laterals, off of the existing main along the south property line.
 - Cut, cap, and remove existing sanitary service connection and inspection chamber at southwest corner of the subject site.

Frontage Improvements:

- The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.). These should be located onsite.
 - Relocate the existing street light pole if there is a conflict with the proposed driveways.
 - Complete other frontage improvements as per Transportation's requirements
 - Construction of driveway crossings to City design standards and associated works; such as restoration of existing sidewalk and boulevard.
3. If applicable, 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. If applicable, payment of latecomer agreement charges associated with eligible latecomer works.
 5. 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 on file]

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9645 (RZ 16-736824)
4560 Garry Street**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"SINGLE DETACHED (RS2/A)"**.

P.I.D. 003-766-870

Lot 2 Section 2 Block 3 North Range 7 West New Westminster District Plan 21419

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9645"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

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

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

Date: December 5, 2016

File: RZ 14-659770

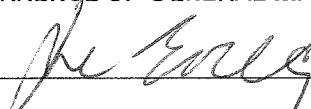
Re: Application by 1015553 BC Ltd. for Rezoning at 4271 Francis Road from "Single Detached (RS1/E)" to "Single Detached (RS2/C)"

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9660, for the rezoning of 4271 Francis Road from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/C)" zone, be introduced and given first reading.


Wayne Craig
Director, Development

WC:jr
Att. 8

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

Staff Report

Origin

1015553 BC Ltd. has applied to the City of Richmond for permission to rezone 4271 Francis Road from the “Single Detached (RS1/E)” zone to the “Single Detached (RS2/C)” zone, to permit the property to be subdivided to create two (2) lots, one (1) with vehicle access to Craigflower Gate and one (1) with vehicle access to Francis Road (Attachment 1). The proposed subdivision plan is provided in Attachment 2. There was an existing single-family dwelling on the property, which has been demolished.

Findings of Fact

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

Surrounding Development

Development immediately surrounding the subject site is as follows:

- To the North: Single-family dwellings on lots zoned “Single Detached (RS1/B)”, fronting Craigflower Drive.
- To the South: The sports fields of Hugh Boyd Secondary School, on lots zoned “School & Institutional Use (SI).”
- To the East: A duplex dwelling on a lot zoned “Two-Unit Dwellings (RD1)”, fronting Francis Road.
- To the West: A single-family dwelling on a lot zoned “Single Detached (RS1/E)”, fronting Francis Road.

Related Policies & Studies

Official Community Plan/Seafair Area Plan

The subject property is located in the Seafair planning area (Attachment 4). The Official Community Plan (OCP) designation for the subject property is “Neighbourhood Residential.” The proposed rezoning is consistent with this designation.

Richmond Zoning Bylaw 8500/Single Family Lot Size Policy 5467

The subject property is located in the area governed by Single Family Lot Size Policy 5467, adopted by Council on March 15, 1999, and amended on December 17, 2012 (Attachment 5). This Lot Size Policy allows the subject property to rezone and subdivide to “Single Detached (RS2/C)” only. The proposed rezoning is consistent with this Policy.

Arterial Road Policy

The subject property is not designated on the current Arterial Road Development Map.

On November 14, 2016, Council gave first reading to proposed updates to the Arterial Road Policy. If adopted by Council, the update would designate the subject property "Arterial Road Single Detached." The proposed rezoning is consistent with the proposed updates to the Arterial Road Policy.

Floodplain Management Implementation Strategy

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

Public Consultation

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

Should the Planning Committee endorse this application and Council grant first reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing; where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

Conceptual Development Plans

As the subject property is a corner lot, the applicant has submitted conceptual plans showing the preliminary architectural elevations of the dwelling on the west-most proposed corner lot at the intersection of Craigflower Gate and Francis Road (Attachment 6).

The proposed elevation plans show the entrance to the primary dwelling on the west face of the building, fronting Craigflower Gate. The south face, fronting Francis Road, includes the entry to a secondary suite. Projecting window bays provide articulation and allow for casual surveillance of both streets. Secondary eaves delineate the first and second storeys to reduce apparent height of the dwelling.

Prior to final adoption of the rezoning bylaw, the applicant is required to register a legal agreement on Title, specifying that the Building Permit application and ensuing development of the corner lot must be generally consistent with the plans included in Attachment 6. The Building Permit application process includes coordination between Building Approvals and Planning Department staff to ensure that the covenant is adhered to.

Plans submitted at Building Permit application stage must also demonstrate compliance with Richmond Zoning Bylaw 8500 and all City regulations at the time of submission.

Existing Legal Encumbrances

There is an existing 3.0 m wide Statutory Right of Way (SRW) for the sanitary sewer across the entire north property line; which will not be impacted by the proposed rezoning. The applicant is aware that encroachment into this SRW is not permitted.

Transportation and Site Access

Vehicle access to Lot A is proposed from Craigflower Gate, and vehicle access to Lot B is proposed from Francis Road. Only one (1) vehicle access to each lot is permitted under Richmond Residential Lot (Vehicular) Access Regulation Bylaw No. 7222. The applicant is required to remove the existing driveway access from Francis Road.

Staff have agreed to allow a 5.0 m wide driveway from Francis Road with a turn-around area on site. This driveway location and configuration will facilitate retention of a large Pine tree on the south property line, shared with the City.

Prior to final adoption of the rezoning bylaw, the applicant is required to dedicate a 4 x 4 m corner cut for the City boulevard and sidewalk.

Prior to issuance of a Building Permit, the applicant is required to submit a Construction Parking and Traffic Management Plan to the City's Transportation Department for review.

Tree Retention and Replacement

The applicant has submitted a Certified Arborist's Report; which identifies on-site and off-site tree species, assesses tree structure and condition, and provides recommendations on tree retention and removal relative to the proposed development. The Report assesses nine (9) bylaw-sized trees on the subject property.

The City's Tree Preservation Coordinator has reviewed the Arborist's Report and supports the findings of the applicant's arborist:

- One (1) 85 cm caliper Pine tree (Tag # 61) located on a shared property line between the development site and the City-owned sidewalk, is in good condition. Staff assessment differs from the Arborist recommendation in this respect, as the existing structural defects do not make this tree a high hazard. This is a significant tree located along the street and should be retained and protected.
- One (1) 45 cm caliper Cypress tree (Tag # 60) located on the development site is in good condition and should be retained and protected.
- One (1) 50 cm caliper Oak tree (Tag # 64) located on the development site is in good condition and should be retained and protected.
- Six (6) trees (Tag # 56, 57, 58, 59, 62, and 63) between 25-88 cm DBH, located on the development site are in poor condition; they have been infected with Bronze Birch Borer and/or historically topped, and as a result, exhibit significant structural defects such as

primary and secondary stem unions and co-dominant stems with inclusions. These trees are not good candidates for retention and should be replaced.

- Replacement trees should be specified at 2:1 ratio as per the OCP.

Tree Protection

Two (2) trees located on the development site and one (1) tree shared with the City are to be retained and protected (Tag # 60, 61, and 64). The applicant has submitted a tree protection plan showing the trees to be retained and the measures taken to protect them during development stage (Attachment 7). To ensure that the trees identified for retention are protected at development stage, the applicant is required to complete the following items:

- Prior to final adoption of the rezoning bylaw, submission to the City of a contract with a Certified Arborist for the supervision of all works conducted within or in close proximity to tree protection zones. The contract must include the scope of work required, the number of proposed monitoring inspections at specified stages of construction, any special measures required to ensure tree protection, and a provision for the arborist to submit a post-construction impact assessment to the City for review.
- Prior to final adoption of the rezoning bylaw, submission to the City of a Tree Survival Security in the amount of \$30,000 (\$10,000 per tree) for the three (3) trees to be retained. This security value is based on the size and condition of the retained trees.
- The existing dwelling has been demolished. Tree protection fencing was installed to City standard in accordance with the City's Tree Protection Information Bulletin Tree-03, and was inspected on April 29, 2016. Tree protection fencing must remain in place until construction and landscaping on-site is completed.

Tree Replacement

The applicant wishes to remove six (6) on-site trees (Tag # 56, 57, 58, 59, 62, and 63). The 2:1 replacement ratio would require a total of 12 replacement trees. The applicant has agreed to plant two (3) trees on each lot proposed; for a total of six (6) trees. The required replacement trees are to be of the following minimum sizes, based on the size of the trees being removed as per Tree Protection Bylaw No. 8057.

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	11 cm	6 m
2	10 cm	5.5 m
2	9 cm	5 m

To satisfy the 2:1 replacement ratio established in the OCP, the applicant will contribute \$3,000 to the City's Tree Compensation Fund in lieu of the remaining six (6) trees that cannot be accommodated on the subject property after redevelopment.

Prior to final adoption of the rezoning bylaw, the applicant must submit a Landscape Plan for both lots, prepared by a Registered Landscape Architect, along with a Landscape Security based

on 100% of the cost estimate provided by the Landscape Architect for the proposed planting, including a 10% contingency; which will include the six (6) required replacement trees. The Landscape Plan must comply with the regulations for coach house and compact lot development contained in the Arterial Road Policy in the OCP. A portion of the security will be released after construction and landscaping at the subject site is completed and a landscape inspection by City staff has been passed. The City may retain the balance of the security for a one-year maintenance period to ensure that the landscaping survives.

Affordable Housing Strategy

The Affordable Housing Strategy for single-family rezoning applications requires a secondary suite or coach house on 100% of new lots created; a suite or coach house on 50% of new lots created together with a cash-in-lieu contribution to the City's Affordable Housing Reserve Fund of \$2.00/ft² of the total buildable area of the remaining lots; or a cash-in-lieu contribution for all lots created in instances where a secondary suite cannot be accommodated in the development.

The applicant proposes to build a secondary suite on one (1) of the two (2) new lots, and will provide a \$5,690.72 contribution to the City's Affordable Housing Reserve Fund for the remaining lot (2,845.36 ft² buildable area at \$2/ft²). This proposal is consistent with the Affordable Housing Policy.

Prior to final adoption of the rezoning bylaw, the applicant must register a legal agreement on Title, to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.

Site Servicing and Frontage Improvements

At Subdivision stage, the applicant is required to complete the following:

- Payment of the year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, Address Assignment Fees, and the costs associated with the completion of the required servicing works and frontage improvements described in Attachment 8.

Financial Impact

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

Conclusion

The purpose of this application is to rezone 4271 Francis Road from the "Single Detached (RS1/E)" zone to the "Single Detached (RS2/C)" zone; to permit the property to be subdivided to create two (2) lots, one (1) with vehicle access to Craigflower Gate and one (1) with vehicle access to Francis Road.

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

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

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9660, be introduced and given first reading.



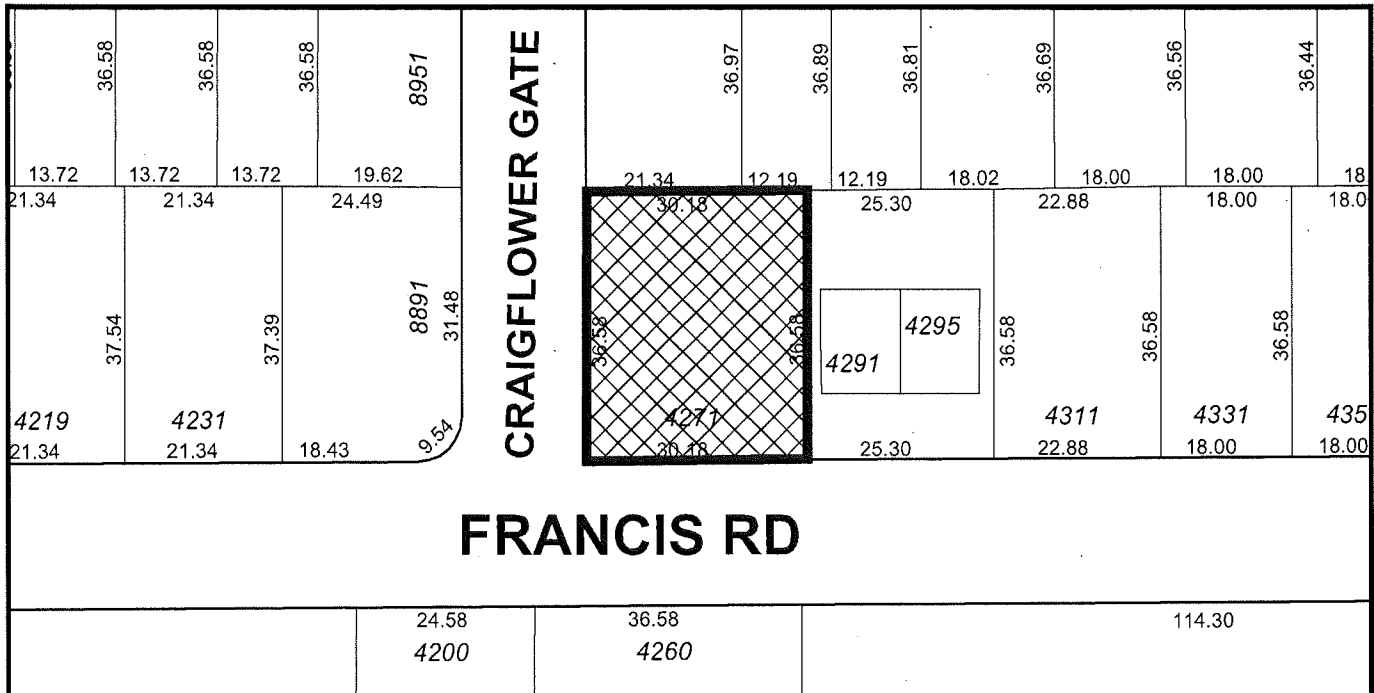
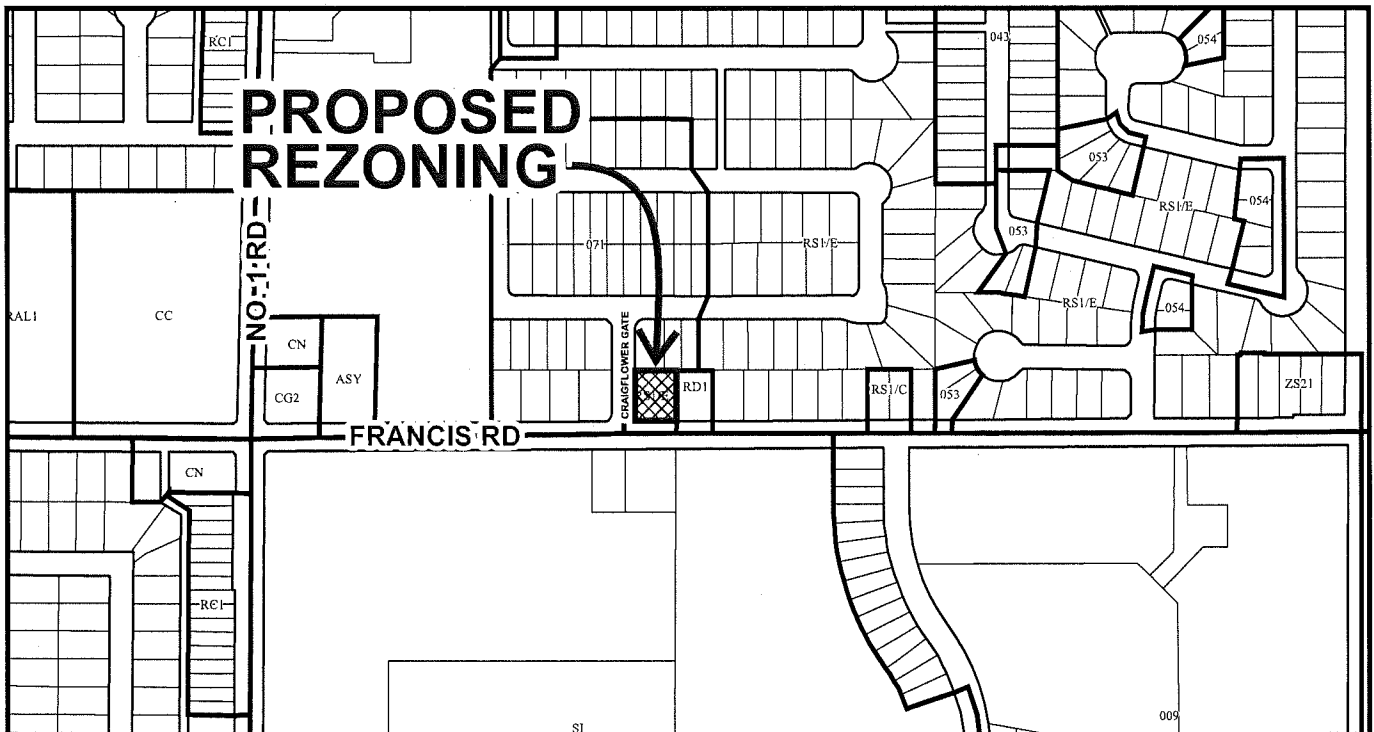
Jordan Rockerbie
Planning Technician
(602-276-4092)

JR:blg

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Proposed Subdivision Plan
- Attachment 3: Development Application Data Sheet
- Attachment 4: Seafair Land Use Map
- Attachment 5: Single-Family Lot Size Policy 5467
- Attachment 6: Conceptual Development Plans
- Attachment 7: Tree Protection Plan
- Attachment 8: Rezoning Considerations



City of
Richmond



RZ 14-659770

Original Date: 04/02/14

Revision Date:

Note: Dimensions are in METRES



City of
Richmond

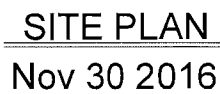


RZ 14-659770

Original Date: 04/02/14

Revision Date:

Note: Dimensions are in METRES





RZ 14-659770

Attachment 3

Address: 4271 Francis Road

Applicant: 1015553 BC Ltd.

Planning Area(s): Seafair

	Existing	Proposed
Owner:	1015553 BC Ltd.	To be determined
Site Size (m²):	1,103.5 m ²	Lot A: 601.62 m ² (after road dedication) Lot B: 494.06 m ² Corner dedication: 8 m ²
Land Uses:	One (1) single-family dwelling	Two (2) single-family dwellings
OCP Designation:	Neighbourhood Residential	No change
702 Policy Designation:	Single Detached (RS2/C)	Single Detached (RS2/C)
Zoning:	Single Detached (RS1/E)	Single Detached (RS2/C)

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	Max. 0.55 for lot area up to 464.5 m ² plus 0.3 for area in excess of 464.5 m ²	none permitted
Buildable Floor Area (m ²)*	Lot A: Max. 296.611 m ² (3,192.69 ft ²) Lot B: Max. 264.343 m ² (2,845.36 ft ²)	Lot A: Max. 296.611 m ² (3,192.69 ft ²) Lot B: Max. 264.343 m ² (2,845.36 ft ²)	none permitted
Lot Coverage (% of lot area):	Building: Max. 45% Non-porous Surfaces: Max. 70%	Building: Max. 45% Non-porous Surfaces: Max. 70%	none
Lot Size:	360.0 m ²	Lot A: 601.62 m ² Lot B: 494.06 m ²	none
Lot Dimensions (m):	Lot A Width: 15.5 m Lot B Width: 13.5 m Depth: 24.0 m	Lot A Width: 16.67 m Lot B Width: 13.51 m Depth: 36.57 m	none
Setbacks (m):	Lot A Front: Min. 6.0 m Lot B Front: Min. 9.0 m Rear: Min. 6.0 m Side: Min. 1.2 m Exterior Side: Min. 3.0 m	Lot A Front: Min. 6.0 m Lot B Front: Min. 9.0 m Rear: Min. 6.0 m Side: Min. 1.2 m Exterior Side: Min. 3.0 m	none
Height (m):	Max. 9.0 m	Max. 9.0 m	none

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

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

3. Seafair





City of Richmond

Policy Manual

Page 1 of 2

Adopted by Council: March 15, 1999
 Amended by Council: December 17, 2012

POLICY 5467

File Ref: 4430-00

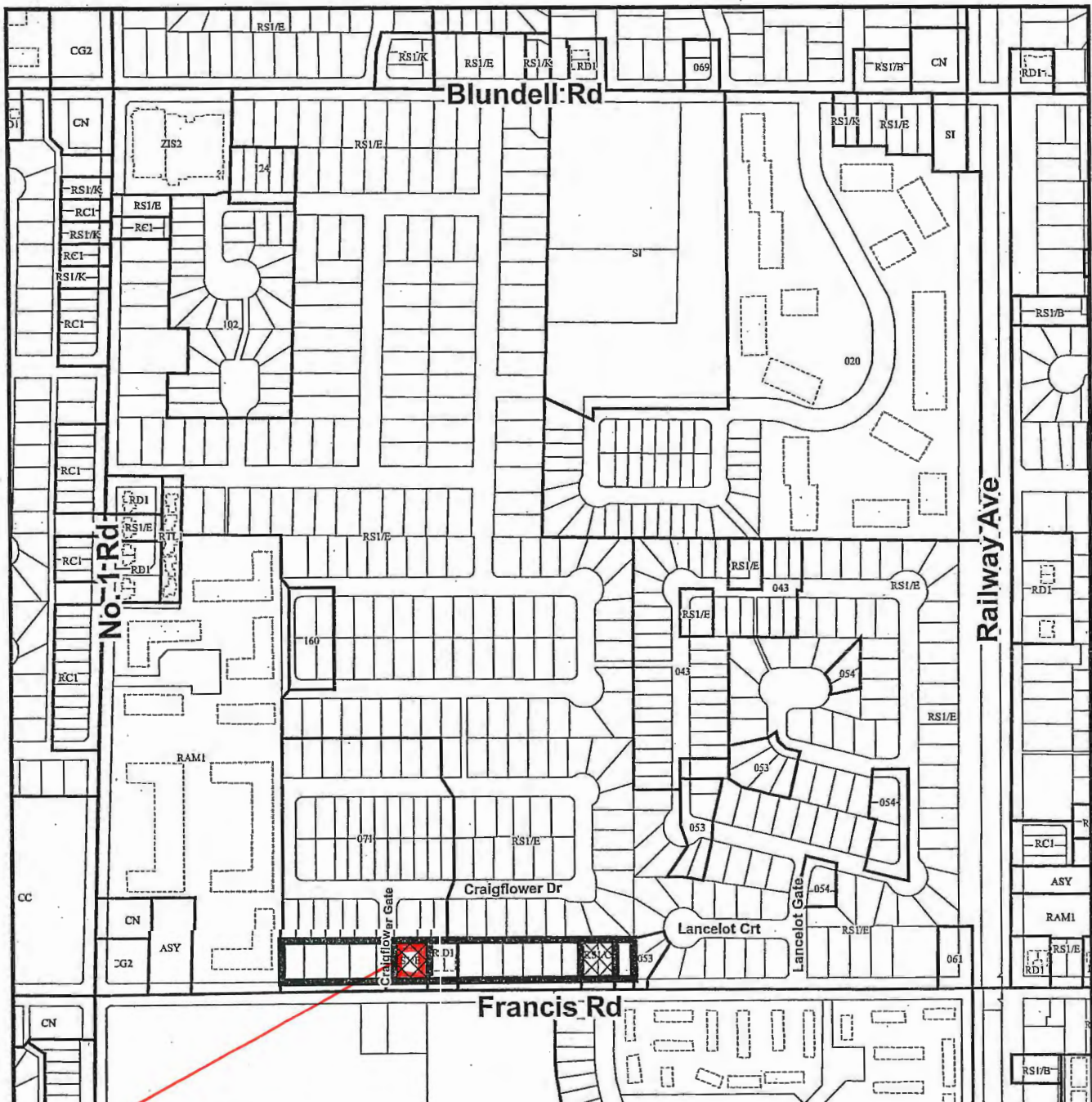
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 23-4-7

POLICY 5467:

The following policy establishes lot sizes in Section 23-4-7, located in the area **fronting the north side of Francis Road, between Railway Avenue and No. 1 Road**:

1. That the properties fronting the north side of Francis Road, between Railway Avenue and No. 1 Road in Section 23-4-7, be permitted to rezone and subdivide in accordance with the provisions of Single Detached (RS2/E) in Richmond Zoning Bylaw 8500, with the exception:
 - (a) that two lots, as shown cross-hatched on the accompanying plan, be permitted to rezone and subdivide as per Single Detached (RS2/C); and
 - (b) that existing duplexes be eligible to split into two lots provided that each new lot meets the requirement of Single Detached (RS2/B), and there is a lane or internal road access.

This policy, as shown on the accompanying plan, is to be used to determine the disposition of future rezoning applications, for a period of not less than five years, unless amended according to Richmond Zoning Bylaw 8500.



**SUBJECT
PROPERTY**



Rezoning and subdivision permitted as per **RS2/E**



Rezoning and subdivision permitted as per **RS2/C**

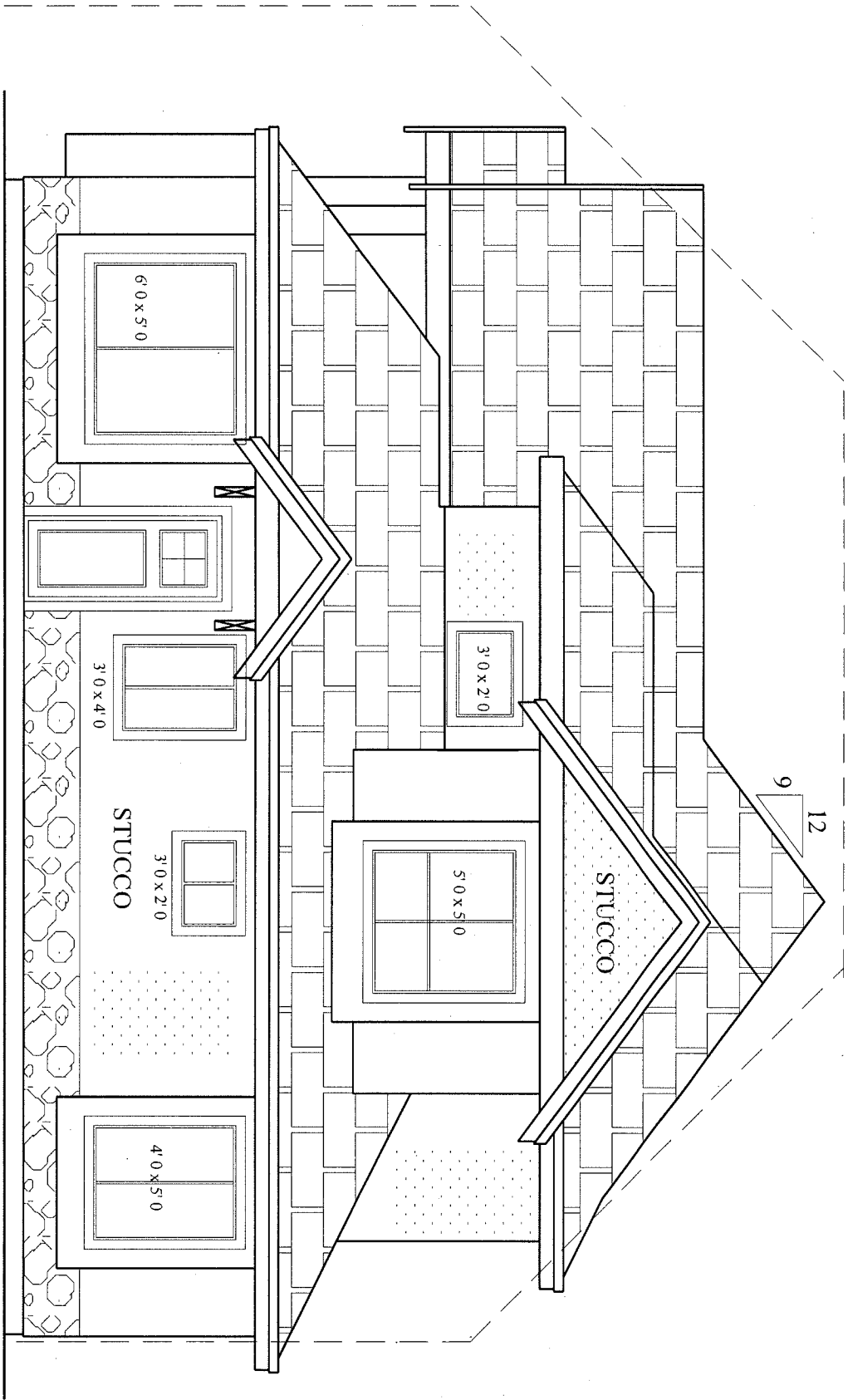
Duplexes are eligible to be split into two lots as per **RS2/B**
provided there is a lane or internal road access



Policy 5467 Section 23, 4-7

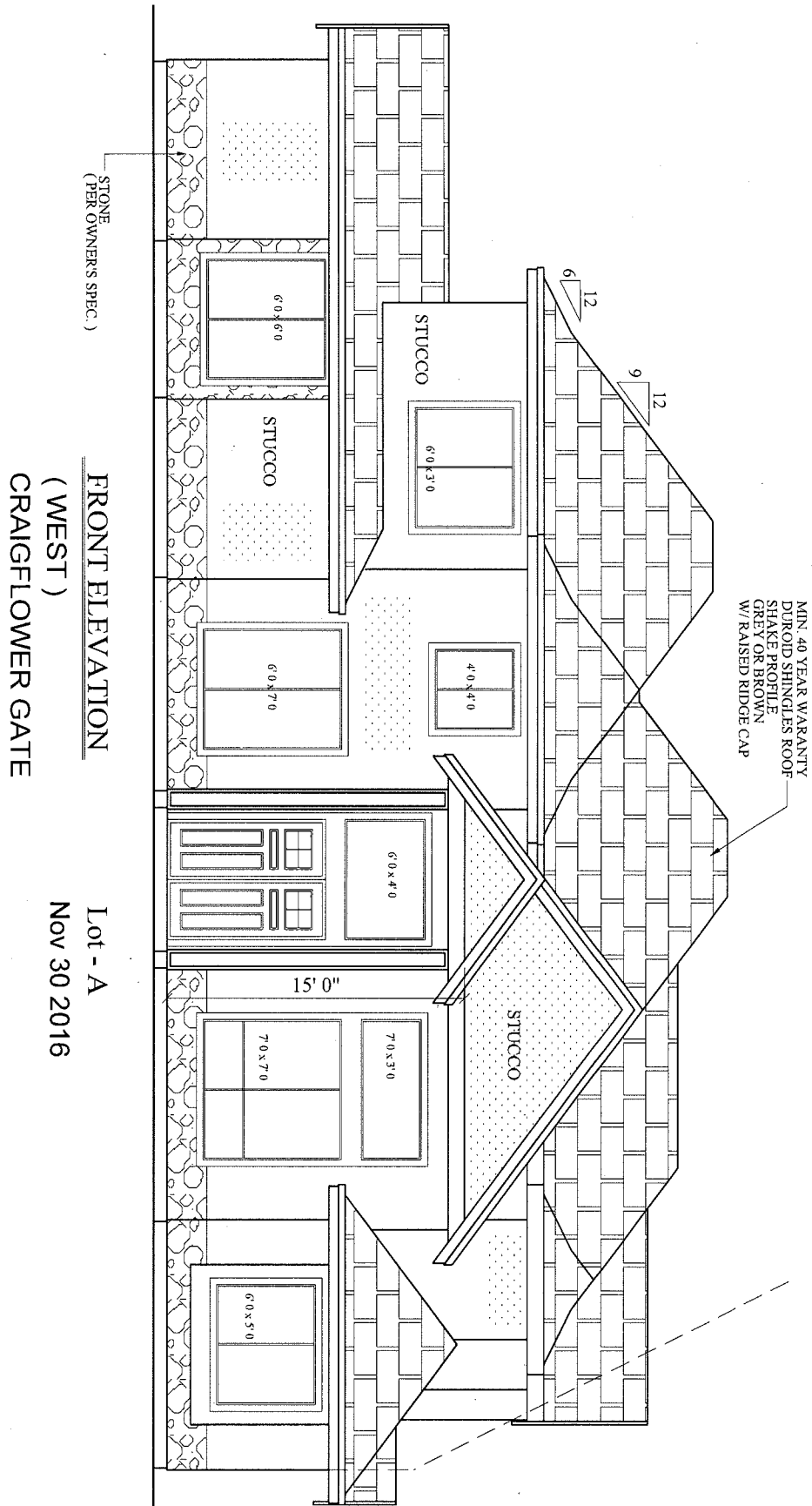
Adopted Date: 03/15/99

Amended Date: 12/17/12



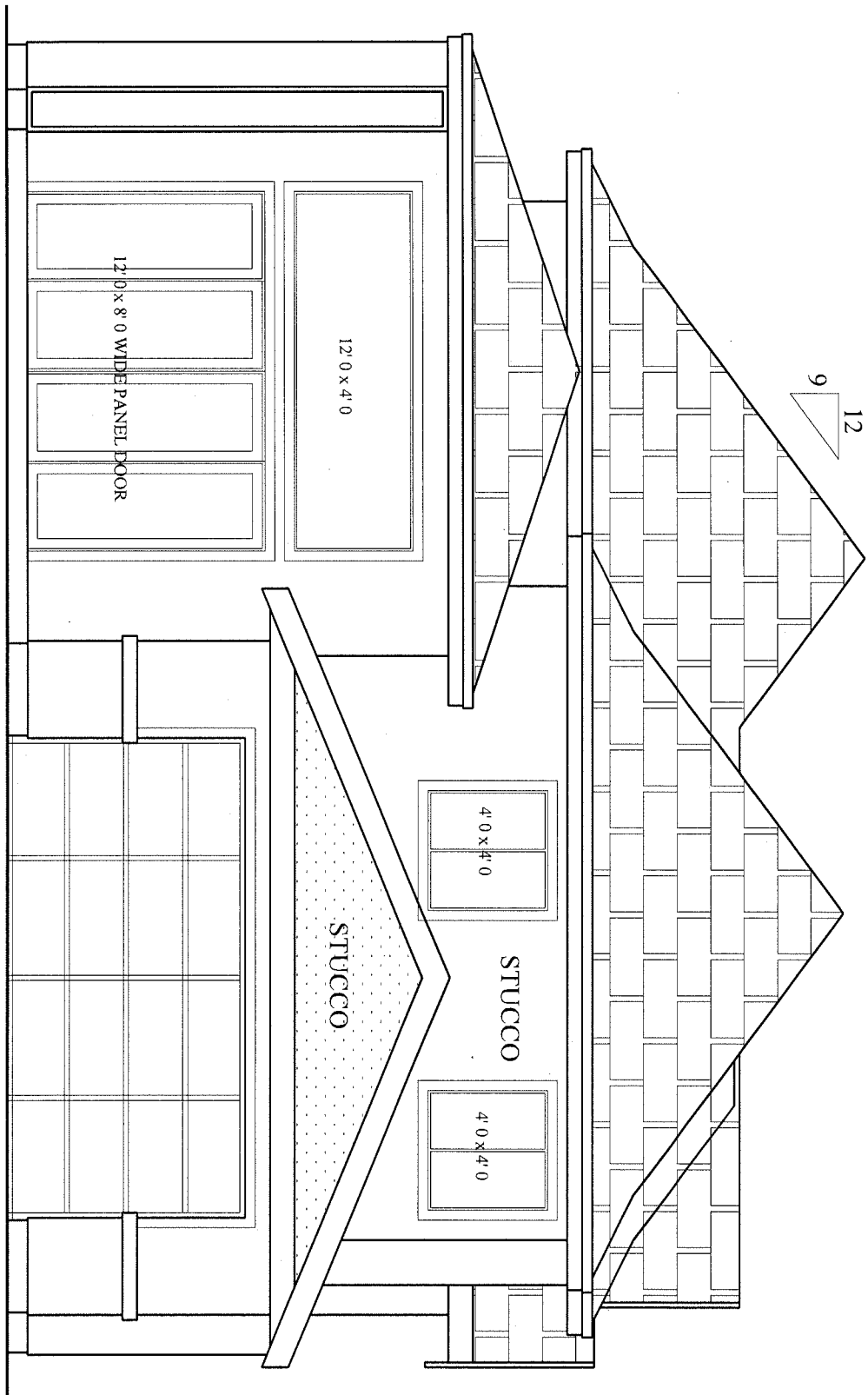
RIGHT SIDE ELEVATION
(SOUTH)
FRANCIS ROAD

Lot - A
Nov 30 2016



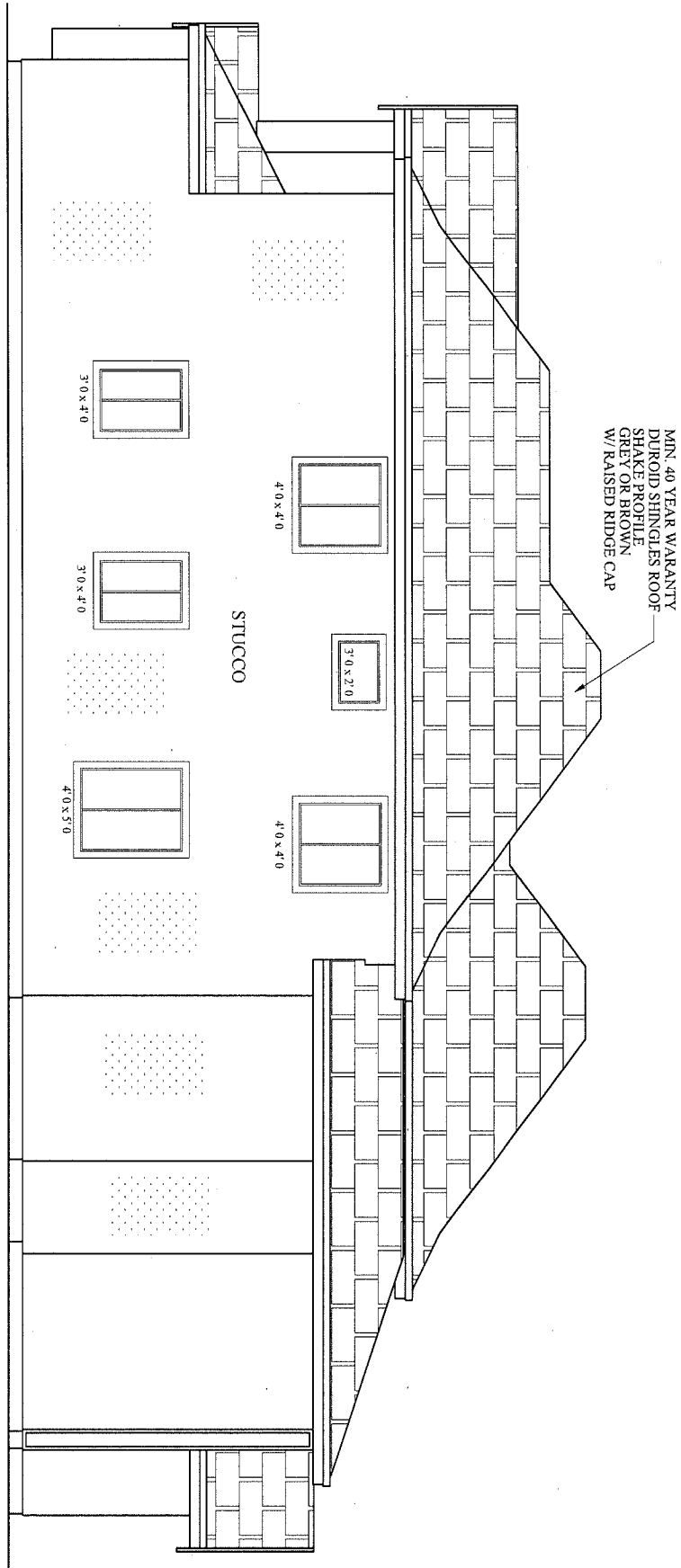
FRONT ELEVATION
(WEST)
CRAIGFLOWER GATE

Lot - A
Nov 30 2016



LEFT SIDE ELEVATION
(NORTH)

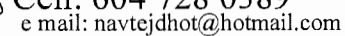
Lot - A
Nov 30 2016

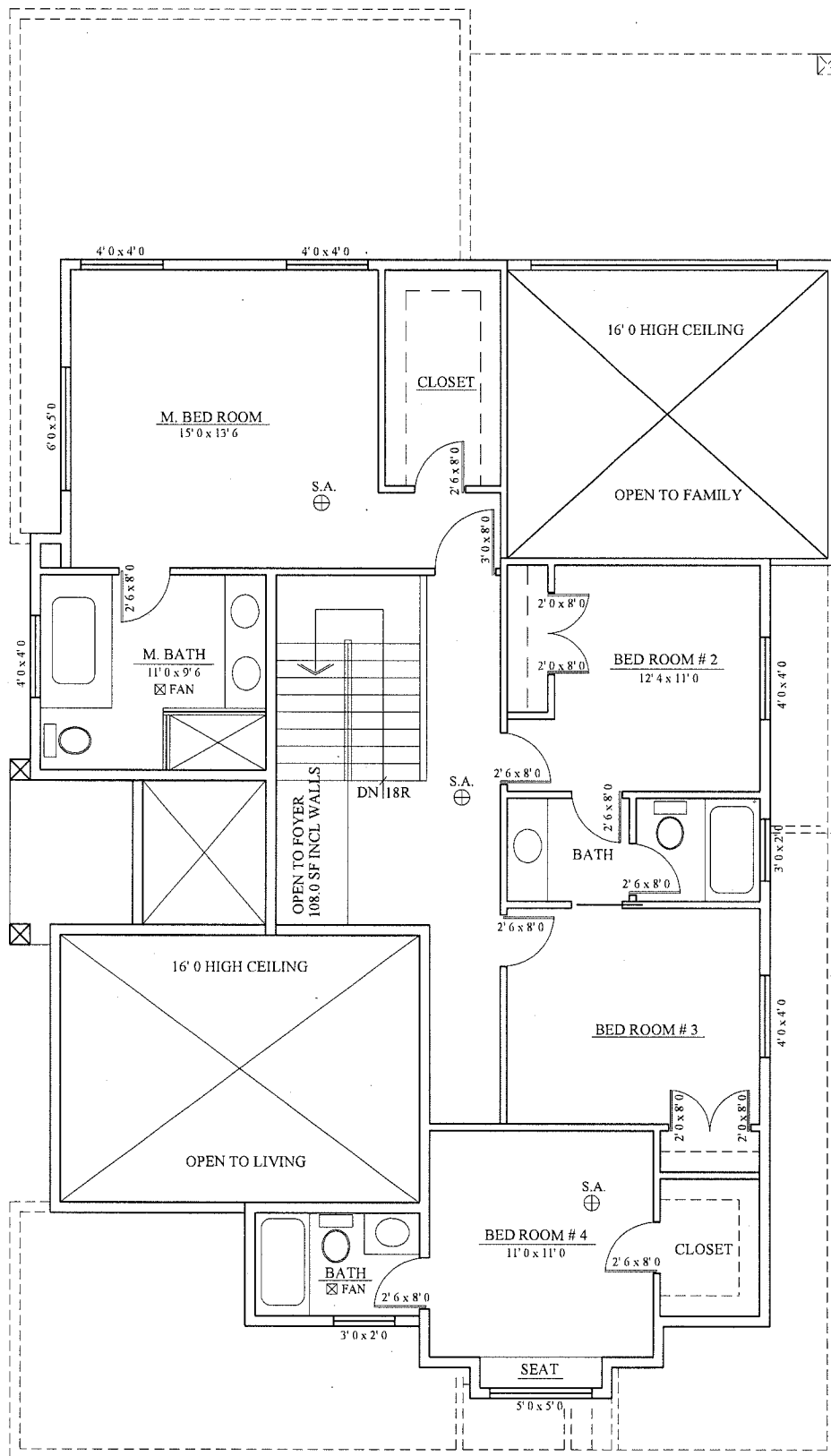


REAR ELEVATION
(EAST)

Lot - A

Nov 30 2016





Lot - A
SECOND FLOOR PLAN
 (9'0" HIGH CEILING)

AREA = 1296 - 107 = 1189.0

PLN - 116

Astonish Designs
 Cell: 604 728 0389
 e mail: navtejdh@hotmail.com

PLAN

Tree Protection Zone Signage

All TPZ are required to have signage as shown in Fig. 2. The signage must be a minimum of 11'x14' in size on at least 2 sides. A sign is now available for download from the City of Richmond's Tree Bylaw webpage at www.richmond.ca/services/environment/polices/treeremoval call 804-247-4684.

For Tree Protection Barrier Inspection requests and enquiries



Fig. 2 - Tree Protection Zone Sign

Callina MacDonald Inc.
2140 Highway 10C
Langley, BC
V2Y 1S9
604.904.0302
callina@callinamacdonald.ca

GENERAL NOTES:

All tree work to conform to the latest standards of the International Society of Arboriculture (ISA)

All landscape work to conform to the BC (ICLNA/BCSLA) Landscape Standard (7th Edition) as a minimum.

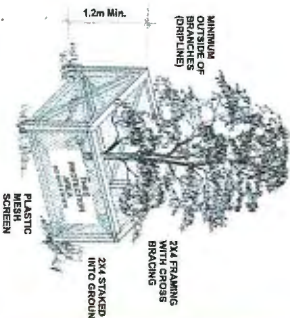
Verify elevations and dimensions prior to construction. Report discrepancies or site issues to Arborist for clarification.

TREE PROTECTION:

All dimensions are to metres.

NOTE: No utility trenching through any TREE PROTECTION AREA.

TREE PROTECTION AREA FENCING



Dimension protection barriers as shown and follow technical guidelines as per City of Richmond. Tree protection barriers to be at least 1.2m in height and constructed with a snow fencing securely fastened to metal or wood stakes spaced no further than 1m apart, or plywood nailed to wooden stakes, or other form of barrier satisfactory to the City Inspector.

Do not remove trees without City Permit. Consult Project Arborist for any clarification.

PROPOSED
RESIDENTIAL LOTS
4271 FRANCIS RD
RICHMOND, BC

DATE: 8 MAY 2015

DRAWN: CM

SHEET NO: 1 OF 1

DRAWING TITLE
TREE PROTECTION
PLAN

FRANCIS ROAD

CRAIGFLOWER GATE

TREE TAG 64
.5m dia. OAK
to be RETAINED.
TREE PROTECTION AREA

TREE TAG 63
.25m dia. HAWTHORNE
to be removed.

TREE TAG 62
.4m dia. MAGNOLIA
to be removed.

TREE TAG 61
.85m dia. PINE
to be retained as per Cor.

TREE TAG 56
.4m dia. CYPRESS
to be removed.

TREE TAG 57
.4m dia. CYPRESS
to be removed.

TREE TAG 58
3 x .4m dia. BIRCH
to be removed.

TREE TAG 59
4 x .2m dia. CYPRESS
to be removed.

TREE TAG 60
.45m dia. CYPRESS
to be RETAINED.

PROPOSED LOT A

PROPOSED LOT B

PROPOSED ROAD

PROPOSED LOT C

PROPOSED LOT D

PROPOSED LOT E

PROPOSED LOT F

PROPOSED LOT G

PROPOSED LOT H

PROPOSED LOT I

PROPOSED LOT J

PROPOSED LOT K

PROPOSED LOT L

PROPOSED LOT M

PROPOSED LOT N

PROPOSED LOT O

PROPOSED LOT P

PROPOSED LOT Q

PROPOSED LOT R

PROPOSED LOT S

PROPOSED LOT T

PROPOSED LOT U

PROPOSED LOT V

PROPOSED LOT W

PROPOSED LOT X

PROPOSED LOT Y

PROPOSED LOT Z

PROPOSED LOT AA

PROPOSED LOT AB

PROPOSED LOT AC

PROPOSED LOT AD

PROPOSED LOT AE

PROPOSED LOT AF

PROPOSED LOT AG

PROPOSED LOT AH

PROPOSED LOT AI

PROPOSED LOT AJ

PROPOSED LOT AK

PROPOSED LOT AL

PROPOSED LOT AM

PROPOSED LOT AN

PROPOSED LOT AO

PROPOSED LOT AP

PROPOSED LOT AQ

PROPOSED LOT AR

PROPOSED LOT AS

PROPOSED LOT AT

PROPOSED LOT AU

PROPOSED LOT AV

PROPOSED LOT AW

PROPOSED LOT AX

PROPOSED LOT AY

PROPOSED LOT AZ

PROPOSED LOT BA

PROPOSED LOT BB

PROPOSED LOT BC

PROPOSED LOT BD

PROPOSED LOT BE

PROPOSED LOT BF

PROPOSED LOT BG

PROPOSED LOT BH

PROPOSED LOT BI

PROPOSED LOT BJ

PROPOSED LOT BK

PROPOSED LOT BL

PROPOSED LOT BM

PROPOSED LOT BN

PROPOSED LOT BO

PROPOSED LOT BP

PROPOSED LOT BQ

PROPOSED LOT BR

PROPOSED LOT BS

PROPOSED LOT BT

PROPOSED LOT BU

PROPOSED LOT BV

PROPOSED LOT BW

PROPOSED LOT BX

PROPOSED LOT BY

PROPOSED LOT BZ

PROPOSED LOT CA

PROPOSED LOT CB

PROPOSED LOT CC

PROPOSED LOT CD

PROPOSED LOT CE

PROPOSED LOT CF

PROPOSED LOT CG

PROPOSED LOT CH

PROPOSED LOT CI

PROPOSED LOT CJ

PROPOSED LOT CK

PROPOSED LOT CL

PROPOSED LOT CM

PROPOSED LOT CN

PROPOSED LOT CO

PROPOSED LOT CP

PROPOSED LOT CQ

PROPOSED LOT CR

PROPOSED LOT CS

PROPOSED LOT CT

PROPOSED LOT CU

PROPOSED LOT CV

PROPOSED LOT CW

PROPOSED LOT CX

PROPOSED LOT CY

PROPOSED LOT CZ

PROPOSED LOT DA

PROPOSED LOT DB

PROPOSED LOT DC

PROPOSED LOT DD

PROPOSED LOT DE

PROPOSED LOT DF

PROPOSED LOT DG

PROPOSED LOT DH

PROPOSED LOT DI

PROPOSED LOT DJ

PROPOSED LOT DK

PROPOSED LOT DL

PROPOSED LOT DM

PROPOSED LOT DN

PROPOSED LOT DO

PROPOSED LOT DP

PROPOSED LOT DQ

PROPOSED LOT DR

PROPOSED LOT DS

PROPOSED LOT DT

PROPOSED LOT DU

PROPOSED LOT DV

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PROPOSED LOT EK

PROPOSED LOT EL

PROPOSED LOT EM

PROPOSED LOT EN

PROPOSED LOT EO

PROPOSED LOT EP

PROPOSED LOT EQ

PROPOSED LOT ER

PROPOSED LOT ES

PROPOSED LOT ET

PROPOSED LOT EU

PROPOSED LOT EV

PROPOSED LOT EW

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PROPOSED LOT EY

PROPOSED LOT EZ

PROPOSED LOT FA

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PROPOSED LOT FH

PROPOSED LOT FI

PROPOSED LOT FJ

PROPOSED LOT FK

PROPOSED LOT FL

PROPOSED LOT FM

PROPOSED LOT FN

PROPOSED LOT FO

PROPOSED LOT FP

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PROPOSED LOT FR

PROPOSED LOT FS

PROPOSED LOT FT

PROPOSED LOT FU

PROPOSED LOT FV

PROPOSED LOT FW

PROPOSED LOT FX

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PROPOSED LOT FZ

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PROPOSED LOT GB

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PROPOSED LOT HB

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PROPOSED LOT HT

PROPOSED LOT HU

PROPOSED LOT HV

PROPOSED LOT HW

PROPOSED LOT HX

PROPOSED LOT HY

PROPOSED LOT HZ

PROPOSED LOT IA

PROPOSED LOT IB

PROPOSED LOT IC

PROPOSED LOT ID

PROPOSED LOT IE

PROPOSED LOT IF

PROPOSED LOT IG

PROPOSED LOT IH

PROPOSED LOT II



City of Richmond

Rezoning Considerations

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

Address: 4271 Francis Road

File No.: RZ 14-659770

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9660, the developer is required to complete the following:

1. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Director of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the Landscape Architect, including installation costs. The Landscape Plan should:
 - Comply with the guidelines of the OCP's Arterial Road Policy and should not include hedges along the front property line.
 - Include a mix of coniferous and deciduous trees.
 - Include the dimensions of tree protection fencing as illustrated on the Tree Retention Plan attached to this report.
 - Include the six (6) required replacement trees with the following minimum sizes:

No. of Replacement Trees	Minimum Caliper of Deciduous Replacement Tree	Minimum Height of Coniferous Replacement Tree
2	11 cm	6 m
2	10 cm	5.5 m
2	9 cm	5 m

If required replacement trees cannot be accommodated on-site, a cash-in-lieu contribution in the amount of \$500/tree to the City's Tree Compensation Fund for off-site planting is required.

2. City acceptance of the developer's offer to voluntarily contribute \$3,000 to the City's Tree Compensation Fund for the planting of replacement trees within the City.
3. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained. The Contract should include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and a provision for the Arborist to submit a post-construction assessment report to the City for review.
4. Submission of a Tree Survival Security to the City in the amount of \$30,000 for the three (3) trees to be retained.
5. Registration of a flood indemnity covenant on Title.
6. Registration of a legal agreement on Title to ensure that no final Building Permit inspection is granted until a secondary suite is constructed on one (1) of the two (2) future lots, to the satisfaction of the City in accordance with the BC Building Code and the City's Zoning Bylaw.
7. The City's acceptance of the applicant's voluntary contribution of \$2.00 per buildable square foot of the single-family developments (i.e. \$5,690.72) to the City's Affordable Housing Reserve Fund.
8. Dedication of a 4.0 x 4.0 m corner cut at the intersection of Craigflower Gate and Francis Road.

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

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. 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.

At Subdivision* or Building Permit* stage, the developer must complete the following requirements:

1. Payment of the current year's taxes, Development Cost Charges (City and GVS & DD), School Site Acquisition Charge, and Address Assignment Fees.
2. Complete the following servicing works and off-site improvements. These may be completed through either a Servicing Agreement* or a City work order:

Water Works:

- Using the OCP Model, there is 241 L/s of water available at a 20 psi residual at the hydrant at the frontage of Craigflower Gate. Based on your proposed rezoning, your site requires a minimum fire flow of 95 L/s.
- The Developer is required to:
 - Submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm the development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit Stage and Building designs. If adequate flow is not available, the Developer shall be required to upgrade the existing water system that may extend beyond the development site frontage.
- At Developers cost, the City is to:
 - Disconnect existing water service at Francis Road frontage and cap connection at main.
 - Provide two (2) new water service connections, complete with individual meters and meter boxes as per Waterworks and Water Rate Bylaw 5637, from the existing 350 mm diameter AC water main at the Francis Road frontage.

Storm Sewer Works:

- The Developer is required to:
 - Check the existing storm inspection chamber STIC51668 at the common property line of the newly subdivided lots and confirm the material, capacity, and condition. If deemed acceptable by the City, the existing inspection chamber may be retained. In the case that the inspection chamber is not in a condition to be re-used, the service connection and inspection chamber shall be replaced by the City at the Developer's cost.
 - Provide, at no cost to the City, a new 3.0 x 3.0 m statutory right-of-way at the adjoining property line of the newly subdivided lots for the existing storm inspection chamber STIC51668 if it is to be retained.
- At Developers cost, the City is to:
 - If the existing inspection chamber is of a condition to be reused, retain the existing storm inspection chamber STIC51668 at the common property line of the newly subdivided lots and reconnect to the existing 250 mm storm sewer in Francis Road. Install two (2) new service laterals off of the existing inspection chamber to service the lots. If the existing inspection chamber is not in a condition to be re-used, install two (2) new storm service connections, complete with inspection chambers.
 - Cut, cap, and remove existing storm connection and inspection chamber STIC55151 at the southwest corner of the development site.

Sanitary Sewer Works:

- At Developers cost, the City is to:
 - Install a new sanitary service connection, complete with inspection chamber and dual service leads, from the existing 200 mm diameter PVC sanitary sewer main at the north end of common property line, within the existing 3.0 m utility right-of-way.
 - Cut and cap, at inspection chamber, existing sanitary connection at the northeast corner of the eastern lot and abandon.

General Items:

- The Developer is required to:
 - Coordinate with BC Hydro, Telus and other private communication service providers:
 - When relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - To determine if above ground structures are required and coordinate their locations (e.g. Vista, PMT, LPT, Shaw cabinets, Telus Kiosks, etc.). These should be located on-site.
 - Design and construct the driveways such that:
 - It does not conflict with existing aboveground structures.
 - It does not conflict with any existing or proposed rights-of-ways. The preliminary driveway location for the western lot extends into the City's sanitary right of way. No concrete shall be poured over the City's right of way.
 - It does not conflict with required tree retention shown in the Tree Protection Plan.
 - Enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, Letters of Credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed

Date



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9660 (RZ 14-659770)
4271 Francis Road**

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

1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning Bylaw 8500, is amended by repealing the existing zoning designation of the following area and by designating it **"SINGLE DETACHED (RS2/C)"**.

P.I.D. 009-343-997

Lot 88 Section 23 Block 4 North Range 7 West New Westminster District Plan 24554

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9660"**.

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

CITY OF RICHMOND
APPROVED by BK
APPROVED by Director or Solicitor hl

MAYOR

CORPORATE OFFICER



City of Richmond

Report to Committee Planning and Development Division

To: Planning Committee
From: Wayne Craig
Director, Development

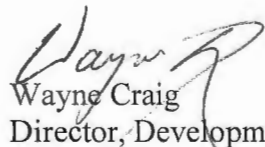
Date: December 8, 2016

File: 08-4430-01/2016-Vol 01

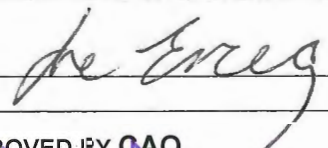

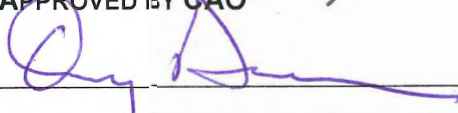
Re: Amendments to Richmond Zoning Bylaw 8500 for 2016 Affordable Housing Contribution Rates.

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9641, to update affordable housing contribution rates for residential zones, be introduced and given first reading.


Wayne Craig
Director, Development

BK:blg
Att. 1

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Policy Planning	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO 

December 8, 2016

Staff Report

Origin

On September 14, 2015, Council endorsed an increase in affordable housing contribution rates and new requirements for single family development, as part of the update of the City's Affordable Housing Strategy. Council also approved a provision for in-stream development applications subject to affordable housing contribution requirements, allowing these projects to pay the old contribution rate if first reading was given to the rezoning bylaw prior to September 14, 2016. All applications since September 14, 2015 have moved forward in accordance with the new contribution rates. This report presents a 'house-keeping' amendment to Richmond Zoning Bylaw 8500 to update the sections of the Zoning Bylaw which secure affordable housing contributions.

Analysis

Affordable Housing Strategy

The Affordable Housing Strategy and the Affordable Housing Reserve Fund Policy 5008 form the City policy framework to secure affordable housing contributions from development. The Strategy also manages the City's affordable housing reserve funds by securing the resources to meet the specific housing and support needs of priority groups, as established by Council.

The Richmond Affordable Housing Strategy was established in 2007, and set the rates where a cash contribution for affordable housing received under a statutory density bonus approach for rezoning applications received after July 1, 2007. These rates were:

- \$1 per square foot from single-family subdivision developments.
- \$2 per square foot from townhouse developments.
- \$4 per square foot from apartment and mixed-use developments involving 80 or less residential units.

New Affordable Housing Contribution Rates as Endorsed by Council

At the February 3, 2015 Planning Committee meeting, staff were authorized to proceed to industry consultation on proposed amendments to the Affordable Housing Strategy, including discussion of new contribution rates.

Staff consulted with representatives from the Urban Development Institute (UDI), the Richmond Small Builders Group, and the Greater Vancouver Home Builders' Association (GVHBA).

At the September 9, 2015 Planning Committee meeting, staff presented an update on the consultation undertaken for the Affordable Housing Strategy, and recommended that new, increased contribution rates be endorsed. Council endorsed the recommendations from the Community Services Division, and endorsed the following rates for affordable housing contributions:

December 8, 2016

- \$2 per square foot for single-family developments.
- \$4 per square foot for townhouse developments.
- \$6 per square foot for apartment and mixed-use developments involving 80 or less residential units.

Council also supported a revision to the Affordable Housing Strategy requirements for all single-family developments: the developer must provide one of the following options:

- a suite in all units;
- a suite in 50 % of units plus a cash-in-lieu contribution for the remaining 50% of units; or
- a cash-in-lieu contribution based on the total residential floor area proposed.

Proposed Zoning Bylaw Amendment

All rezoning applications considered after Council endorsed the new Affordable Housing Contribution provisions on September 14, 2015 have included Affordable Housing in accordance with the amended Affordable Housing Strategy requirements.

There are however, a number of in-stream zoning bylaws where applicants have been authorized to proceed based on the previous contribution rates, and where zoning amendment bylaws have been given third reading following a Public Hearing.

Required affordable housing rates are outlined in Section 5.15 of Richmond Zoning Bylaw 8500, and refer to the density bonus provisions in individual zones. The current Section 5.15 is provided in Attachment 1. If this table were simply amended to reflect the new affordable housing rates adopted by Council any in-stream rezoning bylaw where Council has endorsed the application to proceed based on the old affordable housing contribution rates could not be adopted, as the old rate for cash-in-lieu of affordable housing contributions would not satisfy the density bonus requirements of the zoning bylaw. There are approximately 55 in-stream zoning amendment bylaws which are eligible to proceed under the old affordable housing rates. These are amendment bylaws which received Council consideration prior to September 14, 2016.

In order to ensure that these in-stream-rezoning bylaws are not rendered non-compliant with the density bonus provisions, a new table of affordable housing contribution rates is required, as well as insertion of an effective date as to when the different rates are applied:

- For any rezoning application where affordable housing contribution is required which was considered by Council before September 24, 2016, the old contribution rates will apply.
- For any application considered by Council after September 24, 2016, the new affordable housing rates will apply.

Proposed Bylaw 9641 also includes an amendment to five other sections of Richmond Zoning Bylaw 8500, to update the language of the density bonus provisions contained within the RS1

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zones the RC1 zones, and three site-specific residential zones to include reference to the new Affordable Housing Strategy requirements related to the provision of secondary suites.

Public Consultation

Public notification for the Public Hearing for Bylaw 9641 as presented in this report will be provided as per the *Local Government Act*.

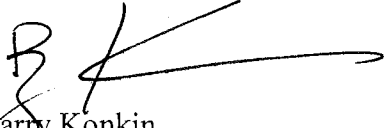
Financial Impact

The proposed Zoning Bylaw Amendment will ensure that the Council-endorsed affordable housing contribution rates are secured through all in-stream and new rezoning applications.

Conclusion

The Council-endorsed rates for affordable housing contributions secured through development applications are now being secured through rezoning considerations. It is in order to amend Part 5 of the Richmond Zoning Bylaw 8500; to update the required contribution table, including an effective date for the new rates, to address in-stream rezoning bylaws.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9641 be introduced and given first reading.



Barry Konkin
Program Coordinator, Development
(604-276-4138)



Joyce Rautenberg
Affordable Housing Coordinator
(604-247-4916)

BK:blg

Attachment 1: Section 5.15 of Richmond Zoning Bylaw 8500



**Richmond Zoning Bylaw 8500
Amendment Bylaw 9641 (08-4430-01/2016-Vol 01)
Affordable Housing Rates**

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

1. Richmond Zoning Bylaw 8500 is further amended at Section 5.15 by deleting Section 5.15.1 in its entirety and substituting it with new Sections 5.15.1 and 5.15.1A set out in Schedule "A" attached hereto and forming part of Bylaw 9641.
2. Richmond Zoning Bylaw 8500 is further amended by deleting Section 8.1.4.5(b) in its entirety and substituting it with:
 - "(b) (i) 100% of the **lots** contain **secondary suites**; or
 - (ii) at least **50%** of the lots contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any **lot** not containing a **secondary suite**; or
 - (iii) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RS2/A-H, J-K **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw".
3. Richmond Zoning Bylaw 8500 is further amended by deleting Section 8.2.4.5(b) in its entirety and substituting it with:
 - "(b) (i) 100% of the **lots** contain **secondary suites**; or
 - (ii) at least **50%** of the lots contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RC1 or RC2 **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any **lot** not containing a **secondary suite**; or
 - (iii) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RC1 or RC2 **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw".

4. Richmond Zoning Bylaw 8500 is further amended by deleting Section 15.21.4.4(b) in its entirety and substituting it with:

“(b) (i) 100% of the **lots** contain **secondary suites**; or

(ii) at least **50%** of the lots contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS21 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any **lot** not containing a **secondary suite**; or

(iii) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS21 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw”.

5. Richmond Zoning Bylaw 8500 is further amended by deleting Section 15.22.4.4(b) in its entirety and substituting it with:

“(b) (i) 100% of the **lots** contain **secondary suites**; or

(ii) at least **50%** of the lots contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS22 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any **lot** not containing a **secondary suite**; or

(iii) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS22 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw”.

6. Richmond Zoning Bylaw 8500 is further amended by deleting Section 15.23.4.4(b) in its entirety and substituting it with:

“(b) (i) 100% of the **lots** contain **secondary suites**; or

(ii) at least **50%** of the lots contain a **secondary suite** and the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS23 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw for the **floor area** permitted on any **lot** not containing a **secondary suite**; or

(iii) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner’s lot** in the **ZS23 zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw”.

7. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9641"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

ADOPTED

_____	CITY OF RICHMOND APPROVED by BK

_____	APPROVED by Director or Solicitor JH

MAYOR

CORPORATE OFFICER

Schedule "A"

5.15.1 Where amendment to this bylaws bylaw considered by **Council** before September 24, 2016, and where an **owner** pays into the **affordable housing reserve** according to the **density bonusing** provisions of this bylaw, the following sums shall be used:

Zone	Sum Per Buildable Square Foot of Permitted Principal Building
RS2/A-K	\$1.00
RC2	\$1.00
ZS21	\$1.00 <i>[Bylaw 8965, Sep 23/13]</i>
ZS22	\$1.00 <i>[Bylaw 9490, Mar 21/16]</i>
RI2	\$2.00
RTL2	\$2.00
RTL4	\$2.00
RTM2	\$2.00
RTM3	\$2.00
RTH1	\$2.00
RTH2	\$2.00
RTH3	\$2.00
RTH4	\$2.00
RTP1	\$2.00
RTP2	\$2.00
RTP3	\$2.00
RTP4	\$2.00
RAL2	\$4.00
RAM2	\$4.00
RAM3	\$4.00
RAH1	\$4.00
RAH2	\$4.00
CDT2	\$4.00

Zone	Sum Per Buildable Square Foot of Permitted Principal Building
RCL2	\$4.00
ZHR6	\$4.00
ZR7	\$2.00
ZMU19	\$4.00 [Bylaw 8580, Jan 24/11]
ZMU20	\$4.00 [Bylaw 8818, Sep 24/12]
ZMU21	\$4.00 [Bylaw 8875, Nov 13/12]
ZMU22	\$4.00 [Bylaw 9001, Jul 8/13]
ZMU24	\$4.00 [Bylaw 9094, Jul 27/15]
ZMU26	\$4.00 [Bylaw 9138, Apr 27/15]
ZT70	\$2.00 [Bylaw 9107, Sep 14/15]
ZS23	\$1.00 [Bylaw 9275, Jun 13/16]
ZLR26	\$2.00 for housing, town , \$4.00 for housing, apartment [Bylaw 9241, Oct 11/16]

For the purposes of Section 5.15.1, buildable square foot is the maximum **floor area ratio** and excludes the items not included in the calculation of **density** (e.g., **enclosed parking**; unenclosed **balconies**; common stairwells and common elevator shafts; etc.).

5.15.1A Where amendment to this bylaws bylaw considered by **Council** after September 24, 2016, and where an **owner** pays into the **affordable housing reserve** according to the **density bonusing** provisions of this bylaw, the following sums shall be used:

Zone	Sum Per Buildable Square Foot of Permitted Principal Building
RS2/A-K	\$2.00
RC2	\$2.00
ZS21	\$2.00
ZS22	\$2.00
RI2	\$4.00
RTL2	\$4.00
RTL4	\$4.00

Zone	Sum Per Buildable Square Foot of Permitted Principal Building
RTM2	\$4.00
RTM3	\$4.00
RTH1	\$4.00
RTH2	\$4.00
RTH3	\$4.00
RTH4	\$4.00
RTP1	\$4.00
RTP2	\$4.00
RTP3	\$4.00
RTP4	\$4.00
RAL2	\$6.00
RAM2	\$6.00
RAM3	\$6.00
RAH1	\$6.00
RAH2	\$6.00
CDT2	\$6.00
RCL2	\$6.00
ZHR6	\$6.00
ZR7	\$4.00
ZMU19	\$6.00
ZMU20	\$6.00
ZMU21	\$6.00
ZMU22	\$6.00
ZMU24	\$6.00
ZMU26	\$6.00
ZT70	\$4.00
ZS23	\$4.00
ZLR26	\$4.00 for housing, town, \$6.00 for housing, apartment <i>[Bylaw 9241, Oct 11/16]</i>

For the purposes of Section 5.15.1A, buildable square foot is the maximum **floor area ratio** and excludes the items not included in the calculation of **density** (e.g., **enclosed parking**; unenclosed **balconies**; common stairwells and common elevator shafts; etc.).



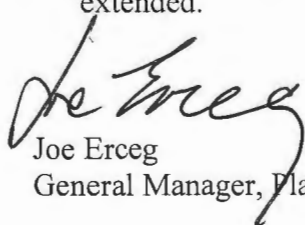
City of Richmond

Report to Committee

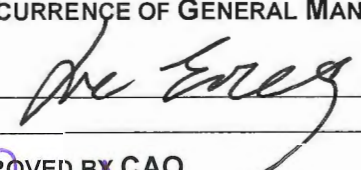
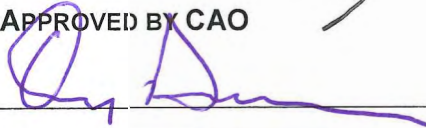
To: Planning Committee **Date:** December 14, 2016
From: Joe Erceg
General Manager, Planning & Development **File:**
Re: **Richmond Response: Metro Vancouver Proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, to make minor changes to the RGS Sewerage Extension Policies and Procedures**

Staff Recommendation

1. That Metro Vancouver Board be advised that the City of Richmond has no concerns with Metro Vancouver's proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, which proposes minor changes to the RGS sewerage extension policies and procedures, by clarifying the circumstances when regional sewerage service may be extended.


Joe Erceg
General Manager, Planning and Development

JE:tc
Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Engineering	<input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: DW	APPROVED BY CAO 

Staff Report

Origin

On November 15, 2016, the City of Richmond (City) received a letter from the Metro Vancouver (MV) Board inviting the City to comment by January 13, 2016, on the Metro Vancouver proposed Regional Growth Strategy (RGS) Amendment Bylaw 1236, 2016, to make minor changes to the RGS sewerage extension policies and provisions by clarifying the circumstances when regional sewerage service may be extended (Attachment 1). A map showing the relevant Richmond MV RGS land use designations and regional sewerage areas is shown in Attachment 2.

This report responds to this invitation.

This report supports Council's 2014-2018 Term Goal #5 Partnerships and Collaboration:

Continue development and utilization of collaborative approaches and partnerships with intergovernmental and other agencies to help meet the needs of the Richmond community.

5.2. Strengthened strategic partnerships that help advance City priorities.

This report supports Council's 2014-2018 Term Goal #6 Quality Infrastructure Networks:

Continue diligence towards the development of infrastructure networks that are safe, sustainable, and address the challenges associated with aging systems, population growth, and environmental impact.

6.2. Infrastructure is reflective of and keeping pace with community need.

Background

General

On July 29, 2011, with Richmond's and other local governments' consent, the Metro Vancouver Board adopted a regional plan titled: Metro Vancouver 2040 Shaping Our Future, to guide and co-ordinate regional growth, land use, transportation, infrastructure and environmental protection to the year, 2040.

Currently, the Metro Vancouver Board may direct the Greater Vancouver Sewerage and Drainage District (GVS&DD) not to extend regional sewage services into RGS Rural, Agricultural or Conservation and Recreation areas, except to service existing building footprints in cases where sewer service is needed to: (1) address a public health issue, (2) protect the region's natural assets, or (3) service agriculture or agri-industry.

Since the RGS was adopted, Metro Vancouver, in consultation with local governments, has identified the need to make minor adjustments to the RGS regional sewerage extension policies and procedures, to enhance their practical application and meet a wider range of circumstances.

The aim of the proposed RGS amendment, in RGS Rural, Agricultural and Conservation and Recreational designated areas, is to stipulate that limited regional sewerage extensions may be considered and undertaken to:

- (1) Existing: Allow regional sewerage extensions for certain existing building footprints,
- (2) New: Allow limited regional sewerage extensions for the footprint of new development sites,
- (3) New: Provide needed flexibility to extend regional sewerage service, as follows:
 - (Existing) - the extension is the only reasonable means of preventing or alleviating a public health risk,
 - (New) - the extension is the only reasonable means of preventing or alleviating an environmental risk,
 - (New) - the connection to the regional sewerage service would have no significant impact on the goals of:
 - Containing urban development within the Urban Containment Boundary, and
 - Protecting lands with a RGS Rural, Agricultural, and Conservation and Recreation regional land use designation.

For example, the proposed RGS amendment would;

- Delete the following existing RGS Policy 1.1.1 which says:
Metro Vancouver's role is to: 1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not extend regional sewage services into the Rural, Agricultural or Conservation and Recreation areas, except for building footprints in cases where infrastructure is needed to address a public health issue, protect the region's natural assets, or to service agriculture or agri-industry; and
- Substitute:
Metro Vancouver's role is to:
1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances below, the GVRD Board will advise the Greater Vancouver Sewerage and Drainage District (GVS&DD) Board that it may consider a connection for existing development and for new development where, in the GVRD's opinion, that new development is consistent with the underlying regional land use designation and where the GVRD determines, either:
 - *that the extension is the only reasonable means of preventing or alleviating a public health or environmental risk; or*
 - *that the connection to the regional sewerage services would have no significant impact on the goals of containing urban development in the within the Urban Containment Boundary and protecting lands with a Rural, Agricultural, and Conservation and Recreation regional land use designation.*

The proposed Bylaw clarifies the above for each RGS Rural, Agricultural, and Conservation and Recreation land use designation, and that regional sewerage service would only be extended to existing and new building footprints, not whole sites.

Analysis

The origin of Metro Vancouver's proposed RGS Bylaw changes arose due to requests from some MV municipalities (e.g., Langley), to accommodate unique regional sewerage extension servicing situations.

City Engineering and Policy Planning staff have reviewed the proposed MV RGS Bylaw and advise that it is acceptable, as it enables necessary limited regional sewerage extension servicing, to RGS Rural, Agricultural and Conservation and Recreational designated areas, to better service and control development in those areas and reinforce the RGS Urban Containment Boundary. Note that Richmond does not have any RGS Rural designated areas. The proposed MV RGS Bylaw amendment clarifies that regional sewerage service may be extended to existing and new building footprints, for health and environmental reasons, and where there would be no significant impact to the purpose of the RGS designated areas.

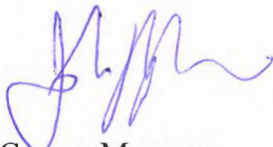
As the proposed RGS Bylaw amendment involves Type 2 minor amendment, in order for it to be approved, it requires an affirmative two-thirds weighted vote of the MV Board and a Public Hearing.

Financial Impact

None

Conclusion

City of Richmond staff have reviewed the proposed RGS Bylaw, have no concerns as it does not jeopardize City interests and advise that the MV board be so advised.


FOR Terry Crowe, Manager
Policy Planning (4139)

TTC:cas

- Att. 1: Metro Vancouver Board Letter regarding the proposed MV RGS Amendment Bylaw1236, 2016
2: Map of relevant Richmond MV RGS land use designations and regional sewerage areas

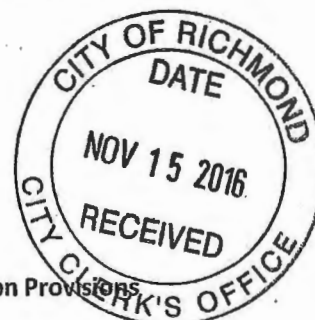

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NOV 10 2016

 File: CR-12-01
 RD 2016 Sep 23

 Mr. David Weber, Director of City Clerks Office
 City of Richmond
 6911 No. 3 Road
 Richmond, BC V6Y 2C1


Dear Mr. Weber:

 Re: **Metro Vancouver 2040: Shaping our Future Amendment – Sewerage Extension Provisions**

At its September 23, 2016 regular meeting, the Board of Directors of the Greater Vancouver Regional District ('Metro Vancouver') adopted the following resolution:

That the GVRD Board:

- a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
- b) Give first reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*";
- c) Give second reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*"; and
- d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.

 This letter provides notification to affected local governments and other agencies, in accordance with Section 437 of the *Local Government Act*, and Sections 6.4.2, 6.4.4 and 6.4.5 of *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy.

Metro 2040 includes policies regarding the coordination of regional sewerage service provision amongst the Metro Vancouver Boards to ensure alignment between *Metro 2040* policies, as governed by the GVRD Board, and Metro Vancouver works and services, governed by the Greater Vancouver Sewerage & Drainage District and Greater Vancouver Water District Boards. The intent is to ensure that all Metro Vancouver works and services are consistent with the goals of the regional growth strategy regarding urban containment, protection of lands with a regional Agricultural, Rural or Conservation and Recreation land use designation, and efficient infrastructure servicing.

Metro 2040 was adopted in July 2011, and the applicable policies have been applied to all sewerage extension applications since then. This experience identified a need to make adjustments to existing *Metro 2040* sewerage extension policies and procedures to enhance the practical application of *Metro 2040*, regional service provision, and improved coordination with member jurisdictions. The adjustments proposed in Amendment Bylaw No. 1236 are intended to maintain firm urban containment objectives, while allowing flexibility for the GVRD Board to determine exceptions for sewerage

extensions where on-site treatment systems are not feasible, or where a specific extension will have no significant impact on *Metro 2040* urban containment goals (Attachment 1). Full background and policy details are provided in the attached GVRD Board report (Attachment 2). *Metro 2040 Implementation Guideline #7: Extension of Regional Sewerage Services* is intended to be a companion document that establishes clear and transparent application procedures and provides detailed review criteria for determining service extension exceptions (Attachment 3). It is anticipated that the implementation guideline will be adopted by resolution of the GVRD Board following adoption of Amendment Bylaw No. 1236.

Metro 2040 Section 6.4.2 'Notification and Request for Comments', states that for all proposed amendments to the regional growth strategy, the GVRD Board will provide written notice of the proposed amendment to all affected local governments; provide a minimum of 30 days for affected local governments, and the appropriate agencies, to respond to the proposed amendment; and post notification of the proposed amendment on the Metro Vancouver website, for a minimum of 30 days.

You are invited to provide written comments on the proposed amendment to *Metro 2040*. Please provide comments in the form of a Council/Board resolution, as applicable, and submit to Chris.plagnol@metrovancover.org by January 13, 2017. Given the detailed nature of the proposed amendment, Metro Vancouver staff is available to provide a presentation to municipal Councils if desired, throughout the notification period. Following the notification period, a regional public hearing will be held to allow opportunity for general public comment on the proposed amendment bylaw.

If you have any questions with respect to the proposed amendment or wish to receive a presentation, please contact Heather McNell, Division Manager of Growth Management, at 604-436-6813 or heather.mcnell@metrovancover.org. More information and a copy of *Metro Vancouver 2040: Shaping our Future* can be found on our website at www.metrovancover.org.

Yours truly,



Chris Plagnol
Corporate Officer / Director

CP/EC/HM/

cc: Terry Crowe, Manager of Policy and Planning Department

Encl:

1. Amendment Bylaw No. 1236
2. GVRD Board Report titled "*Metro Vancouver 2040: Shaping our Future* Amendment – Sewerage Extension Provisions", dated August 26, 2016
3. Draft *Metro 2040* Implementation Guideline #7: *Extension of Regional Sewerage Services*

19476058

**GREATER VANCOUVER REGIONAL DISTRICT
REGIONAL GROWTH STRATEGY AMENDMENT BYLAW NO. 1236, 2016**

A Bylaw to Amend

Greater Vancouver Regional District Regional Growth Strategy Bylaw No. 1136, 2010.

WHEREAS the Board of the Greater Vancouver Regional District adopted the Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 on July 29, 2011;

AND WHEREAS the Board wishes to amend provisions within Greater Vancouver Regional District Regional Growth Strategy Bylaw No.1136, 2010 relating to the extension of regional sewerage services.

NOW THEREFORE, the Board of the Greater Vancouver Regional District in open meeting assembled ENACTS as follows:

1. The "Greater Vancouver Regional District Regional Growth Strategy Bylaw Number 1136, 2010" is hereby amended as follows:

A) By deleting Section 1.1.1 in its entirety and substituting the following in its place:

1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying regional land use designation, and where the GVRD Board determines either:

- a) that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- b) that the connection to regional sewerage services would have no significant impact on the goals of containing urban development within the Urban Containment Boundary, and protecting lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

B) By deleting Section 1.3.1 in its entirety and substituting the following in its place:

1.3.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the

GVRD Board's opinion, that new development is consistent with the Rural regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
 - b) that the connection to regional sewerage services would have no significant impact on the strategy to protect lands with a Rural regional land use designation from urban development.
- C) By deleting Section 2.3.1 in its entirety and substituting the following in its place:

2.3.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with an Agricultural regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying Agricultural regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
 - b) that the connection to regional sewerage services would have no significant impact on the strategy to protect the supply of agricultural land and promoting agricultural viability with an emphasis on food production.
- D) By deleting Section 3.1.1 in its entirety and substituting the following in its place:

3.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying Conservation and Recreation regional land use designation and where the GVRD Board determines either:

- a) that the connection to regional sewerage services the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- b) that the connection to regional sewerage services would have no significant impact on the strategy to protect lands with a Conservation and Recreation regional land use designation.

E) By deleting the last sentence of Section 6.8.2.

F) By adding a new Section 6.8.3 as follows:

6.8.3 For lands with a Rural, Agricultural, or Conservation and Recreation regional land use designation, policies 1.1.1, 1.3.1, 2.3.1, and 3.1.1 apply regardless of whether the area is within one of the GVS&DD's sewerage areas.

With reference to Sections 1.1.1, 1.3.1, 2.3.1, and 3.1.1, in determining whether, in the circumstances, connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk, the GVRD Board will consider the opinion of a professional, as such term is defined in the Sewerage System Regulation 326/2004 pursuant to the *Public Health Act* (British Columbia), or if appropriate a qualified professional, as such term is defined in Municipal Wastewater Regulation 87/2012 pursuant to the *Environmental Management Act* (British Columbia), submitted by the member municipality as to the technical and economic feasibility of installing and maintaining a private on-site sewage treatment system in accordance with all laws and regulations applicable in British Columbia. The GVRD Board may also obtain its own opinion from a professional and consider such opinion.

G) By adding a new Section 6.9.2 as follows:

6.9.2 All connections to regional sewerage services approved by the GVRD Board as per *Metro 2040* Sections 1.1.1, 1.3.1, 2.3.1, and 3.1.1 will be contained within a sewerage area footprint boundary as determined by the GVRD and GVS&DD Boards. Any sewerage service connection outside of that boundary will require GVRD Board and GVS&DD Board approval.

H) By adding a new Section 6.9.3 as follows:

6.9.3 The GVRD Board has adopted guidelines titled, "*Metro Vancouver 2040: Shaping Our Future* Implementation Guideline #7 - Extension of Regional Sewerage Services" to assist in the implementation of Regional Growth Strategy policies regarding the provision of regional sewerage services.

I) By deleting the words "and Sewerage Areas" from Section 6.12.4.

2. The official Citation for this bylaw is "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016" This bylaw may be cited as "Regional Growth Strategy Amendment Bylaw No. 1236, 2016."

Read a First time this _____ day of _____, 2016.

Read a Second time this _____ day of _____, 2016.

Read a Third time this _____ day of _____, 2016.

Passed and Finally Adopted this _____ day of _____, 2016.

Greg Moore, Chair

Chris Plagnol, Corporate Officer



metrovanancouver

SERVICES AND SOLUTIONS FOR A LIVABLE REGION

To: GVRD Board

From: Terry Hoff, Senior Regional Planner, Parks, Planning and Environment Department

Date: August 26, 2016

Meeting Date: September 9, 2016

Subject: ***Metro Vancouver 2040: Shaping our Future Amendment – Sewerage Extension Provisions***

RECOMMENDATION

That the GVRD Board:

- a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
 - b) Give first reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*";
 - c) Give second reading to "*Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016*"; and
 - d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.
-

PURPOSE

This report provides the GVRD Board with the opportunity to consider a proposed Type 2 amendment to *Metro Vancouver 2040: Shaping our Future (Metro 2040)* to amend *Metro 2040* provisions for the extension of regional sewerage services.

BACKGROUND

On April 15, 2016 the Regional Planning Committee received for information a report titled, "*Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options*". The report provided a detailed description of existing *Metro 2040* sewerage extension provision, implementation issues and recommended actions. In that meeting the Committee resolved:

That the Regional Planning Committee direct staff to present the report dated March 30, 2016, titled, "Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options" to the Utilities Committee at its May 19 meeting for input.

On May 19, 2016 the Utilities Committee received for information the report dated April 20, 2016, titled, "*Metro 2040 Sewerage Extension Provisions - Implementation Issues and Options*". Staff received feedback on both the proposed amendment and associated implementation guidelines from the Regional Planning and Utilities' Committee members, and have updated both documents accordingly. The amendment bylaw is now ready for GVRD Board consideration.

METRO 2040 SEWERAGE EXTENSION PROVISIONS

In accordance with Section 445 of the *Local Government Act*, *Metro 2040* Section 6.8.1 establishes that all bylaws, works and services undertaken by Metro Vancouver must be consistent with *Metro 2040*, the regional growth strategy. *Metro 2040* includes provisions for coordination amongst the Metro Vancouver Boards to ensure alignment between *Metro 2040* policies as governed by the GVRD Board, and Metro Vancouver works and services governed by the GVS&DD and GVWD

Boards. The intent is to ensure that all Metro Vancouver works and services are consistent with key goals of *Metro 2040*, the regional growth strategy, particularly strategies for urban containment, protection of lands with a regional Agricultural or Rural land use designation, and efficient servicing objectives.

Generally, *Metro 2040* provisions establish that the GVS&DD and the GVWD will not authorize connections to regional services where the nature of that development is, in the sole judgment of the GVRD Board, inconsistent with the provisions of the Regional Growth Strategy. More specifically, *Metro 2040* provisions direct the GVS&DD to not extend regional sewage services into areas within Rural, Agricultural or Conservation and Recreation regional land use designations, except where infrastructure is needed to address a public health issue, protect the region's natural assets, or to service agriculture or agri-industry.

In the years since the adoption of *Metro 2040*, there have been a number of applications by member municipalities to extend regional sewerage services into areas with a *Metro 2040* Agricultural land use designation. In an information report to the October 5, 2012 meeting of the Regional Planning and Agriculture Committee, staff advised the Committee of concerns regarding implementation of *Metro 2040* with respect to Sewerage Areas, specifically exception criteria and application procedures. Staff initiated a review process to consider minor amendments to *Metro 2040* policies and the development of an associated implementation guideline to clarify criteria used to define exceptions and Metro Vancouver sewerage extension application procedures.

***Metro 2040* Implementation Issues**

Three key implementation issues were identified through the processing of sewerage extension applications over the past five years:

- *The need to clearly allow the GVRD Board some flexibility in applying Metro 2040 provisions for minor cases that are 'inconsistent' with Metro 2040 provisions, but have no significant impact on Metro 2040 implementation.*
- *The need to reduce ambiguity and overly broad criteria in defining the exceptions to Metro 2040 sewerage extension provisions.*
- *The need to establish decision-making procedures for the roles of the GVRD and GVS&DD Boards, and Metro Vancouver departments, in considering sewerage extension applications .*

Proposed Responses to Implementation Issues

Following consultation with both Metro Vancouver staff and municipal staff, as well as with Regional Planning Committee and Utilities Committee, staff propose that amendments to sewerage extension provisions within *Metro 2040*, along with a companion sewerage extension Implementation Guideline #7, provide a means to address the issues in an effective way. *Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016* is Attachment 1 to this report, and the associated implementation guideline is Attachment 2.

The proposed *Metro 2040* amendments and associated implementation guideline will:

- Maintain a clear policy directive to inhibit sewerage service extensions outside of the Urban Containment Boundary;
- Provide the GVRD Board with the guidance and discretion to consider exceptions;

- Establish clear application review procedures and decision making roles for the GVRD Board (*Metro 2040* review) and GVS&DD Board (service provision) regarding future extensions of regional sewerage services;
- Provide greater specificity in defining sewerage extension policy exceptions by linking regional policy with existing provincial regulations that address public health and environmental contamination risks;
- Allow flexibility for considering exceptions to sewerage extension policy for extensions / connections having no significant impact on *Metro 2040* goals related to urban containment, or where a qualified professional (as defined through Provincial regulations) recommends that on-site septic treatment systems are not feasible; and
- Maintain GVRD Board discretion to determine that any particular sewerage service connection or extension is inconsistent with the broader provisions of *Metro 2040*.

The draft *Metro Vancouver 2040: Shaping Our Future* IMPLEMENTATION GUIDELINE #7: Extension of Regional Sewerage Services is an integral component in supporting *Metro 2040* policies by providing the detailed exception criteria and review procedures for those sewerage connections or extensions applicable to *Metro 2040*. The guideline specifies that all sewerage extension applications must be submitted to the GVS&DD Board by the respective municipality following a Council resolution. The Implementation Guideline #7 then provides municipalities and the proponent with rationale and the information necessary in submitting an application, as well as the technical assessment process and the review process that is undertaken by Metro Vancouver Boards.

The Implementation Guideline #7 is directly referenced in the amended *Metro 2040* policy and will be conveyed to the GVRD Board for consideration in conjunction with the staff report providing the GVRD Board the opportunity to consider adoption of the amendment bylaw.

Updates to the proposed amendment and Implementation Guideline #7 reflecting comments

As a result of comments from Regional Planning and Utilities Committee members, Implementation Guideline #7 was updated to include:

- the option for a restrictive covenant (page 11 of Implementation Guideline #7); and
- clearer criteria for meeting the 'exceptional circumstances' to meet the 'has no significant impact on *Metro 2040* provisions' exception (pages 8 and 9 of Implementation Guideline #7) to guide GVRD Board consideration.

In addition, the amendment bylaw received legal review and resulting minor edits, and was also amended to:

- explicitly include the option for the GVRD Board to obtain an opinion from a second Qualified Professional as part of their consideration.

Finally, Committee members expressed a desire to ensure that the amendment emphasizes the importance of the *Metro 2040* Sewerage Extension Provisions as a growth management tool, and strikes a balance between providing reasonable flexibility and maintaining the effectiveness of the regional growth strategy's policy to limit the extension of regional sewerage services into lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation.

ALTERNATIVES

1. That the GVRD Board:
 - a) Initiate the regional growth strategy minor amendment process for proposed amendments to *Metro Vancouver 2040: Shaping our Future* provisions for the extension of sewerage services;
 - b) Give first reading to "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016";
 - c) Give second reading to "Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016"; and
 - d) Direct staff to notify affected local governments as per *Metro Vancouver 2040: Shaping our Future* Section 6.4.2.
2. That the GVRD Board receive for information the report dated August 26, 2016, titled "*Metro Vancouver 2040: Shaping our Future* Amendment – Sewerage Extension Provisions".

FINANCIAL IMPLICATIONS

If the Board proceeds with Alternative 1, there will be financial implications associated with the cost of holding a public hearing. These costs include advertising, additional staff time and potential remuneration of Board directors to attend the public hearing. The proposed amendment will not have any other direct financial implications for Metro Vancouver. Metro Vancouver will assess the technical implications and potential financial implications of all future sewerage extension applications on a case-by-case basis.

SUMMARY / CONCLUSION

Compact urban form, urban containment and the protection of agricultural lands are fundamental goals of *Metro 2040*, the regional growth strategy. To reinforce these goals, *Metro 2040* contains provisions to limit the extension of regional sewage services into areas with a regional Agricultural, Rural and Conservation and Recreation land use designation. While sewerage extension provisions provide an important tool for managing urban containment, implementation to date indicates that the provisions would be enhanced by including more specific policy content and an implementation guideline to address sewerage extension applications.

Following consultation with municipalities and Metro Vancouver Regional Planning and Liquid Waste Services staff, and consultation with Metro Vancouver Legal staff, staff propose that amendments to sewerage extension provisions within *Metro 2040*, along with a companion set of sewerage extension implementation guidelines provide a means to address the issues in an effective way.

On April 15, 2016 the Regional Planning Committee received for information a report titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options" (Attachment 3). The report provided a detailed description of existing *Metro 2040* sewerage extension provision, implementation issues and recommended actions. In that meeting the Committee directed staff to present the report to the Utilities Committee at its May 19 meeting for input. On May 19, 2016 the Utilities Committee received for information the report dated April 20, 2016, titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options".

Staff received feedback on both the proposed amendment and associated implementation guideline from the Regional Planning and Utilities' Committee members, and have updated both documents accordingly.

The proposed amendments to *Metro 2040* sewerage extension provisions will maintain the primary policy intent to limit the extension of regional sewerage services to contain urban development within the *Metro 2040* Urban Containment Boundary, but will allow for flexibility for the GVRD Board to determine exceptions for sewerage extensions where on-site treatment systems are not feasible, or where a particular extension has no significant impact on *Metro 2040* urban containment goals. The accompanying Implementation Guideline #7 is integral to *Metro 2040* policy by establishing clear and transparent sewerage extension application procedures and providing detailed review criteria for determining service extension exceptions. Staff recommend Alternative 1.

Attachments:

1. Greater Vancouver Regional District Regional Growth Strategy Amendment Bylaw No. 1236, 2016.
2. *Metro Vancouver 2040: Shaping Our Future*, Implementation Guideline #7, Extension of Regional Sewerage Services.
3. Report to the April 15 meeting of the Regional Planning Committee dated March 30, 2016, titled, "*Metro 2040* Sewerage Extension Provisions - Implementation Issues and Options.

Metro Vancouver 2040: Shaping Our Future
IMPLEMENTATION GUIDELINE #7
Extension of Regional Sewerage Services

Dated August 26, 2016

Adopted by the Greater Vancouver Regional District Board XXXX XX, 201X

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Purpose

The purpose of this document is to describe applicable *Metro Vancouver 2040: Shaping our future (Metro 2040)* provisions and application review criteria and procedures for member municipalities requesting a connection to regional sewerage services for lands with a regional Rural, Agricultural or Conservation and Recreation land use designation.

1 Introduction

Metro Vancouver adopted *Metro Vancouver 2040: Shaping our Future (Metro 2040)*, the regional growth strategy, on July 29, 2011, following acceptance by all affected local governments. *Metro 2040* represents consensus among Metro Vancouver and affected local governments to work collaboratively to meet our collective regional planning goals of creating a compact urban area, supporting a sustainable economy, protecting the environment, responding to climate change impacts, developing complete communities and supporting sustainable transportation choices.

Successful implementation of *Metro 2040* depends on cooperation between Metro Vancouver and affected local governments, and the support of local plans, policies and programs that contribute to the regional planning objectives identified in *Metro 2040*.

Metro Vancouver is responsible for preparing guidelines to assist in implementing *Metro 2040* strategies. This guideline should be read in conjunction with *Metro 2040*, and it does not replace or supersede the content of, or the requirements set out in, the regional growth strategy. This document is one in a series of guidelines supporting *Metro 2040* implementation. *Metro 2040*, related documents and a glossary of terms and references for this guideline can be viewed on the Metro Vancouver website:

<http://www.metrovancouver.org/planning/development/strategy/Pages/default.aspx>

1.1 *Metro 2040* Rationale

A primary goal of *Metro 2040* is urban containment, utilizing the Urban Containment Boundary (UCB) to limit the spread of urban development into lands with a regional Rural, Agricultural or Conservation and Recreation land use designation. The UCB establishes a long-term footprint for future urban development, provides predictability for major investments in utility, road and transit infrastructure, and protects the character and viability of lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation. *Metro 2040* anticipates the area within the UCB has capacity to accommodate projected urban growth to 2041, with the majority of future growth concentrated within Urban Centres and along transit corridors within the UCB.

Urban growth typically depends on access to regional sewerage services. To reinforce the urban containment strategy, *Metro 2040* includes policies to coordinate regional growth and utility planning, and to limit the extension of regional sewerage services into lands with a regional Rural, Agricultural, or Conservation and Recreation land use designation.

Metro 2040 Section 6.8.1, which reflects *Local Government Act* Section 445, prevents the Greater Vancouver Regional District, the Greater Vancouver Water District and the Greater Vancouver Sewerage and Drainage District from providing works and services that are inconsistent with *Metro 2040*.

After the Metro Vancouver Board has adopted the Regional Growth Strategy all bylaws adopted and all works and services undertaken by the Greater Vancouver Regional District, the Greater Vancouver Water District or the Greater Vancouver Sewerage and Drainage District must be consistent with the Regional Growth Strategy. The Greater Vancouver Sewerage and Drainage District and the Greater Vancouver Water District will not directly or indirectly supply, agree to supply, or authorize connections that enable the supply of services to a site that is developed or proposed to be developed after the date of adoption of the Regional Growth Strategy where the nature of that development is, in the sole judgment of the Greater Vancouver Regional District, inconsistent with the provisions of the Regional Growth Strategy.

Metro 2040 Section 1.1 'Contain Urban Development within the Urban Containment Boundary', more specifically establishes Metro Vancouver's role as follows:

1.1.1 Direct the Greater Vancouver Sewerage and Drainage District to not allow connections to regional sewerage services to lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Notwithstanding this general rule, in the exceptional circumstances specified below, the GVRD Board will advise the GVS&DD Board that it may consider such a connection for existing development or for new development where, in the GVRD Board's opinion, that new development is consistent with the underlying regional land use designation, and where the GVRD Board determines either:

- c) that the connection to regional sewerage services is the only reasonable means of preventing or alleviating a public health or environmental contamination risk; or
- d) that the connection to regional sewerage services would have no significant impact on the goals of containing urban development within the Urban Containment Boundary, and protecting lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

This policy provision is repeated in *Metro 2040* Section 1.3 for lands with a Rural regional land use designation, Section 2.3 for lands with an Agricultural regional land use designation and Section 3.1 for lands with a Conservation and Recreation regional land use designation.

1.2 Roles of Metro Vancouver Boards

The Greater Vancouver Sewerage and Drainage District (GVS&DD) provides members with regional sewerage collection and treatment services. The Greater Vancouver Regional District (GVRD) is responsible for the implementation and administration of *Metro 2040*. The GVS&DD's Board of Directors is distinct from, but has many directors in common with, the GVRD's Board of Directors.

Connections to regional sewerage services are only provided within the GVS&DD's legally defined Sewerage areas. Prior to the adoption of *Metro 2040*, an application for an expansion of the Sewerage Area required only GVS&DD Board approval. Following adoption of *Metro 2040*, the GVS&DD is not permitted to provide services if the GVRD Board determines such services are inconsistent with *Metro 2040* provisions. *Metro 2040* Section 6.8.1 establishes that the GVRD Board must determine whether a proposed sewerage extension or connection is consistent with *Metro 2040* prior to the GVS&DD Board's final decision on an application.

2 Application Review Criteria and Procedures: Regional Sewerage Service Extension

The process for municipalities applying to connect to regional sewerage services for lands with a Rural, Agricultural, or Conservation and Recreation regional land use designation is described in this section and summarized in Figure 1.

2.1 Initiating an Application

Applications for connection to regional sewerage services must be initiated by a resolution of the respective municipal Council. It is expected that the municipality's application will include appropriate documentation addressing *Metro 2040* provisions and guidelines as appropriate for the specific application. It is recommended that municipal staff consider these guidelines and contact Metro Vancouver staff before seeking a Council resolution and submitting an application. It is important that each municipality ensure the project proponent is fully aware of Metro Vancouver policies and procedures, and understands the appropriate documentation to be included with the application.

2.2 Technical Review of GVS&DD System and Regulatory Implications

Upon receipt of an application, Metro Vancouver Liquid Waste staff will prepare an initial technical review of the application to assess service capacity, service levels and financial implications for the GVS&DD system, and compliance with applicable Acts and Bylaws. If it is determined that there are GVS&DD system or regulatory implications the application may be denied by the GVS&DD Board. If there are no such GVS&DD implications, the application would be forwarded to Metro Vancouver Regional Planning staff to assess consistency with *Metro 2040*.

2.3 *Metro 2040* Review

Metro Vancouver staff will assess the existing or proposed development and the merits and potential implications of regional sewerage service extension in regard to *Metro 2040* goals and strategies. The primary policies will include, but not be limited to, *Metro 2040* Land Use Designations, Strategy 1.1 *Contain urban development within the Urban Containment Boundary*; Strategy 1.3 *Protect Rural areas from urban development*; Strategy 2.3 *Protect the supply of Agricultural land and promote agricultural viability*; and, Strategy 3.1 *Protect Conservation and Recreation lands*. *Metro 2040* Section 6.9 provides additional provisions for approved sewerage

connections for lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

On-site systems are the primary method of sewage treatment for lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. *Metro 2040* anticipates that on-site systems will continue to be the primary method of sewage treatment for these lands. However, *Metro 2040* recognizes exceptional circumstances in which regional sewerage service may be extended into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation. Sections 2.3.1 and 2.3.2 of this guideline describe how applications will be categorized and assessed in relation to these exceptions. Even if an application falls within one of the exceptions described in sections 2.3.1 or 2.3.2 the GVRD Board may nevertheless determine that the extension of regional sewerage service is inconsistent with other relevant *Metro 2040* provisions and deny the application.

2.3.1 Exception to Address a Public Health or Environmental Contamination Risk

In accordance with *Metro 2040* Sections 1.3.1(a), 2.3.1(a) and 3.1.1(a), exceptions will be considered to ensure there is appropriate sanitary sewer treatment available to avoid the risk of public health or environmental contamination. Exceptions are applicable for existing development, or new development that, in the GVRD Board's opinion, is consistent with *Metro 2040* provisions, where an on-site sewer treatment system constructed and maintained in accordance with applicable Provincial regulations would not be reasonable. For cases where the daily sewage flow is less than 22,700 litres/day, the *Public Health Act* and *Sewerage System Regulation* include provisions for on-site wastewater disposal and the criteria for defining a related public health hazard. For larger developments where the daily sewage flow is greater than 22,700 litres/day, the *Environmental Management Act* and *Municipal Wastewater Regulation* include the provisions and criteria to determine an environmental risk.

Subject to the provisions of applicable provincial regulations, the applicant would qualify for consideration of a *Metro 2040* exception by providing an Environmental Impact Report, prepared and certified by a qualified professional, establishing that an on-site sewerage treatment system constructed and maintained in accordance with applicable regulations would not be feasible. The application must also include a letter signed by the designated authority responsible for the administration of the applicable *Sewerage System Regulation* or *Municipal Wastewater Regulation*, concurring with the exception rationale contained in the *Environmental Impact Report*.

The report must include the following information:

- a) the existing use of the property, the structures proposed for connection and any anticipated changes to the use or structures on the property;

- b) the circumstances inhibiting the feasible installation, maintenance or repair of an on-site sewerage system in accordance with the *Public Health Act* and *Sewerage System Regulation or Environmental Management Act* and *Municipal Wastewater Regulation*. Such circumstances typically relate to site constraints such as soils, natural features, site configuration, flow capacity that would inhibit an on-site system or prohibitive construction or maintenance costs of an on-site treatment system;
- c) the nature of the public health or environmental risk on or adjacent to the site;
- d) the location of the existing regional or municipal sewer pipes proposed for connection and the proposed routing of the new sewer pipes required for connection to the subject site. Consideration will include the potential for extended sewerage infrastructure to prompt additional demands for connection to regional sewerage services. Proximity to an existing sewer main does not alone establish rationale for a sewerage connection;
- e) the site plan showing the proposed GVS&DD sewerage boundary footprint containing only the structure(s) to be connected within the property;
- f) the servicing plan showing that the works are designed to accommodate a flow capacity no greater than the capacity necessary to service the specified structures and activity located within the proposed GVS&DD Sewerage Area footprint; and
- g) the applicant and property owner acknowledge that Metro Vancouver consideration for exemption is specific to the information contained in the application, and that any works to extend the capacity for collection of liquid waste generated outside of the GVS&DD sewerage boundary footprint, within or outside of the subject property, will require a new sewerage extension application to the GVS&DD.

If the proposed connection is within the Agricultural Land Reserve, Metro Vancouver will consult the Agricultural Land Commission to determine whether the extension of sewerage infrastructure and the service connection are acceptable to the Commission.

All submitted documentation will be reviewed and assessed by Metro Vancouver staff, and is subject to consideration by the GVRD Board and the GVS&DD Board. The GVRD Board will evaluate the *Metro 2040* sewerage extension exemption based on the feasibility rationale provided in the application¹, and whether the potential impacts of service extension on *Metro 2040* provisions can be sufficiently addressed. Potential *Metro 2040* impacts include, but are not limited to, the development potential of the subject site and the potential for the extension of sewerage infrastructure to trigger additional service connection applications and land use speculation. The applicant / property owner and the respective municipality must be prepared to accept that a restrictive covenant be registered on the

¹ Following review of the Environmental Impact Report, Metro Vancouver may request additional information be provided to support feasibility rationale, or Metro Vancouver may retain the services of a Qualified Professional, at the applicant's expense, to prepare a supplemental verification report.

property specifying that access to regional sewerage services is provided subject to agreed upon conditions.

If the GVRD Board concurs that it is not reasonable to construct and maintain an on-site sewerage treatment system to alleviate public health or environmental contamination risk, and determines that the potential impacts of service extension on *Metro 2040* provisions can be sufficiently addressed, the GVRD Board may resolve to accept a limited extension of regional sewerage services into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

2.3.2 Connection Exception for Limited Development Determined to Have No Significant Impact on *Metro 2040* Provisions

“No significant impact” is a term applied to regional sewerage service extensions or connections that do not conflict with the intent or implementation of *Metro 2040* Goal 1 urban containment provisions or related *Metro 2040* land use designations, goals and strategies. The intent of this exception is to recognize there may be particular circumstances where a service connection is practical and there are no significant *Metro 2040* implications.

The GVRD Board’s review of the application will consider the following evaluation criteria in determining whether an application is considered “not significant” under *Metro 2040* provisions 1.1.1(b), 1.3.1(b), 2.3.1(b), or 3.1.1(b):

- a) the nature of development, existing or proposed, does not conflict with, or negatively impact, *Metro 2040* Goal 1 urban containment provisions or related regional land use designations, goals and strategies;
- b) extension of GVS&DD sewage services is provided to a single, non-strata, property, with service access to be contained within a specified GVS&DD sewerage boundary footprint comprising the structures proposed for sewerage connection within that property;
- c) the service connection is designed to accommodate a sewage flow capacity no greater than the capacity necessary to service the existing structures and activity located within the specified GVS&DD Sewerage Area footprint on the date of approval; and
- d) the distance and routing of extended sewerage infrastructure to the subject property is proximate and located such that there is limited potential for prompting additional regional sewerage connection requests in the surrounding area. Proximity to an existing sewer main does not alone establish rationale for a sewerage connection.

To be considered under this exception, applications must include documentation specifying:

- a) the existing use of the property, the structures proposed for connection and any anticipated changes to the use or structures on the property;

- b) the rationale for connecting to the GVS&DD sewage treatment system versus an on-site sewage treatment system;
- c) the location of the existing GVS&DD or municipal sewer pipes and the proposed routing of the new sewer pipes required for connection to the subject site;
- d) the site plan showing the proposed GVS&DD sewerage boundary footprint containing only the structure(s) to be connected within the property;
- e) the servicing plan indicating the connection is designed to accommodate a flow capacity no greater than the capacity necessary to service the specified structures and activity to be located within the proposed GVS&DD Sewerage Area footprint; and
- f) the applicant and property owner acknowledge that Metro Vancouver consideration for exemption is specific to the information contained in the application, and that any works to extend capacity for collection of liquid waste generated outside of the GVS&DD sewerage boundary footprint, within or outside of the subject property, will require a new sewerage extension application to the GVS&DD.

The GVRD Board will evaluate the *Metro 2040* sewerage extension exemption based a Metro Vancouver staff assessment of the potential impacts of service extension on *Metro 2040* provisions and whether any potential impacts are sufficiently addressed. Potential *Metro 2040* impacts include, but are not limited to, the development potential of the subject site and the potential for the extension of sewerage infrastructure to trigger additional service connection applications and land use speculation. The applicant / property owner and the respective municipality must be prepared to accept a restrictive covenant be registered on the property specifying that access to regional sewerage services is provided subject to agreed upon conditions.

If the GVRD Board concurs that the service extension has no significant impact on *Metro 2040* provisions, the GVRD Board may resolve to accept a limited extension of regional sewerage services into lands with a Rural, Agricultural or Conservation and Recreation regional land use designation.

2.4 Sewerage Extension Applications within the *Metro 2040* Urban Containment Boundary

There may be locations on lands with a General Urban, Industrial or Mixed Employment regional land use designation that are not included within the GVS&DD sewerage area. As these locations are intended for forms of development that require access to sewerage services, *Metro 2040* Section 6.8.2 states that such locations would be eligible for sewerage services provided that the proposed development complies with applicable policies for those designations.

Application to the GVS&DD Board is required for sewerage extension approvals in these areas. Each application will initially be reviewed by the GVRD Board to determine compliance with applicable *Metro 2040* policies. If consistent with *Metro 2040*, the application would then proceed to the

GVS&DD Board for consideration of approval. If not consistent with *Metro 2040*, the GVRD Board would direct the GVS&DD Board to deny the application (see Section 2.5 below).

2.5 Applications that are Inconsistent with *Metro 2040* Provisions

Any sewerage extension application, including applications that meet the exception criteria described in sections 2.3.1, may nevertheless be determined by the GVRD Board to be inconsistent with the broader provisions of *Metro 2040*, as referenced under *Metro 2040* Section 6.8.1. Determining inconsistency with *Metro 2040* provisions will include, but not be limited to, consideration of the following:

- whether the extension is intended to service new development that is inconsistent with the intent of the existing *Metro 2040* Land Use Designation or applicable *Metro 2040* Goal, Strategy or Action;
- whether the extension of new sewerage infrastructure connecting to the subject site would create opportunity and additional pressures for further extension of regional sewerage services in the surrounding Rural, Agricultural or Conservation and Recreation regional land use designations in a manner that may compromise *Metro 2040* urban containment provisions or the intent of those land use designations.

Where the GVRD Board determines that the nature of development (including the extension of municipal infrastructure providing access to GVS&DD works and services) proposed in the subject application is inconsistent with *Metro 2040* provisions, the GVRD Board would direct the GVS&DD to deny the application.

2.6 Potential Conditions to Support *Metro 2040* Compatibility

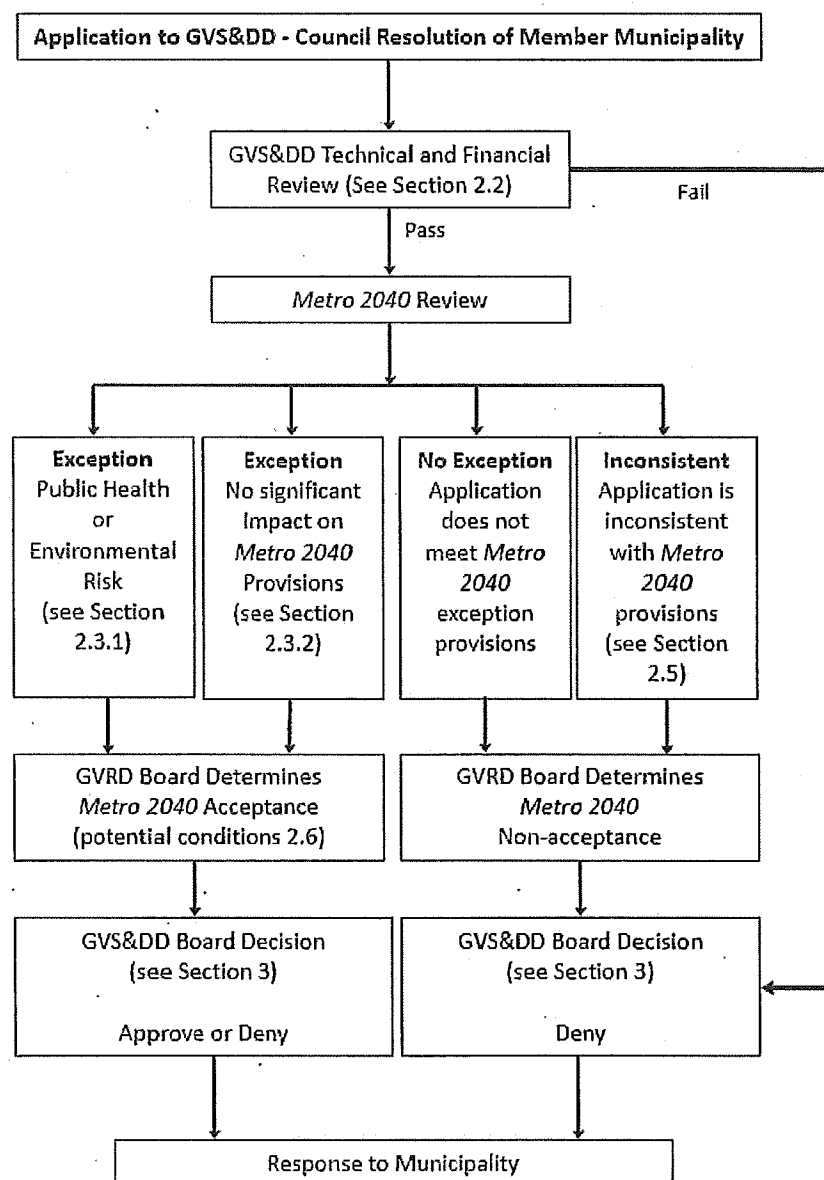
The GVRD Board may additionally determine that the application proceed *with conditions*. Conditions will be determined on a case by case basis and may include, but are not limited to, the following:

- the extension of regional sewerage services is limited by a restrictive covenant registered on the property specifying that sewerage services are provided only within a specified boundary and only for specified land use / structures. In such cases, the municipality must reapply to the GVS&DD for a sewerage extension for any proposed change in the specified boundary, or any change in the land use or development within that boundary as specified by the restrictive covenant.

3 GVS&DD Board Decision

All GVRD Board resolutions pertaining to an application to extend GVS&DD sewerage services will be sent to the GVS&DD Board for final decision. In the cases where the GVRD Board has resolved that an application is not acceptable under *Metro 2040*, the GVS&DD Board is bound by that resolution and must not approve the extension of regional services. In the cases where the GVRD Board has resolved that an application is acceptable under *Metro 2040*, the GVS&DD Board has sole discretion either to approve or deny the application.

Figure 1 Metro 2040 Application Review Process for Municipalities Requesting Extension of GVS&DD Sewerage Services



Please Note:

- 1) It is strongly advised that municipal staff consult Metro Vancouver staff prior to formally submitting an application.
- 2) See Section 2.4 for applications to extend the GVS&DD Sewerage Area boundaries located within the Metro 2040 Urban Containment Boundary.

